

SOLON PLANNING & ZONING COMMISSION
May 10, 2016 – 7:15 P.M.

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

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

Absent: Commission Member Bentley

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)

Vice Chairman Mazur presided.

PENDING:

1. Off of Aurora Road (500' east of Signature Drive) – Breezethrough, Inc. – Dennis Oranski – PP#'s 956-38-021, 956-38-022, 956-38-023, 956-38-024, 956-38-025, 956-38-026 and 956-38-027 – lot consolidation and various variances:

Mr. Stolarsky said the response he received from Mr. Oranski regarding his request for information about the sale of parcels was not very clear. He will follow-up with Mr. Oranski in an effort to clarify the situation.

Councilman Pelunis asked Mr. Stolarsky to try to locate where Mr. Oranski's daughter's father-in-law resides. He is unsure if this was an arm's length transaction or was an effort to circumvent the Zoning Code.

4. 34200 Lakeview Drive – Chris and Laura Seelig – accessory structure location variance and accessory structure side yard setback variance: Mr. Frankland said he viewed the site with Mrs. Seelig, a representative from the Engineering Department and the City's landscape architect. The recommendation is to install five 8' Western Arborvitae, which are deer-resistant, staggered to screen the view from the Kishes house located across the street and from the intersection. Mr. Frankland spoke with the President of the Homeowners' Association who said they are pleased with this solution.

Mr. Frankland said Mr. Seelig informed him that he could not attend tonight's meeting or the meeting scheduled for May 24th. However, Mr. Frankland feels a decision about this application should be made at the next meeting.

It was the consensus of the Commission members that delaying a decision would result in planting the trees in late June which would not be a favorable time for planting and they agreed action should be taken at the next meeting.

Mayor Drucker said the applicant should be informed that action will be taken at the May 24, 2016 meeting and it is his responsibility to ensure that the neighbors, including the Kish residence, are made aware of and approve of the solution to screen the shed.

Mr. Frankland advised the property is being purchased through a land contract and the applicant is in the process of getting the owner's signature in order to proceed with the project.

Mr. Mazur recommended the applicant be notified of the required contingencies and advised that a decision will be made at the May 24th meeting.

Mayor Drucker noted that Mr. Seelig said he never sees the Kishes and did not think they lived in the house year round. However, she spoke to them recently at a City event and confirmed that they do live in the house.

NEW:

5. 5860 Deepwood Trail – Dirk Van Belle – side yard setback variance, cumulative side yard setback variance and an accessory building location variance: Mayor Drucker questioned the need for a location variance. Based on the information she reviewed, the shed appears to be in the rear yard.

Mr. Frankland said it is due to a patio being located in the rear yard which is not depicted on the submitted diagram. He said if there was no patio, a variance would not be necessary.

The caucus ended at 7:22 P.M. and the meeting began at 7:30 P.M.

Mr. Mazur 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 Councilman Pelunis, seconded by Mayor Drucker to approve the minutes of the April 26, 2016 meeting.

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

Nay: None

Motion Carried

Mr. Stolarsky advised only 4 of the 5 Commission members are in attendance, therefore, 3 of the members would have to vote in the affirmative for an item to be approved. If an applicant would prefer to wait for a full Commission to be present, they can request their item be tabled.

PENDING:

1. Off of Aurora Road (500' east of Signature Drive) – 011-2016 1
Breezethrough, Inc. - Dennis Oranski - PP#'s 956-38-021,
956-38-022, 956-38-023, 956-38-024, 956-38-025, 956-38-026
and 956-38-027
- Lot consolidation
 - 75' lot width at building line variance
 - 135' front yard setback variance
 - Not parallel to the street variance

Mr. Stolarsky sent an email to Mr. Oranski requesting information relevant to the transfer of the two parcels adjacent to the parcels being considered for consolidation. Mr. Stolarsky said although Mr. Oranski responded to the email, he did not provide the information requested. Mr. Stolarsky will contact Mr. Oranski again and request specific answers to his questions.

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

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

Motion Carried

2. 30201 Aurora Road – ATC/Cosmo Solon – AT&T/NB+C 026-2016 6
- Site plan - 3 additional antennas

Ms. Katelyn McKinley, NB+C, was present representing the applicant. She explained the proposal is to add 3 additional antennas to the existing cell tower and 3 remote radio heads.

Mr. Mazur said the City's consultant, GPD, has submitted a structural review letter and confirmed the tower's validity.

A public hearing was scheduled and Mr. Mazur opened the public hearing and asked for comments. There were no comments, therefore, the public hearing was closed.

Motion by Mayor Drucker, seconded by Mr. Newberry to recommend approval of the site plan for 3 additional antennas for 30201 Aurora Road.

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

Motion Carried

3. 33800 Inwood Road – PP#'s 954-08-093 & 954-08-142 028-2016 7
Solon Board of Education
- Lot consolidation

As there was no representative from the Board of Education, Mr. Frankland explained this consolidation was a contingency placed on a previously approved application for a changeable copy sign. He said approval of the consolidation will bring the properties into compliance with the City's Code.

Mr. Frankland displayed an aerial view of the property and indicated where the changeable copy sign is located. He said a changeable copy sign is not permitted on a lot without a primary use because it is considered an accessory use. Therefore, consolidating the parcels with the Board of Education property brings it into compliance.

A public hearing was scheduled and Mr. Mazur opened the public hearing and asked for comments. There were no comments, therefore, the public hearing was closed.

Motion by Councilman Pelunis, seconded by Mayor Drucker to recommend approval of the lot consolidation for PP#'s 954-08-093 and 954-08-142.

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

Nay: None

Motion Carried

- | | | | |
|----|--|----------|---|
| 4. | 34200 Lakeview Drive – Chris & Laura Seelig | 029-2016 | 4 |
| | <ul style="list-style-type: none"> ▪ Accessory structure location variance ▪ 5' accessory structure side yard setback variance | | |

Mr. Frankland said a meeting took place on the property with Mrs. Seelig, representatives from the Planning Department and the Engineering Department and the City's landscape architect. City officials are recommending the installation of five 8' tall Western Arborvitae trees, which are deer-resistant, to adequately screen the shed from the neighbor to the north and the street intersection in front of the house. Mr. Frankland recommended a contingency be added for placement of the trees as approved by the City.

Mr. Mazur said the applicant is not present and has indicated he will be unable to attend the meeting on May 24th. Therefore, the next meeting he would be able to attend is June 14th with approval by the Council on June 20th. As this timing is not optimal for planting, it is the consensus of the Commission to take action at the May 24th meeting.

Mr. Mazur said the applicant will be notified of the contingencies and the need to attend the May 24th meeting or designate a representative to attend.

Mr. Newberry said it is in the applicant's best interest to resolve this issue in a timely manner because of the growing season. He said a letter of approval from the applicant indicating all of the City's conditions will be met would also be sufficient.

Mayor Drucker said it is also the applicant's responsibility to ensure that all of the neighbors, including the neighbors across the street, are in agreement with the solution.

Mayor Drucker asked how to address the possibility of a tree not thriving and needing to be replaced.

Mr. Frankland said as a condition for site plan approval, screening is considered perpetual. However, it could also be added as a contingency that if any of the trees die, they have to be replaced.

Mr. Mazur said the notification will contain the planting of the trees as recommended by the City, to be maintained forever or for as long as the shed remains. The shed is required to be painted the same color as the house. Mr. Seelig must notify the neighbors, including Mr. and Mrs. Kish, of the final solution. In addition, this must be accomplished by May 24th or the Commission may deny the variances.

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

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

Nay: None

Motion Carried

NEW:

5. 5860 Deepwood Trail – Dirk Van Belle 030-2016 3
- 7.8' side yard setback variance
 - 9.8' cumulative side yard setback variance
 - Accessory building location variance

Mr. Dirk Van Belle was present and explained the size and shape of his lot is challenging. When he decided to install a shed, he searched for a suitable location, however, he could only find a location that required setback variances. He believes there is no aesthetically suitable location within code requirements due to the small yard. Mr. Van Belle displayed a photo of the proposed shed and indicated the proposed location on a drawing. He spoke with the neighbors who had no objections and he said the shed will be painted the same color as the house.

Mayor Drucker said as there is a considerable amount of trees on the adjacent neighbor's property, they might not even be able to see the shed.

Mr. Van Belle indicated the location of his shed along the side of the privacy fence and the neighbor's shed. He said the neighbors will only see the roof of the shed and did not indicate any objection.

Mr. Mazur viewed the lot and agreed with the proposed location of the shed.

Motion by Mayor Drucker, seconded by Mr. Newberry to approve a 7.8' side yard setback variance.

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

Nay: None

Motion Carried

Motion by Mr. Newberry, seconded by Councilman Pelunis to approve a 9.8' cumulative side yard setback variance.

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

Motion Carried

Motion by Mayor Drucker, seconded by Mr. Newberry to approve an accessory building location variance contingent upon the shed being painted the same color as the house.

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

Motion Carried

6. 6382-84 SOM Center Road, Unit C – Paul Gruttadaria
(Mr. Chicken)

032-2016 6

- 17.5 square foot sign area variance
- Site plan review - new awnings and signs

Mr. Mike Simens and Ms. Cynthia Simens, Mr. Chicken, who are tenants of Mr. Paul Gruttadaria, were present.

Mr. Simens explained Mr. Chicken is in the process of remodeling stores. He said he met with Mr. Frankland and it was determined to change the green awning color previously requested to black. He displayed a photo of the building and said they propose installing black crown molding uniform with Imperial Wok's crown molding for balance. Mr. Simens displayed a picture of the Parma restaurant's sign as an example and said the current logo will be changed to the new white logo with a green "swish" below.

Mr. Simens believes there was an error on the application in regard to the proposed sign. The application indicates the sign would be increased from 32 square feet to 50 square feet which would require a sign area variance. He clarified the sign sizes would be the same as the current signs, 32 square feet in the front and 25 square feet on the side.

Mr. Mazur explained the variance is necessary based on the City's method of calculating sign area which includes the "swish."

Mayor Drucker thanked Mr. Simens for working with the City to reach a resolution. She indicated her support of the application.

Mr. Newberry agreed and believes the changes are a vast improvement.

Mr. Simens agreed and appreciates the City architect's input.

Mr. Mazur commended the applicant for working with the City.

Motion by Mayor Drucker, seconded by Mr. Newberry to approve a 17.5 square foot sign area variance.

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

Motion Carried

Motion by Mr. Newberry, seconded by Councilman Pelunis to approve a site plan for new awnings and signs.

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

Nay: None

Motion Carried

7. 31200 Carter Street – Solon Investment Group, LLC 033-2016 7
- Site plan – parking area alterations, building alterations, patio and landscaping

Mr. John Holtz was present representing the applicant. Mr. Holtz displayed a site plan and explained the request for site and exterior improvements including a back patio, two entrance canopies, a dumpster enclosure and proposed window openings.

Mr. Holtz noted the decorative wall height was revised to 36". He displayed the EIFS color and material for an entry vestibule. Mr. Holtz advised the material of the dumpster will be a treated wood or composite board and that the new storefront will be finished to match the existing storefront.

Mr. Mazur said a letter will need to be submitted to the Engineering Department indicating the applicant's agreement to include this area for storm water management for any future expansions and the landscape plan will need to be submitted for review by and approval of the City's landscape architect.

Mr. Holtz indicated the landscaping improvements displayed on the plan and noted where two large trees will be removed.

Mr. Newberry appreciates the improvements and wished the applicant luck.

Motion by Mr. Newberry, seconded by Mr. Mazur to approve the site plan for parking area alterations, building alterations, patio and landscaping contingent upon approval of the landscape plan by the City architect and written acknowledgement of the applicant's acceptance of the Engineer's letter regarding storm water management.

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

Nay: None

Motion Carried

COUNCIL REFERRAL:

8. Request from Reno G Properties, LLC to rezone property located at 31835-31935 Aurora Road/Old South Miles Road to automotive zoning 025-2016 6

A public hearing was scheduled and Mr. Mazur opened the public hearing and asked for comments. There were no comments; however, the public hearing will remain open.

9. Request from Daniel Margheret to rezone property located at 5910 and 5900 Harper Road (northwest corner of Harper Rd. and Aurora Rd. intersection) from I-2 (Industrial Manufacturing) to O-2 (Office Park) 027-2016 5

A public hearing was scheduled and Mr. Mazur opened the public hearing and asked for comments. There were no comments, however, the public hearing will remain open.

10. Proposed amendment to remove commercial "Sports Training Facilities" as Industrial District permitted uses.

A public hearing was scheduled and Mr. Mazur opened the public hearing and asked for comments. There were no comments, however, the public hearing will remain open.

MINOR ALTERATIONS FROM THE PLANNING DEPARTMENT:

28600 Fountain Parkway – AMRESKO

Mr. Frankland displayed an aerial view and explained the request to install equipment along the rear wall of the building near an undeveloped area. He indicated the part of the building that will also obscure the view of the equipment.

Mr. Frankland indicated the proposed location of the condensing and de-humidification units necessary for processing. He advised of the dimensions of the units and noted they will be located on concrete pads.

Mr. Frankland said the Engineering Department approved the request with the condition that a letter be submitted by the applicant indicating their agreement that the concrete pads will be incorporated into any future storm water management provision.

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

COMMENTS FROM THE COMMISSION:

Mayor Drucker announced the Solon Philharmonic Orchestra will perform their last concert of the year on Sunday, May 15th at 3:00 P.M. at the high school auditorium. Tickets are available for purchase at the Arts Center.

COMMENTS FROM THE AUDIENCE:

There were no comments from the audience.

Motion by Mayor Drucker, seconded by Mr. Newberry to adjourn the meeting at 8:02 P.M.

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

Motion Carried

Vice Chairman

Secretary