

SOLON PLANNING & ZONING COMMISSION
March 14, 2017 – 7:15 P.M.

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

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

Absent: Mayor Drucker

Also Present: Fire Inspector Eisenhuth, Assistant City Engineer Welch, Assistant Clerk of Council Buller

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:

5. 33200 Baldwin Road – St. Rita's Church – green space variance: Ms. Welch stated an email was sent to the applicant advising that the Engineering Department would not approve a variance in the right of way and two related sections of the Zoning Code were attached.

BOARD OF ZONING APPEALS:

9. Appeal to the *Notice of Property Violations* – Richard Haig and Ismat Y. Ghanem: Mr. Newberry asked what the status of the violations would be if the appeal was withdrawn. Mr. Stolarsky advised if Mr. Haig agreed to resolve the violations and withdraw the appeal, a reasonable period of time would be given to resolve the violations.

The caucus ended at 7:25 P.M. and the meeting began at 7:30 P.M.

Mr. Bentley advised the applicant that Mayor Drucker was not present and that if at any time during their presentation they wished to table their item until the full Commission was present, they could request a continuance. Mr. Stolarsky added that an affirmative vote of three of the four Committee Members present was required for an item to pass.

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. Bentley to approve the minutes of the February 28, 2017 meeting.

Roll Call: Aye: Bentley, Newberry, Pelunis

Nay: None

Abstain: Mazur

Motion Carried

PENDING:

1. 33170 Aurora Road – Bruce Bilek 015-2017 7
 - 7' parking lot aisle width variance
 - Lot consolidation

A public hearing was scheduled. Mr. Bentley opened the Public Hearing and requested comments.

Mr. Marcus Bush, Bush Striping LLC, was present on behalf of the applicant and presented an aerial picture of the site. He pointed out the ten unit building, ten car garage and eight parking spaces at 33170 Aurora Road where the city had recommended removal of three parking spaces. He proposed removal of just the first space at the entrance to allow a 24-foot access for safety vehicles.

Regarding the 33100 Aurora Road building, Mr. Bush stated although the city recommended removal of the entire parking lot, however, he advised visitors and tenants needed this lot and he recommended removal of just the first space at this location to allow safety vehicles adequate access. He indicated each parking space needed 17' from the beginning of the garage and the end of the line of the parking.

Mr. Bush stated after a lot consolidation between building 33050 and 33100 a parking space was added and requested a variance to allow that space along with allowance to continue pavement and striping at building 33050.

Mr. Bush recommended removal of the first space at the 33000 building for safety vehicle access at the entranceway.

Mr. Bentley noted the 33170 garage was angled and questioned the distance from the existing parking spot to the garage. Mr. Newberry pointed out the easternmost space was located too close to the garage at 19 feet. Mr. Newberry stated ample room was needed to maneuver a vehicle out of a space.

Councilman Pelunis inquired how many units, bedrooms and garage spots were in each building. Mr. Bush stated ten units per building, some one and two bedroom apartments and one studio apartment with ten garage spaces per building. Councilman Pelunis expressed concerns with the 17-foot distance from the garage to the parking spots at the 33100 building and the lack of visitor parking for the

buildings. Mr. Bush replied he didn't know where visitors would park if the spaces were removed. Councilman Pelunis agreed with removing some of the spots but that could encourage illegal parking which could present a greater problem.

Mr. Bush stated a unit could include additional tenants with additional vehicles.

Mr. Frankland stated the Committee's concerns are legitimate but pointed out the apartments had been functioning with the ten spaces since the 1950's or 1960's. He stated if the spaces were approved as presented, the tenants and visitors could park legally.

There were no additional comments; therefore, the Public Hearing was closed.

Motion by Mr. Mazur, seconded by Mr. Newberry to approve a 7' parking lot aisle width variance with the contingency that the easternmost parking space be removed.

Councilman Pelunis requested the rationale on the removal of the furthest parking space and not the additional two spaces. Mr. Mazur stated the second and third space will have 24 feet to maneuver. Mr. Newberry stated the Fire Department reports indicate adequate maneuverability with one space removed at the backside of the building.

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

Motion Carried

Motion by Mr. Newberry, seconded by Mr. Mazur to approve a lot consolidation for PP#'s 954-02-110 and 954-02-111.

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

Motion Carried

2. 33100 Aurora Road – Bruce Bilek – PP# 954-02-108 016-2017 7
- 7' parking lot aisle width variance
 - 15' side yard parking setback variance

Mr. Bentley recapped the proposal was to remove the first eastern parking space. Mr. Bush stated that was correct and explained his request to keep the remaining parking spaces in question.

Mr. Bentley expressed concern with the 17 feet roadway width. Councilman Pelunis agreed and reiterated his concern with the parking ratio to the number of tenants which left visitor parking unavailable. Mr. Bush believed the roadway width was 19 feet and stated visitors would park in any available parking space with or without lines.

Mr. Newberry stated the city was not in a position to grant a blanket variance for substandard parking spaces that could result in potential liability issues. Councilman Pelunis stated the city had sovereign immunity in an issue of this kind.

Mr. Stolarsky spoke of a former application at this property where it was suggested that the Planning Department and applicant meet and form a solution such as angling the spaces. Mr. Frankland stated in the summer of 2016, this request was tabled with no further action and included the recommendation that alternatives be submitted. He stated the lot was subsequently striped with the current parking but was not performed by Mr. Bush. Mr. Frankland agreed there was an issue. Mr. Bentley stated alternatives should be discussed.

Motion by Mr. Newberry, seconded by Mr. Mazur to table consideration of Item 2.

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

Nay: None

Motion Carried

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| 3. | 33050 Aurora Road – Bruce Bilek – PP# 954-02-107 | 017-2017 | 7 |
| | ▪ 15' side yard parking setback variance | | |

Mr. Bentley stated as Mr. Bush had explained, the Fire and Police Departments had requested the first parking space between 33000 and 33050 be removed to allow the required 24 feet. Mr. Bush agreed that space should be removed.

Mr. Newberry stated an additional recommendation due to a restriction and crossover was to remove the east side spaces but did not feel the Committee needed to adjudicate. Mr. Frankland stated a minimum 24 foot aisle width was required but the Commission had the ability to modify.

Mr. Newberry saw an advantage with the parking setback to allow cross access between the two lots; however, he was interested in how the compromise at the 33100 building would impact this item.

Councilman Pelunis questioned the possibility of repositioning the three parking spaces closer to the building to gain the desired footage.

Mr. Bush stated the required footage had already been attained and that repositioning would not be a possibility at this time. Mr. Frankland stated that was a viable solution but additional pavement would require the Engineering Department's involvement. Mr. Stolarsky stated Mr. Bush did not possess the authority to make that decision. He suggested this item be tabled. Mr. Bush agreed.

Mr. Bentley stated a comprehensive plan for the entire back lot would be beneficial.

Motion by Councilman Pelunis, seconded by Mr. Newberry to table consideration of Item 3.

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

Nay: None

Motion Carried

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| 4. | 33000 Aurora Road – PP#'s 954-05-105, 954-02-106,
954-02-173 – Bruce Bilek | 018-2017 | 7 |
| | ▪ Lot consolidation | | |

A public hearing was scheduled. Mr. Bentley opened the Public Hearing and requested comments.

There were no comments; therefore the Public Hearing was closed.

Mr. Bentley stated it had been agreed to remove the farthest western most parking spot as per the Fire and Safety Department's suggestion. Mr. Bush agreed.

Motion by Councilman Pelunis, seconded by Mr. Mazur to approve a lot consolidation for PP#'s 954-02-105, 954-02-106 and 954-02-173 along with the elimination of one western most parking space.

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

Motion Carried

5. 33200 Baldwin Road – St. Rita's Church 019-2017 7
▪ 200 sq ft green space variance

Motion by Mr. Mazur, seconded by Councilman Pelunis to table consideration of Item 5 with the provision the applicant be contacted advising that failure to communicate by March 28, 2017 will result in Item 5 being placed on the Inactive Agenda.

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

Motion Carried

NEW:

6. 32995 Solon Road – EVFI Solon MOB, LLC (Primrose School) 024-2017 6
▪ 5.7' side yard sign setback variance
▪ 10.75' side yard parking setback variance
▪ Variance to not install curbing

Mr. Stephen Butler, Community Civil Engineers, was present representing the applicant. He presented an overall site plan and pointed out the area of the existing monument sign on the neighbor's property and the area in front of the parcel for the applicant's monument sign.

Mr. Butler stated the reason for the second variance request was because of the distance between the first parking space and the property line location.

Mr. Butler pointed out the existing helipad. He stated the Code requires all paved surfaces to be curbed. He stated this helipad was flush with the existing grade and requested the south edge curbing be waived.

Motion by Mr. Mazur, seconded by Mr. Newberry to approve a 5.7' side yard sign setback variance.

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

Motion Carried

Motion by Mr. Newberry, seconded by Mr. Mazur to approve a 10.75' side yard parking setback variance.

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

Motion Carried

Motion by Mr. Bentley, seconded by Mr. Mazur to approve a variance to not install curbing.

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

Motion Carried

7. 32600 Cannon Road – Dan & Cheryl Kretch 025-2017 4
- 267.8' front yard setback variance
 - Not parallel to the street variance

Mr. James Haas, Westwork Architectural Studio, was present representing the applicants. He presented a site plan and explained the flag lot had a 362' drive to the main body of the 3.2 acre lot. Mr. Haas stated for cost effectiveness and due to the drive positioned offset, the best placement of the house would be parallel to the diagonal natural grade creating a courtyard effect. He stated this would allow a view into the depth of the lot.

Mr. Haas stated the not parallel to the street regulations would not be affected because the front edge of the home was 447' from Cannon Road and would not be visible from the road. Mr. Haas noted the prior home had burned down. He requested interpretation of Section 1287.02(2) with concern to Section 1287.03(B) in regards to a front yard setback.

Mr. Frankland stated the Code required a minimum and maximum setback with a modest allowed deviation of approximately five feet and a variance would be required to not meet that setback. Mr. Haas stated by nature of the lot, the 150' setback cannot be met. Mr. Newberry stated there was a not parallel to the street variance already attached to that lot.

Motion by Mr. Newberry, seconded by Mr. Mazur to approve a 267.8' front yard setback variance.

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

Motion Carried

Motion by Mr. Mazur, seconded by Mr. Newberry to approve a not parallel to the street variance.

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

Motion Carried

8. 39335 Bainbridge Road – Richard Haig 026-2017 3
- 20' Swimming pool side yard setback variance

Motion by Mr. Bentley, seconded by Mr. Mazur to table consideration of Item 8 at the request of the applicant.

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

Motion Carried

BOARD OF ZONING APPEALS

9. Appeal to the *Notice of Property Violations* dated November 10, 2016, issued to Richard Haig and Ismat Y. Ghanem regarding property located at 39335 Bainbridge Road

Motion by Mr. Newberry, seconded by Councilman Pelunis to table consideration of Item 9 at the request of the applicant.

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

Motion Carried

MINOR ALTERATIONS FROM THE PLANNING DEPARTMENT:

1. 6835 SOM Center Road - Solon Middle School

Mr. Frankland presented an aerial view of the building and explained a small masonry equipment screening wall at the back was deteriorated and would be removed. There are no plans to replace the wall as the area is not visible from the adjacent property.

2. 6531 Cochran Road – Great Lakes Cold Storage

Mr. Frankland presented an aerial view of the building and pointed out an area facing Cochran Road that required replacement of metal siding. He stated this was for functional purposes due to heat buildup.

3. 32345 Cannon Road – Dorothy Lewis Elementary School

Mr. Frankland presented an aerial view of the building and stated a transformer would be relocated behind the building along with the installation of a 7.5' tall chiller unit. The equipment will be completely screened from adjacent properties.

4. 6190 Cochran Road – Carnegie Companies

Mr. Frankland presented an aerial view of the building. He stated the building was well off the road and pointed out an area along the edge of the building where two air conditioning units would be installed and a garage door would be bricked in and moved to the south. He stated none of this would be visible from the street as it was completely blocked by another building.

5. 32333 Aurora Road – United Stones International

Mr. Frankland stated this location is in the Omni Corporate Commons buildings. He presented an aerial view and stated the clear glass windows in the wholesale purpose only granite and marble showroom would be glazed.

The Commission agreed no further review of these items is necessary.

COMMENTS FROM THE COMMISSION:

Motion by Mr. Mazur, seconded by Mr. Newberry to schedule a public hearing for March 28, 2017 for Crown Castle/AT&T at 6801 Cochran Road for telecommunication tower antenna and equipment replacement.

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

Motion Carried

Mr. Mazur wished everyone a happy St. Patrick's Day.

Mr. Bentley advised the April 11, 2017 meeting could be rescheduled and timely notice will be posted.

COMMENTS FROM THE AUDIENCE:

There were no comments from the audience.

Motion by Mr. Mazur, seconded by Mr. Newberry to adjourn the meeting at 8:24 P.M.

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

Motion Carried

Chairman

Secretary