

**PLANNING & ZONING COMMISSION**  
**June 14, 2011 – 7:00 P.M.**

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

Present: Commission Members Bentley, Mazur, Newberry, Councilwoman Richmond, Law Director Lobe, Planning Director Frankland, Secretary McConoughey

Absent: Mayor Drucker

Also Present: Fire Lieutenant Benedict, City Engineer Busch

The following items remained on the Inactive Agenda:

- A. Thornbury Subdivision – Forest City Land Group – Dedication Plat for phases 7 and 8
- B. 34050 Aurora Road – BP America – Number of signs variance (to permit 16)
- C. Hawthorne Estates Subdivision – TransCon Builders
- D. Requests from Wolf Family Trust and Larry Coven, for consideration of allowing medical and dental occupancy in the I-2 Zoning District

**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 Mazur presided. He advised Mayor Drucker would not be present this evening.

**PENDING:**

- 1. 6585 Liberty Road – Alex and Julie Spirikaitis - front yard setback variance: Mr. Frankland said the applicant has not yet received the necessary information from the Army Corp of Engineers.

**NEW:**

- 2. 33505 Solon Road – Matthew Puflea – various variances and site plan for a building addition: The Commission discussed changes to the plan which included changes recommended by the City Architect.
- 3. 33350 Arthur Road – William Osgood – driveway width variance: In response to Mr. Mazur's question, Mr. Osgood said the driveway is gravel up to 6' from the house.
- 4. 6839 Teasel Court – William Todd and Kristine Martin – pavement side yard setback variance: Mr. Frankland said although the driveway is grandfathered, the

small additional section is not and the permit cannot be issued without the variance approval.

6. 29605 Aurora Road – 322 & 91 Properties, LLC – Jon Sines – site plan modification to previously approved landscape plan: The applicant has requested this item be tabled.

Mr. Mazur said upon review, he feels the item should be forwarded to the city Traffic Engineer. Mr. Mazur said the original plan was approved by the Commission approximately one year ago and it was determined that two of the curb cuts would be eliminated. However, the curb cuts remain in the newly submitted plan and the landscaping has been significantly reduced. Mr. Mazur is also concerned about the location of the dumpster in the rear of the building which is not concealed by a structure. He viewed the overflowing dumpster and wants it to be in compliance with screening guidelines per the City's code.

Mr. Frankland said he has 5 minor alterations to present.

Mr. Mazur said he believes the City Council will cancel their meeting scheduled for July 4<sup>th</sup> and asked if the Commission felt they should cancel their meeting for June 28<sup>th</sup> since anything the Commission approved would not be reviewed by the Council until their next meeting.

Mr. Frankland reviewed the upcoming applications and said he did not think cancelling the Commission meeting on June 28<sup>th</sup> would create a hardship for any of the applicants.

Mr. Frankland gave a brief review of the minor alterations.

The caucus ended at 7:25 P.M. and the meeting convened 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 Councilwoman Richmond, seconded by Mr. Bentley to approve the minutes of the May 24, 2011 meeting as presented.

Roll Call: Aye: Bentley, Mazur, Newberry, Richmond  
Nay: None

Motion Carried

PENDING:

1. 6585 Liberty Road – Alex and Julie Spirikaitis (additional site plan submitted) – 4/26 tabled, 5/10 tabled, 5/24 tabled 024-2011
- 122.5' front yard setback variance

Mr. Frankland said the applicant anticipated the necessary information from the Army Corp of Engineers being available for tonight's meeting but they did not receive it. Therefore, they hope to have it for the next meeting.

Motion by Mr. Mazur, seconded by Mr. Newberry to table consideration of item 1.

Roll Call: Aye: Bentley, Mazur, Newberry, Richmond

Nay: None

Motion Carried

NEW:

2. 33505 Solon Road – Matthew Puflea 033-2011
- 4 space total parking variance
  - 5' parking lot minimum aisle width variance
  - 15' minimum access drive width variance
  - Minimum site buffering variance
  - Site plan - building addition

Mr. Stephen Ciciretto, Architect and Mr. Matthew Puflea, owner, were present. Mr. Ciciretto displayed photographs of the building and said it is located in the Historic Commercial District and was previously utilized as a single-family residence. However, Mr. Puflea purchased the building with the intent of using the space as an office for his financial planning business.

Mr. Ciciretto said the front design of the building will remain basically unaltered. He noted a small addition that will be removed to accommodate a ramp which is necessary to meet ADA regulations. In addition, an elevator/lift will be installed to meet ADA regulations.

Mr. Ciciretto said the existing building is encroaching on the required setback and the proposed addition will not require a side yard setback variance.

Mr. Ciciretto displayed a site plan indicating the driveway located off of Solon Road and said they plan to maintain the appearance of a single-family home. He said there will be a maximum of 4 people working in the building, including himself. Approximately 7 parking spaces will be required. He said the garage will be utilized by Mr. Puflea and his administrative assistant. Mr. Ciciretto indicated a gray, shaded area on the site plan where 3 additional parking spaces will be added, including an ADA van accessible parking space.

Mr. Ciciretto displayed photographs of the house and said the current aluminum siding will remain on the house, except for the rear of the building which will have cement-board siding with a wood appearance installed which will be painted to

match the current house color. The same siding will eventually be installed on the rest of the house.

Mr. Ciciretto said the building will be staggered in order to distance it from the property line. This will also assist in maintaining the look of the historic building's original form. In addition, staggering the building will also prevent a long trailer-like look to the building.

Mr. Ciciretto said the City architect suggested the possibility of changing the look of the dormer on the second floor to create a long look. He said, although they are not opposed to the suggestion, they are not fond of the look and believe it would require another variance to do so. The architect also recommended adding a window to the area which they would be willing to do. However, since this will be considered a public building and not a residence, there are issues with the proximity to the side yard because of the Ohio Building Code regarding the percentage of openings in a firewall. Mr. Ciciretto said they will agree to whatever the Commission determines is appropriate for the dormer and the window.

Mr. Ciciretto said he does not think the addition will be very noticeable from the front of the house and they will do their best to match the roof shingles. However, due to aging, it might not be an exact match.

In response to Mr. Bentley's question, Mr. Puflea said the upstairs will be used for personal office space and will contain a bathroom.

Mr. Ciciretto displayed the site plan and answered various questions from Commission members regarding the location of the addition. It was determined the 6" to 8" between the original building and the addition was appropriate and will help differentiate them. This will also help maintain the smaller look to the building.

Mr. Mazur would like to see the addition of the window and the dormer centered between the two windows.

Mr. Ciciretto discussed the landscaping screening. He indicated where the City landscape architect recommended trees be planted on the side of the house. However, he is concerned about future problems with the trees eventually damaging the foundation and growing onto the neighbor's property. He suggested using foundation plantings; such as, rhododendrons, etc., instead. Mr. Ciciretto believes this will give more of a residential appearance as well. In addition, the City landscape architect recommended maple trees in the front near the sidewalk. Mr. Ciciretto is concerned about maple trees eventually heaving the sidewalk when they reach maturity and the trees might eventually hide any future signage.

Mr. Mazur does not feel it is necessary to install the arborvitae along the side yard, however, does believe the arborvitae should be added adjacent to the parking area. Mr. Ciciretto and Mr. Puflea both agreed the arborvitae should be planted adjacent to the parking area.

Mr. Mazur feels the applicant should determine the type of vegetation to plant in the side yard and should discuss the type of trees to be used in front with the Planning Director.

Mr. Mazur asked if the Historical Society is required to review the application. Mr. Frankland said the Historical Society would only get involved if the building was being razed.

Mr. Ciciretto said there is one light on the garage and they are only adding one light in the rear vestibule area to give a wash appearance. He confirmed there will be no parking lot lighting.

Mr. Ciciretto said he is hesitant to stipulate there will be no use of the upstairs and, thereby, reduce the number of parking spaces necessary. He would prefer to have the variance so that in the future, if the upstairs is necessary, it can be utilized.

Mr. Ciciretto is hesitant to stipulate there will be no use of the upstairs in order to reduce the number of required parking spaces. He said the addition does not generate additional occupancy because it is only needed to meet ADA requirements and adding the contingency would limit the use which might hinder any future sale of the building.

Mr. Puflea prefers to keep the second story as usable space for future resale.

Motion by Mr. Mazur, seconded by Councilwoman Richmond to approve a 4 space total parking variance.

Roll Call: Aye: Bentley, Mazur, Newberry, Richmond  
Nay: None

Motion Carried

Motion by Councilwoman Richmond, seconded by Mr. Newberry to approve a 5' parking lot minimum aisle width variance.

Roll Call: Aye: Bentley, Mazur, Newberry, Richmond  
Nay: None

Motion Carried

Motion by Mr. Newberry, seconded by Mr. Bentley to approve a 15' minimum access drive width variance.

Roll Call: Aye: Bentley, Mazur, Newberry, Richmond  
Nay: None

Motion Carried

Motion by Mr. Bentley, seconded Mr. Mazur to approve a minimum site buffering variance.

Roll Call: Aye: Bentley, Mazur, Newberry, Richmond  
Nay: None

Motion Carried

Motion by Mr. Mazur, seconded by Councilwoman Richmond to recommend approval of the site plan for a building addition with the contingency that the window will be added (as per the architect's recommendation), installation of arborvitae is not necessary for the side yard and smaller ornamental trees as approved by the Planning Director can be used in the front yard by the sidewalk.

Roll Call: Aye: Bentley, Mazur, Newberry, Richmond  
Nay: None

Motion Carried

3. 33350 Arthur Road – William Osgood 034-2011  
 ▪ 3.5' driveway width variance

Mr. William Osgood was present. Mr. Frankland displayed a diagram and an aerial drawing of the driveway. Mr. Osgood indicated the apron of the driveway and explained the gravel driveway was there when he moved into the house in 1982. He is now planning to install concrete in the driveway and in order to square it off, a variance of 1.75' x 26' on either side is required.

In response to Mr. Newberry's question, Mr. Osgood said the house is approximately 75' from the sidewalk.

Mr. Newberry is concerned this will be a large amount of concrete in front of the house and across the street from City schools.

Mr. Busch said the Engineering Department does not have any concerns with water run off.

Motion by Mr. Mazur, seconded by Councilwoman Richmond to approve a 3.5' driveway width variance for 33350 Arthur Road.

Roll Call: Aye: Bentley, Mazur, Richmond  
Nay: Newberry

Motion Carried

4. 6839 Teasel Court – William Todd and Kristine Martin 035-2011  
 ▪ 5.5' pavement side yard setback variance

Mr. Todd Martin was present and displayed a diagram indicating where it is necessary to add a strip of concrete to the existing grandfathered drive in order to drive into the new garage that will be constructed.

Motion by Mr. Newberry, seconded by Mr. Bentley to approve a 5.5' pavement side yard setback variance.

Roll Call: Aye: Bentley, Mazur, Newberry, Richmond  
Nay: None

Motion Carried

5. 31958 Lynton Lane – James and Tinamarie Campbell 036-2011  
 ▪ 4' front yard setback variance  
 ▪ 13' side street setback variance

Mr. James Campbell was present and displayed a rendering of the house indicating where he is proposing to extend the existing porch. He said the house is a colonial and he would like to extend the front porch across the length of the house. The porch will be surrounded by railings and in the center there will be a 10' section with a gabled roof.

Mr. Mazur asked Mr. Campbell if he considered extending the porch roof across the length of the house.

Mr. Campbell said although he has considered it, it would be too costly.

Mr. Mazur said a memo from the Ward Councilman was received indicating his support for the project.

Motion by Mr. Mazur, seconded by Councilwoman Richmond to approve a 4' front yard setback variance.

Roll Call: Aye: Bentley, Mazur, Newberry, Richmond  
Nay: None

Motion Carried

Motion by Councilwoman Richmond, seconded by Mr. Newberry to approve a 13' side street setback variance.

Roll Call: Aye: Bentley, Mazur, Newberry, Richmond  
Nay: None

Motion Carried

6. 29605 Aurora Road – 322 & 91 Properties, LLC – Jon Sines 037-2011  
▪ Site plan modification to previously approved landscape plan

Mr. Mazur said a request to table the item was received from the applicant.

Mr. Mazur said this item was previously considered by the Commission. However, the applicant is requesting to make changes to the approved plan. The applicant wishes to maintain the 4 curb cuts and reduce the amount of previously approved landscaping in order to have greater ease of entering and exiting for tractor trailer trucks. Mr. Mazur feels this item should be referred to the City's traffic engineer for review. In addition, there is an onsite dumpster located on the property which is not enclosed and was not in the approved plan. Mr. Mazur requested the Planning Department review the dumpster issue and ensure it is in compliance with the Code.

Mr. Newberry agreed with Mr. Mazur and said he would like the plan to more closely resemble the formerly approved plan.

Motion by Mr. Mazur, seconded by Councilwoman Richmond to table Item 6 and refer the item to the traffic engineer for review.

Roll Call: Aye: Bentley, Mazur, Newberry, Richmond  
Nay: None

Motion Carried

MINOR ALTERATIONS FROM THE PLANNING DEPARTMENT:

1. 6197 and 6199 SOM Center Road – Carter Lumber

Mr. Frankland displayed a photograph of the buildings and explained that alterations are being made to the buildings, the parking lot is being repaired, handicap parking spaces are being added and ramps are being installed at the sides of each building.

In response to Mr. Mazur's question regarding the unsightliness of the air conditioning vents, Mr. Frankland said the applicant has assured him they will improve the appearance.

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

2. 27070 Miles Road – ECRM

Mr. Frankland said this building is the last industrial building on Miles Road. He displayed an aerial view indicating the parking lot. However, since the aerial was taken, another parking lot was added. Mr. Frankland said there is a grade change between the two parking lots and the applicant would like to add a set of steps with railings for accessibility. In addition, the applicant would like to add a sidewalk across the landscape island to connect the parking lot to the access drive.

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

3. 31875 Solon Road – 1 EDI Source

Mr. Frankland displayed a site plan indicating where a row of windows and a generator was previously approved for the applicant. However, the generator can be seen from the row of windows and the applicant is proposing to move the generator to the opposite side of the loading dock area. The generator will be out of view and no variances are required.

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

4. 34200 Solon Road – Victorian Place

Mr. Frankland displayed an aerial view indicating the driveway and said the applicant would like to add concrete to the driveway to straighten it out and widen it. It will be 18' wide with the addition and there are no variances associated with the request. Mr. Frankland said driveways in the industrial area are required to be 24' wide and this will make it more compliant with the Code. Approval should be contingent upon the Engineering Department's review and approval of the plan.

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

5. 33425 Arthur Road – Arthur Road Elementary School

Mr. Frankland displayed an aerial indicating the areas that create drainage issues. The applicant would like to add a 7' tall retaining wall with railings for safety. In addition, some of the parking area and landscaping will be upgraded and changes will be made to some of the sidewalks.

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



Mr. Mazur said it is anticipated that the City Council will announce at the June 20<sup>th</sup> meeting the cancellation of the July 4<sup>th</sup> Council meeting. If this occurs, the Planning Commission meeting scheduled for June 28<sup>th</sup> will also be cancelled.

Motion by Mr. Mazur, seconded by Councilwoman Richmond to cancel the Planning Commission meeting scheduled for Tuesday, June 28<sup>th</sup> contingent upon the Council cancelling their meeting of July 4<sup>th</sup>.

Roll Call: Aye: Bentley, Mazur, Newberry, Richmond  
Nay: None

Motion Carried

COMMENTS FROM THE COMMISSION:

Councilwoman Richmond encouraged everyone to attend the 2<sup>nd</sup> annual beer tasting Rockin' Brews presented by Solon Wine & Liquor at the Solon Center for the Arts on Friday, June 17<sup>th</sup> from 6:30 P.M. to 10:00 P.M. Entertainment will be provided by Abby Normal and the Detroit Lean.

Mr. Bentley encouraged everyone to be cautious and safety-minded now that school is out and more children are out playing during the day and into the early evening.

Mr. Mazur commented on the current budget bill under discussion which includes a section that attempts to remove the authority of local communities to regulate fast food restaurants. He feels it is appropriate for the Administration and the Council to take an interest in this and possibly contact the State Representatives to voice concerns and request this be removed from the bill. Mr. Mazur said there is an article in The Plain Dealer which lists approximately 20 items in the bill that have nothing to do with the budget. He feels as a member of the Planning Commission, it is a concern when the authority of the City to administer its Code might be removed by the State legislature.

COMMENTS FROM THE AUDIENCE:

There were no comments from the audience.

Motion by Mr. Newberry, seconded by Councilwoman Richmond to adjourn the meeting at 8:25 P.M.

Roll Call: Aye: Bentley, Mazur, Newberry, Richmond  
Nay: None

Motion Carried

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Chairman

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Secretary