

BEREA CITY COUNCIL

City of Berea, Ohio

ORDINANCE NO. 2025-64

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

AN ORDINANCE

AMENDING THE ZONING MAP OF THE CITY OF BEREA BY REZONING VARIOUS PARCELS FROM UPTOWN (UT) DISTRICT TO MULTI-FAMILY RESIDENTIAL (MFR) DISTRICT.

WHEREAS, the City of Berea has entered into a Development Agreement to sell the following parcels, currently owned by the City of Berea, to GD3 Ventures I, LLC, or its affiliate Front Street Towns, LLC.: 362-02-003, 362-02-012, 362-02-011, 362,02-014, 362-02-009, 362-03-013, 362-03-002, 362-03-014, 362-02-004 and 362-01-012, as more fully shown on the map attached hereto and identified as Exhibit "A" and incorporated herein by reference; and

WHEREAS, the Development Agreement to sell the subject parcels is contingent upon changing the zoning of the subject parcels from Uptown (UT) District to Multi-Family Residential (MFR) District; and

WHEREAS, Front Street Towns, LLC. has requested that the subject parcels be rezoned from Uptown (UT) District to Multi-Family Residential (MFR) District; and

WHEREAS, pursuant to Chapter 105 of the Zoning Code of the Codified Ordinances of the City of Berea, this Council has referred said request to the Municipal Planning Commission for review and consideration, and the Planning Commission has recommended approval and acceptance of the rezoning petition; and

WHEREAS, the Clerk of Council has notified the Zoning Administrator of this application for rezoning, and the Zoning Administrator has inspected the subject parcels and made a written report to the Planning Commission; and

WHEREAS, the report of the Zoning Administrator and this Ordinance have been referred to a Planning Advisor who has reviewed the application and has evaluated the same and reported that the rezoning is 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 meeting of the Planning Commission to consider the rezoning application to all owners of the property within two hundred (200) feet of the affective properties; and

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WHEREAS, the Clerk of Council has published notice of a public hearing on the application for rezoning in a newspaper of general circulation at least thirty (30) days prior to the holding of said public hearing, and notice of the rezoning petition has been provided to owners of property within the affected area, contiguous to the affected areas, and across the street from the affected areas, and that the public hearing has been held and consideration of the public hearing has been made by this Council.

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 recommendation 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 petition for rezoning, and hereby rezones the land identified as Permanent Parcel Numbers 362-02-003, 362-02-012, 362-02-011, 362-02-014, 362-02-009, 362-03-013, 362-03-002, 362-03-014, 362-02-004 and 362-01-012, as more fully described on Exhibit "A", attached hereto and incorporated herein, from Uptown (UT) District to Multi-Family Residential (MFR) 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 areas as indicated herein and approved hereby.

SECTION 3. That 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: October 20, 2025

ATTEST: [Signature]
Clerk of Council

[Signature]
President of Council

APPROVED: October 20, 2025

[Signature]
Mayor

10/20/25
Date

APPROVED AS TO FORM

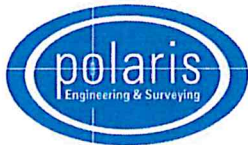
[Signature]
Director of Law



Polaris Engineering & Surveying
34600 Chardon Road Suite D
Willoughby Hills, Ohio 44094
Office: (440) 944-4433
Fax: (440) 944-3722

August 12, 2025
City of Berea Parcels

<u>Parcel Number</u>	<u>Address</u>	<u>Owner</u>
362-02-003	785 Front Street	City of Berea
362-02-012	767 Front Street	City of Berea
362-02-011	757 Front Street	City of Berea
362-02-014	760 North Rocky River Drive	City of Berea
362-02-009	739 Front Street	City of Berea
362-03-013	None	City of Berea
362-03-002	None	City of Berea
362-03-014	731 Front Street	City of Berea
362-02-004	804 Front Street	City of Berea
362-01-012	824 Front Street	City of Berea



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August 11, 2025
Legal Description of
Land in the City of Berea
(Lot 1)

Situated in the City of North Berea, County of Cuyahoga, and State of Ohio: Being part of Original Middleburg Township Section 18, Lot 6, and being a combination of land conveyed to the City of Berea, (Parcels 362-02-003, 362-02-009, 362-02-011, 362-02-012, 362-02-014, 362-03-002, 362-03-013, and 362-03-014) and more fully described as follows:

Beginning at a survey marker nail found at the intersection of the centerline of Front Street (80 feet wide – offset centerline) with the centerline of North Rocky River Drive (100 feet wide);

Thence South 26°00'33" West, along the centerline of North Rocky River Drive, 850.88 feet to the westerly extension of the southerly line of land conveyed to Hinckley Reserve Realty LLC by deed recorded as AFN 201907050108 of Cuyahoga County Records (PPN 362-02-017);

Thence North 89°26'33" East, along the westerly extension of the southerly line of land conveyed to Hinckley Reserve Realty LLC, 55.90 feet to a 5/8 inch iron pin found at the southwesterly corner thereof and being in the easterly right of way of North Rocky River Drive, and the Principal Place of Beginning of the following described parcel:

- | | |
|-----------------|---|
| Course 1 | North 89°26'33" East, along the southerly line of land conveyed to Hinckley Reserve Realty LLC, 137.12 feet to a 5/8 inch iron pin (Id: Polaris) set therein; |
| Course 2 | Thence South 44°59'29" East, along the southerly line of land conveyed to Hinckley Reserve Realty LLC, 47.26 feet to a 5/8 inch iron pin (Id: Polaris) set therein; |

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- Course 3** Thence South 89°33'46" East, along the southerly line of land conveyed to Hinckley Reserve Realty LLC, 117.44 feet to a 5/8 inch iron pin found in the westerly right of way of Front Street;
- Course 4** Thence South 00°24'46" East, along the westerly right of way of Front Street, 572.89 feet to a 5/8 inch iron pin (Id: Polaris) set therein at the point of curvature to Emerson Drive (50 feet wide);
- Course 5** Thence southwesterly, 31.07 feet along the arc of a curve, deflecting to the left and having a radius of 20.00 feet, a delta of 89°00'48", and a chord of 28.04 feet bearing South 44°05'38" West to a 5/8 inch iron pin (Id: Polaris) set in the northerly right of way of Emerson Drive;
- Course 6** Thence, South 88°36'02" West, along the northerly right of way of Emerson Drive, 277.30 feet to a 5/8 inch iron pin (Id: Polaris) set at a point of curvature therein;
- Course 7** Thence westerly, 263.29 feet along the arc of a curve, deflecting to the left and having a radius of 505.00 feet, a delta of 29°52'18", and a chord of 260.31 feet bearing North 76°27'49" West to a 5/8 inch iron pin (Id: Polaris) set in the northerly right of way of Emerson Drive and being the turnout to North Rocky River Drive;
- Course 8** Thence westerly, 30.56 feet along the arc of a curve, deflecting to the left and having a radius of 20.00 feet, a delta of 87°32'13", and a chord of 27.67 feet bearing North 17°45'34" West to a 5/8 inch iron pin (Id: Polaris) set in the easterly right of way of North Rocky River Drive;
- Course 9** Thence North 26°00'33" East, along the easterly right of way of North Rocky River Drive, 448.50 feet to a 5/8 inch iron pin (Id: Polaris) set therein and being the southwesterly corner of land conveyed to RH Salvage Yard LLC by deed recorded as AFN 201907050108 of Cuyahoga County Records (PPN 362-02-015);
- Course 10** Thence North 88°32'15" East, along the southerly line of land conveyed to RH Salvage Yard LLC, 198.29 feet to a 5/8 inch iron pin (Id: Polaris) set at the southeasterly corner thereof;
- Course 11** Thence North 00°24'46" West, along the easterly line of land conveyed to RH Salvage Yard LLC, 110.00 feet to the northeasterly corner thereof witnessed by a 1/2 inch iron pin found 1.96 feet north and 2.36' west;
- Course 12** Thence South 88°32'15" West, along the northerly line of land conveyed to RH Salvage Yard LLC, 143.12 feet to a 5/8 inch iron pin (Id: Polaris) set at the northwesterly corner thereof, and in the easterly right of way of North Rocky River Drive;

Course 13 Thence North 26°00'33" East, along the easterly right of way of North Rocky River Drive, 34.50 feet to the Principal Place of Beginning, and containing 5.7369 acres of land (249,989 square feet) per survey performed in August 2025 by Michael P. Spellacy, P.S. 8169 of Polaris Engineering and Surveying, subject to all legal highways and easements of record. The bearings used herein are based on the Ohio state coordinate system of 1983 (north zone) based on the O.D.O.T. CORS/VRS system NAD83 (2011) epoch 2010.0 reference frame, geoid 2018. All iron pins set are 5/8 inch diameter by 30 inch long rebar capped "POLARIS". The intent of this instrument is to describe a combination of all of Parcels 362-02-003, 362-02-009, 362-02-011, 362-02-012, 362-02-014, 362-03-002, 362-03-013, and 362-03-014.

M. P. Spellacy 8/11/2025
Michael P Spellacy P.S. 8169 8/11/2025



S:\2025 Projects\25065- GD3 Ventures - Front Street Townhomes - Berea (CWS-DRK)\2-Project
Surveying Info\4-Legal Descriptions (Word Files)\Legal Description - Lot 1.doc



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**August 11, 2025
Legal Description of
Land in the City of Berea
(Lot 2)**

Situated in the City of North Berea, County of Cuyahoga, and State of Ohio: Being part of Original Middleburg Township Section 18, Lot 1, and being a combination of land conveyed to the City of Berea, (Parcels 362-02-004 and 362-01-012) and more fully described as follows:

Beginning at a 1 inch iron pin in a monument box found at the intersection of the centerline of Front Street (80 feet wide – offset centerline) with the centerline Thacker Street (50 feet wide);

Thence North 89°35'14" West, along the centerline of Thacker Street, 45.00 feet to the southerly extension of the easterly right of way of Front Street;

Thence North 00°24'46" West, along the southerly extension of the easterly right of way of Front Street 25.00 feet to a 5/8 inch iron pin (Id: Polaris) set at intersection of the northerly right of way of Thacker Street with the easterly right of way of Front Street and the Principal Place of Beginning of the following described parcel:

Course 1 Thence North 00°24'46" West, along the easterly right of way of Front Street, 250.48 feet to a 5/8 inch iron pin (Id: Polaris) set therein and being the southwesterly corner of land conveyed to TJBK Family LLC by deed recorded as AFN 200307280896 of Cuyahoga County Records (PPN 362-01-007);

Course 2 Thence North 89°35'14" East, along the southerly line of land conveyed to TJBK Family LLC, 406.55 feet to a 1/2 inch iron pin found at the southeasterly corner thereof and being in the northwesterly right of way of Thacker Street;

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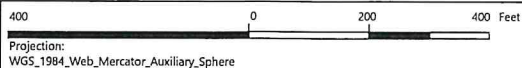
Course 3 South 31°33'00" West, along the northwesterly right of way of Thacker Street, 295.24 feet to an angle point therein witnessed by a 3/4 inch iron pin found 0.66 feet north and 0.31' west;

Course 4 Thence South 89°35'14" West, along the northerly right of way of Thacker Street, 250.26 feet to the Principal Place of Beginning, and containing 1.8884 acres of land (82,257 square feet) per survey performed in August 2025 by Michael P. Spellacy, P.S. 8169 of Polaris Engineering and Surveying, subject to all legal highways and easements of record. The bearings used herein are based on the Ohio state coordinate system of 1983 (north zone) based on the O.D.O.T. CORS/VRS system NAD83 (2011) epoch 2010.0 reference frame, geoid 2018. All iron pins set are 5/8 inch diameter by 30 inch long rebar capped "POLARIS". The intent of this instrument is to describe Parcel 362-01-004.

Michael P. Spellacy 8/11/2025
Michael P Spellacy P.S. 8169 8/11/2025

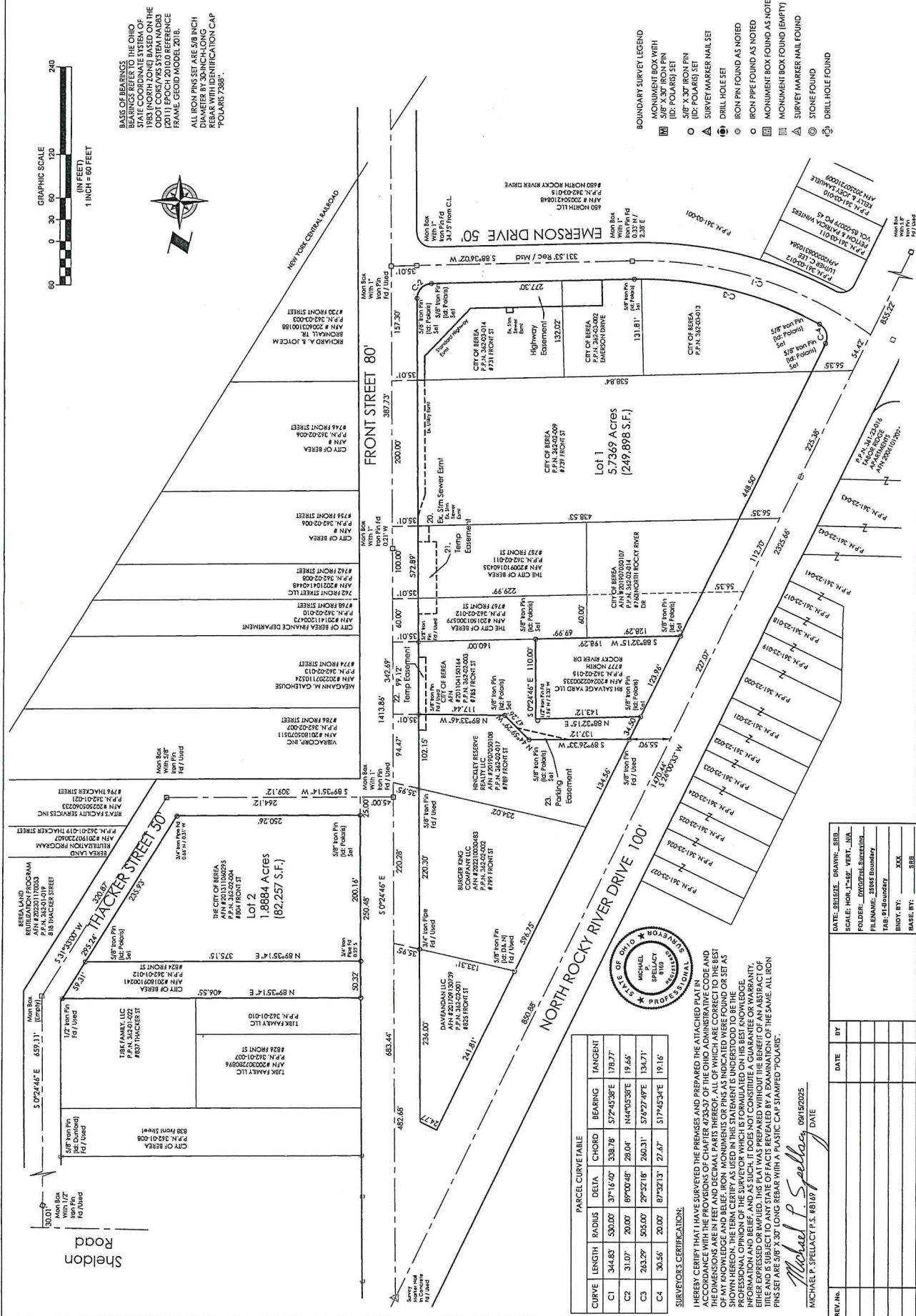


S:\2025 Projects\25065- GD3 Ventures - Front Street Townhomes - Berea (CWS-DRK)\2-Project
Surveying Info\4-Legal Descriptions (Word Files)\Legal Description - Lot 2.doc



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION



PARCEL CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	CHORD	BEARING	TANGENT
C1	344.83'	530.00'	37°16'40"	338.78'	S74°45'38"E	178.17'
C2	31.07'	20.00'	89°00'48"	28.04'	N44°03'50"E	19.46'
C3	263.29'	565.00'	29°52'18"	260.31'	S74°27'49"E	134.71'
C4	30.56'	20.00'	87°32'13"	27.67'	S74°45'34"E	19.16'

SURVEYOR'S CERTIFICATION:

INHERENT CERTAIN THAT I HAVE SURVIVED THE PERILS AND PREPARED THIS STATED PAIN AND SUFFERING IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 4703-37 OF THE OHIO ADMINISTRATIVE CODE. THE DIMENSIONS ARE IN FEET AND DECIMAL PARTS THEREOF; ALL OF WHICH ARE CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. IRON MONUMENTS OR PINS AS INDICATED WERE FOUND OR SET AS MARKERS FOR THE BOUNDARY LINE DESCRIBED HEREIN.

I, THE SURVIVOR, HEREBY CERTIFY THAT THE INFORMATION AND BELIEF WHICH IS FURNISHED ON THE BEST KNOWLEDGE, INFORMATION, OPINION, AND BELIEF OF ME AT SUCH TIME DOES NOT CONSTITUTE A GUARANTEE OR WARRANTY, EITHER EXPRESS OR IMPLIED, THAT THE PLAT WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF RECORDS, TITLE CURATIVE ACT, RECORDED INSTRUMENT, DEED, EASEMENT, OR OTHER INSTRUMENT, AND ALL IRON PINS SET ARE 3/8" X 30' LONG WEAR WITH A PLASTIC CAP STAMPED "TODAY".

Michael P. Cullen

Michael P. Spellacy P.S. #8169 DATE 11/04/2025

REV. No.		DATE	BY
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