

SOLON PLANNING & ZONING COMMISSION
August 9, 2016 – 7:15 P.M.

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

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

Absent: None

Also Present: 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 Bentley presided.

PENDING COUNCIL REFERRAL:

1. Property located off of Aurora Road (500' east of Signature Drive) Breezethrough, Inc. – Dennis Oranski – lot consolidation and variances: Mr. Stolarsky suggested that he provide a brief history regarding this issue as it has been pending for some time.

PENDING:

2. 31500 Solon Road – 31500 Solon Associates LLC – parking lot setback variances and lot split of PP# 953-33-005: Mr. Bentley advised this item will remain tabled.

The caucus ended at 7:23 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. Mazur, seconded by Mr. Newberry to approve the minutes of the July 26, 2016 meeting as submitted.

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

Motion Carried

PENDING COUNCIL REFERRAL:

1. Breezethrough, Inc. - Dennis Oranski – PP#'s 956-38-021, 956-38-022, 956-38-024, 956-38-025, 956-38-026 and 956-38-027 – 6/20 Council referred back to Planning Commission for consideration of new information - Applicant requested item be tabled until August 9, 2016 011-2016 1
- Lot consolidation
 - 75' lot width at building line variance
 - 135' front yard setback variance
 - Not parallel to the street variance

This item was rejected by the Planning Commission at their May 24th meeting as documents requested by Mr. Stolarsky were not provided by the applicant. The applicant filed an appeal for the June 20th Council meeting and provided the documents initially requested. The Council determined to return the application to the Planning Commission for further review of the new information submitted.

A public hearing was scheduled.

Mr. Dennis Oranski was present and explained his delay in producing the documents requested. He thought the ten-year old documents had been shredded, however, found them in an unexpected location of his home.

Mr. Oranski explained the history of his purchase and ownership of the lots proposed to be consolidated and also the two abutting lots that he formerly owned that were questioned by the Commission. He explained he originally bought the two abutting lots, PP#'s 956-38-019 for himself and 956-38-020 for his daughter. He explained the lots were purchased as a learning experience for his daughter, however, his daughter did not show an interest in developing the property.

Mr. Oranski later negotiated for 17 lots that became available through an estate purchase and the real estate attorney made him aware of the City of Solon ordinance requiring that contiguous lots not meeting the code requirements and owned under common ownership are required to be combined. Therefore, he sold the lots to a woman who sought to build a house on a small lot. The woman did not build on the lots and sold them to his daughter's father-in-law. Mr. Oranski believes he did not violate any laws by having prior ownership of the two lots and waited to purchase the new lots after the sale of the other two lots was complete.

Mr. Stolarsky said in June, the Commission was concerned about the two lots, formerly owned by Mr. Oranski and his daughter, in regard to timing and relationships. Mr. Stolarsky said information was requested from Mr. Oranski about the sale of the lots, however, Mr. Oranski could not provide the documents at that time. Therefore, the Commission voted to deny the lot consolidation and variances associated with the application.

Mr. Stolarsky said subsequently, Mr. Oranski provided the settlement statements for the two lots which satisfied Mr. Stolarsky's question of an arm's length transaction prior to Mr. Oranski's ownership of the lots involved in his application.

Mr. Oranski indicated there were concerns regarding PP# 956-38-031 which was originally to be a street but is now a private lot and he believes the parcel is not relevant to his application.

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

Mr. Stolarsky recommended the Commission make a motion to reconsider this application.

Motion by Mr. Newberry, seconded by Mr. Mazur to reconsider the actions of the Planning Commission on May 24, 2016 in regard to the application submitted by Mr. Oranski.

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

Motion Carried

Councilman Pelunis thanked Mr. Oranski for providing the documents requested by the Commission. Councilman Pelunis noted correspondence was received from the Holler residence on Shinnecock Drive. He questioned if an environmental barrier or easement exists.

Mrs. Welch believes there is no existing easement or environmental barrier, however, there are wetlands and any property development will require a wetland delineation and a permit from the Army Corp of Engineers. A small stream also exists and would most likely be impacted by any development on Mr. Oranski's property.

Mr. Oranski advised he is aware of the wetlands issue and the need for a permit from the Army Corp of Engineers.

Mr. Bentley reviewed the correspondence received from the abutting neighbor who is concerned about privacy issues in regard to a proposed house facing their house. The neighbor's property was identified on a map.

Mayor Drucker asked Mr. Oranski how the house will be placed on the property. Mr. Oranski provided a drawing and indicated the driveway will be off of Aurora Road and he will need to culvert a small stream. The garage doors will be parallel to Aurora Road. The front of the house will face the golf course. Mr. Oranski believes the house will be situated approximately 200' from the house on Shinnecock. He noted he does not have intentions of removing all of the vegetation as it is important to the appearance of the property.

Mayor Drucker was concerned with the placement of the house as opposed to the adjacent two lots on Aurora Road should the owner of the those parcels want to build. She indicated problems in the past when a house is built one in front of the

other in regard to views. She said until wetland delineation occurs, it is unclear which trees will be cleared and which will remain on the lot.

Mr. Oranski identified on the drawing where he believes the wetlands exist and how he has determined the placement of the home. He believes the house will be approximately 150' to 200' from the two lots on Aurora Road and that the wetlands will provide a landscape buffer.

Mayor Drucker asked if it is Mr. Oranski's intention to keep the trees to be secluded rather than clear the trees for a view of the golf course. Mr. Oranski indicated he prefers to keep the trees for seclusion.

It was clarified that Mr. Oranski will build the home to sell in the future.

Mr. Mazur asked how many square feet the house will be and Mr. Oranski said 3,000 square feet.

Mr. Bentley believes it is somewhat disingenuous as he thinks trees will be cleared to take advantage of views of the golf course. Mr. Oranski said the trees can be thinned. Mr. Bentley believes tree clearing causes trees that remain to also fail.

Councilman Pelunis agreed with Mr. Bentley as Mr. Oranski first said he will not remove trees and is now saying he will thin the trees.

Mr. Newberry said the application does not disrespect the side and rear yard setbacks. He believes even if trees are thinned, there will be substantial screening between the house and the neighbors' house across the golf course even if he opens the view to the green. In regard to the lots in front of the property, Mr. Newberry believes there will be an opportunity for screening considering the water course on the property.

Mr. Newberry said his initial concern was the chain of custody of the properties which has been resolved to his satisfaction. Mr. Newberry supports the application and understands the intention.

Mr. Mazur believes the variances qualify as practical difficulties for the property once the lots are combined.

Motion by Mr. Mazur, seconded by Mr. Newberry to approve the lot consolidation of PP#'s 956-38-021, 956-38-022, 956-38-023, 956-38-024, 956-38-025, 956-38-026 and 956-38-027.

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

Motion Carried

Motion by Mr. Newberry, seconded by Councilman Pelunis to approve a 75' lot width variance at the building line.

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

Motion Carried

Motion by Councilman Pelunis, seconded by Mr. Mazur to approve a 135' front yard setback variance.

Mayor Drucker clarified the reason for her vote is because of the way the house is proposed to be situated on the lot. However, she said she will support the front yard setback variance due to the wetlands issue.

Mr. Oranski said this is a preliminary plan and is subject to the approval of the Army Corp of Engineers.

Mayor Drucker finds it would be easier to vote once the Army Corp has already provided their approval.

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

Motion Carried

Mrs. Welch said the property is in a restricted sewer area and a sanitary sewer tap-in fee of \$4,076.32 will be required.

Motion by Mr. Mazur, seconded by Mr. Newberry to approve a not parallel to street variance contingent upon wetlands delineation, a permit from the Army Corps of Engineers and the required sanitary sewer tap-in fee.

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

Motion Carried

PENDING:

- | | | | |
|----|--|----------|---|
| 2. | 31500 Solon Road – 31500 Solon Associates LLC | 061-2016 | 7 |
| | <ul style="list-style-type: none"> ▪ Lot split – PP# 953-33-005 ▪ 5' parking lot setback variance – Parcel A – south lot line ▪ 5' parking lot setback variance – Parcel B – north lot line ▪ 5' parking lot setback variance – Parcel B – south lot line ▪ 5' parking lot setback variance – Parcel C – north lot line | | |

Motion by Councilman Pelunis, seconded by Mayor Drucker to table consideration of Item 2.

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

Motion Carried

NEW:

- | | | | |
|----|---|----------|---|
| 3. | 33600 Inwood Road – Solon City Schools | 066-2016 | 7 |
| | <ul style="list-style-type: none"> ▪ 1' Fence height variance ▪ Variance to permit 2 wall signs ▪ Variance to permit a roof mounted sign ▪ Variance to permit (3) free standing ground signs ▪ 14'-8" free standing ground sign height variance ▪ 2'-4" free standing ground sign width variance ▪ Building color variance | | |

- Site plan

Mr. Jordan Lewis, SoL Harris/Day Architecture, was present representing the applicant.

Mr. Lewis displayed the plan and explained the proposed improvements to the Solon High School football stadium. A chain link fence is proposed to be replaced with a 6' ornamental aluminum fence with 7' masonry piers and requires a 1' variance for the 7' height. The home ticket booth is proposed to be moved from the west side to the northwest side for more visibility and access.

Mr. Lewis said a variance is required for a roof mounted sign proposed on the ticket booth and will be backlit at night to provide direction to those approaching the stadium. As the sign and building soffit color are proposed to be blue, a color variance is also required.

Mr. Lewis said 2,300 additional square feet of parking is proposed. He said a letter will be obtained from Mr. Bolden of Solon Schools stating that if the parking lot is expanded to add more parking, the proposed 2,300 square feet of additional parking lot will be included in storm water management calculations.

Mr. Bentley believes the updates will improve the entrance for the home team.

Mr. Newberry said these improvements are a continuation of the plan approved a few years ago when Stewart Field was improved and fencing was installed at the north end.

Motion by Mayor Drucker, seconded by Mr. Mazur to approve a 1' fence height variance.

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

Motion Carried

Motion by Councilman Pelunis, seconded Mr. Bentley to approve a variance to permit two wall signs.

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

Motion Carried

Motion by Mr. Mazur, seconded by Mr. Newberry to approve a variance to permit a roof mounted sign.

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

Motion Carried

Motion by Mr. Newberry, seconded by Mayor Drucker to approve a variance to permit (3) free standing ground signs.

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

Motion Carried

Motion by Mayor Drucker, seconded by Mr. Mazur to approve a 14'-8" free standing ground sign height variance.

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

Motion by Councilman Pelunis, seconded by Mr. Bentley to approve a 2'-4" free standing ground sign width variance.

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

Motion by Mr. Mazur, seconded by Mr. Newberry to approve a building color variance.

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

Motion by Mr. Newberry, seconded by Councilman Pelunis to recommend approval of the site plan contingent upon applicant's written agreement to comply with storm water requirements for any future expansion.

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

4. 32995 Solon Road – PP# 952-18-015 – EVFI Solon Mob, LLC 067-2016 6
for Primrose School of Solon
- 12' parking lot side yard setback variance
 - 6' access drive width variance
 - 20' dumpster rear yard setback variance
 - Total number of wall signs variance (to permit 2)
 - Lot split
 - Site plan – new building

A public hearing was scheduled and Mr. Bentley opened the public hearing and asked for comments.

Mr. Steve Butler, Community Civil Engineers and ALT Architecture, and Mr. James Alt, ALT Architecture, were present.

Mr. Butler displayed the plan and explained the proposal to build Primrose School on Solon Road. He said vehicles will access the school off of the private boulevard entrance currently leading to St. Vincent's Medical Center with a one-way system including parking spaces. The vehicles will also exit using the private boulevard. He said the dumpster will be hidden behind the building and indicated the location of the detention basin.

Mr. Alt introduced Jana and David Massary, owners of Primrose School in Hudson. He said this will be their second location. Mr. Alt said Primrose School has 400 locations in 30 states and has a premiere program for early childhood education including infants.

Mr. Alt displayed the elevations of the proposed building depicting the City's preferred Western Reserve style. The building is proposed to be 12,500 square feet with 12 classrooms. Operations are from 6:30 A.M. to 6:30 P.M. five days a week

with peak traffic times of early morning and late afternoon. Mr. Alt explained caregivers are required to park to drop off children, enter the building with a key card, take the children to their classroom and use the key card to leave, which is approximately seven minutes.

Mayor Drucker thanked the applicant for choosing Solon as a school location. She asked how many students are expected. Mr. Alt said slightly over 200 students.

Mr. Bentley asked the ages of the students and Ms. Massary advised the school accepts approximately 220 children ages birth to age 12, which includes before and after school care, summer camps and unexpected snow days. Mr. Massary said it is an enormously successful and desirable program.

Mayor Drucker asked if the school will work with the Solon Schools and St. Rita's in regard to transportation. Mrs. Massary said they will work with Solon Schools in regard to busses. She said they have a bus that will transport children to and from private schools.

Mayor Drucker asked the applicant to display the outdoor equipment. Mr. Alt said the outdoor equipment is age appropriate, separately fenced internally and externally and regulated by the Ohio Department of Jobs and Family Services (ODJFS).

Mr. Bentley asked the student/teacher ratio. Mr. & Mrs. Massary said it varies for each age group and exceeds state minimums.

Mayor Drucker asked to see a sample of the exterior brick and Mr. Alt displayed a sample. He noted they will provide an approximately 4' wide by 6' high mock-up that will employ the actual brick.

Mr. Mazur questioned the name on the application and it was conveyed it is the name of the property owner as the lot split has not yet occurred.

There were no comments from the public, therefore, the public hearing was closed.

Motion by Mayor Drucker, seconded by Mr. Mazur to approve a 12' parking lot side yard setback variance.

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

Motion Carried

Motion by Mr. Mazur, seconded by Mr. Newberry to approve a 6' access drive width variance.

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

Motion Carried

Motion by Mr. Newberry, seconded by Councilman Pelunis to approve a 20' rear yard setback variance for the dumpster

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

Motion Carried

Mrs. Welch said the lot split will create a new lot for the school and there are existing utilities that service the St. Vincent Medical Center. Therefore, an easement is necessary on the new lot for the utilities that service the medical center.

Mr. Mazur asked how large the new lot will be and Mr. Butler said approximately one acre.

Mr. Stolarsky advised he reviewed the parking and access agreement and found them acceptable. He said they will need to be executed and filed. Mr. Frankland said a contingency is needed for final approval of the landscape plan by the City's landscape architect and final approval by the City's architect of the building material color.

Mr. Butler said he spoke with Mr. Frankland regarding the cross access parking easement and was informed that if no parking or tow signs are erected, a cross access parking easement is not necessary.

Motion by Councilman Pelunis, seconded by Mr. Mazur to approve the lot split of PP# 952-18-015 contingent upon the execution and filing of a cross access agreement and utility easement.

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

Motion Carried

Motion by Mr. Newberry, seconded by Mayor Drucker to approve a total number of wall signs variance to permit two.

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

Motion Carried

Motion by Mr. Mazur, seconded by Mr. Newberry to recommend approval of the site plan contingent upon approval of the landscape plan by the City's landscape architect, approval of the building material color by the Planning Department and an inspection and maintenance agreement for storm water management.

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

Motion Carried

MINOR ALTERATIONS FROM THE PLANNING DEPARTMENT:

1. 33519 Solon Road – MP Star Financial

Mr. Frankland displayed an aerial view and explained the proposal to paint the historic office building. He displayed a current photo of the cream colored structure. He displayed a color palette and indicated a green color for the building, a white color for the trim and a brown color for the window accents. Mr. Frankland said the colors are recommended by the City's architect and are consistent with the Historic District. He commended the applicant for the appearance of the interior of the building.

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

2. 6170 SOM Center Road – True North

Mr. Frankland displayed an aerial view and explained True North requests to change the current light fixtures to the same type of fixture with LED lighting which will comply with lighting requirements.

Mr. Bentley asked if there is 0' light spillage and Mr. Frankland said it is not necessary as it is not next to a residential area, however, it must be 2.5' candles and is under 2.5'.

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

3. 6477 SOM Center Road – GetGo

Mr. Frankland displayed the aerial view and explained the Blue Rhino propane tank storage area is located behind the dumpster, a wall and vegetation and is not visible. The request is to add another rack of tanks which will not be visible from the street as well.

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

4. 5750 Harper Road – Nestle

Mr. Frankland displayed an aerial view and explained the request to upgrade the doors to the property.

Mr. Newberry asked if the glass will still be bronze and Mr. Frankland said yes.

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

COMMENTS FROM THE COMMISSION:

Mayor Drucker announced the Council meeting of September 5th was cancelled in observance of the Labor Day holiday and the next Planning Commission meeting of August 23rd was cancelled. She said the Commission's next meeting is September 13th for those considering submitting applications.

Mr. Newberry wished everyone a happy and safe Labor Day weekend.

COMMENTS FROM THE AUDIENCE:

Mr. James Hugo, owner of property on Willow Street, said he owns property immediately south of Mr. Oranski's property and does not object to the request. He questioned if Willow Street will ever become a dedicated street through to Aurora Road. He said there are properties being developed on Willow Street south of Edith. Mr. Hugo asked if his lots are buildable and asked for direction.

Mr. Frankland said Mr. Hugo should meet with his office. He said years ago, Willow was a street but was purchased by an individual who controls access of the street.

Mr. Hugo asked if it could still be made a street and Mr. Frankland said he was unsure.

Motion by Mayor Drucker, seconded by Mr. Mazur to adjourn the meeting at 8:40 P.M.

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

Motion Carried

Chairman

Secretary