

SOLON PLANNING & ZONING COMMISSION
MAY 23, 2017 – 7:00 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 (arrived at 7:10 P.M) Planning Director Frankland, Secretary McConoughey

Absent: Mayor Drucker

Also Present: Fire Inspector Wolf, 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.

Mr. Bentley advised that Mayor Drucker will not be present this evening and therefore; an affirmative vote of 3 to 1 is required for approval. Any applicant can request that their item be tabled if they prefer the entire Commission be present.

PENDING:

1. 5800 Ledgebrook Lane – David Sarver, Trustee - lot consolidation and various variances: Mr. Bentley advised no correspondence has been received from the applicant.

Councilman Pelunis noted it will be a lengthy process to obtain the easements. This item will be placed on the Inactive Agenda.

NEW:

7. 33587 Aurora Road – Solon Square LLC (56 Kitchen) - Sign type and pole sign variances: There was discussion regarding the definition of a "pole" sign and what would happen to the signs if the business moved from the location. The applicant explained the signs would not be permanently mounted and he would remove them.

The caucus ended at 7:20 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:

Mr. Bentley stated the May 9, 2017 minutes would be held until the June 13th meeting.

PENDING:

- | | | | |
|----|---|----------|---|
| 1. | 5800 Ledgebrook Lane – David J. Sarver, Trustee
137.5' front yard setback variance | 037-2017 | 4 |
| | <ul style="list-style-type: none"> ▪ 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. Bentley stated access agreements are required for this application which is a lengthy process. Although the applicant has been requested to provide an update to the Commission, no information has been received and, therefore, this item should be placed on the Inactive Agenda.

Motion by Mr. Mazur, seconded by Mr. Newberry to place Item 1 on the Inactive Agenda.

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

Motion Carried

- | | | | |
|----|---|----------|---|
| 2. | 5333 SOM Center Road – (Halle Rex – owner) Luke and Sarah Bobey | 044-2017 | 4 |
| | <ul style="list-style-type: none"> ▪ 18.75' front yard setback variance ▪ Not parallel to street variance | | |

Mr. Bentley stated this parcel is located in the middle of existing houses and the required cross access agreements are being negotiated.

Motion by Mr. Newberry, seconded by Mr. Mazur to place Item 2 on the Inactive Agenda.

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

Motion Carried

- | | | | |
|----|---|----------|---|
| 3. | 35430 Spicebush Lane – Shawn Cole | 045-2017 | 6 |
| | <ul style="list-style-type: none"> ▪ 2' side yard setback variance | | |

Mr. Stolarsky stated due to the absence of a Commission member, an affirmative vote of three of the four members present is required for approval. He explained

that if at any time prior to a vote the applicant feels he would benefit from a full commission, he can request the item be tabled.

Mr. Bentley stated this applies to all applicants present this evening.

Mr. Cole stated the Homeowners Association has required the installation of five trees along the property line for screening. He presented pictures of the pie shaped parcel and stated the patio and wall would be extended and resurfaced.

Mr. Bentley stated the committee is in receipt of the Homeowners Association approval.

Motion by Councilman Pelunis, seconded by Mr. Newberry to approve a 2' side yard setback variance contingent upon compliance with the requirements of the Homeowners Association and approval of the landscaping by the City's Landscape Architect.

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

Motion Carried

NEW:

4. 32995 Solon Road – Summit Ridge Education LLC dba 053-2017 6
The Primrose School of Solon
▪ Lot split plat modification

Motion by Mr. Mazur, seconded by Mr. Newberry to schedule a public hearing for Item 4.

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

Motion Carried

5. 30400 Solon Road – Crown Castle GT Company LLC 054-2017 7
▪ Telecommunications tower equipment modifications and replacement

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

Ms. Liz Heinouer, 1500 Corporate Drive, Canonsburg, Pennsylvania, was present representing the applicant. She requested approval to replace the eight inch by eight inch amplifier equipment located 160 feet on the cell phone tower.

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

Mr. Mazur noted the City's consultant has approved this modification.

Motion by Mr. Mazur, seconded by Mr. Newberry to approve a telecommunications tower equipment revision and replacement.

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

Motion Carried

6. 6135 Kruse Drive – PP#'s 952-17-001 and 952-17-009 056-2017 6
Automotive Realty, LLC
▪ Lot consolidation

Motion by Mr. Mazur, seconded by Mr. Newberry to schedule a public hearing for Item 6.

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

Motion Carried

7. 33587 Aurora Road – Solon Square LLC (56 Kitchen) 057-2017 6
▪ Sign type variance
▪ Pole sign variance
▪ Site plan

Councilman Pelunis recused himself from this item.

Based upon the recusal of Councilman Pelunis, Mr. Stolarsky stated an affirmative vote of two of the remaining three members would be required.

Mr. Izzy Schachner, applicant, was present. He presented pictures of the site and requested four parking spaces be designated for his establishment. Mr. Schachner stated two removable signs could be placed at these spaces, reading "restaurant parking only" and "restaurant carry-out parking only". He explained the signs are not enforceable; merely suggestions and the other tenants have no opposition to the signs.

Mr. Bentley advised with this type of site, parking is determined as a totality and with specific signs, the usage becomes tailored. Mr. Bentley requested the neighboring tenants be notified of the request for their input. As this is a lease/tenant situation, Mr. Mazur suggested Midamco notify their tenants.

Mr. Newberry questioned the reason for this variance. Mr. Schachner explained when he opened the restaurant, Planet Fitness was not operational. He stated a main reason for locating here was the free, almost unlimited parking and once Planet Fitness opened, the restaurant had to consider valet parking because close proximity was unavailable and the take-out business, which is a good percentage of the business, was greatly affected. Mr. Schachner stated this problem was presented to the landlord and these signs were the suggested solution.

Mr. Newberry relayed his history of using this center without a parking issue. He reiterated these variances could set precedence for similar future variances and was not in favor of allowing the signage. He stated when occupying a shopping center, tenants share parking. Mr. Schachner compared his request to Eton Collection shopping center, however, Mr. Newberry stated that is a different community, with different ordinances and different agreements with their tenants.

Mr. Bentley stated notices were sent to the applicant, the shopping center parcel owner and the surrounding parcel owners but the individual neighboring shop owners were not notified. Mr. Newberry requested this item be tabled to allow neighboring tenants to be notified. Mr. Mazur stated it is incumbent upon the

shopping center owner to rectify this situation but supported two slots for "carry-out" signage.

Motion by Mr. Newberry, seconded by Mr. Bentley to table consideration of Item 7.

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

Nay: None

Motion Carried

Mr. Mazur suggested the notification burden be placed on Midamco. Mr. Stolarsky suggested documentation be sent notifying the business owners this request was coming before the Commission and input was welcome. Mr. Schachner suggested he circulate the City's notice letter to the neighboring tenants and ask for their approval or disapproval signature. Mr. Newberry agreed.

8. 37305 Bainbridge Road – Frank and Andrea Kuepper 058-2017 3
- 340 sq ft accessory pavement variance
 - 2' landscape screening height variance

Ms. Andrea Kuepper was present and displayed a drawing of the 620 square feet driveway addition. She stated because the tree height has been revised to six foot with a deer resistant variety, the landscape screening height variance would no longer be necessary.

Mr. Bentley stated it is a hardship to safely back onto a major artery.

Motion by Mr. Mazur, seconded by Mr. Newberry to approve a 340 sq ft accessory pavement variance with the contingency that the six foot high species be reviewed by the City Landscape Architect.

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

Nay: None

Motion Carried

Motion by Mr. Newberry, seconded by Mr. Mazur to accept the withdrawal of the 2' landscape screening height variance.

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

Nay: None

Motion Carried

9. 27355 Cannon Road – PP#'s 951-22-005 and 951-22-006 059-2017 5
2014 Properties LLC
- Lot consolidation

Motion by Mr. Newberry, seconded by Mr. Mazur to schedule a public hearing for Item 9.

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

Nay: None

Motion Carried

10. 6035 Enterprise Parkway – Widewaters EDR Solon Hotel 060-2017 6
Company, LLC (Hampton Inn)
- Building material variance
 - 13 sq ft wall sign area variance
 - Site plan – **façade renovations**

Mr. Mike Keifling, FRCH Design Worldwide, 311 Elm Street, Cincinnati, Ohio, was present representing the applicant. He stated Hampton Inn has required certain vintage properties to undergo **façade** renovations. Mr. Keifling exhibited drawings showing the removal of the "Mansard" roof and the porte-cochere reduced in size. He stated the existing sign band will be reduced in height and an existing sign size will stay approximately the same but will be relocated to a side of the building. Mr. Keifling pointed out the addition of a new cornice line with a small upright. He stated the south elevation will remain but will be upgraded with LED lights. Mr. Keifling stated the existing solarium will be replaced with spandrel dark bronze glass panels on a sloped roof.

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

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

Motion Carried

Motion by Mr. Mazur, seconded by Mr. Newberry to approve a 13 sq ft wall sign area variance.

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

Motion Carried

Motion by Mr. Bentley, seconded by Mr. Mazur to approve the site plan – **façade** renovations with the contingency that the spandrel glass color be approved by the City Architect.

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

Motion Carried

11. 6030 Enterprise Parkway – Solon West, LLC/Star Partners 061-2017 6
(KFC/Taco Bell)
▪ Site plan – **façade alterations and new exterior lighting**

Mr. Vince Franceschelli, 40 Oakview Crossing, Canfield, Ohio 44406, was present representing the applicant and explained the interior alterations included the dining area only and the exterior would include removal of the nonstructural blue tower, paint refresh and additional lighting.

Mr. Mazur inquired if the awnings would be cleaned and Mr. Franceschelli stated the original intent was to replace them with metal awnings, however, a variance would be required. He stated the awnings would be cleaned.

Motion by Mr. Newberry, seconded by Mr. Mazur to recommend approval of the **revised site plan for façade alterations and exterior lighting**.

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

Motion Carried

12. 32333 Aurora Road – United Stones International 062-2017 6
▪ Number of wall signs variance to permit one additional

Mr. Lou Belknap, Agile Sign & Lighting, 35280 Lakeland Blvd., Eastlake, Ohio, was present representing the applicant. He displayed pictures and requested a non-illuminated, pin mounted wall sign for the building's front elevation that faces Aurora Road because the tenant has 116 feet of frontage space with an entrance and 90 feet of side elevation with an entry door. Mr. Belknap stated there will be a sign installed on the side elevation but landscape mounds create a difficulty for motorists to see it and a front sign would enable better visibility. He added the side sign is 90 feet from the front corner.

Motion by Mr. Mazur, seconded by Mr. Newberry to approve the number of wall signs variance to permit one additional sign.

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

Motion Carried

13. 6531 Cochran Road – PP#'s 953-31-004 and 953-28-001 063-2017 7
Cortom, LLC (Great Lakes Cold Storage)
- Lot consolidation
 - 20' side street building setback variance
 - Number of street access points variance
 - 22 space total number of parking spaces variance
 - Site plan – Building addition

Mr. Eric Safko, Arco Design/Build, 11757 Katie Freeway, Houston, Texas, was present representing the applicant. He displayed drawings and requested to consolidate two lots. Mr. Safko stated the intention for the 20 foot side street building setback was to keep the building line consistent with the existing building. He stated the Fire Department approved the number of street access points variance with the condition that signage be added at the various entrances. Mr. Safko said overall, they are currently short 22 spaces but had a letter from owner Pat Gorbett stating the parking spaces were adequately sized for his business and employee count.

Mr. Stolarsky questioned the status of the railroad and Mr. Safko stated they were working with Wheeling and Lake Erie Railroad and two property owners. He stated the first rail spur fed into Great Lakes Cold Storage, the second spur, according to records, has not been used as far back as twenty years and the third spur fed the west side of the steel wire company, which they do not use because they use another rail spur feeding the east side of their property.

Mr. Stolarsky stated even though something hasn't been used in several years they would be taking a risk. He suggested this issue is worked out prior to construction.

Motion by Councilman Pelunis, seconded by Mr. Newberry to schedule a Public Hearing for Item 13.

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

Motion Carried

Mr. Newberry inquired if the rail spur feeding into Great Lakes Cold Storage was active. Mr. Safko stated it is not being used.

Motion by Mr. Mazur, seconded by Mr. Newberry to table consideration of Item 13.

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

Nay: None

Motion Carried

14. Update regarding the SOM Center/Aurora Road Intersection Improvement Project - City of Solon (on behalf of the property owners affected by the SOM Center Road and Aurora Road Intersection Improvement Project) – 5/9 14A thru 14H tabled 055-2017 6

Mr. Frankland displayed a diagram and explained that a number of properties at the intersection of SOM Center and Aurora Roads will be affected by the City's Intersection Improvement Project which involves adding additional lanes to help the flow of traffic, some lane widenings and infrastructure work. This requires the City to acquire properties to extend the street. Mr. Frankland stated variances are necessary for buildings, parking lots and green space that will now be located closer to the property lines. He proposed the variances be granted for the conditions the city is creating so if there's ever a question of compliance with the zoning code, there will be a record of approval.

Mr. Frankland presented a map of the affected properties and noted the Sprint, Dunkin' Donuts and Arby's parcels are not being considered this evening.

He advised the Commission of the approved plan for the required landscaping at the GetGo parcel. He stated that removal of the landscaping was necessary.

Mr. Newberry questioned if the GetGo property owner was responsible for the cost of the replacement landscaping and Mr. Frankland said he was, however, the amount provided to the property owner to acquire the property is sufficient to cover the cost of the replacement landscaping. He noted approval of the variances could be contingent upon the installation and approval of landscaping plan.

Mr. Frankland stated landscaping for some of the other properties will be affected but will be addressed at a future meeting.

Mr. Mazur asked if BP's small wall and fence was affected. Mr. Frankland did not believe so, however, they would be required to replace it according to the approved plan if it were.

14A.6477 SOM Center Road – GetGo/Solon Village – PP# 954-34-002

- 8.5' front yard parking lot setback from right of way variance
- 24' front yard building setback from right of way variance
- 34' front yard structure setback from right of way variance
- 8' free standing sign setback from right of way variance

Motion by Mr. Bentley, seconded by Mr. Mazur to approve the 8.5' front yard parking lot setback from right of way variance.

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

Nay: None

Motion Carried

Motion by Mr. Mazur, seconded by Mr. Newberry to approve the 24' front yard building setback from right of way variance.

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

Motion Carried

Mr. Newberry requested clarification that the structure was the canopy over the pumps. Mr. Frankland replied that was correct.

Motion by Mr. Newberry, seconded by Councilman Pelunis to approve the 34' front yard structure setback from right of way variance.

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

Motion Carried

Motion by Councilman Pelunis, seconded by Mr. Bentley to approve the 8' free standing sign setback from right of way variance with the contingency that all landscaping be replaced that is existing under the approved plan and are approved by the City's Landscape Architect and Planning Department.

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

Motion Carried

14B. 6465 SOM Center Road – Sprint – PP# 954-34-017

- 25' front yard parking lot setback from right of way variance
- 28.8' front yard building setback from right of way variance

Motion by Mr. Bentley, seconded by Mr. Mazur to table consideration of Item 14B.

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

Motion Carried

14C. 6459 SOM Center Road - DO Summers Cleaners - PP# 954-29-036

- 25' front yard parking lot setback from right of way variance
- 1 space total onsite parking variance
- 27.1' front yard building setback from right of way variance
- 8.5' free standing sign setback from right of way variance
- 70 sq ft ground sign green space variance
- 3,249 sq ft on-site green space variance

Motion by Mr. Mazur, seconded by Mr. Newberry to approve the 25' front yard parking lot setback from right of way variance.

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

Motion Carried

Motion by Mr. Newberry, seconded by Councilman Pelunis to approve the 1 space total onsite parking variance.

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

Motion Carried

Motion by Councilman Pelunis, seconded by Mr. Bentley to approve the 27.1' front yard building setback from right of way variance.

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

Motion by Mr. Bentley, seconded by Mr. Mazur to approve the 8.5' free standing sign setback from right of way variance.

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

Motion by Mr. Mazur, seconded by Mr. Newberry to approve the 70 sq ft ground sign green space variance.

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

Motion by Mr. Newberry, seconded by Mr. Bentley to approve the 3,249 sq ft on-site green space variance.

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

14D. 6445 SOM Center Road – Fifth Third Bank – PP# 954-29-046

- 24.5' front yard parking lot setback from right of way variance
- 13.4' front yard building setback from right of way variance
- 8' free standing sign setback from right of way variance

Motion by Mr. Bentley, seconded by Mr. Mazur to approve the 24.5' front yard parking lot setback from right of way variance.

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

Motion by Mr. Mazur, seconded by Mr. Newberry to approve the 13.4' front yard building setback from right of way variance.

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

Motion by Mr. Newberry, seconded by Councilman Pelunis to approve the 8' free standing sign setback from right of way variance.

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

14E. 34050 Aurora Road – 7-Eleven – PP# 954-29-025

- 6.5' free standing sign setback from right of way variance (SOM Center Road sign)
- 1' free standing sign setback from right of way variance (Aurora Road sign)

Motion by Mr. Bentley, seconded by Mr. Mazur to approve the 6.5' free standing sign setback from right of way (SOM Center Road sign) variance.

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

Motion by Mr. Mazur, seconded by Mr. Newberry to approve the 1' free standing sign setback from right of way (Aurora Road sign) variance contingent that the

original landscaping plan be followed and implemented by the Planning Department and the City's Landscape Architect.

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

Motion Carried

14F. 33825 Aurora Road - Imperial Wok – PP#'s 954-03-013, 954-03-012, 954-03-006

- 59' front yard building setback from right of way variance
- 9,923 sq ft on-site green space variance

Motion by Mr. Bentley, seconded by Mr. Mazur to approve the 59' front yard building setback from right of way variance.

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

Motion Carried

Motion by Mr. Mazur, seconded by Mr. Newberry to approve the 9,923 sq ft on-site green space variance.

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

Motion Carried

Mr. Stolarsky stated these items would be presented to Council June 5, 2017.

14G. 6375 SOM Center Road – Arby's – PP#'s 954-29-021 and 954-29-022

- 25' front yard parking lot setback from right of way variance
- 4.7' front yard building setback from right of way variance
- 24' drive-thru setback from right of way variance

Motion by Mr. Newberry, seconded by Mr. Mazur to table consideration of Item 14G.

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

Motion Carried

14H. 6353 SOM Center Road – Dunkin Donuts – PP#'s 954-29-021 and 954-29-020

- 9' front yard parking lot setback from right of way variance
- 16.3' front yard building setback from right of way variance

Motion by Mr. Mazur, seconded by Mr. Newberry to table consideration of Item 14H.

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

Motion Carried

Mr. Mazur thanked Ms. Crombie for preparing these variances.

MINOR ALTERATIONS FROM THE PLANNING DEPARTMENT:

1. 6845 SOM Center Road – Parkside Elementary and Solon Middle School

Mr. Frankland presented a drawing and stated an 11.5' by 3.7' generator was being installed and would not be visible.

2. 6795 Solon Blvd. - Roxbury Elementary School

Mr. Frankland stated an existing transformer mounted on a pole was being placed on the ground.

Councilman Pelunis inquired if it was "child" safe on the ground. Mr. Frankland stated the Chief Building Official would review it at the time to determine if any fencing was required. Mr. Frankland stated the commission could make that a contingency. Councilman Pelunis stated if in agreement, if there's a safety issue the area be screened.

3. 33185 Bainbridge Road – Solon Freeway Lanes

Mr. Frankland stated an eight pole lighting plan for the parking lot improvement was originally approved but the poles were reconfigured to include nine poles and complies with the lighting requirement of the zoning code.

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

COMMENTS FROM THE COMMISSION:

Mr. Mazur and Councilman Pelunis wished everyone a safe and happy Memorial Day.

Mr. Newberry wished the Cavs and Indians luck.

Mr. Bentley welcomed Fire Inspector Wolf to the meeting.

COMMENTS FROM THE AUDIENCE:

There were no comments from the audience.

Motion by Mr. Mazur, seconded by Councilman Pelunis to adjourn the meeting at 8:12 P.M.

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

Motion Carried

Chairman

Secretary