

**PLANNING & ZONING COMMISSION**  
**September 29, 2015 – 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 (meeting only), Planning Director Frankland, Secretary McConoughey

Absent: None

Also Present: Assistant City Engineer Welch, Fire Inspector Wolf

**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)

Councilman Pelunis presided.

**PENDING:**

1. 33170 Aurora Road – Bruce Bilek – site plan (striping): Mr. Frankland said Mr. Bilek was asked to contact the Planning Department to review the issues with the proposal but he has not. The paving is in disrepair and is in violation of the Code and should be completed without the striping. He asked the Zoning Inspector to move forward with ensuring the paving is completed. Mr. Frankland said the issues with the striping plan will be addressed in the future.

The Commission determined Item 1 will be moved to the Inactive Agenda.

2. 33100 Aurora Road – Bruce Bilek – access drive width variance and site plan (striping):

The Commission determined Item 2 will be moved to the Inactive Agenda.

3. 30775 Bainbridge Road – Betsy Investment Company – lot split, rear yard building setback variance and side yard parking setback variance: Mr. Frankland said correspondence was received from the applicant indicating that the surveyor is just starting to work on the lot split which should take approximately one month. In addition, the cross-access agreement and utility agreement are still pending.

The Commission determined Item 3 will be moved to the Inactive Agenda.

5. 6382 SOM Center Road – Paul Gruttadauria/Mr. Chicken – building color variance and site plan for new awnings: Mr. Frankland said the applicant and their architect met with the Planning Department and they will submit a new proposal

that would incorporate only a small amount of the green color into the awning. Mr. Frankland said the applicant still prefers to install a metal awning and indicated the material and style of the awning will look like fabric.

Councilman Pelunis said the other businesses in that location have fabric awnings and he would prefer to have a fabric awning installed that will match the style and material of the others.

Mr. Frankland said the item should be tabled as he believes the applicant will submit new information for the next meeting.

NEW:

6. 37815 Fox Run Drive – Michael Hawkins – accessory building area variance and accessory building height variance: Councilman Pelunis said an email was received from a neighbor and the Planning Department responded to the questions. Mr. Hawkins was present and a copy of the email was distributed to him.

7. Master Plan Review: Mr. Frankland will provide a presentation regarding the proposed amendments to the Master Plan which should take approximately one-half hour and he will answer any questions during the presentation.

Mr. Frankland said he has 4 minor alterations to present.

The caucus ended at 7:05 P.M. and the meeting began at 7:30 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. Newberry, seconded by Mr. Mazur to approve the minutes of the September 15, 2015 meeting.

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

Nay: None

Abstain: Bentley

Motion Carried

PENDING:

1. 33170 Aurora Road – Bruce Bilek
  - Site plan (striping)

077-2015 7

Mr. Frankland explained the pavement is in violation of the rental occupancy ordinance and is being addressed by the Zoning Inspector. The applicant will be required to complete the paving and the striping issue will have to be determined at a later date.

Motion by Mr. Newberry, seconded by Mr. Bentley to move Item 1 to the Inactive Agenda.

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

Motion Carried

2. 33100 Aurora Road – Bruce Bilek 078-2015 7
- 24' access drive width variance
  - Site plan (striping)

Motion by Mr. Bentley, seconded by Mayor Drucker to move Item 2 to the Inactive Agenda.

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

Motion Carried

3. 30775 Bainbridge Road – Betsy Investment Company 084-2015 6
- Lot split
  - 15' rear yard building setback variance
  - 5' side yard parking setback variance

Motion by Mr. Mazur, seconded by Mr. Newberry to move Item 3 to the Inactive Agenda.

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

Motion Carried

4. 27855 Aurora Road – Mount Olive Cemetery Association 087-2015 5
- Expansion of a non-conforming use (enlarge garage)
  - 15' side yard setback variance
  - Building material variance
  - Building color variance

Mr. Larry Collins, representing Mt. Olive Cemetery was present. He displayed a rendering of the proposed garage addition and said this will double the size of the existing garage to provide more storage capacity. Mr. Collins questioned the building material variance as the existing garage is made of aluminum siding and the proposal is to match the current siding. He noted there will be no elevation changes.

Councilman Pelunis said an email from a neighbor was received and the questions were answered by the Planning Department.

Mr. Newberry said a variance is necessary as aluminum siding is not a material permitted for a commercial building.

Mr. Stolarsky said the Engineering Department requested a letter from the applicant regarding storm water management for any future expansions.

Mr. Collins said he was made aware of the request for the letter and agreed to its submission. He will work with the Engineering Department to produce the letter.

Motion by Mayor Drucker, seconded by Mr. Mazur to approve an expansion of a non-conforming use (enlarge garage) with the contingency that a letter from the applicant be provided agreeing to include storm water management for any future expansions as outlined in the memo from the Engineering Department.

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

Nay: None

Motion Carried

Motion by Mr. Mazur, seconded by Mr. Newberry to approve a 15' 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 a building material variance for aluminum siding.

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

Nay: None

Motion Carried

Motion by Mr. Bentley, seconded by Mayor Drucker to approve a building color variance.

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

Nay: None

Motion Carried

- |    |  |          |   |
|----|--|----------|---|
| 5. | 6382 SOM Center Road – Paul Gruttadauria/Mr. Chicken   | 088-2015 | 6 |
|    | <ul style="list-style-type: none"> <li>▪ Building color variance</li> <li>▪ Site plan for new awnings</li> </ul> |          |   |

Mr. Frankland said the applicant met with the Planning Department and will submit a new proposal.

Motion by Mr. Mazur, seconded by Mr. Newberry to table consideration of Item 5.

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

Nay: None

Motion Carried

NEW:

- |    |   |          |   |
|----|---|----------|---|
| 6. | 37815 Fox Run Drive – Michael Hawkins   | 092-2015 | 3 |
|    | <ul style="list-style-type: none"> <li>▪ 152 sq ft accessory building area variance</li> <li>▪ 2.5' accessory building height variance</li> </ul> |          |   |

Councilman Pelunis said an email from a neighbor was received and the questions were responded to by the Planning Department.

Mr. Hawkins displayed a site plan of his property indicating where the proposed storage building and workshop would be located. The building will be 16' x 20' and the height will be 14'. Mr. Hawkins is requesting a building larger than permitted by Code because he has a one-car garage and there is not much room for storage. He has been using the garage as a workshop and would like to regain its use as a garage for a vehicle.

Mr. Hawkins displayed photographs of his property indicating the view from different angles and noted the substantial amount of woods. He indicated an area that is less densely wooded and explained he recently removed approximately 10 diseased trees. Mr. Hawkins indicated the area for the proposed storage shed and said it would be very difficult to grow anything in this area.

Mr. Hawkins explained his request for the height variance is because pre-built trusses do not allow for storage space. By building walls with 10' studs, he can gain storage space which will make the moving and storage of wood more practical.

In response to Councilman Pelunis' question about utilities, Mr. Hawkins said the storage building will be equipped with electricity.

Mr. Mazur had concerns about the size of the proposed shed and viewed the property. He agreed with Mr. Hawkins that three sides of the property are substantially wooded. Mr. Mazur asked if there was any intention to house a home-based business in the building.

Mr. Hawkins said this building will not be used for a home-based business. He has a business located on Station Street, the Hawkins Hearing Center.

Mr. Mazur said if the proposal is approved, he would ask that Mr. Hawkins be considerate of any noise issues associated with his woodworking endeavors.

Mr. Hawkins said the building will be fully insulated and he will be closing the doors when working in cooler weather. He will be considerate to his neighbors regarding noise issues and has always been so in the past.

Mayor Drucker asked Mr. Hawkins if he planned on storing vehicles in the proposed building.

Mr. Hawkins has no intention of keeping vehicles in the building. The intention is to relocate all of the equipment being stored in the garage into the proposed building and using the garage for housing a vehicle.

Councilman Pelunis asked if there were any plans to add a driveway or gravel to the proposed building.

Mr. Hawkins said he does not intend to install a driveway and any gravel that might be added will be as a landscape tool and to assist with muddy areas of the property.

Motion by Mayor Drucker, seconded by Mr. Mazur to approve a 152 sq ft accessory building area variance.

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

Motion Carried

Motion by Mr. Mazur, seconded by Mr. Newberry to approve a 2.5' accessory building height variance.

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

Motion Carried

## 7. **PUBLIC HEARING** – Proposed amendments to the Master Plan

1. Plan Introduction and Process – (Article I, Chapters 1-4)
2. Revised Statement of Goals, Policies and Objectives (Article 1, Chapter 5)
3. Revised Central Retail District Plan – (Article III, Chapter 16)
4. New Peripheral Retail District Plan (Article III, Chapter 17)
5. Revised Industrial Core Plan – (Article III, Chapter 18)
6. New Peripheral Industrial Area Plan – (Article III, Chapter 19)

A public hearing was scheduled and Councilman Pelunis opened the public hearing and asked for comments. There were no comments.

Mr. Frankland said this will be a review of the final sections of the Master Plan. The first review was completed in 2010. Mr. Frankland said this review began in 2011 because of the wording in the City Charter, however, a change is recommended so it will not have to be updated as often and this change will be on the November ballot.

Mr. Frankland said as there was a fairly recent update to the Master Plan, the changes are not very extensive. He explained that the Plan Introduction is new and is very important for legal purposes. Mr. Frankland said changes will be highlighted in red and items that have been struck thru will be removed and the rest is new or revised wording.

Mr. Frankland displayed the document and said the first section is the Table of Contents which includes the Introduction to the Master Plan. This is composed of the following sections: the abstract of the City, an explanation of the purpose of the Master Plan, summary of the Master Plan development process, planning study areas, and the statement of the Master Plan goals, policies and objectives. It is important from a legal standpoint that these items are included.

### 1. Plan Introduction and Process – (Article I, Chapters 1-4)

- Abstract of the City – Mr. Frankland displayed a map and explained this section is a brief summary of Solon's location, the population, the schools, etc. This is basically a snapshot of Solon and is a standard part of a Master Plan.

Mr. Mazur said as the airports are also highlighted, he requested the Cuyahoga County Airport be added.

Mr. Frankland said the Cuyahoga County Airport can be added.

- Summary of the Purpose of the Master Plan – Mr. Frankland said this section explains why there is a Master Plan. A Master Plan creates consistent policies which can be followed over time that are approved and documented for future reference. This is how meaningful change can be implemented in the City.

Mr. Frankland said the Master Plan contains basic information about demographics. This is important because it demonstrates forethought on the decisions being made which can assist when defending land use decisions in the event of legal issues.

- Summary of the Master Plan Development Process – Mr. Frankland said this section discusses how the Master Plan was developed with a Master Plan Committee over a 4-year period. In addition, a survey was conducted that was distributed to one out of every thirteen households in the City and was conducted by the Cuyahoga County Planning Commission and produced a 43% response. Mr. Frankland explained that it is important to get citizen input. This section indicates that a quality process was followed with experts and staff and a recognized planning theory was utilized in developing a rational plan.

Mayor Drucker referred to a section and asked what SWOT means.

Mr. Frankland said this stands for strengths, weaknesses, opportunities and threats. It was helpful to the Master Plan Committee to determine the goals of the plan by completing exercises using these words.

Mr. Frankland displayed a photograph of the Master Plan Committee and commended them for the amount of time and thought that went into the preparation of the document.

- Summary of the Planning Study Areas – Mr. Frankland displayed a map and said this basically indicates the different areas that were studied to complete the Master Plan. He indicated the different areas on the map; the residential neighborhood area, the central retail district area (SOM Center Road/Aurora Road/Solon Road, where the main retail areas are located), the industrial core area, the peripheral industrial core area (located along Naiman Parkway), and the peripheral retail area (Miles Road, the Shoppes of Solon North and Miles Farmer's Market).

## 2. Revised Statement of Goals, Policies and Objectives (Article I, Chapter 5)

Mr. Frankland said this is the foundation of any Master Plan. They are general statements of what residents would like to see and it is formulated through the community attitude surveys and the members of the Master Plan Committee. He said

the goal statements have been modified since 2010 but are still under the same essential categories.

### 3. Revised Central Retail District Plan – (Article III, Chapter 16)

Mr. Frankland said the main goal of the Central Retail District Plan is the re-development of the City's downtown retail areas. He displayed a map indicating the four core shopping areas; Uptown Solon, Marc's Plaza, Solon Square Shopping Center and the Solar Shopping Center.

Mr. Frankland said the Solar Shopping Center no longer exists and is now Solon Village. Since 2010, it has been completely re-developed and followed the Master Plan with its re-development. Mr. Frankland displayed a map of the former Solar Shopping Center and a map of the recommended development for that location. Although it is not exact, it follows the pattern that was recommended for re-development, to include; smaller buildings with openings in between them, buildings along the periphery, and Western-Reserve architectural style. He displayed a map of Solon Village noting all of the similarities to the recommended re-development map from 2010. Mr. Frankland said a Master Plan does not have to be exactly implemented as recommended but should reflect it. As the reality of utilities and functionality are realized, changes can occur. However, it is a very good illustration of how the plan was useful in the re-development of one of the City's major shopping centers.

Mr. Frankland referred to a new section that was added to the plan to reflect the Solon Village (Giant Eagle) Shopping Center which explains the development requirements. It also discusses if the shopping center should be a regional one or a neighborhood shopping center. Solon Village is considered a neighborhood shopping center, not a regional one as it is not intended to bring the type of traffic associated with a regional shopping center to the City. Mr. Frankland said this section also emphasizes the Western-Reserve architectural style the City has implemented since 2010 which is noticeable throughout the City.

Mr. Frankland said in 2010, the Master Plan recommended Planned Unit Developments. He explained this is when a drawing of the project is submitted and it essentially becomes the zoning on the property. However, a different approach was developed with Solon Village and development agreements were utilized. He said this approach is more flexible and accomplishes the same result as a Planned Unit Development where the City will still achieve the desired specific architectural style and access points but it happens more quickly.

Mr. Frankland referred to the section about the Solon Square Shopping Center (Planet Fitness) and said there have been no changes made. However, it should be emphasized that the re-development of the other shopping centers will make it more difficult for Solon Square to stay viable. Therefore, it is important that re-development occur in a comparable style to the re-development of Solon Village.

Mr. Frankland referred to the section about the Marc's Shopping Center indicating on a map that there have been minimal changes. The intent with this location is to connect it



to the center of town. He explained that the center of town concept was one of the most important parts of the 2010 plan. Mr. Frankland said this area of the City has been in the process of re-development for many years; the new fire station, the Veterans Memorial Park, Walgreens, etc. He said the plan emphasizes developing concepts about the retaining walls under the bridge, the re-development of the bridge and a town center green space. Mr. Frankland referred to the map and indicated an area near the historical society building where an outdoor amphitheater was considered, however, it is more likely to be an outdoor gathering location to be used by the Solon Center for the Arts and other community events.

Mr. Frankland displayed another map of the center of town and said changes to this area will create boundaries that will emphasize that this is a distinct location in the City. He indicated a building in the Marc's Shopping Center that would need to be re-oriented to accommodate and complete the realignment of Bainbridge Road to a 45-degree angle and remove the odd intersection as part of the re-development. He indicated where the new access to Bainbridge Road from SOM Center Road would be located. This change would be an essential factor for the re-development of the Marc's Shopping Center and would place it on a corner; making it more attractive to a potential developer.

Mr. Frankland referred to a map of the completed Veterans Memorial Park and said in 2010 it was only a concept. This was a concept that was implemented as a focal point to the overall plan for the center of town. Mr. Frankland said changes that are made over time are part of the function of a Master Plan.

Mr. Frankland displayed a photograph of the existing bridge on SOM Center Road and a rendering of possible re-development of the bridge with arches. He said another concept is using false façades of brick or stone on the bridge to make it more attractive. This might be a better approach since it would still be operational if the railroad is ever re-activated. Mr. Frankland displayed a rendering of the retaining walls under the bridge finished with face-brick and metal fencing on top of the retaining walls to replace the chain-link fence that currently exists.

He referred to a section of the plan that discusses the problems with the C-6 section of the City (Marc's Shopping Center and St. Vincent's). The problem was that it was considered a quasi-industrial area, however, this was addressed and modified in 2014 with the change in the permitted uses. Therefore, this section will be removed as it is no longer valid.

Mr. Frankland said another change from the 2010 plan is to remove Planned Unit Developments as a means of re-developing considering development agreements function better for Solon.

Mr. Frankland said there was a recommendation in the 2010 Central Retail District Plan to remove the bridge on SOM Center Road. However, this section will be removed since it is not possible to remove the bridge as the railroad would not permit it. In addition, the bridge serves as a valuable function and the City might someday like to see a regional bike trail located upon the tracks and a bridge would be necessary to cross SOM

Center Road to accomplish this. Mr. Frankland said the bridge also serves as a design feature.

Mr. Frankland referred to a section of the plan from 2010 that depicted a rendering of a proposed "Welcome to Solon" sign. He said this will be removed from the plan and displayed a rendering of new unique signage. Mr. Frankland said the signage would be located at the interchange area of SOM Center Road and State Route 422. This is the signage that would be used in the event that the plan for signage moves forward.

#### 4. New Peripheral Retail District Plan – (Article III, Chapter 17)

Mr. Frankland said this is the area where Miles Farmer's Market and the Shoppes of Solon North are located. He said this includes 24 acres and is an area located outside of the main part of the City. It does not have the same design requirements as the Central Retail District (Western-Reserve style architecture) and it contains fewer regulations.

Mr. Frankland displayed an aerial view indicating this area also contains residential zoning and noted where there is vacant land to the west of the American Tavern at the corner of Miles Road and Brainard Road which could be developed. There is also an area to the east of Miles Farmer's Market which could also be developed. Mr. Frankland said the plan recommends that only local retail be permitted; not regional retail. He said an important zone change is recommended for the area located behind Miles Farmer's Market. He indicated an area where parking is located and said this is zoned residential and is not zoned commercial, therefore, it is recommended it be rezoned to C-3.

Mr. Frankland said another recommendation is that the boundaries be maintained as they are. He said this is very important and indicated on the aerial where the commercial property is located adjacent to vacant property that is part of the commercial lots. There have been inquiries over the years to expand the commercial property to the vacant areas. However, it is important to maintain these boundaries to provide buffers to the residential sub-divisions and that it is stated in the Master Plan. He indicated where it would be possible to extend residential to the vacant areas but emphasized the importance of not extending commercial zoning.

#### 5. Revised Industrial Core Plan – (Article III, Chapter 18)

Mr. Frankland said the biggest change to this area of the plan is to remove items that have occurred since 2010. He referred to an aerial map of Nestlé's main facility indicating where their new Product Technology Center is located and said rezoning for this area was recommended in 2010. The rezoning has been completed to accommodate this recommendation and, therefore, can be removed from the plan.

Mr. Frankland said there was a recommendation for the C-5 Zoning on Enterprise Parkway where the movie theater is located. The problem with that zoning was that all of the commercial uses had to serve the industrial area which required arbitrary decision making to determine if a business was serving the industrial area. Therefore, it was recommended this requirement be removed and it was done so a couple of years ago.

Mr. Frankland said the new signage discussed in the Revised Central Retail District will also be displayed in the Industrial Core section at the intersection of Harper Road and State Route 422.

6. New Peripheral Industrial Area Plan – (Article III, Chapter 19)

Mr. Frankland said this is the area on Naiman Parkway comprised of 108 acres and it is zoned industrial. He displayed an aerial map and indicated a small area south of Naiman Parkway on Cannon Road which is zoned office. Although this area is zoned as office, a court ruled in favor to permit the construction of a warehouse in the 1980's so essentially it is industrial zoning. Mr. Frankland indicated an area on Richmond Road and said although it is very wet with topography issues, it could be developed industrially. He said the recommendation for this area is that the zoning remains the same with no expansion since it is surrounded by residential zoning.

Mr. Frankland stressed the importance of the Master Plan and its use as a tool in guiding the positive changes in the City. He believes the continued support of a Master Plan will help Solon maintain its status as one of the premier communities in Ohio and in the country.

Councilman Pelunis thanked Mr. Frankland for the comprehensive presentation and said the City is already enjoying the benefits of the 2010 version of the Master Plan. He said the implementation of many of the Master Plan design standards; such as, the Western-Reserve architecture can be seen throughout the City. He thanked the Master Plan Committee, the Planning Department staff and everyone involved with creating the Master Plan.

Mr. Mazur said it is refreshing to see how many projects from the 2010 Master Plan have been completed and can be removed from the revised version. He commended everyone involved with developing the Master Plan.

As the Public Hearing was still open, Councilman Pelunis asked if there were any comments from the public. Although there were no comments, the Commission determined the Public Hearing will remain open for further public comments.

Mr. Frankland said public input is important and stated the revised Master Plan can be viewed on the City website at [solonohio.org](http://solonohio.org).

MINOR ALTERATIONS FROM THE PLANNING DEPARTMENT:

1. 28020 Miles Road – American Tavern

Mr. Frankland displayed a photograph of the American Tavern in its former appearance. He said previous approval was given for some of the stone to remain. Mr. Frankland displayed a photograph of the American Tavern in its current appearance and noted the stone was removed. He believes the building looks better without the stone and it is unnecessary from an architectural standpoint.

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

2. 29500 Solon Road – Swagelok

Mr. Frankland displayed an aerial view of the property. He indicated where a sidewalk is located and the area where extending the sidewalk is proposed. Mr. Frankland indicated where footers are proposed for the possible addition of a canopy/overhang in the future. He said the permits will emphasize that the overhang is not approved at this time. Since a sidewalk is being added, the Engineering Department will require a letter from the applicant regarding future storm water management.

Mrs. Welch said the letter regarding storm water management will be required contingent to issuing the permit.

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

3. 30500 Carter Street – Christopher Tool

Mr. Frankland displayed an aerial view of the property. He said the parking lot was recently extended and there was a small 300 sq ft green space island. However, it was eliminated when the work was performed as it created problems when snow plowing. Mr. Frankland said the Engineering Department has no issues with the removal of the green space.

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

4. 29100-29300 Aurora Road – CVS/Caremark

Mr. Frankland displayed an aerial view of the property. He indicated the location where previous approval was granted to install a generator. Mr. Frankland indicated another location and said a second generator is proposed. He said they will both be surrounded by 6' high fences.

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

The Commission discussed the signs that are in violation at CVS on 33840 Aurora Road.

Mr. Stolarsky said he is working on a resolution with CVS.

COMMENTS FROM THE COMMISSION:

Fire Inspector Wolf reminded everyone that on Sunday, October 4<sup>th</sup> from 1:00 PM to 4:00 PM, Solon Fire Station #1 at 5595 Harper Road will hold their annual Open House event.

COMMENTS FROM THE AUDIENCE:

There were no comments from the audience.

Motion by Mr. Mazur, seconded by Mayor Drucker to adjourn the meeting at 8:27 P.M.

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

Motion Carried

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Chairman

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Secretary