

**SOLON PLANNING & ZONING COMMISSION
APRIL 12, 2017 – 7:30 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, Planning Director Frankland, Secretary McConoughey

Absent: None

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.

NEW:

13. 5100 Naiman Parkway – Raintree Holdings, LLC - 36' setback from right-of-way variance, curbing variance, Site plan: Mr. Frankland distributed a memo outlining variance modifications approved by Engineering. Ms. Welch stated the Engineering Department recommended widening the apron or cutting down some of the berm.

15. 5800 Ledgebrook Lane – David J. Sarver, Trustee - 137.5' front yard setback variance, 10' rear yard setback variance, not parallel to the street variance, 4' driveway width variance, accessory structure location variance, number of accessory structures variance, 596 sq ft accessory structure area variance, lot consolidation PP#'s 952-33-006 and 952-33-022: Mr. Newberry questioned if the prior easement matter had been resolved. Mr. Frankland stated two issues need resolution: submission of the requested specific layout plan and secondly a property easement agreement submitted with the property owner to the west (who had previously objected) or an agreement with the City that is acceptable with the Law Department stating the applicant accepts full responsibility for perpetual maintenance of the utilities on that property.

Mr. Bentley restated the issues to the applicant.

A representative of the property to the west, Sherbrook Gardens Condominium Association, was present and requested that prior to any construction, a signed agreement as to who is responsible and what that easement entails be recorded. She stated the City of Solon has a recorded easement.

Mr. Sarver stated they did not wish to spend thousands of dollars on a site plan only to be rejected. Mr. Stolarsky stated the Commission requires a definitive site plan to decide any request for setbacks. Mr. Newberry stated professionally correct dimensioned plans for the site building would need to be submitted.

The caucus ended at 7:19 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:

Mr. Harold Hughes, representing Eagle Creek Press & Properties, was present and voiced objections to variances and signage requests for 33505 Bainbridge Road. Mr. Hughes presented a picture and described the parking challenges that a dance studio would present. He pointed out the back of the building where signage was requested and stated there would be insufficient parking at the back of the building along with no access to their building from Solon Road. He believed a sign at that location would encourage patrons to create a traffic pattern onto private property.

There were no additional comments from the audience.

APPROVAL OF MINUTES:

Motion by Mr. Mazur, seconded by Mr. Newberry to approve the minutes of the March 14, 2017 meeting.

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

Nay: None

Abstain: Drucker

Motion Carried

The March 28, 2017 minutes were accepted as presented.

PENDING:

1. 33100 Aurora Road – Bruce Bilek – PP# 954-02-108 016-2017
7
 - 7' parking lot aisle width variance
 - 15' side yard parking setback variance

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

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

Nay: None

Motion Carried

2. 33050 Aurora Road – Bruce Bilek – PP# 954-02-107 017-2017
7
 - 15' side yard parking setback variance

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

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

3. 33200 Baldwin Road – St. Rita’s Church 019-2017
7
▪ 200 sq ft green space variance

Motion by Councilman Pelunis, seconded by Mr. Newberry to withdraw Item 3 at the request of the applicant.

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

4. 39335 Bainbridge Road – Richard Haig 026-2017
3
▪ 20’ Swimming pool side yard setback variance

Motion by Mr. Newberry, seconded by Mayor Drucker to withdraw Item 4 at the request of the applicant.

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

NEW:

5. 34885 McAfee Drive – Chris Rooney 027-2017 4
▪ Pool location variance

Mr. Todd Clarke, 1749 Main St., Peninsula, Ohio, was present representing the applicant. He stated to meet the zoning regulations the intent was to place the pool behind the existing residence but the addition extended beyond the house by about 70 feet and moving the pool beyond the corner of the addition would encroach on the drip line of a mature tree. Mr. Clarke stated they preferred to keep the pool within a reasonable viewing distance of the main living space and requested a pool location variance.

Motion by Councilman Pelunis, seconded by Mr. Mazur to approve the pool location variance.

Councilman Kotora stated the completion of the addition prior to the pool made this variance a technicality. He welcomed the improvements Mr. Rooney has made to this property.

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

6. 29810 North Park Blvd. – Scott Zielinski 028-2017
5
▪ 0.9’ outdoor recreational fireplace height variance
▪ 4’ outdoor recreational fireplace width variance
▪ 3’-3.5” outdoor recreational fireplace width variance

Mr. Mark Stanek, TLC Landscaping, was present representing the applicant. He presented drawings and pictures of the proposed project. Mr. Stanek explained log boxes would be added onto the width of the fireplace, the chimney would be curved wider towards the mantle and a copper spark arrestor would be placed on the chimney top. He stated the fireplace would be located at least 125'-150' from any nearby structure.

Mr. Bentley inquired if the project has been built. Mr. Stanek replied no.

Motion by Mr. Mazur, seconded by Mr. Newberry to approve the 0.9' outdoor recreational fireplace height variance.

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

Motion Carried

Motion by Mr. Newberry, seconded by Mayor Drucker to approve the 4' outdoor recreational fireplace width variance below the 5' level.

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

Motion Carried

Motion by Councilman Pelunis, seconded by Mr. Mazur to approve the 3'-3.5" outdoor recreational fireplace width variance with the contingency of the addition of a spark arrestor.

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

Motion Carried

7. 32345 Cannon Road – Solon City Schools (Lewis Elementary) 029-2017
4
▪ Mechanical equipment screening variance

Mr. Fred Bolden, Assistant Superintendent for Solon City Schools and Mr. Evan Hammersmith, 1291 Bunts Road, Lakewood, Ohio were present representing the applicant. Mr. Hammersmith displayed an aerial view of the school and pointed out the locations where four rooftop units would be installed, two on each end of the gymnasium and two over the student dining space. He stated a variance to avoid screening this equipment was requested.

Mr. Bolden stated these units would be used to cool the building.

Mr. Newberry inquired if the existing rooftop units would be removed. Mr. Hammersmith stated there were currently no rooftop units, it was a heating only space and the gymnasium fans will stay.

Motion by Mayor Drucker, seconded by Mr. Mazur to approve the mechanical equipment screening variance.

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

Motion Carried

8. 6795 Solon Blvd. – Solon City Schools (Roxbury Elementary) 030-2017 7
▪ Mechanical equipment screening variance

Mr. Fred Bolden, Assistant Superintendent for Solon City Schools and Mr. Evan Hammersmith, 1291 Bunts Road, Lakewood, Ohio were present representing the applicant. Mr. Hammersmith presented an aerial view of the rooftop and pointed out the locations where the rooftop equipment would be situated; centered along the roof and the back portion of the "T". He stated two rooftops units to cool the gymnasium would also be located on what used to be the locker room. Mr. Hammersmith stated this school will then be equipped with air conditioning.

Motion by Mr. Mazur, seconded by Mr. Newberry to approve the mechanical equipment screening variance.

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

Nay: None

Motion Carried

9. **PUBLIC HEARING** - 6801 Cochran Road – Crown Castle/AT&T 031-2017 7
- Site plan - telecommunication tower antennas & equipment replacement/installation

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

Ms. Amanda Rok, Crown Castle, was present representing the applicant. She stated this upgrade to the tower will consist of the replacement of three antennas at 150' and installing three radio heads behind those to amplify the signals.

Mr. Bentley asked if the replacements were generally the same size as the old ones. Ms. Rok stated yes. Ms. Rok displayed a map locating the area of the tower.

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

Motion by Mr. Newberry, seconded by Mr. Mazur to approve the revised site plan for telecommunication tower antennas and equipment replacement/installation.

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

Nay: None

Motion Carried

10. 6951 Cochran Road – City of Solon - Water Reclamation Facility 032-2017 7
- Site plan – preliminary treatment plant improvements

Mr. Frankland presented the plan and described the 14' wide drive to the 114' wide tank that would project 18' above the ground and would be surrounded by a fence. He stated the agreed upon color was Pumice Stone 410 Sherwin Williams. The Planning Department along with the Water Reclamation Department would develop a landscaping plan and he suggested a landscaping contingency.

Motion by Mayor Drucker, seconded by Mr. Mazur to approve the site plan for preliminary treatment plant improvements with the contingencies the color will be Pumice Stone 410 Sherwin Williams and landscape be agreed upon and approved through the Director of Planning in coordination with the Director of Water Reclamation.

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

Nay: None

Motion Carried

11. 33785 Baldwin Road – John Zurawskyj 033-2017 6
▪ Variance to allow dwelling with no garage (1-year)

Mr. John Zurawskyj, 33785 Baldwin Road, stated on his next birthday he would apply for a reverse mortgage to pay for a new garage. Mayor Drucker stated this type of variance has been approved for other residents in the past.

Motion by Mayor Drucker, seconded by Mr. Mazur to approve the variance to allow the dwelling with no garage until June 1, 2018 and also upon the condition that the existing garage needs to be removed within 30 days.

Discussion was held to clarify a Planning Department letter regarding removal of the existing garage. Mr. Frankland stated if a safety issue is not removed, the City has the right to remove the unsafe structure and place a 25% charge on top of the cost of the demolition. Mr. Stolarsky stated this is a zoning code and safety hazard and suggested a 30 day limit to removing the unsafe structure.

Mayor Drucker suggested Mr. Zurawskyj meet with the Planning Director to make arrangements.

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

Motion Carried

12. 5750 Harper Road – The Stouffer Corporation 034-2017 5
▪ 2' aisle width variance
▪ Parking lot curbing variance
▪ Site plan - parking lot expansion (revised site plan received)

Ms. Kira Kabo, Nestle USA, 5750 Harper Road, was present representing the applicant.

Mr. Bentley clarified there would be no truck access on Cannon Road whatsoever. Ms. Kabo stated this was correct.

Ms. Kabo stated Nestle USA was moving their headquarters from California to West Virginia as well as relocating two divisions to Solon, Ohio. Solon is a hub of frozen and prepared foods and will also become a hub of the technical discipline. She stated work space was being renovated at the Harper building and there was a shortage of parking for the anticipated moves. She presented a site plan that would maximize the available parking and add 371 additional parking spaces to the Harper/plant facility.

Mr. Ryan Balko, GPD Group, 5020 South Main Street, Akron, Ohio was present representing the applicant. He presented the site plan and explained the existing north parking will be restriped and requested a variance to minimize the drive outlets to 22' to allow for additional parking spots. Mr. Balko stated the parking lot lighting will be updated to LED fixtures. He stated on the west the loading dock

would be expanded to allow storage of additional semis. Mr. Balko stated 230 new parking stalls would be located in the triangle portion. He pointed out a truck access lane to the R&D building through the back of the building with the entrance at Harper Road. Mr. Balko stated they negotiated a 300' easement with the MetroParks for this site plan. He stated 80 new stalls will be placed on the east. Mr. Balko presented a landscape plan that would buffer that parking.

Mr. Bentley reiterated this plan would stay 300' away from the MetroParks. He requested to see the front landscaping plans but Mr. Frankland stated the plan needed to be approved by the City's landscape architect first.

Mr. Frankland stated a study on Harper Road between Cannon and Aurora Roads will be performed in the future by the Traffic Engineer. He stated in the future when the flow through the front parking lot is studied, that issue can be open for discussion if it would need altering. Ms. Kabo agreed.

Motion by Mayor Drucker, seconded by Mr. Mazur to approve the 2' aisle width variance.

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

Motion Carried

Mr. Mazur requested the applicant explain the need for the parking lot curbing variance. Mr. Balko stated the area presently sheet flows to a drainage swale along the parking lot. He stated Nestle wishes to keep that lot at its current grades, however, the pavement needs replacing. Mr. Balko stated there would be new pavement and restriping but the water would continue to sheet flow along the edge of the parking to the swale with the lowest part having a variation of openings to allow the water to flow out.

Motion by Mr. Mazur, seconded by Mr. Newberry to approve a parking lot curbing variance.

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

Motion Carried

Motion by Mr. Newberry, seconded by Mr. Mazur to approve the revised site plan for the parking lot expansion with the contingency that the City's landscape architect approves the landscaping and the Engineering Department requirements are met.

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

Motion Carried

13. 5100 Naiman Parkway – Raintree Holdings, LLC

035-2017 5

- 36' setback from right-of-way variance
- Curbing variance
- Site plan

Mr. Jon-Michael Lemon, Osborne Engineering, 1100 Superior Suite 300, Cleveland, Ohio, was present representing the applicant. He stated when this park was originally created the vehicles used were much shorter with easier maneuverability. Mr. Lemon displayed and explained a 10 foot cut into the existing concrete pavement would be made and a gradual 7.5% grade would incorporate into the

existing berm. He stated at the highest point it would be a three foot cut from the existing top of the berm to the pavement area with a six inch roll curb at the top for additional safety. Mr. Lemon stated a 36 inch continuous deciduous shrub would be planted along the impacted area. He stated in order to meet an Engineering request; two of the contours have been expanded to tie out past the right of way, tapering down to allow a more gradual slope. Mr. Lemon stated "Auto Turn" software was performed to assure vehicular movements would remain inside the apron area. He stated this was one of two entries areas for this building with no improvements proposed at the second area.

Mr. Bentley inquired if the grading revision on the far north portion was due to the slope grade for trucks maneuvering the corner. Mr. Lemon stated the concern was the back right tire would encounter a steeper upslope for vehicles making an exit motion.

Mr. Lemon added an existing store front and stairs would be removed and replaced by an overhead door on the building face and the solid face portion would have a new 10' overhead door installed with a man door and stairs north of the overhead door which would allow a total of eight overhead doors for the new tenant along the eastern face of the property. Mr. Frankland stated this was considered a minor alteration.

Motion by Mr. Mazur, seconded by Mr. Newberry to approve the 38' setback from right-of-way variance.

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

Motion by Mr. Newberry, seconded by Mr. Mazur to approve the curbing variance.

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

Motion by Councilman Pelunis, seconded by Mr. Mazur to approve the minimum front yard loading area screening variance.

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

Motion by Mayor Drucker, seconded by Mr. Mazur to approve the site plan variance contingent upon submission of the letter regarding any future Storm Water Management is received by the Engineering Department.

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

14. 32590 Stony Brook Lane – Mark and Nancy Herman 036-2017 6
▪ 18' accessory pavement setback from the right of way line variance

Mr. Mark Herman was present. He presented a picture of the area and requested a parking pad with an approach beginning 10 feet from the sidewalk. Mr. Herman pointed out a 20+ year old tree with a walkway leading to the back of the property

and indicated a parking pad would create a major aesthetic issue. Mr. Herman stated the driveway would be replaced.

Mayor Drucker stated Councilman Kraus submitted a letter in support of this request.

Motion by Mayor Drucker, seconded by Mr. Mazur to approve the 18' accessory pavement setback from the right-of-way line variance.

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

Motion Carried

15. 5800 Ledgebrook Lane – David J. Sarver, Trustee 037-2017 4
- 137.5' front yard setback variance
 - 10' rear yard setback variance
 - Not parallel to the street variance
 - 4' driveway width variance
 - Accessory structure location variance
 - Number of accessory structures variance
 - 596 sq ft accessory structure area variance
 - Lot consolidation PP#'s 952-33-006 and 952-33-022

Motion by Mr. Mazur, seconded by Mr. Newberry to table consideration of Item 15.

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

Motion Carried

16. 33505 Bainbridge Road – Michelle Behrens Sileo 038-2017 6
- 2 space on-site parking variance
 - Sign location variance
 - Site plan

Mr. Kyle Davis, Fabo Architecture, Inc., 1736 Columbus Road, Cleveland, Ohio and Ms. Michelle Sileo, 2491 W. Fifth Street, Cleveland, Ohio and Mr. Lee Rodenfels, Brilliant Electric Sign Company, 4811 Van Epps Road, Cleveland, Ohio were present. Mr. Davis presented and described the site plan. He stated the exterior improvements were in tandem with the proposed interior renovation. Mr. Davis stated the Bainbridge Road entrance would be permanently locked and the entrance would be relocated to the existing storefront area on Solon Road. He stated to provide an accessible route from the parking lot; modifications would be made to the existing curbing and sidewalks with a stepped in area of refuge for accessible means of egress at the rear of the building. Mr. Davis stated the front parking area will be restriped and seal coated. He stated the rear dumpster enclosure would be removed. Mr. Davis requested an additional two parking spaces for the proposed office on the second level. He requested a sign location variance at the back of the building because the unique site provides extra visibility.

Ms. Sileo stated the business hours are 4:00 PM to 8:45 PM with classes on Saturday between 9:30 AM to 4:00 PM. She stated the scheduling will stagger so the parking and traffic flow is not a hindrance to customers or adjacent properties.

Mr. Rodenfels presented a picture and pointed out the proposed sign at the south elevation above the current doors that will be locked and an identical sign above the new entrance on the western elevation.

Mr. Bentley noted documentation from the attached property owner and the previous comments from Mr. Hughes who are not in agreement with the variances requested.

Mr. Mazur agreed with some concerns expressed in Mr. Feneli's letter. He stated even though scheduling of classes was staggered, the volume of people being picked up and dropped off within five or ten minutes was a parking concern. Mr. Mazur asked where the employees would park. Ms. Sileo stated at any given time four staff members utilized available parking spaces. She stated the staggering of class start and end times will help, adding many parents carpool. Ms. Sileo stated the younger students' schedules will be adjusted so that three classes in that age group would not be in session at the same time. Mr. Mazur felt with three teachers, a receptionist and Ms. Sileo, leaving ten parking spaces for clients seems insufficient. Mr. Newberry shared the same concerns. He stated the onus of proof was the required number of spaces the code provides for a building of this size and use, making it more of an enforcement issue. Mr. Newberry congratulated Ms. Sileo on the great job of Studio M. He stated if the committee approves this project; it becomes an enforcement issue to make certain none of the clients encroach onto the Solon Business Center property.

Mr. Mazur inquired if leasing parking spaces had been approached to the adjacent building owner. Ms. Sileo stated it would be mutually beneficial. She stated during due diligence, he and she were amendable to the idea of leasing parking with final decisions to be made closer to the move in the summer. Mr. Mazur stated even if the adjacent parking lot was empty usage, entitlement was not.

Mayor Drucker stated this was a unique building that needed two signs and appreciated Studio M for occupying it. Mr. Newberry stated he was in support and was glad the film would be removed from the windows.

Mr. Mazur tended to agree with Mr. Feneli's letter that a sign on the northeast side of the building would direct traffic into adjacent property. Councilman Pelunis doesn't see any sign confusion. He stated the prior tenant might have incurred more traffic during the day with several delivery vehicles, two or three employees and various customers throughout the day but if this becomes a problem, an agreement will have to be made.

Mr. Mazur, being a pro-business person and wanting the Studio to succeed, stated he would take Ms. Sileo at her word that the scheduling of classes would litigate the traffic problem and that any potential neighbor problems would be worked out.

Mr. Bentley shared the trepidation regarding the parking and the sign location. He stated he was willing to allow good neighboring to help this succeed.

Mr. Frankland clarified two signs are allowed, one facing Bainbridge Road and one facing Solon Road. He stated the sign on the back of the building requires a variance and suggested if the two sign variance was granted a contingency, they forego the right to have a sign on the Solon Road side.

Ms. Welch stated this site will require a sanitary tap-in fee. Ms. Sileo stated she was aware.

Motion by Mayor Drucker, seconded by Mr. Newberry to approve a 2 space on-site parking variance.

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

Motion Carried

Motion by Mr. Mazur, seconded by Mr. Newberry to approve a sign location variance forgoing the Solon Road sign.

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

Motion Carried

Motion by Mr. Newberry, seconded by Mr. Mazur to approve the revised site plan with the caveat that there will be a sanitary tap-in fee.

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

Motion Carried

17. 6395 SOM Center Road–Visconsi Solon Land Co., Ltd. (Chase Bank) 039-2017 6
- 1' side yard setback variance
 - 5' aisle width variance
 - 8'6" rear yard setback variance
 - 10'6" side yard setback variance (trash enclosure)
 - 8'6" rear yard setback variance (trash enclosure)
 - Site plan

Mr. Tim Meseck, The Architects Partnership, Ltd., was present representing Chase Bank. He stated the final layout required minor changes to existing variances as well as a few new variances. Mr. Meseck stated the drive through at the north end of the building would be rotated and fed from the west. He requested a one foot variance at the north end of the drive through to go into the building setback off the north property line which would maximize the 12 foot required bypass along with a curb at the north property line with rip rap extending to the existing grades at the property next door.

Mr. Meseck requested the five foot aisle width variance be withdrawn. He proposed instead a 15 foot seven inch variance to allow the parking to impede on the side yard setback along Aurora Road allowing for safer traffic and pedestrian conditions.

Mr. Meseck requested an eight foot six inch rear yard setback updated variance along with a ten foot six inch side yard setback variance for the trash enclosure located at the back of the property.

Mr. Meseck requested a variance to allow for the parking to impede on the rear yard setback by eight feet six inches.

Mr. Meseck requested final site plan review and approval with the understanding contingencies regarding approval of the final building elevations, the landscape plan, any traffic to be reviewed and approval by Engineering and the Traffic Engineer, elimination of the Aurora Road access point as currently designed with agreement to cross-access at some future date with redesign at that point and compliance with any Engineering or Fire Department comments. Mr. Bentley added compliance with the terms of the Engineering Department memorandum dated January 18th and April 4th, 2017. Mr. Meseck agreed. Mr. Frankland added the Planning Department memo's numbers regarding the front yard parking setback variance differ from Mr. Meseck's because the Planning Department is going from the right of way measurements after the taking has occurred.

Motion by Mayor Drucker, seconded by Mr. Mazur to approve the 1' side yard setback variance.

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

Motion Carried

Motion by Mr. Mazur, seconded by Mr. Bentley to accept withdrawal of the 5' aisle width variance.

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

Motion Carried

Motion by Mr. Newberry, seconded by Mr. Mazur to approve the 8'6" rear yard setback variance.

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

Motion Carried

Motion by Councilman Pelunis, seconded by Mayor Drucker to accept withdrawal of the 10'6" side yard setback variance (trash enclosure).

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

Motion Carried

Motion by Mayor Drucker, seconded by Mr. Mazur to approve the 8'6" rear yard setback variance (trash enclosure).

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

Motion Carried

Motion by Mr. Mazur, seconded by Mr. Newberry to approve 17'10" side street setback variance.

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

Motion Carried

Motion by Mr. Newberry, seconded by Mr. Mazur to approve the revised site plan as presented with the following contingencies prior to issuance of permits: the final building color approved by the Planning Department and the Architectural Consultant, landscape plan approval, traffic circulation issues approved by the Engineering Department and the City Traffic Engineer, elimination of the separate Aurora Road access point once Chase Bank has access to the cross-access drive

east of the site plan is achieved, compliance with the terms of the Engineering Department memoranda dated January 18th and April 4th, 2017, and compliance with the Fire Department in regards to the address.

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

Motion Carried

18. 29601 Solon Road – Rohrer Corporation 040-2017 5
- 63' distance between street access drives variance
 - Site plan

Motion by Mayor Drucker, seconded by Mr. Mazur to table consideration of Item 18.

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

Motion Carried

BOARD OF ZONING APPEALS

19. Appeal to the *Notice of Property Violations* dated November 10, 2016, issued 3 to Richard Haig and Ismat Y. Ghanem regarding property located at 39335 Bainbridge Road

Motion by Mr. Newberry, seconded by Mr. Mazur to accept the withdrawal of Item 19 at the request of the Applicant.

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

Motion Carried

MINOR ALTERATIONS FROM THE PLANNING DEPARTMENT:

There were no minor alterations.

COMMENTS FROM THE COMMISSION:

Mayor Drucker, Mr. Mazur, Mr. Newberry and Mr. Frankland extended everyone a happy Passover and happy Easter.

Councilman Kitora thanked the Committee.

COMMENTS FROM THE AUDIENCE:

Mr. Harold Hughes, representing Solon Business Center, was present. He expressed strong opposition to the approval of the variances at 33505 Bainbridge Road because it places the enforcement burden on the adjoining property owner. He stated there is no cross parking in the city of Solon. He questioned how to enforce his property from cross parking.

Mr. Bentley invited Mr. Hughes to voice his concerns before Council on April 17, 2017.

Mr. Newberry suggested handling the concerns no differently than they are now.

There were no additional comments from the audience.

Motion by Mr. Mazur, seconded by Mayor Drucker to adjourn the meeting at 8:50 P.M.

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

Motion Carried

Chairman

Secretary