

**PLANNING & ZONING COMMISSION**  
**August 12, 2014 – 7:00 P.M.**

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

Present: Commission Members Bentley, Mazur and Newberry, Mayor Drucker, Councilman Pelunis, Assistant Law Director/Prosecutor Stolarsky, Planning Director Frankland, Secretary McConoughey

Absent: None

Also Present: Councilman Kotora (meeting), Fire Inspector 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.

**NEW:**

6. 30013 Solon Industrial Parkway – AMRESKO – accessory structure location variance and site plan: Mr. Newberry questioned if the existing transformer will be removed and Mr. Kirkendall, representing the applicant, indicated the existing transformer will be removed and the new one will be smaller.

9. 30000 Aurora Road – Tarkett – Building color variance and site plan for new street access: Mr. Frankland advised the City's traffic engineer and the Engineering Department have no concerns regarding the access road and the landscape plan can be presented as a minor item.

**COUNCIL REFERRAL:**

10. Rezoning request from DJM Group: It was noted the Board of Elections deadline is September 5th and Mr. Frankland said Mr. Margheret is still attempting to get approval from all of the property owners. It is possible that he may withdraw his request. The Clerk will contact him and request he attend the next meeting or indicate his withdrawal.

The caucus ended at 7:10 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.

APPROVAL OF MINUTES:

Motion by Mr. Newberry, seconded by Mr. Bentley to approve the minutes of the July 29, 2014 meeting.

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

Nay: None

Motion Carried

PENDING:

- |    |   |          |   |
|----|---|----------|---|
| 1. | 5750 Harper Road – Nestlé Prepared Foods  | 053-2014 | 5 |
|    | <ul style="list-style-type: none"> <li>▪ 9' maximum free standing ground sign height variance (Sign A)</li> <li>▪ 35 sq ft maximum free standing sign area variance (Sign A)</li> <li>▪ 2' maximum directional sign height variance (Signs B, C, D, E)</li> <li>▪ 10 sq ft maximum directional sign area variance (Signs B, C, D, E)</li> </ul> |          |   |

Motion by Mr. Bentley, seconded by Mayor Drucker to table consideration of item 1.

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

Nay: None

Motion Carried

- |    |   |          |   |
|----|---|----------|---|
| 2. | 33800 Country View Lane – Kevin Baird   | 064-2014 | 4 |
|    | <ul style="list-style-type: none"> <li>▪ Accessory structure location variance</li> </ul> |          |   |

Motion by Mr. Mazur, seconded by Mr. Newberry to table consideration of Item 2 and request the Planning Director contact the applicant to inform him that it is necessary for him to attend the next meeting.

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

Nay: None

Motion Carried

- |    |  |          |   |
|----|--|----------|---|
| 3. | Lochmoor Drive (PP# 955-10-006) – Dan and Shirley Leonard  | 065-2014 | 3 |
|    | <ul style="list-style-type: none"> <li>▪ 15' front yard setback variance</li> <li>▪ Variance to not combine non-conforming lots of record</li> </ul> |          |   |

Councilman Pelunis said this item was referred to Mr. Stolarsky at the last meeting to review the history of the subdivision as it pertains to setback variances. Mr. Stolarsky submitted his findings and Councilman Pelunis asked him to review them.

Mr. Stolarsky said typically the determination regarding these types of variances is based on historical ownership of the parcels in question and the City Codes in place regarding usage during the time ownership takes place. He said this is a unique case since in 1987 the lot width requirement for this area was 140 feet. However,

subsequent to this requirement, a developer received approval to create a subdivision with parcels having a lot width of 120 feet. Mr. Stolarsky said at the time Mr. and Mrs. Leonard purchased the lots, they were approved with a 120 foot lot width. Therefore, based upon his analysis of the facts leading up to this request, he believes at that time, it was the intent of the Council to allow the two lots to remain separate lots and not require consolidation.

Mr. Dan Leonard, Strongsville, OH, was present and said he hopes to soon be a resident of Solon. He appreciates the time and diligence the Commission put into seeking the appropriate information to make an informed decision. Mr. Leonard explained the setback variance is necessary to be consistent with the current properties already constructed in the neighborhood.

Motion by Mayor Drucker, seconded by Mr. Mazur to approve a 15' front yard setback variance for PP# 955-10-006.

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

Motion Carried

Motion by Mr. Mazur, seconded by Mr. Newberry to approve the variance to not combine non-conforming lots of record, PP#'s 955-10-006 and 955-10-007.

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

Motion Carried

NEW:

4. 6521 Davis Industrial Parkway – Solon Real Estate Holdings, LLC 070-2014 7
  - Site plan

Mr. Kevin Cieszykowski, Architect, was present. He displayed a site plan and indicated the location on the north side of the building where a loading dock door is proposed. Mr. Cieszykowski said this will result in the loss of seven parking spaces. However, 134 parking spaces will be available and based on the Code requirements only 107 are necessary. Therefore, adequate parking spaces will still be available. Mr. Cieszykowski said the amount of parking spaces is based on the square footage of the building and it is unlikely that the elimination of the parking spaces could become an issue unless there is a substantial usage change to the building.

Mr. Frankland said the application which was submitted indicates that eleven parking spaces will be eliminated.

Mr. Cieszykowski said this is correct and he apologized for the error. It was determined, however, that there will still be an adequate number of parking spaces and more than required by the Code.

Motion by Mr. Mazur, seconded by Mr. Newberry to approve the site plan for 6521 Davis Industrial Parkway.

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

Motion Carried

5. 33185 Bainbridge Road – Gable Investment Co. 071-2014 6
- Re-approval of fence location variance
  - Re-approval of site plan for fence

Mr. Glenn Gable was present.

Councilman Pelunis said this item was previously approved and asked Mr. Gable to review the application. He also advised that correspondence was received from the neighboring property owner who indicated no objections to the request.

Mr. Gable displayed an aerial view of the property indicating where fences will be installed in phases. He also indicated where shrubbery will be removed as it has become overgrown and makes it difficult to see when pulling out of the parking lot. Mr. Gable said a 6' fence is proposed but indicated where a 4' fence is proposed adjacent to Bainbridge Road when exiting the parking lot for better visibility.

Mr. Gable reviewed the areas where fencing is proposed and indicated an area where a gate might be added for access to the bowling alley to be made available to neighboring parcels. He indicated an area on the aerial where no fencing is currently planned to provide cross access to neighboring businesses.

Mr. Frankland clarified that when the application was originally presented and approved in 2012, the determination was made to end the fence at the house and not extend it with a 4' fence to Bainbridge Road.

Mr. Gable said if the fence is extended to Bainbridge Road, it will prevent the path that is created by the current foot traffic from the parking lot.

Mr. Frankland said in 2012, the Planning Commission approved the application with the fence ending at the house and not being extended to Bainbridge Road.

Motion by Mr. Newberry, seconded Mr. Bentley to re-approve the fence location variance with the stipulation that the fence will not extend beyond the house adjacent to the parking lot off of Bainbridge Road.

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

Motion Carried

Motion by Mr. Bentley, seconded by Mayor Drucker to re-approve the site plan for the fence.

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

Motion Carried

6. 30013 Solon Industrial Parkway – AMRESKO Inc. 072-2014 7
- Accessory structure location variance
  - Site plan

Mr. Clint Kirkendall, representative for AMRESKO, Inc. was present. Mr. Kirkendall explained he is the electrician performing the proposed service change. He said the applicant would like to increase production in Building 2, however, the current power service is inadequate. He explained the proposed location for a transformer is in front of the building as determined by the applicant and the power company. He said the existing utility transformer is a pad-mount transformer and does not comply with the power company's code. He said the proposal is to install a vault under the transformer and to increase power to the building.

Mr. Newberry asked Mr. Kirkendall to indicate on the plan the locations of the current transformer and the proposed transformer which Mr. Kirkendall indicated to be near the back corner.

Mr. Newberry clarified that the picture of the proposed transformer that was submitted is not what will be installed but will be similar.

Mr. Kirkendall agreed and displayed a picture.

Mr. Mazur asked the color of the transformer and Mr. Kirkendahl replied it will be green with bushes installed on all three sides for screening from the street.

Motion by Mayor Drucker, seconded by Mr. Mazur to approve the accessory structure location variance.

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

Motion Carried

Motion by Mr. Mazur, seconded by Mr. Newberry to approve the site plan contingent upon screening of the transformer and that the screening be maintained.

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

Motion Carried

7. 31605 Arthur Road – Valerie & Jim Sekerak 073-2014 7
- 4' side yard setback variance
  - 2' cumulative side yard setback variance

Mr. Zak Mowry, Northeastern Residential Services, Inc., was present representing the applicant. Mr. Mowry displayed a plan and explained the proposal to install a walkway from a patio in the back yard to the driveway as part of a deck reconstruction project. Mr. Mowry referred to the plan and said it was discovered by the Planning Department that the property line is closer to the proposed walkway than originally calculated, therefore, variances are necessary.

Councilman Pelunis said an email was received from Councilman Russo indicating he had no objections to the variances.

Mr. Mowry said a letter was received from the neighbor, who was also present in the audience, indicating she had no objections.

Mayor Drucker said this application is similar to an application approved earlier this year, therefore, she supports the variances.

Motion by Mr. Bentley, seconded by Mayor Drucker to approve a 4' side yard setback variance.

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

Motion Carried

Motion by Mayor Drucker, seconded by Mr. Mazur to approve a 2' cumulative side yard setback variance.

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

Motion Carried

8. 30003 Bainbridge Road – Nestlé USA, Inc. 074-2014 5  
 ▪ Equipment screening variance

Mr. Aaron Nelsen, representative for Nestle, was present. Mr. Nelsen displayed the plan and explained the request for a variance to add roof access stairs for the sixth floor penthouse roof. He said the stairs would not be screened from Route 422 and are necessary for safe access to the penthouse roof. He said currently there is a hatch access using a vertical ladder that is unsafe. Mr. Nelsen explained the additional request to add a rail around both sections of the roof. He displayed pictures of the stairs and the rail.

Mr. Newberry asked if there is a parapet around the roof and Mr. Nelsen said it is very low at approximately three inches. He explained the rail would be attached to the outside of the building. The rail would be painted brown to match the building trim. He said the roof access stairs would be painted a blonde color to blend.

Mr. Mazur asked how access will be restricted to the stairs from the ground level. Mr. Nelsen said the stairs are on the fifth floor.

Mr. Bentley asked the purpose for the set of stairs in the middle of the building. Mr. Nelsen said the stairs are for maintenance access to reach a glass area to clean and seal it. He said currently, a step ladder is being used.

Mr. Newberry appreciates the railing will be painted to match the trim on the building and the stairs will be painted to be disguised.

Motion by Mr. Newberry, seconded by Mr. Bentley to grant an equipment screening variance.

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

Motion Carried

9. 30000 Aurora Road – Tarkett 075-2014 6  
 ▪ Building color variance  
 ▪ Site plan for new street access drive

Mr. Todd Ritter was present, representing Tarkett. Mr. Ritter advised the applicant proposes establishing a new access drive from Aurora Road and wishes to update the exterior paint which requires a variance for color.

Mr. Ritter displayed the plan and indicated the area on the drawing where the applicant proposes installing the new access drive from Aurora Road with a right-in/left-in access and right-out only. He said he understood there is a traffic issue with the left turn lane on Aurora Road. Mr. Ritter said landscaping will be installed as well.

Mr. Ritter displayed a drawing of the building proposing white with blue accents and gray over the entrance. He noted signage was approved at the last meeting and will be incorporated with the goal of establishing a global image.

Mr. Ritter explained the exterior lighting is proposed to be a cooler, cleaner look with blue lighting.

Motion by Mayor Drucker, seconded by Mr. Mazur to approve the building color variance.

Mr. Newberry was concerned with the original proposal for warmer lighting considering the building would be white with blue accents. He supports the brighter lighting.

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

Motion Carried

Motion by Mr. Mazur, seconded by Mr. Newberry to approve the site plan for new street access as approved by the Engineering Department.

Mr. Mazur questioned the need for a lot consolidation.

Mr. Newberry believes the lots should be consolidated before approval is given for the site plan for new street access or an indication be given that the lot consolidation will occur. Mr. Newberry said the City was unsure if an access drive was necessary when Agency Rent-A-Car owned the building, however, as additional development has occurred, it has become sensible to add the access street. He understands Tarkett's interest in keeping the parcel separate for future development. Mr. Newberry suggested the parcels be consolidated now and to reconfigure the parcel should a building be proposed on the vacant lot. He said the variances could be granted retroactively for the access road.

Mr. Frankland said the lot consolidation could be required before an occupancy permit is issued as a contingency of approval and asked Mr. Ritter if it is acceptable. Mr. Ritter said yes and they will pursue the lot consolidation.

Mr. Newberry asked Mrs. Welch if the traffic consultant recommends left turns from both directions for the new entrance.

Mrs. Welch said the proposal as submitted is acceptable with full access into the parking lot and right out only.

Mr. Stolarsky questioned if the landscaping is a contingency.

The motion was revised.

Motion by Mr. Mazur, seconded by Mr. Newberry to approve the site plan for new street access as approved by the Engineering Department, contingent upon the parcels being consolidated prior to issuance of an occupancy permit and the submission of a landscaping plan approved by the City architect.

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

Nay: None

Motion Carried

COUNCIL REFERRAL:

10. Rezoning request from DJM Group for property located at the intersection of Aurora and Harper Roads 051-2014 5 & 6

A public hearing was scheduled. Councilman Pelunis opened the public hearing and asked for comments.

There were no comments, however, the public hearing will remain open for the next Planning Commission meeting.

Motion by Mr. Bentley, seconded by Mr. Mazur to table consideration of Item 10 and request the Clerk to contact Mr. Margheret to determine the status of his rezoning request.

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

Nay: None

Motion Carried

MINOR ALTERATIONS FROM THE PLANNING DEPARTMENT:

1. 32811 Aurora Road – Liberty Ford

Mr. Frankland displayed the plan for the proposed modification and explained the request to reduce the size of the glass panels on the garage doors. He indicated on the plan certain columns would be extended upwards. Two glass doors will also be added near the car wash area. He said there are additional minor issues such as moving doors and adding windows throughout the elevation.

Councilman Pelunis asked if the color is different on the proposed drawing versus the approved drawing as well as the color behind the Liberty logo. Mr. Frankland said the rendering shows a difference in color, however, he indicated the color will be closer to the warmer yellow on the proposed drawing.

The Commission agreed no further review of this item was necessary.

2. 6137 Kruse Drive - Jaguar/Land Rover

Mr. Frankland displayed an aerial view and explained the applicant proposes to install a fenced-in area within a green/sidewalk area on the back of the building with a 6' tall stained cedar fence. He said a storage container area was removed and now the applicant is requesting a permanent 16' x 48' area be permitted to store old tires before they are picked up and moved off-site. He noted the area is not visible from any adjacent property.

The Commission agreed no further review of this item was necessary.

3. 29300 Cannon Road – Nestle

Mr. Frankland displayed the plan and explained the request to re-locate mechanical equipment to the back of the building, which will comply with the Code, and will not be visible from any adjacent property.

The Commission agreed no further review of this item was necessary.

4. 29300 Cannon Road – Nestle

Mr. Frankland displayed a drawing and indicated the rounded section of the front of the building will be changed from grey as approved by the Planning Commission to a bronze color.

The Commission agreed no further review of this item was necessary.

5. 33445 Bainbridge Road - Piccone

Mr. Frankland displayed an aerial view of the property and explained that the applicant is requesting to re-roof a structure to repair a hole. As the property is in the historic district, Mr. Frankland said Commission approval is necessary for the requested roofing material. He displayed a photo of the roofing material.

The Commission agreed no further review of this item was necessary.

6. 6565 Davis Industrial Parkway – Davis Center

Mr. Frankland displayed an aerial view and explained the applicant is requesting to install a door and windows to the side of the building near the loading dock.

The Commission agreed no further review of this item was necessary.

COMMENTS FROM THE COMMISSION:

Mayor Drucker announced on Friday, August 15<sup>th</sup>, the Solon Center for the Arts is hosting "Party in the Park" at the Solon Community Park from 11:00 A.M. to 1:00 P.M. Entertainment will be provided and food will be available.

Mr. Bentley said school starts on August 19<sup>th</sup>. He welcomed the students back and asked drivers to be diligent and to obey laws.

COMMENTS FROM THE AUDIENCE:

There were no comments from the audience.

Motion by Mr. Mazur, seconded by Mr. Newberry to adjourn the meeting at 8:20 P.M.

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

Motion Carried

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Chairman

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Secretary