

**PLANNING & ZONING COMMISSION**  
**April 29, 2014 – 7:00 P.M.**

The Planning Commission met at City Hall on the above date.

Present: Commission Members Bentley, Drucker (entered Caucus at 7:07 P.M.), Mazur, Newberry, Councilman Pelunis, Assistant Law Director Prosecutor Stolarsky, Planning Director Frankland, Secretary McConoughey

Absent: None

Also Present: Councilman Kitora, Councilwoman Meany, Councilman Pedicino, Fire Lieutenant Eisenhuth, Assistant City Engineer Welch

**NOTES OF CAUCUS DISCUSSION:**

(Secretary's note: Agenda items not mentioned under Notes of Caucus Discussion are items that were not pertinently discussed during Caucus)

Chairman Pelunis presided.

**PENDING:**

1. 6445 SOM Center Road – Fifth third Bank – structure color variance, structure material variance and number of wall signs variance: Councilman Pelunis requested the Clerk send a letter to the applicant informing them that if no further information is received, the item may be placed on the Inactive Agenda or removed from the agenda.

3. 32811 Aurora Road – Liberty Investment Group – Lot consolidation of numerous parcels: Councilman Pelunis said a public hearing is scheduled and a corrected legal description of the parcels has been received, therefore, this item can move forward.

**NEW:**

8. 33160 Solon Road – SSSS, Inc. – various setback variances, structure variance, building material variance and site plan review for new building: Councilman Pelunis said as of yet there is no approved landscape plan.

Mr. Frankland confirmed that the landscape plan is still being reviewed. However, he believes the applicant will not disagree to the recommendations and will be able to make the requested changes. Therefore, if the Commission is comfortable with the rest of the plan and wish to move forward, he feels changes can be made prior to the Council meeting.

Mr. Frankland said although there is some information in the application regarding the photometrics plan, there are still some questions that may be clarified by Mr. Ciciretto. Mr. Frankland said a 2.5 foot candle average is required but without an actual photometrics plan, this cannot be determined. He said the applicant has indicated, however, that the light measurement will not exceed 2.5 foot candles and is only required to be zero at the property line when adjacent to residential.

Mr. Newberry feels this item can still proceed with the current information.

Mrs. Welch said the Engineering Department is still reviewing some items but if the Commission is comfortable with the application, the items will be addressed prior to approval of a construction permit.

Councilman Pelunis said providing the Commission has no objection to the requested variances, the item can be approved and forwarded to the Council with contingencies.

9. 29999 Solon Industrial Parkway – Amresco – minimum side yard setback variance: Mr. Frankland said this is a typically granted variance for mechanical equipment.

Mr. Newberry is concerned that the property lines are not depicted on the plan received.

#### COUNCIL REFERRAL:

10. Proposed Zoning Code Amendment – Comprehensive Revision of Permitted Uses: Councilman Pelunis said there is no new information, however, public comments will continue tonight.

Mr. Frankland said he will have an updated version of the amendment for the next meeting which will include the changes discussed to date.

11. University Hospitals Healthy System/The Fountains of Solon – requesting the rezoning of property located on Franklin Park Boulevard from the C-3 (Commercial) Zoning to R-3 (Multi-Family Residential) Zoning for an apartment/townhouse complex: Councilman Pelunis said a public hearing will be scheduled for the next Planning Commission meeting. However, the presentation will be made tonight by the developer and comments will be heard by audience members and then discussion by the Commission will take place.

The caucus ended at 7:11 P.M. and the meeting convened at 7:30 P.M.

Councilman Pelunis presided.

#### CHANGES TO THE AGENDA:

There were no changes to the agenda.

COMMENTS FROM THE AUDIENCE:

There were no comments from the audience.

PENDING:

1. 6445 SOM Center Road – Fifth Third Bank 018-2014 6
  - Structure color variance
  - Structure material variance
  - Number of wall signs variance to permit 1 additional  
Maximum wall sign square footage variance
  - Option 1 – 3.5 sq ft variance
  - Option 2 – 1.1 sq ft variance
  
  - Site plan for alteration to drive-through ATM

Motion by Mr. Newberry, seconded by Mr. Mazur to direct the Clerk to send a letter to 5/3 Bank regarding their intent to pursue the application and advise if no additional information is received, the Commission may place it on the Inactive Agenda or remove it from the Agenda.

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry, Pelunis  
Nay: None

Motion Carried

Motion by Mr. Bentley, seconded by Mr. Newberry to table consideration of Item 1.

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry, Pelunis  
Nay: None

Motion Carried

2. 7384 Geauga Street – Alex Bagne 021-2014 1
  - Lot consolidation – PP#'s 956-38-085, 956-38-086, 956-38-087

A public hearing was scheduled.

Councilman Pelunis opened the public hearing and asked for comments.

There were no comments from the audience, therefore, the public hearing was closed.

Mr. Newberry asked if the Engineering Department has received a survey plat and Mrs. Welch said they have not received a plat.

Mr. Alex Bagne was present.

Mr. Newberry asked the applicant if he understood a survey plat needs to be submitted to the county. Mr. Bagne said he understands the need for the survey plat and was waiting for approval before pursuing the plat.

Motion by Mr. Newberry, seconded by Mr. Bentley to approve the lot consolidation.

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry, Pelunis

Nay: None

Motion Carried

3. 32811 Aurora Road – Liberty Investment Group 022-2014 6
- Lot consolidation – PP#'s 954-02-035 thru 954-02-043
  - PP#'s 954-02-044 thru 954-02-047
  - PP#'s 954-02-063 thru 954-02-064
  - PP#'s 954-02-077 thru 954-02-087

A public hearing was scheduled.

Councilman Pelunis opened the public hearing and asked for comments.

There were no comments from the audience, therefore, the public hearing was closed.

Mr. Newberry thanked Liberty Ford for pursuing the renovation and he looks forward to the new dealership.

Motion by Mr. Newberry, seconded by Mayor Drucker to approve the lot consolidation with the corrected legal description as reviewed and approved by the Planning Department.

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry, Pelunis

Nay: None

Motion Carried

4. 28300 Miles Road, Unit C – Brainard Miles Retail 026-2014 5  
Development, LLC
- Re-approval of site plan for drive-thru (Subway)

This item is pending with the Safety and Public Properties Committee.

Motion by Mr. Mazur, seconded by Mr. Newberry to table consideration of Item 4.

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry, Pelunis

Nay: None

Motion Carried

5. 28200 Miles Road, Unit G – Brainard Miles Retail 027-2014 5  
Development, LLC
- Re-approval of site plan for drive-thru (Regal Cleaners)

This item is pending with the Safety and Public Properties Committee.

Motion by Mr. Bentley, seconded by Mayor Drucker to table consideration of Item 5.

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry, Pelunis

Nay: None

Motion Carried

NEW:

6. 5252 Naiman Parkway – Crown Castle (Sprint) 028-2014 5  
▪ Site plan – new antennas

Motion by Mayor Drucker, seconded by Mr. Bentley to schedule a public hearing for May 13, 2014.

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry, Pelunis  
Nay: None

Motion Carried

7. 28200 Miles Road – KeyBank 030-2014 5  
▪ Total number of wall signs variance (to permit 2)  
▪ Building color variance

Ms. Lauren Gellen, KeyBank, was present. Ms. Gellen displayed a rendering and explained the request to replace the ATM machine on the side of the KeyBank building with envelope-free ATM technology that will include an additional logo. She said they are requesting the color red for which a building color variance is necessary. The request includes standard KeyBank surround with a logo at the top. She indicated other buildings in the City with signs on the front and rear of the building.

Councilman Pelunis asked Mr. Frankland if this application is consistent with 5/3 Bank's application. Mr. Frankland said 5/3 Bank was requested to use earth tone colors consistent with the zoning code. Mr. Frankland said, however, additional signage for ATMs has been approved in the past.

Councilman Pelunis would like the standards for bank ATM applications to be consistent.

Mayor Drucker said 5/3 Bank's ATM proposal was to remove the brick for a free-standing ATM, whereas, KeyBank's will still be surrounded by brick. Mayor Drucker finds the applications to be different.

Mr. Newberry is not concerned with the sign, however, he questioned if the red surround color is necessary.

Councilman Pelunis agreed with Mr. Newberry and said he does not agree with the red surround of the proposed ATM.

Ms. Gellen said all the signage in the plaza is red on the buildings.

Mr. Newberry does not believe the red lettering over the stores is the same as the surround.

Mr. Mazur believes the red surround deteriorates from the class of the operation, however, he agrees with the logo and the sign.

Ms. Gellen said the red panel can be removed from the application.

Mr. Newberry advised Ms. Gellen of her option to withdraw the building color variance as the consensus of the Commission indicated the variance would not be supported.

Ms. Gellen advised she would like to withdraw the building color variance.

Motion by Mr. Newberry, seconded by Mr. Bentley to accept the withdrawal by the applicant of the building color variance.

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry, Pelunis  
Nay: None

Motion Carried

Motion by Mr. Mazur, seconded by Mayor Drucker to approve the total number of wall signs variance to permit 2.

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry, Pelunis  
Nay: None

Motion Carried

8. 33160 Solon Road – SSSS, Inc. 031-2014 6
- 10' parking lot side street setback variance
  - 11' parking lot side yard setback variance
  - 10' parking lot setback from building variance (west side)
  - 5' rear setback variance (banked parking)
  - 11' side yard setback variance (dumpster)
  - 5' distance between structures variance
  - Building material variance
  - Site plan for new building

Mr. Steve Ciceretto, Architect, and Dr. Kotak and his wife, Smita, were present. Mr. Ciceretto explained that Dr. Kotak has been operating a cultural center out of his home for several years and has since outgrown the space.

Dr. Kotak said he has lived in Solon approximately 15 years. He said they are from India and have been teaching their children about the language, culture, festivals and religion with a few other families in the basement of their home. However, the number of participants has grown to 12 families and they have outgrown the basement space. Therefore, they wish to expand the facilities in order to teach their children about their culture.

Mr. Ciceretto displayed a rendering of the proposed building indicating the Western Reserve style architecture which was prepared in accordance with the Solon Master Plan. He said it is a masonry building with light color wood trim at the entrance. Mr. Ciceretto indicated the rear elevation of the brick building and noted the stone detailing around the windows which will face Station Street.

Mr. Ciceretto displayed a site plan and said this property is on the corner of Solon Road and Station Street. Currently a home and two out buildings exist on the property which will be demolished. He said the building will face Solon Road where

the main entrance will be located and indicated where driveways will be located on Solon Road and Station Street.

Mr. Ciceretto said the parking design was based on the use as a cultural center with one space per 300 sq ft. There is 5,300 sq ft on the first floor and in the basement but the basement will be used mainly for storage. Mr. Ciceretto said there are no plans at this time to use the facilities in the basement for assembly and based on the square footage, 36 parking spaces are required. However, there will only be 12 to 13 families involved with the center and only 27 parking spaces are proposed as it is believed this will provide more than adequate parking for the center's current use.

Mr. Ciceretto referred to the site plan indicating the location of the adjacent car wash. He said it is only 5' from the property line, therefore, creating the need for variances since the required 25' setback will not be met for the proposed building. Mr. Ciceretto said in terms of fire code requirements, the center will be masonry and the car wash is a metal building and it would be highly unlikely for flames to spread between the two buildings.

Mr. Ciceretto referred to the site plan indicating the masonry-enclosed dumpster located close to the property line and adjacent to the car wash where another setback variance will be required. The view will be blocked from Solon Road with evergreen screening.

Mr. Ciceretto displayed a site plan indicating where lighting will be located and displayed a photograph taken of the location at night indicating street lights on Solon Road. He said the street light's illumination will be sufficient for the center's needs along with wall sconces on the building which will assist with lighting the sidewalks around the building. The building will serve as screening and prevent lighting from going onto the commercial side of the property and in absence of an actual photometric plan, he believes that lighting from the proposed building will reach the property lines. Mr. Ciceretto believes overall the entire site will be less than half a foot candle average, which is much less than what is permitted.

Mr. Ciceretto displayed another rendering of the south elevation of the proposed building. He also described what will be in the interior of the building which will serve mainly as an assembly hall. In addition, the building will contain a commercial kitchen as cultural cooking classes will also be taught. Mr. Ciceretto said the building will not have traditional seating since members sit on mats. On occasion, the center will have functions that include visitors from out of town, however, they will stay in nearby hotels and be picked up by bus and brought to the center.

Mr. Ciceretto said items have been submitted to the Engineering Department with regard to the concept of how storm water retention would be addressed and is still being reviewed.

In response to Mayor Drucker's request, Mr. Ciceretto displayed the rendering of the proposed building and displayed samples of the building materials. He displayed the sample for the slate color roof and the Aztec material to be used on the front entrance and some of the detail work.

Mr. Ciceretto confirmed that the center will not be considered a place of worship.

Councilman Pelunis said he is concerned that although the basement will be used for storage, there will not be enough parking spaces based on the square footage of the building. He is also concerned about events being held at the center and not having enough parking.

Mr. Ciceretto understands Councilman Pelunis' concerns, however, believes all of them have been addressed. He said there are only 13 families involved with the center and there will be more than adequate parking.

Councilman Pelunis said once the center is built, there may be more families who want to participate and there would not be enough parking. He feels that during the events, the busses will need to park somewhere and he believes there are those who will prefer to drive to the center. Councilman Pelunis said if the parking lot became full, parking may take place in surrounding lots causing the potential for complaints.

Dr. Kotak feels that even if all 13 families were attending the center, there would still be extra parking spaces. He does not believe there will be any problems when events are held because they will be visitors from another center who commute by bus coach from out of state and stay in nearby hotels. Dr. Kotak said if the center grows and it becomes necessary to accommodate additional vehicles, the banked parking on the property can be utilized. He said, if necessary, he can also accommodate 10 vehicles in his home driveway.

Mayor Drucker said there is an appropriate amount of parking spaces for a cultural center. She said there is no parking space variance as the required number of spaces is met.

Councilman Pelunis is concerned since he believes once the center is built, it will encourage more families to become involved and will eventually lead to parking space issues.

Dr. Kotak appreciates Councilman Pelunis' concerns, however, if many more families becomes involved with the center, the center will receive more funding and the banked parking can be made into additional parking spaces. If necessary, the water retention can be handled through underground means and the area used for additional parking.

Mr. Mazur said he conducted his own research on Indian Cultural Centers and they are becoming very popular. In checking the agendas for the centers, he noted that they do have guest speakers and presentations and holiday celebrations. Although



parking is a concern, he is confident that Dr. Kotak will address it and if the center's membership expands, the banked parking can be utilized. In response to Mr. Mazur's question, Dr. Kotak said the center will not be available for rent to the public.

Mr. Bentley complimented Mr. Ciceretto regarding the building design. He believes it will fit in very nicely with the neighborhood and he has incorporated all of the design features the City seeks. Although he shares Councilman Pelunis' concerns about the parking, he feels any issues that may arise in the future will be rectified by Dr. Kotak.

Mr. Newberry asked if the center will be functionally or spiritually similar to the center located in Cleveland Heights on Cedar Road.

Dr. Kotak is aware of the center on Cedar Road and said there are similarities between the two centers. However, he believes the proposed center will encompass more activities.

Mr. Newberry said he is familiar with the center on Cedar Road and although there were similar concerns when the building was converted to a cultural center, there have been no major issues. He asked Dr. Kotak when the majority of events would take place.

Dr. Kotak said most of the large group activities take place on the weekends. He explained that there will be minimal traffic at the center during the week.

Councilman Pelunis asked if this type of use, teaching, fits into the Zoning Code for this area.

Mr. Frankland said the teaching of religion is considered educational. He said religious services are what the Code distinguishes as a place of worship. Therefore, the center is considered an educational facility as its use will be to teach others about the Indian culture.

Mr. Stolarsky said Chapter 1277.02 of the Solon Zoning Code, Permitted Uses for the C-3 section, provides for private educational uses.

Mayor Drucker believes the center will improve the appearance of the area and be a wonderful addition to the City. She will support the project.

Motion by Mayor Drucker, seconded by Mr. Mazur to approve the 10' parking lot side street setback variance.

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry, Pelunis  
Nay: None

Motion Carried

Motion by Mr. Mazur, seconded by Mr. Newberry to approve the 11' parking lot side yard setback variance.

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry, Pelunis  
Nay: None Motion Carried

Motion by Mr. Newberry, seconded by Mr. Bentley to approve the 10' parking lot setback from building variance (west side).

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry, Pelunis  
Nay: None Motion Carried

Motion by Mr. Bentley, seconded by Mayor Drucker to approve the 5' rear setback variance (banked parking).

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry  
Nay: Pelunis Motion Carried

Motion by Mayor Drucker, seconded by Mr. Mazur to approve the 11' side yard setback variance (dumpster) contingent upon the dumpster enclosure to be constructed of brick.

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry, Pelunis  
Nay: None Motion Carried

Motion by Mr. Mazur, seconded by Mr. Newberry to approve the 5' distance between structures variance.

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry, Pelunis  
Nay: None Motion Carried

Motion by Mr. Newberry, seconded by Mr. Bentley to approve the building material variance.

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry, Pelunis  
Nay: None Motion Carried

Motion by Mr. Bentley, seconded by Mayor Drucker to approve the site plan for the new building contingent upon the applicant adhering to requirements for a landscaping plan, Engineering Department requirements, lighting (2.5' foot candles) and lot consolidation and the Engineering Department will determine if sidewalks are required.

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry  
Nay: Pelunis Motion Carried

9. 29999 Solon Industrial Parkway - Amresco 032-2014 7  
 ▪ 4'-6" minimum side yard setback variance

Mr. Mike Balzer, All Tech, LLC, was present representing the applicant. He displayed a site plan indicating the building locations and said the proposal is for electrical installation. Mr. Balzer explained that there is a utility transformer located next to the building which needs to be replaced and upgraded by the utility company due to the work that is being completed in the building. In addition, a smaller transformer also needs to be added behind the large one on its own concrete pad. Mr. Balzer said although the two buildings are owned by Amresco,

the issue is that the transformers will be located too close to the property line. He said there is no other location for the units.

Mr. Mazur asked if the units will be protected by bollards as they will be closely located to the driveway of the adjacent building.

Mr. Balzer said although bollards are not shown on the plan, they will add three bollards for safety.

Mr. Newberry is concerned as he is unable to determine where the parcel line is located on the submitted rendering. Although he understands that Amresco owns both properties, however, the setback is from the property line and not based on the ownership of the parcel.

Motion by Mayor Drucker, seconded by Mr. Mazur to approve the 4'-6" minimum side yard setback variance

Roll Call: Aye: Bentley, Drucker, Mazur, Pelunis  
Nay: Newberry

Motion Carried

#### COUNCIL REFERRAL:

#### 10. **PUBLIC HEARING** - Proposed Zoning Code amendment – 108-2013 Comprehensive Revision of Permitted Uses

Councilman Pelunis said although there is no new information for this item, the public hearing is open for public comments. A revision should be ready for review at the next meeting.

Mr. Chris Seelig, 34200 Lakeview Drive, was present. He feels some of the revisions proposed for the office building districts are too restrictive, especially the entrance to the 422 area and to the east of the commercial district. Mr. Seelig believes that banks, daycare facilities and personal services should be considered in those districts.

There were no further comments from the public, therefore, Councilman Pelunis advised the public hearing will be continued at the next meeting.

#### 11. From University Hospitals Health System/The Fountains of Solon 029-2014 4 requesting the rezoning of property located on Franklin Park Boulevard from the C-3 (Commercial) Zoning to R-3 (Multi-Family Residential) Zoning for an apartment/townhouse complex

Councilman Pelunis said the developer will make his presentation and then he will allow comments from the public.

Mr. Nathan Lancry, 5505 North Woods Lane, said he is proud to be a resident of Solon based on the level of interest from residents and what he has read in the local papers about concerns people have regarding this development. He feels this indicates what a solid community Solon is and lets everyone know that their

concerns are valid and will be addressed. He said they are not trying to change people's opinions, but simply to share what has been done so far toward building this project. The goal is to help everyone understand what it is they are trying to accomplish and they want as much feedback as possible.

Mr. Ron Kluchin, architect for the project, was present. He explained whenever there is a multi-family project, it is always controversial. Mr. Kluchin reviewed similar projects underway in nearby communities. He explained the current demand is for putting greens, fitness centers and business offices as there has been a shift in the groups looking for these types of apartment accommodations.

Mr. Kluchin said based on their research, the groups looking to rent such accommodations are young professionals who have recently graduated and parents who no longer wish to maintain large homes. He said there are many people who are attracted to apartment life as the level of responsibility is less and they are able to come and go more readily and travel without the burdens of home ownership. Mr. Kluchin said another group interested in this lifestyle is the corporate group. He said Solon is home to many large international companies, i.e., Swagelok, Nestlé, SS&G. Mr. Kluchin said many times a highly paid executive is transferred to Solon for a year or two years and is accustomed to luxury high-end accommodations which can only be found outside of Solon.

Mr. Kluchin said their design team, some of who are Solon residents, has spent a year working on this project and learning about Solon and surrounding communities. Mr. Kluchin said he has two children who live in Solon with their spouses and they all believe this is an important project for Solon.

Mr. Kluchin said an important fact is that the rental market in Solon is tremendous. The Northern Ohio Apartments Association statistics indicate that Solon has 95.5% of their apartment inventory leased. Mr. Kluchin said this is basically 100% as somebody is always relocating. He said only 11% of the housing in Solon is considered multi-family and in all of the surrounding communities, multi-family housing is at 25% or higher.

Mr. Lancry said the proposed complex will be luxury, upscale living that is classified for legal terms as an apartment complex.

Mr. Kluchin displayed an aerial view of the parcel and the surrounding area. He indicated Solon Road and Erico Drive which Franklin Park Boulevard intersects. Mr. Kluchin said Franklin Park Boulevard is a dedicated street which has never been used and will become the entrance into the proposed complex and made into a private street. He explained that the site is surrounded by trees and the east side of the property between the site and Erico has 90' pine trees as a border. Mr. Kluchin said the rear of the property is bordered by city-owned green space and contains a retention pond and a creek. He noted it is a fairly well secluded parcel.

Mr. Kluchin said initially he did not believe the property would be an appropriate location for multi-family housing. Upon physically viewing and walking the parcel,

he believes it to be an interesting property with varying contours. It is understood that the current retention pond will have to be enlarged and will be turned into a water feature. Mr. Kluchin said when standing on the parcel, based on the topography, Erico cannot be viewed. Therefore, they believe it is an appropriate and secluded parcel for this type of project. Mr. Kluchin indicated the freeway and said it is typical to see apartments built off of freeways. He said noise does not seem to be an issue for many people but the location is important.

Mr. Kluchin displayed a site plan rendering of the proposed project. He pointed out many of the items discussed on the aerial view and noted what the finished product will look like. He indicated where wetlands are located and said these areas will be addressed. Mr. Kluchin said upon entering the development, 32 two-bedroom townhomes will be seen. He indicated a second drive which will be for emergency vehicle access only. Mr. Kluchin indicated an area in the front of the property where a fountain will be located and said there will also be a fountain effect in the retention pond, hence the name, "The Fountains of Solon."

Mr. Kluchin indicated the community building which will include a pool and business center and will be located adjacent to an outdoor pool and putting green. He indicated the location of the two 3-story apartment buildings, each containing 77 units, which with the townhomes makes a total of 186 units. Mr. Kluchin said there will be underground, heated parking garages located behind each apartment building.

Mr. Kluchin explained the apartment buildings will be built into the land because of the topography and the back wall becomes a retaining wall. This design will retain more trees and will be located approximately 200 feet from Erico. The apartment buildings will be located 100 feet from the property line and then another 100 feet from the Erico building.

Mr. Kluchin said another interesting feature of the development is that the land coverage for the buildings and paving is only 36.8% and the City's code allows for 70% land coverage. The green space for the project is over 62%.

Mr. Craig Cawrse, landscape architect, was present and referred to the rendering. He indicated the areas containing existing trees and said an effort was made to locate the buildings to save the trees. He indicated where a mound will be added with planted evergreen trees. Mr. Cawrse displayed a rendering indicating the distinct drop in elevation where the building and parking has been cut into the slope. He noted a substantial buffer of trees between the proposed building and Erico. Mr. Cawrse said attention was given to fit the building into the parcel and supplemental trees will be added as necessary with mounding and trees along the boulevard entry to the development, as well as a fence. He indicated where sidewalks will be added creating a trail system of approximately  $\frac{3}{4}$  of a mile.

Mr. Cawrse said as part of the site mitigation, he will attempt to restore some of the natural quality of the site by taking some of the current ditches and creating

creeks with foot bridges as part of the mitigation of the site. He believes this will be attractive. He noted there will also be fenced-in dog runs.

In response to Councilman Pelunis' question, Mr. Lancry said the street will be private with no City services for street maintenance or trash pick-up.

Mayor Drucker said Police and Fire services will be provided to the development.

Mr. Kluchin said they have met with the Fire Department regarding the necessary fire suppression for all of the buildings.

Mr. Kluchin displayed an artist's rendering of the exterior of the buildings. He said the materials selected will give it a contemporary appearance with traditional materials. Mr. Kluchin said a combination of stone on the base, brick above and siding on all of the buildings will be used and as the City code does not allow vinyl siding, a new cementitious product will be used. He said all of the buildings will have pitched roofs with asphalt shingles to give a more traditional appearance.

Mr. Lancry said they have been working very closely with City representatives to determine the most appropriate-approved materials for the project to ensure the structure and integrity for Solon.

Mr. Kluchin said all of the townhomes will have two-car garages and the apartment buildings will have an underground, heated parking garage. In addition, each apartment building will have a portico (covered entrance) for residents and guests to drive under when necessary.

In response to Councilman Pelunis' question, Mr. Kluchin said the community building will contain a fitness center. However, because the City of Solon has such a tremendous Recreation Center, it will be a smaller scale fitness center and will not compete with the City's Recreation Center. Mr. Kluchin said it will also contain a business center with computers and fax machines, etc. He said the community center will not contain an indoor pool but will contain a full kitchen.

Mr. Kluchin said a developer's agreement has been submitted to the City and is still being reviewed.

Mayor Drucker said this is still being reviewed by the Law Director and, as yet, no other City representatives have viewed it.

Mr. Kluchin went on to describe the interior of the units. They will include; granite counter tops, stainless steel appliances, a minimum of nine foot ceilings on the first and second floors and cathedral ceilings on the upper floors. In addition, each unit will contain a fireplace and seven foot doors. Also, there will be bamboo flooring in selected areas in the suites, glamour bathrooms with separate showers and some areas, depending on their location, will have increased soundproofing in the walls.

Mr. Kluchin said the 3-story buildings will be fire suppressed as are the parking garages. Security will consist of full cameras and intercoms at all of the doors. In addition, all of the appliances, the plumbing fixtures, the HVAC equipment and the lighting will have the energy star rating which allows for less consumption of gas and electric.

Mr. Kluchin referred to comments from residents about overcrowding the schools with this development. He emphasized that this will be primarily an adult community and they do not anticipate many children in this development. Mr. Kluchin said this is considered a moderately-sized development with only 186 units unlike some of the other developments located in Solon. He explained the rental rates will be in the \$2,000/month range and it is their belief that there will not be many families with children renting an apartment for what they can rent a home for. However, 67% of the property taxes will be used for the City's schools and it is estimated that the property taxes for the project will be between \$600,000 and \$650,000. Therefore, over \$400,000 will go to the City's schools, making it a winning situation for the schools as they will have very few additional children from the development while getting a substantial amount of funding from the property taxes.

Mr. Kluchin said another concern he would like to address is the traffic situation on Solon Road. Mr. Kluchin said they had a traffic study completed at the request of the City showing that during peak hours of 7:00 AM to 9:00 AM and 4:00 PM to 6:00 PM, it is estimated that 75 cars will leave the development. He said the property is currently zoned C-3 (Commercial Zoning) and potentially a company could construct a 250,000 square foot shopping center or office buildings which would generate more traffic more frequently than their proposed project.

Mr. Kluchin addressed the concern of basements flooding in an adjacent single-family development. He said it will be the developer's responsibility to upgrade the Huntington Woods lift station to manage and maintain the wastewater generated by the development. Mr. Kluchin said, in addition, the tap-in fees for the project will be approximately \$500,000 that must be paid in advance of construction to the City.

Mayor Drucker said the rendering displays only one apartment building. She asked how many apartment buildings are proposed.

Mr. Kluchin said there are two apartment buildings shown on the site plan but the rendering only showed one apartment building for better presentation visibility. He said there are two apartment buildings with 77 units in each building.

In response to Mr. Mazur's question, Mr. Kluchin said this will not be a gated community and the only controlled access will be to the buildings.

Councilman Pelunis asked for comments from audience members.

Mr. Donald Gallo, 34540 Sherbrook Park Drive, was present. He indicated his opinion has not changed after hearing the presentation and he is not convinced that they should be considered "luxury apartments." Mr. Gallo said based on comments made by the developers that they were not trying to convince him of anything, only makes him more skeptical. He said the other local areas mentioned that have luxury apartments did not have any interest for him since he is only interested in how this development will affect Solon. Mr. Gallo walks the property often as he is an amateur photographer and says he can see Erico through the trees. He does not believe many people will want to live there and view the rear of the Sedlak building or the Erico building. Mr. Gallo is also skeptical about the number of cars given on the traffic study as a past survey was completed for the Sherbrook neighborhood where approximately 186 cars per day passed through the neighborhood. Additionally, Mr. Gallo does not believe the study took into consideration the vehicles from services performed; such as cleaning, landscaping, etc.

Mr. Fred Koneval, 34300 Sherbrook Park Drive, was present. Mr. Koneval said he felt a sense of urgency to attend this meeting since it was on the agenda although it is not yet on the ballot. Mr. Koneval read from a short summary he and other members of his Homeowner's Association wrote opposing the proposed project which included reasons such as:

1. Traffic would greatly worsen on the narrow Solon Road at the SOM Center Road/Solon Road intersection, already one of the busiest in the county and on a winding residential Sherbrook Park Drive, the only cut-thru street to avoid the SOM Center Road/Solon road intersection; and
2. They moved into Solon knowing the north part of Solon was strictly residential homes or condos and well-placed commercial sites. The building of apartments in this area would be a major detrimental change to the conditions in place by law when we moved into Solon.

Mr. Koneval said although they did not have much time this weekend, they have 50 signatures and only one person would not sign it. He does not believe the presentation tonight will change anyone's opinion that signed the summary.

Mr. Mark Haas, and Mrs. Alice Haas, 36400 Pepper Drive, were present. Mr. Haas is the Treasurer of the Pepperwood Homeowner's Association and Mrs. Haas is the President. Mrs. Haas said she conversed with her neighbors via email and heard back from 15 of 39 voluntary members of the homeowner's association who are all opposed to the proposed project. She said they are also concerned about the safety of the area, the number of people who will be there and how it will affect crime factors. Mrs. Haas said she is a teacher and spoke of the difficulty to leave the City in the early morning, especially on snow days. She said there is only one way to get downtown which is by the freeway, unless you take side streets. She said Solon Road is one of the main access roads and she counted over 20 cars going past her development before she could exit at 6:45 PM. Mrs. Haas said the



traffic is compounded by the angle when turning left at the SOM Center Road/Solon Road intersection.

Mr. Haas said although the developers did a great job on the presentation, they did not mention if anyone in the community supports this project. The people he has spoken with are opposed to a multi-family development on Solon Road that they will alter the complexion of what is now a semi-rural area.

Mr. Haas advised he is not impressed with buildings that will contain nine foot ceilings and cathedral ceilings as these are not energy-friendly and he considers this a negative factor. He said higher percentages for multi-family living accommodations in other communities were mentioned, however, this is not the reason people move to Solon.

Mrs. Haas said Pepperwood has had issues with wetlands. She is concerned that this project would consume more green space and aggravate the wetland issues in Pepperwood.

Mrs. Kelly Markowitz, 28975 North Park Boulevard, was present and she noted she is Mr. Kluchin's daughter. She feels the project will fill a void for older people who wish to remain in Solon but not have the responsibility of owning a home. She referred to comments made about increased crime and said she believes that the people who will be able to afford the luxury apartments will not be committing crimes. Mrs. Markowitz read a quote from Mayor Drucker in an excerpt from The Solon Connection, "As we move forward, we want to provide our residents and our business community with a variety of amenities while continuing to strive for more opportunities to make Solon even greater." Mrs. Markowitz believes that part of making Solon greater is to have this project move forward and offer townhomes and luxury apartments.

Mrs. Sue McStay, 5700 Ledgebrook Lane, was present. She has many concerns and believes a better project would be as an adult living accommodation; such as Carrington Court. She said Carrington Court has very strict guidelines about credit checks and financial statements to ensure upstanding citizens move into the facilities. Mrs. McStay has concerns about road safety and cut-thru traffic and is not pleased with the proposed project. She does not consider the traffic estimate that was given earlier to be viable and believes there will be many more cars on the roads. Mrs. McStay feels that although the developers do not believe there will be many children, she feels there will be teenagers there possibly making undue noise. She said Sedlak's warehouses and trucks are located adjacent to the property with noisy trucks with smoke billowing from them and in her opinion, this is not considered luxury. Mrs. McStay said there is also a substantial amount of noise that comes from Erico. She feels this proposal, although presented well, is a bad idea. Mrs. McStay said she was formerly in real estate and the key is "location" and she does not believe this is the right location for this project.

Mr. Chuck Feld, 6203 North Huntington Drive, was present. Mr. Feld is concerned that he has not seen what type of impact this project will have on his neighborhood

as his house is on the other side of the south boundary of the property and it is unclear from the renderings how many of the trees will be removed or damaged.

Mr. Kluchin displayed a rendering indicating the area Mr. Feld referred to and said that the trees will be left untouched and natural. He said the setback is 50 feet and they are developing 75 feet from the property line.

Mr. Feld is concerned with water runoff and has yet to see an engineering study. He said additional water retention was installed to the west of his property and he is concerned that additional runoff will be generated because of this project.

Mr. Kluchin referred to the rendering and explained that they are not permitted to have runoff from the property and must retain their runoff which is why the size of the retention basin will be increased. He said since this retention basin was installed, the Code has changed many times and they will have to make the necessary changes to meet the new Code guidelines. Mr. Kluchin said this may help Mr. Feld's water runoff problems.

Mr. Feld referred to the rendering indicating one of the apartment buildings and asked what the elevation is above the tree line.

Mr. Kluchin said it is well below the tree line because the building is actually built into the hill and although they are approximately 39 feet high, the elevation starts at the lowest level possible. He indicated the area of trees adjacent to the building and said the trees' height is well above the roof of the building.

Mr. Renyou Wang, 5815 Dodsworth Lane, was present. He has concerns about traffic on the roads and highways and said there are already traffic jams when he is driving to work and home and feels this development will make it worse. Although the development will generate \$400,000 in taxes, the cost for each student in the schools continues to rise as well as transportation costs. Mr. Wang believes that more people will move out of Solon if more people move in mainly because of the traffic issues.

8. Mr. Bob Mordarski, 37485 Bunker Hill Drive, was present. He believes the development will be a great addition to Solon as there are no luxury apartments in the City. Mr. Mordarski said the average age of current apartments in the City is 40 years old and Solon needs this project. He would rather see the proposed apartment/townhome project constructed than another shopping area, church or office building which current zoning would permit. Mr. Mordarski does not believe this development will generate enough children to impact the schools and he recalls recently hearing that one of the schools might be closing due to reduced enrollment. He said, additionally, the units will be two bedrooms so it is unlikely four or five people will be living in the units. Mr. Mordarski would like to see this project move forward and would consider living there.

9. Mr. Chris Seelig, 34200 Lakeview Drive, was present. Mr. Seelig believes this is a great project for Solon as he grew up in Columbus where there are many housing

options. He was transferred to the Cleveland area in 1996 and the multi-family housing choices were lacking. Mr. Seelig eventually moved to a second floor duplex in Cleveland Heights and still had to drive 30 minutes to get to work in Beachwood. He supports the project and believes it would be fantastic for Solon.

Mr. Seelig said although this has nothing to do with proposed development, he is concerned about the cut-thru traffic in Sherbrook Park and the disregard for stop signs and would like to see the City address the problem.

Mr. Bob Paulson, 33378 Allenbury Drive, was present. Mr. Paulson believes if this issue is placed on the ballot, it will be defeated in Ward 4. He spoke of similar past issues and offered historical information. Mr. Paulson feels the developers will have difficulty re-zoning the property by the electorate and will have to use initiative petition.

Motion by Mayor Drucker, seconded by Mr. Bentley to schedule a public hearing on May 13, 2014 for "The Fountains of Solon."

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry, Pelunis  
Nay: None

Motion Carried

MINOR ALTERATIONS FROM THE PLANNING DEPARTMENT:

There were no minor alterations from the Planning Department to review.

COMMENTS FROM THE AUDIENCE:

There were no further comments from the audience.

COMMENTS FROM THE COMMISSION:

Mayor Drucker said the City hosted many successful events this past weekend. On Saturday, April 26<sup>th</sup> "Operation Medicine Cabinet," where people can safely dispose used or expired medicines and Solon collected a total pill weight of 98.5 pounds, which is a substantial amount of unused medicine. In addition, three sharp containers were filled.

Mayor Drucker said Earth Day was held on Sunday, April 27th and 4500 bags of mulch were sold. It was a very successful day with beautiful weather and also offered the "Touch a Truck" program, distribution of seedlings and the education program.

Mayor Drucker thanked all who participated in the City's survey which assists with storm water and EPA projects.

Mayor Drucker said the Wellness Walk and Run included over 150 participants and the Health Fair consisted of between 450 and 500 participants.

Mayor Drucker thanked all of the volunteers and everyone who participated in the programs.

Mr. Newberry said Earth Day was a great success.

Mr. Mazur commended those who spoke about the proposed development project and he hopes the professionalism displayed continues during the public hearings.

Councilman Pelunis was pleased with the great success of Earth Day and the number of people who used the shredding services and who purchased mulch. He also thanked all of the residents who offered comments about the proposed development.

Councilman Kotora said he will provide comments after the public hearings for "The Fountains of Solon" proposed development. He also thanked residents for their comments and emphasized the importance of being a part of the process and for being respectful during the process. He encouraged the residents of Ward 4 to express their concerns and said he takes the commitment as their Ward 4 Councilman very seriously.

Councilman Pelunis thanked Councilman Kotora for sending the informational letter to all of Ward 4 residents.

Motion by Mr. Mazur, seconded by Mr. Newberry to adjourn the meeting at 9:47 P.M.

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry, Pelunis  
Nay: None

Motion Carried

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Chairman

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Secretary