

**SOLON PLANNING & ZONING COMMISSION  
OCTOBER 10, 2017 – 7:30 P.M.**

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

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

Absent: Chairman Bentley

Also Present: Councilman Kraus (entered at 7:35 P.M.), Fire Inspector Eisenhuth, Project Engineer Lyndon, 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.)

Vice Chairman Mazur presided.

**PENDING:**

1. 32640 Shadowbrook Drive – David and Dina Rock - 13% maximum front yard pavement coverage variance and 10' minimum distance between drives variance: Mayor Drucker inquired if there were still objections to this request. Mr. Frankland indicated Mr. Stropki, who had previously objected, stated he would be unavailable for the September 26<sup>th</sup> meeting. However, he hasn't heard if Mr. Stropki will be present for tonight's meeting.

The caucus ended at 7:22 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 Councilman Pelunis, seconded by Mr. Newberry to approve the minutes of the September 26, 2017 meeting as presented.

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

Nay: None

Motion Carried

Due to the absence of a Commission member, Mr. Stolarsky announced 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.

PENDING:

1. 32640 Shadowbrook Drive – David and Dina Rock 091-2017 4
  - ~~20%~~ 13% maximum front yard pavement coverage variance
  - 10' minimum distance between drives variance

Mr. David Rock was present with Mr. Al Sluga, President ALBA Contractors, Inc. Mr. Rock presented an updated plan which included the adjacent lots, coverage and placement of the proposed driveway. He stated after reaching out to his neighbors, four letters of support have been submitted.

Mr. Mazur stated the Commission appreciated the efforts to reduce the size of the variances.

Councilman Pelunis reviewed the locations of the property owners who support the variances and questioned the location of Mr. Stropki's property. Mr. Rock stated Mr. Stropki's property is located up the hill to the right of his property. Councilman Pelunis verified no new material had been received from Mr. Stropki.

Mr. Rock felt the neighbors' letters in support were significant as they are located in close proximity to the proposed driveway.

Mr. Mazur inquired why the driveway was necessary. Mr. Rock stated it would enhance the home and allow their elderly parents and frequent visitors to better navigate exiting onto the street as it is often difficult. Mr. Mazur expressed concern with the pavement coverage variance. He inquired if the elderly parents resided in the home. Mr. Rock replied they do not live there, however, they visit regularly.

Mr. Newberry appreciated the efforts to bring this request as close to compliance as practical. He expressed concern with the distance between drives but noted the Commission has approved other similar requests.

Councilman Pelunis stated after viewing the neighborhood, this request is not out of conformity with the neighbors. However, he expressed concern with the practical difficulty. Councilman Pelunis asked the Assistant Law Director if the reasons rise to the level of practical difficulty. Mr. Rock believed there are 26 circular driveways in the neighborhood and that his request is reasonable and appropriate. Mr. Sluga noted the pavement coverage request is comparable to a 2015 approved variance.

Mr. Stolarsky explained practical difficulty. He stated each variance must stand on its own merits. Mr. Stolarsky stated the applicant has spoken to the nature of the property to make the ingress and egress more convenient.

Mr. Mazur inquired about Mr. Stropki's property topography. Mr. Rock stated it is uphill to the right. Mr. Mazur asked if any excess water runoff would go to the neighbor who has voiced approval. Although he believed excess water runoff would be unlikely, Mr. Rock said it would flow onto the property of one of the neighbors who

support his variance. Mr. Sluga stated the driveway extension was basically flat leading down to the road and he did not foresee any drainage onto the neighboring properties. He stated drain tile could always be added to prevent that, but he did not anticipate an issue.

Mr. Mazur recalled Mr. Frankland stating the circular driveways in this development were installed prior to the Code change. Mr. Frankland replied the majority of circular drives were installed prior to the Code change in 2006, with the exception of some that were granted variances.

Motion by Mayor Drucker, seconded by Mr. Newberry to approve the 13% maximum front yard pavement coverage variance.

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

Motion Carried

Motion by Mr. Newberry, seconded by Councilman Pelunis to approve the 10' minimum distance between drives variance.

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

Motion Carried

NEW:

2. 38100 Aurora Road – Randy and Kathy Chamberlain 097-2017 3
- Extension of temporary variance for no garage

Mr. and Mrs. Chamberlain were present. Mrs. Chamberlain explained they are requesting the temporary variance extension due to a hardship.

Councilman Pelunis advised that Councilman Scott recommended the Commission extend the variance for two years. Mr. Newberry stated a twelve month variance was previously granted and asked why the garage had not been constructed. Mrs. Chamberlain explained medical hardships over the last year made it impossible to comply. Mr. Newberry was of the opinion a two-year extension was excessive but supported a one-year extension.

Motion by Mr. Newberry, seconded by Mayor Drucker to approve the extension of a temporary variance for no garage until October 10, 2018.

Councilman Pelunis interjected he would vote yes, but would also support a two-year extension. Mr. Mazur explained, if necessary, the applicants could request an additional extension.

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

Motion Carried

3. 33300 Aurora Road – ARCP LS Solon OH, LLC (Lube Stop) 098-2017 6
- 2.5' front yard setback variance
  - Building material variance
  - Number of wall signs variance

- Site plan - façade alteration

Mr. Tom George, MCG Architecture, 7100 E. Pleasant Valley Road, Independence, was present representing the applicant. He stated the plan was to re-face the existing building with fresh paint on the banding along the top portion of the building, install a sign tower entry feature above an overhead garage door consisting of a thin brick material and install three sconce accent lights to the front of the building. Mr. George stated the color scheme and materials would conform to the area.

Mr. Mazur and Mr. Newberry agreed this was an enhancement to the building.

Motion by Mr. Newberry, seconded by Mayor Drucker to approve the 2.5' front yard setback variance.

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

Motion Carried

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

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

Motion Carried

Motion by Mr. Mazur, seconded by Mayor Drucker to approve the number of wall signs variance.

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

Motion Carried

Motion by Mayor Drucker, seconded by Mr. Newberry to approve the site plan for façade alteration.

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

Motion Carried

#### COUNCIL REFERRAL:

4. Request from OMNI Property Companies to rezone property 099-2017 6  
located near the Kruse Drive/Bainbridge Road Intersection to Senior Housing

Mr. Gary Biales, 32870 Wintergreen Drive, VP of Development, OMNI Property Companies, was present. He presented plans to rezone six parcels totaling 5.38 acres between Kruse Drive and Bainbridge Road that are currently zoned C-1 Historical District and C-2 Restrictive Commercial to R-3-A Senior Citizen Residential.

Mr. Biales indicated the City advised this particular area was conducive to senior living. He stated there are no other areas in the City where senior living could be built without rezoning.

Mr. Biales reviewed the Solon Master Plan highlights that pertained to the proposal, such as, "promoting housing opportunities to meet the unique preferences and needs of all age groups so as to enable residents to reside within Solon throughout various stages of life", "population by age indicating senior population is increasing" and "a central retail district" noting this project will be across from and next to a shopping

center. Mr. Biales read the Master Plan Potential Alternative Redevelopment Strategies for the core shopping center included upscale residential development as long as redevelopment would not be contrary to the City school system. He added 50 and over residents would not impact the school system and yet the school system would receive significant tax dollars.

Mr. Biales explained extensive studies were completed, as this will be a \$30 million dollar high quality upscale project. He stressed the importance of understanding there is a demand for senior living. He presented study charts concluding this demand and added that the average age of independent living (IL) was 72-73 years old, assisted living (AL) was usually in the 80s and memory care could be any age. He stated statistics revealed 2,477 Solon residents over the age of 70 have only 86 units in Solon Pointe to accommodate these needs at this time.

Mr. Biales presented renditions of the proposed project and explained the layout consisting of a four-story building for independent living and a three-story building that included first floor memory care and second and third floors assisted living units. Each building would have a dining area and quiet areas. He pointed out a dog park, outside areas along with amenities such as 7:00 A.M. to 7:00 P.M. meal service, local transportation, exercise pool and facility, dietician, coffee bar, bistro, library, house cleaning, laundry service, theatre and balconies for the independent living units. Mr. Biales stated this location is not a high traffic area and is favorable for walking.

Mr. Biales mentioned parking requirements are quite low for these types of facilities and as this project proceeds, a variance would be requested. He stated the development agreement is currently being discussed.

Mr. Biales concluded his presentation explaining how Solon would benefit from the income from this project. He stated with a payroll of two million dollars per year, the city would receive approximately \$40,000 in taxes. Based on a \$25,000,000 property tax projection, the school system would receive approximately \$530,000 and the city approximately \$33,000 per year with the remaining going to the county and library.

Mr. Mazur opened the Public Hearing and invited comments.

Mayor Drucker expressed excitement with the project's location and also that it will create a walkability aspect. She stated the city will experience a greater need for this type of facility in the future. She thanked Mr. Biales for his efforts. Mayor Drucker advised the Senior Center's participation has grown 400% in the past six years and thanked Senior Services Director Frankel for her input with this project.

Mr. Newberry agreed with the Mayor and felt this was an appropriate use for this property. He stated he was not prepared to move this project onto Council quite yet and wanted Chairman Bentley to have the opportunity to review the proposal.

Councilman Pelunis thanked Mr. Biales for the annual economic impact report and the project renderings. He felt this was a worthwhile project with a market. Councilman Pelunis inquired about the development agreement timeline. Mr. Frankland stated a draft development agreement will be ready by the November 1<sup>st</sup> Council agenda

deadline, but it was reasonable to expect a draft outline by the October 24<sup>th</sup> Planning Commission meeting for review. Councilman Pelunis felt viewing the draft outline could be beneficial. Mr. Newberry noted, while it was nice to have a development plan, the issue before the Commission was a rezoning recommendation. Councilman Pelunis agreed but felt more public discussion is beneficial.

Mr. Mazur noted the presentation process has begun tonight with the goal of hopefully having this rezoning placed on the May 8, 2018 ballot which will require its submittal to the Board of Elections by February 5, 2018.

Mr. Mazur stated there is a unique Sears catalogue house on this property and asked Mr. Biales to consider contacting the Historical Society to determine if there was interest in relocating this building. Mr. Biales stated they would contact them and if there is no interest, they will make further inquiries.

Mr. Mazur inquired as to the number of units in the buildings. Mr. Biales stated the independent living building would contain 90 units with studios, one-bedroom and two-bedroom units and the three-story building would contain 42 assisted living and 18 memory care units. Mr. Biales stated once approvals are secured, the building could be completed in 16 months.

Councilman Kraus said OMNI Property Companies are of the highest quality. Councilman Kraus noted this site is a difficult parcel. He advised the need for adequate senior living has caused a number of Solon residents to lament having to move from the area, away from their children and grandchildren. Councilman Kraus felt this project would develop generations of Solon residents and is a great opportunity. He looks forward to the continued discussions and thanked the Commission.

Mayor Drucker left the meeting at 8:20 P.M.

There were no additional comments. The public hearing remained open.

Motion by Mr. Newberry, seconded by Mr. Mazur to table consideration of Item 4.

Roll Call: Aye: Mazur, Newberry, Pelunis

Nay: None

Motion Carried

#### MINOR ALTERATIONS FROM THE PLANNING DEPARTMENT:

1. 6010 Kruse Drive – DAISA of Solon (Le Chaperon Rouge)

Mr. Frankland stated issues earlier this year with cut-through traffic were addressed resulting in the Commission requesting the installation of temporary speed bumps. He said with the approaching snow plowing season, Le Chaperon Rouge is requesting to remove the speed bumps from November through April.

The Commission determined no further review was necessary.

2. 30100 Aurora Road - Springhill Suites

Mr. Frankland presented a modified patio plan that reduced green space by a minor amount to allow for more seating.

The Commission determined no further review was necessary.

3. 6395 SOM Center Road - Chase Bank

Mr. Frankland presented the plan and pointed out an existing inlet basin at the rear of the site that will become a four foot by one foot headwall.

The Commission determined no further review was necessary.

4. 6050 Enterprise Parkway – Davis Development

Mr. Frankland displayed a picture of slate blue cement board siding that was installed. The original color was shown as grey. He stated the new color is earth tone and adds more interest to the building.

The Commission determined no further review was necessary.

COMMENTS FROM THE COMMISSION:

Motion by Mr. Newberry, seconded by Councilman Pelunis to schedule a Public Hearing for a lot consolidation at 5800 Ledgebrook Drive, PP#s 952-33-006 and 952-33-022.

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

Motion Carried

There were no additional comments from the Commission.

COMMENTS FROM THE AUDIENCE:

There were no comments from the audience.

Motion by Mr. Newberry, seconded by Mr. Mazur to adjourn the meeting at 8:28 P.M.

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

Motion Carried

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Chairman

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Secretary