

BEREA CITY COUNCIL

City of Berea, Ohio

ORDINANCE NO. 2025-32

By: Councilwoman Mary K. Brown Sponsor: Mayor Cyril M. Kleem

AN ORDINANCE

APPROVING DIGERONIMO DEVELOPMENT, AN AFFILIATE OF BEREA MIXED USE PROJECT, LLC, AND AUTHORIZED AGENT OF RENTAL ACQUISITIONS, LLC/BEREA STAGE II-A PLANNED UNIT DEVELOPMENT PRELIMINARY DEVELOPMENT PLAN AND AMENDING THE ZONING MAP OF THE CITY OF BEREA BY REZONING THE AREA OF LAND TO BE KNOWN AS DISTRICT 46 TO PLANNED UNIT DEVELOPMENT / UPTOWN (UT) DISTRICT.

WHEREAS, Chapter 210 of the City of Berea Zoning Code sets forth the procedure for the creation of Planned Unit Developments ("PUD") to promote progressive development of land and achieve the objectives of Zoning Code Section 210.01; and

WHEREAS, DiGeronimo Development, an affiliate of Berea Mixed Use Project, LLC and authorized agent of Rental Acquisitions, LLC, has filed a Stage II-A Planned Unit Development Preliminary Development Plan and an application to rezone the parcels of land identified in Exhibit "A", which is attached hereto and incorporated herein by reference, and requests that the parcels be zoned Planned Unit Development/Uptown District (UT) in the City of Berea, as more fully shown on the map attached hereto and identified as Exhibit "A", and incorporated herein by reference; and

WHEREAS, DiGeronimo proposes to build a hotel, medical building, parking lot, stadium, landscaping and other amenities; and

WHEREAS, the Planning Commission approved DiGeronimo's Stage I Planned Unit Development Concept Plan on November 21, 2024; and

WHEREAS, pursuant to Chapters 105 and 210 of the Zoning Code of the City of Berea, this Council has referred said Stage II-A Planned Unit Development Preliminary Development Plan and application to rezone to the Municipal Planning Commission for review and consideration; and

WHEREAS, the Clerk of Council has notified the Zoning Administrator of the Stage II Planned Unit Development Preliminary Development Plan and application for rezoning, and the Zoning Administrator has inspected the property and made a written report to the Planning Commission; and

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WHEREAS, the report of the Zoning Administrator and this Ordinance have been referred to a Planning Advisor who has reviewed the Stage II Preliminary Development Plan and application to rezone and has evaluated the same and reported that the Stage II Planned Unit Development Preliminary Development Plan and rezoning are consistent with the general purposes and overall objectives of the Zoning Code and has provided such report to the Planning Commission; and

WHEREAS, the Planning Commission has provided prior written notice by mail at least ten (10) days prior to the Public Hearing of the Planning Commission to consider the Stage II-A Planned Unit Development Preliminary Development Plan and the application to rezone to all owners of property within two hundred feet of the affected property; and

WHEREAS, the Planning Commission reviewed and conducted public hearings on the Stage II-A Planned Unit Development Preliminary Development Plan and application to rezone on May 1, 2025; and

WHEREAS, after considering all of the factors set forth in the Zoning Code of the Codified Ordinances of the City of Berea, as well as plans, elevations, drawings, evidence and comments presented at the public hearing, the Planning Commission voted to recommend approval of DiGeromino Development Stage II-A Planned Unit Development Preliminary Development Plan and accompanying waivers, as described in Exhibit "B", and with the conditions specified in Exhibit "C", both exhibits being attached hereto and incorporated herein, and acceptance of the application to rezone, and as set forth in the minutes of the Planning Commission meeting dated May 1, 2025;

WHEREAS, the Clerk of Council has published notice of a public hearing for the Stage II-A Planned Unit Development Preliminary Development Plan and the application to rezone in a newspaper of general circulation at least thirty (30) days prior to the holding of said public hearing, and that the public hearing has been held and consideration of the public hearing has been made by this Council; and

WHEREAS, the Clerk of Council has provided written notice of a public hearing for the Stage II-A Planned Unit Development Preliminary Development Plan and the application to rezone, by first class mail, at least twenty (20) days before the date of the public hearing, to the owners of properties within and contiguous to and directly across the street from the parcel in question; and

WHEREAS, this Council conducted a public hearing on the recommendation of the Planning Commission to approve the Stage II Planned Unit Development Preliminary Development Plan and to accept the application to rezone; and

WHEREAS, this Council has considered all of the factors set forth in the Zoning Code of the Codified Ordinances of the City of Berea, as well as comments presented at the public hearing, the comments made during the public hearing before the Planning Commission, and the record of

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proceedings before the Planning Commission including the materials submitted by DiGeronimo Development as part of its Stage II-A Planned Unit Development Preliminary Development Plan; and

WHEREAS, after considering all of these factors and applying the standards contained in Section 210.09(D), this Council hereby approves DiGeronimo's Phase II-A Planned Unit Development Preliminary Development Plan, with the conditions specified in Exhibit "C", accepts DiGeronimo Development's application to rezone and rezones the above referenced parcel of land to Planned Unit Development / Uptown District.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Berea, State of Ohio:

SECTION 1. That this Council has considered and accepts the recommendations of the Municipal Planning Commission, the Zoning Administrator, and the Planning Advisor, and has further duly considered all matters arising at the public hearing on the Stage II-A Planned Unit Development Preliminary Development Plan and the application to rezone, and hereby approves the Stage II-A Planned United Development Preliminary Development Plan, with the conditions specified in Exhibit "C", and approves the rezoning of certain parcels of land identified on Exhibit "A", attached hereto and incorporated herein, to Planned Unit Development / Uptown Zoning District.

SECTION 2. That the Zoning Administrator is hereby directed to revise the official Zoning Map of the City to reflect the rezoning of the affected area as indicated herein and approved hereby.

SECTION 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: *May 19, 2025*

ATTEST: *[Signature]*
Clerk of Council

APPROVED AS TO FORM:

[Signature]
Director of Law

APPROVED: *May 19, 2025*

[Signature]
President of Council

[Signature]
C. Gil Ver
Mayor

PARCEL	CURRENT ZONING	PROPOSED ZONING	OWNER	ADDRESS
362-14-024	CC	PUD/UT	RENTAL ACQUISITIONS LLC	COLUMBUS ST.
362-14-033	CC	PUD/UT	RENTAL ACQUISITIONS LLC	543 FRONT ST.
362-14-025	CC	PUD/UT	RENTAL ACQUISITIONS LLC	549 FRONT ST.
362-14-026	CC	PUD/UT	CITY OF BEREA	581 FRONT ST.
362-14-027	CC	PUD/UT	CITY OF BEREA	FRONT ST.
362-14-028	CC	PUD/UT	CITY OF BEREA	563 FRONT ST.
362-14-031	CC	PUD/UT	CITY OF BEREA	FRONT ST.
362-14-032	CC	PUD/UT	CITY OF BEREA	FRONT ST.
362-14-066	CC	PUD/UT	CITY OF BEREA HGY	FRONT ST.
362-15-001	CC	PUD/UT	THE CITY OF BEREA	566 FRONT ST.
362-15-011	R-SF-B	PUD/UT	BEREA VILLAGE	511 PEARL ST.
362-15-020	R-SF-B	PUD/UT	CITY OF BEREA	587 PEARL ST.
362-15-021	R-SF-B	PUD/UT	CITY OF BEREA LAND REUTILIZATION PROGRAM	589 PEARL ST.
362-15-022	CC	PUD/UT	RENTAL ACQUISITIONS, LLC	599 PEARL ST.
362-15-023	R-SF-B	PUD/UT	RENTAL ACQUISITIONS, LLC	590 PEARL ST.
362-15-024	R-SF-B	PUD/UT	RENTAL ACQUISITIONS, LLC	588 PEARL ST.
362-15-025	R-SF-B	PUD/UT	RENTAL ACQUISITIONS, LLC	584 PEARL ST.
362-15-026	R-SF-B	PUD/UT	RENTAL ACQUISITIONS, LLC	582 PEARL ST.
362-15-027	R-SF-B	PUD/UT	RENTAL ACQUISITIONS, LLC	576 PEARL ST.
362-15-028	NC	PUD/UT	RENTAL ACQUISITIONS, LLC	572 PEARL ST.
362-15-029	NC	PUD/UT	RENTAL ACQUISITIONS, LLC	566 PEARL ST.
362-15-030	R-SF-B	PUD/UT	RENTAL ACQUISITIONS, LLC	560 PEARL ST.
362-15-031	R-SF-B	PUD/UT	RENTAL ACQUISITIONS, LLC	556 PEARL ST.
362-15-032	R-SF-B	PUD/UT	RENTAL ACQUISITIONS, LLC	550 PEARL ST.
362-15-033	R-SF-B	PUD/UT	RENTAL ACQUISITIONS, LLC	544 PEARL ST.
362-15-034	R-SF-B	PUD/UT	RENTAL ACQUISITIONS, LLC	540 PEARL ST.
362-15-035	R-SF-B	PUD/UT	RENTAL ACQUISITIONS, LLC	528 PEARL ST.
362-15-036	R-SF-B	PUD/UT	RENTAL ACQUISITIONS, LLC	524 PEARL ST.
362-15-037	R-SF-B	PUD/UT	RENTAL ACQUISITIONS, LLC	520 PEARL ST.
362-15-038	R-SF-B	PUD/UT	RENTAL ACQUISITIONS, LLC	512 PEARL ST.
362-15-036	R-SF-B	PUD/UT	RENTAL ACQUISITIONS, LLC	569 PEARL ST.
362-15-017	R-SF-B	PUD/UT	RENTAL ACQUISITIONS, LLC	575 PEARL ST.
362-15-018	R-SF-B	PUD/UT	RENTAL ACQUISITIONS, LLC	577 PEARL ST.
362-15-019	R-SF-B	PUD/UT	RENTAL ACQUISITIONS, LLC	579 PEARL ST.
362-15-048	R-SF-B	PUD/UT	RENTAL ACQUISITIONS, LLC	25 SECOND AVE.
362-15-049	R-SF-B	PUD/UT	RENTAL ACQUISITIONS, LLC	31 SECOND AVE.
362-15-050	R-SF-B	PUD/UT	RENTAL ACQUISITIONS, LLC	35 SECOND AVE.
362-15-051	R-SF-B	PUD/UT	RENTAL ACQUISITIONS, LLC	39 SECOND AVE.
362-15-052	R-SF-B	PUD/UT	RENTAL ACQUISITIONS, LLC	555 PEARL ST.
362-15-053	CC	PUD/UT	CITY OF BEREA	4 FIRST AVE.
362-15-054	CC	PUD/UT	THE CITY OF BEREA	22 FIRST AVE.
362-15-056	CC	PUD/UT	CITY OF BEREA	FIRST AVE.
362-15-058	CC	PUD/UT	CITY OF BEREA	21 SECOND AVE.
362-15-059	CC	PUD/UT	CITY OF BEREA	30 FIRST AVE.
362-15-060	R-SF-B	PUD/UT	CITY OF BEREA	PEARL ST.
362-15-004	CC	PUD/UT	RENTAL ACQUISITIONS, LLC	520 FRONT ST.
362-15-010	R-SF-B	PUD/UT	RENTAL ACQUISITIONS, LLC	505 PEARL ST.
362-15-012	R-SF-B	PUD/UT	RENTAL ACQUISITIONS, LLC	519 PEARL ST.
362-15-013	R-SF-B	PUD/UT	RENTAL ACQUISITIONS, LLC	523 PEARL ST.
362-15-014	R-SF-B	PUD/UT	RENTAL ACQUISITIONS, LLC	527 PEARL ST.
362-15-015	R-SF-B	PUD/UT	RENTAL ACQUISITIONS, LLC	533 PEARL ST.
362-15-040	R-SF-B	PUD/UT	RENTAL ACQUISITIONS, LLC	48 SECOND AVE.
362-15-041	R-SF-B	PUD/UT	RENTAL ACQUISITIONS, LLC	42 SECOND AVE.
362-15-042	R-SF-B	PUD/UT	RENTAL ACQUISITIONS, LLC	36 SECOND AVE.
362-15-043	R-SF-B	PUD/UT	RENTAL ACQUISITIONS, LLC	32 SECOND AVE.
362-15-045	R-SF-B	PUD/UT	RENTAL ACQUISITIONS, LLC	24 SECOND AVE.
362-16-001	CC	PUD/UT	RENTAL ACQUISITIONS, LLC	502 FRONT ST
362-16-002	CC	PUD/UT	RENTAL ACQUISITIONS, LLC	496 FRONT ST
362-16-003	CC	PUD/UT	RENTAL ACQUISITIONS, LLC	486 FRONT ST

EXHIBIT "A"

District 46

Stage IIA – Preliminary Development Plan Waivers

Front Setback Waiver for Mixed Use Building No. 1 on the Overall Master Plan (Page C1.5). A waiver shall be granted from Zoning Code Section 205.05(B), Table 6 which requires buildings to be setback at least 15 feet from the front property line. The waiver shall permit Mixed Use Building No. 1 to be constructed with a front setback of 2 feet from the front property line.

Front Setback Waiver for Mixed Use Building No. 3 on the Overall Master Plan (Page C1.5). A waiver shall be granted from Zoning Code Section 205.05(B), Table 6 which requires buildings to be setback at least 15 feet from the front property line. The waiver shall permit Mixed Use Building No. 3 to be constructed with a front setback of 4 feet from the front property line.

Height Waiver for Mixed Use Building No. 1 on the Overall Master Plan (Page C1.5). A waiver shall be granted from Zoning Code Section 205.05(B), Table 6 which limits the height of a building to 40 feet. The waiver shall permit Mixed Use Building No. 1 to be constructed with a height of 50 feet.

Height Waiver for Mixed Use Building No. 3 on the Overall Master Plan (Page C1.5). A waiver shall be granted from Zoning Code Section 205.05(B), Table 6 which limits the height of a building to 40 feet. The waiver shall permit Mixed Use Building No. 3 to be constructed with a height of 62 feet.

Architectural Design Standard, Flat Roof Cornice Treatment Waiver for Mixed Use Building No. 1 on Overall Master Plan (Page C1.5). A waiver shall be granted from Zoning Code Section 205.12(B)(3) which requires roofs to be ornamented with shaped parapets or cornice treatments. The waiver shall permit Mixed Used Building No. 1 to be constructed with the roof design specified on pages A1.3 and A1.4 of the PUD Stage IIA Submittal.

Architectural Design Standard, Flat Roof Cornice Treatment Waiver for Mixed Use Building No. 3 on Overall Master Plan (Page C1.5). A waiver shall be granted from Zoning Code Section 205.12(B)(3) which requires roofs to be ornamented with shaped parapets or cornice treatments. The waiver shall permit Mixed Used Building No. 3 to be constructed with the roof design specified on pages A2.7 and A2.8 of the PUD Stage IIA Submittal.

Standard Light Pole Waiver. A waiver shall be granted from Zoning Code Section 205.12(G)(1)(a) which requires that light poles in the UT zoning district be of the type specified in Figure 13 of the Zoning Code. The waiver shall permit installation of the two types of light poles specified on Page E1.2 of the PUD Stage IIA PUD Submittal throughout the PUD District.

Maximum Parking Lot Light Pole Height Waiver. A waiver shall be granted from Zoning Code Section 300.07(C) which limits the height of light poles in parking areas to 20 feet. The waiver shall permit the installation of 25 foot tall light poles of the type as specified on page E1.2 of the PUD Stage IIA Submittal throughout the PUD District.

Front Setback Waiver for Parking Lots A, B, C, and D on the Dated Parking Plan (Page C1.1a). A waiver shall be granted from Zoning Code Section 301.03(C)(2) which requires parking lots for commercial uses to be setback at least 10 feet from the right of way. The waiver shall permit Parking Lot A to be constructed with a zero foot setback at its closest point; Parking Lot B to be constructed with a 3 foot setback; Parking Lot C to be constructed with a zero foot setback at its closest point; and Parking Lot D

EXHIBIT "C"

MUNICIPAL PLANNING COMMISSION

RECOMMENDATION TO CITY COUNCIL TO ADOPT ORDINANCE NO. 4-1 WITH THE FOLLOWING CONDITIONS:

- 1) That the PUD plans incorporate the recommendations of the City's Planning Consultant, Jay Stewart, including drafting a written parking plan that is realistic and effective. This written parking plan shall include the following:
 - Confirmation that the parking lots on page C1.2 of the PUD Stage IIA Development are available for use;
 - Confirmation that parking lots to the North of the PUD District are available for use, including: Ohio Nut and Bolt, Dearborn, Hans Noble Design, Avient, STEM Exploration Center, and the City Parking Lot adjoining Berea Hardware;
 - Determination of whether expanded parking possibilities at St. Adalbert Church and Cuyahoga County Fairgrounds are available;
 - A statement of events that the Community Field will host each year, as well as the projected number of attendees;
 - Whether or not the 287 parking spaces at the Browns Headquarters Facility can be used during the off-season
 - Determination of whether shuttle services will be available for parking lots that are at a greater distance to the PUD District;
 - A plan for how available parking for each event will be communicated to ticket holders and publicized to the general public.
- 2) That all recommendations of the Traffic Impact Study be implemented, including the installation of a traffic signal at the new Front Street/Second Avenue intersection, the widening of Front Street to accommodate a southbound left-turn lane at the new Second Avenue and the installation of separate left and right-turn lanes at the westbound approach of the new Front Street/Second Avenue intersection.
- 3) That the Landscaping Plan dated May 12, 2025 be incorporated in to the project.