

**PLANNING & ZONING COMMISSION  
December 9, 2014 – 7:19 P.M.**

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

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

Absent: Commission Member Newberry

Also Present: Fire Inspector Eisenhuth, Councilman Kitora, 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:**

1. 29750 Cannon Road – Chabad Jewish Center of Solon – front yard setback variance, setback between buildings variance, building material variance and site plan review: Mr. Frankland said the Building Code requires that a door must be installed between the Camp Room and the garage and one is not indicated on the plan. The 25' setback between buildings variance can be eliminated if the door is installed.

Mr. Tom Paul, Paul Architects, was present and said the door was inadvertently left off of the plan but will be installed.

2. 32910 Solon Road – Solon Road Enterprises – Alesci's Place – sign green space variance, parking space variance, front yard parking setback variance, side yard parking setback variance, minimum aisle width variance: Mr. Frankland displayed a new parking plan and said three of the variances will be withdrawn providing the applicant agrees to the removal of the five parking spaces marked with an x.

**PENDING:**

3. 5022 Hidden Creek Circle – Govind Dixit and Neera Gupta – fence variances:

Mr. Frankland has not heard from the applicant and recommended this item be moved to the Inactive Agenda.

4. Intersection of Route 91 and Miles Road – Pro-Built Homes, Inc. – driveway width variance, driveway side yard variances, driveway rear yard variances, dwelling orientation variances, various front yard variances, not parallel to street variance and site plan approval for (3) two-family condominiums: Mr. Pelunis said a new landscape plan was received late today from the applicant. However, there has been insufficient time for all of the parties to review the information.

The Commission members discussed whether the application should be tabled.

Mayor Drucker said she will not support any part of the plan as she is opposed to the orientation of the homes and will not support any of the variances.

Mr. Pelunis agreed with Mayor Drucker and will not support the orientation of the homes on SOM Center road. In addition, as one member of the Commission is absent tonight, it would be better to table the item until there is a full commission present.

Mr. Frankland said he distributed a new memo with corrected Code section numbers on Mrs. Crombie's memo. He noted all of the variances remain the same.

Mr. Ken Fischer, Attorney for the applicant, asked if it is possible to still present the plan this evening.

Mr. George Davis, Developer, said he would like to speak tonight. He explained that the need to orient the homes as shown on the plan is because of the hillside. Mr. Davis said to change the orientation of the homes would mean the removal of many trees and the installation of very steep driveways. He believed the Engineering Department also agreed that this was the best orientation for the homes because of the parcel` conditions.

Mayor Drucker said the Engineering Department considers the plan from an engineering and topography standpoint. She said it is her understanding that the homes can be oriented with 2 buildings facing SOM Center Road and one building facing Miles Road with 3 driveways, however, the cost would be significant. She will not support the plan as it is currently presented and believes the buildings can be oriented to face the roads.

It was determined that as one member of the Commission is absent and, quite possibly, a new plan will be submitted, the item should be tabled.

Mr. Pelunis told those residents who were in attendance for this item that it would be tabled, however, they would still be allowed the opportunity to comment.

Minor Alteration:

Mr. Frankland said he has one minor alteration and displayed an aerial view of the property. He explained the proposal is to add a guard rail to a raised dock area on Davis Industrial Parkway.

The caucus ended at 7:33 P.M. and the meeting began at 7:35 P.M.

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. Bentley, seconded by Mr. Mazur to approve the minutes of the November 25, 2014 meeting as presented.

Roll Call: Aye: Bentley, Drucker, Mazur

Nay: None

Abstain: Pelunis

Motion Carried

NEW:

- |    |   |          |   |
|----|---|----------|---|
| 1. | 29750 Cannon Road – Chabad Jewish Center of Solon   | 108-2014 | 5 |
|    | <ul style="list-style-type: none"> <li>▪ 18'-4" front yard setback variance</li> <li>▪ <del>25' setback between buildings variance</del></li> <li>▪ Building material variance</li> <li>▪ Site plan for addition</li> </ul> |          |   |

Mr. Tom Paul, Paul Architects, was present representing the applicant.

Mr. Pelunis said during the Caucus discussion took place regarding the 25' setback between buildings variance and the possibility of withdrawing it if a door is installed. He asked Mr. Paul to explain the change.

Mr. Paul displayed a site plan indicating the commercial area of the property containing a lavatory and a camp room. He indicated the wall where a door will be installed between the camp room and the garage, thereby, eliminating the need for the 25' setback between buildings variance.

Motion by Mayor Drucker, seconded by Mr. Bentley to accept the applicant's withdrawal of the 25' setback between buildings variance.

In response to Mayor Drucker's question, Mr. Frankland said the addition of the door is a requirement of the Building Code and permits will not be issued by the Building Department if this installation is not completed.

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

Nay: None

Motion Carried

Mr. Paul referred to the site plan indicating the area where the front yard setback is necessary. He displayed a series of photographs of the outside of the building and indicated where a small portion in the rear is vinyl siding. Mr. Paul said the rest of the building has aluminum siding as this is a requirement for commercial buildings. He said the plan is to match the material for the addition and the garage.

Motion by Mayor Drucker, seconded by Mr. Mazur to approve an 18'-4" front yard setback variance.

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

Motion Carried

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

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

Motion Carried

Motion by Mr. Bentley, seconded by Mr. Mazur to approve the site plan for the addition.

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

Motion Carried

2. 32910 Solon Road – Solon Road Enterprises - Alesci's Place 109-2014 6
- 20 sq ft sign green space variance
  - 5 space parking variance
  - ~~16' front yard parking setback variance~~
  - ~~11.5' side yard parking setback variance~~
  - ~~6' minimum aisle width variance~~

Mr. Jim Alesci and Mr. Frank Alesci were present.

Mr. Pelunis said during the Caucus, Mr. Frankland distributed a new site plan for the parking lot which was discussed with the applicant. It was determined that if the new parking plan is approved, the last three variances will be unnecessary and can be withdrawn.

Mr. Frank Alesci displayed the new parking plan and said they have agreed to the new plan with the removal of 5 parking spaces.

Motion by Mayor Drucker, seconded by Mr. Mazur to accept the applicant's withdrawal of the 16' front yard parking setback variance, the 11.5' side yard parking setback variance and the 6' minimum aisle width variance.

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

Motion Carried

Mr. Frankland said the Zoning Code requires 200 sq ft of green space around a sign, however, that does not make sense for this property. He said the applicant's proposal called for 190 sq ft of green space as they were trying to meet the green

space requirements. Mr. Frankland said the Planning Department reviewed the plan and recommended 180 sq ft of green space so as not to encroach into the aisle and prevent the traffic from flowing smoothly on the site which resulted in a 20 sq ft sign green space variance.

Motion by Mr. Bentley, seconded by Mayor Drucker to approve a 20 sq ft sign green space variance.

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

Motion Carried

Motion by Mr. Mazur, seconded by Mr. Bentley to approve a 5 space parking variance.

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

Motion Carried

PENDING:

3. 5022 Hidden Creek Circle – Govind Dixit and Neera Gupta 080-2014 5
- 30' fence setback from residence variance
  - 19' fence setback from street right-of-way variance (Miles Road)
  - 19' fence setback from street right-of-way variance (Hidden Creek Circle)
  - Fence type variance
  - 1.5' fence height variance

Mr. Pelunis said this item has been tabled many times and during discussion at the Caucus, it was determined this item will be moved to the Inactive Agenda.

Motion by Mayor Drucker, seconded by Mr. Bentley to move item 3 to the Inactive Agenda.

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

Motion Carried

4. Intersection of Route 91 and Miles Road – Pro-Built Homes, Inc. 104-2014 4  
Parcel A: 952-40-006, Parcel B: 952-40-018 and Parcel C: 952-40-005
- 6' driveway width variance
  - 25' driveway rear yard setback variance (Parcel A)
  - 10' driveway side yard setback variance (Parcel B - north lot line)
  - 10' driveway side yard setback variance (Parcel B - south lot line)
  - 10' driveway side yard setback variance (Parcel C - north lot line)
  - 6' driveway rear yard setback variance (Parcel B)
  - Dwelling orientation variance (Parcel A)
  - Dwelling orientation variance (Parcel B)
  - Dwelling orientation variance (Parcel C)
  - 102.1' front yard setback variance (Parcel B)
  - 39.75' front yard setback variance (Parcel C)
  - Not parallel to street variance (Parcel A)
  - Revised site plan for condominiums - (3) two-family dwellings

Mr. Pelunis said a revised landscape plan was received from the applicant this afternoon. However, Commission members and the City's landscape architect have not had sufficient time to review it. In addition, the Engineering Department is still reviewing the storm water management requirements for the site. Therefore, this item will be tabled.

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

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

Nay: None

Motion Carried

MINOR ALTERATIONS FROM THE PLANNING DEPARTMENT:

1. 6555 Davis Industrial Parkway – Vintage Wine Distributors

Mr. Frankland displayed an aerial view of the property and indicated the rear of the building where an existing raised delivery ramp is located. He said the proposal is to add a guard rail for safety where there is a substantial drop off. Mr. Frankland displayed a photograph of the style of guard rail to be installed.

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

COMMENTS FROM THE COMMISSION:

Mayor Drucker invited all to attend the Lighting of the Menorah at the Chabad Jewish Center of Solon at 5:30 P.M. on Wednesday, December 17<sup>th</sup>, followed by music and refreshments.

Mayor Drucker extended her best wishes for a Happy Holiday season and a healthy and prosperous New Year.

In turn, Commission members wished everyone Happy Holidays.

COMMENTS FROM THE AUDIENCE:

There were no comments from the audience.

Motion by Mr. Mazur, seconded by Mr. Bentley to adjourn the meeting at 7:47 P.M.

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

Nay: None

Motion Carried

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Chairman

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Secretary