

**SOLON PLANNING & ZONING COMMISSION  
FEBRUARY 13, 2018 – 6:05 P.M.**

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

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

Absent: None

Also Present: Fire Inspector Eisenhuth, Project Engineer Lyndon, Councilman Magill, Councilman Zelwin, 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:**

2. Willow Street – PP# 956-39-047 - Lingjun Jiang - street paving and utility installation variances: Mr. Frankland stated upon discussion, the applicant is looking into alternative options.

**NEW:**

5. 29605 Aurora Road – Circle K Great Lakes – building color and 0.24 foot candle lighting variances, site plan for building/canopy alterations: Mr. Mazur stated after previous review of this site, it was determined advertising would be eliminated. He stated non-conforming advertising is currently on the bottom of the monument sign. Mr. Frankland stated that is correct; however, the advertising free speech aspects are an element. He stated while a precedent could be set for other parts of the city, a different approach has been taken to this industrial area site. Mr. Mazur stated it should be consistent with other gas stations. The applicant agreed to remove the advertising.

The caucus ended at 6:17 P.M. and the meeting began at 6:30 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. Newberry, seconded by Mr. Mazur to approve the minutes of the January 23, 2018 meeting as presented.

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

Motion Carried

PENDING:

1. 6874 Highland Drive – Donald Sovey 003-2018 3  
PP#'s 955-33-069 & 955-33-070  
▪ Re-approval of lot consolidation (expired on 11-7-17)

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

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

Motion by Mr. Mazur, seconded by Mayor Kraus to re-approve the lot consolidation for PP#'s 955-33-069 and 955-33-070.

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

Motion Carried

2. Willow Street – PP# 956-39-047 – Lingjun Jiang 005-2018 1  
▪ Street paving variance  
▪ Utility installation variance

Motion by Councilman Pelunis, seconded by Mayor Kraus to table consideration of this item.

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

Motion Carried

NEW:

3. 5200 Harper Road – PP# 951-15-003 & 951-15-028 009-2018 5  
William L. and Toni L. Cervino  
▪ Re-approval of lot split/consolidation

Motion by Mr. Newberry, seconded by Mr. Mazur to schedule a Public Hearing for February 27, 2018 for a lot split/consolidation at 5200 Harper Road, PP#'s 951-15-003 and 951-15-028.

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

Motion Carried

4. Hamilton Court/Franklin Drive – Liberty Hill Apartments SPE, LLC 010-2018 2  
Buildings 6, 7, 8, 9, 10, 11  
▪ Building material variance  
▪ Site plan – re-siding

Ms. Pennie Sangston, 32450 Cromwell Drive, was present representing the applicant. She displayed the site plan and indicated the buildings included with the next phase of the project that will take two years to complete. Ms. Sangston presented samples and pictures of the products to be used, a Rustic Cedar colored vinyl shingle product, a Linen colored vinyl siding and Clay colored aluminum trim.

Councilman Pelunis said the residents are pleased with the renovations and thanked the applicant for completing it so nicely. He looks forward to this next phase.

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

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

Motion Carried

Motion by Mr. Newberry, seconded by Mayor Kraus to approve the site plan for re-siding.

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

Motion Carried

At Ms. Sangston's request, Mr. Newberry verified this includes approval of the garages.

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|----|--|----------|---|
| 5. | 29605 Aurora Road – Circle K Great Lakes   | 011-2018 | 6 |
|    | <ul style="list-style-type: none"> <li>▪ Building color variance</li> <li>▪ 0.24 foot candle lighting variance</li> <li>▪ Site plan – building/canopy alterations</li> </ul> |          |   |

Ms. Susan Moore, Cupkovic Architecture, LLC located at 6060 Rockside Woods Boulevard, Independence, was present representing the applicant. She presented pictures of the new gas canopy fascia and described its colored stripes of red, white and tangerine.

Ms. Moore stated light poles would be upgraded to LED which will cause an average 0.24 foot candle lighting overage. Councilman Pelunis is not as concerned with the overflow of light because this property is uniquely located in the industrial area. Mr. Newberry said the spillover lighting onto the roadway could be advantageous and added there is no residential impact.

Ms. Moore explained the upper part of the building would be repainted with a neutral white color and the lower section a warm brown. She advised the existing small "k" logo sign on the front of the building and two canopy signs will be replaced with the new Circle K logo sign.

Ms. Moore stated the existing monument sign will be updated minus the advertising panel.

Motion by Councilman Pelunis, seconded by Mr. Newberry to approve the building color variance.

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

Motion Carried

Motion by Mayor Kraus, seconded by Mr. Mazur to approve the 0.24' candle lighting variance.

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

Motion Carried

Motion by Mr. Mazur, seconded by Mr. Newberry to approve the site plan for building/canopy alterations with the stipulation the monument sign will not contain advertising.

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

Motion Carried

6. 5637 Westminster Drive – Rob and Debbie Adelstein
- Accessory structure location variance (for fireplace)
  - 3.6' outdoor recreational fireplace width variance
  - 1.3' outdoor recreational fireplace width variance
  - 6" outdoor recreational fireplace height variance

012-2018 5

Mr. Rob Adelstein was present. He presented the site plan and pictures. Mr. Adelstein reviewed the details of the roofed patio and a fireplace with wood boxes to be located off the living room.

Councilman Pelunis said a memo from the Engineering Department identified the fireplace would be located over the existing utilities. Mr. Adelstein said he was aware of the memo and Dominion Energy agreed to move the gas line towards the back of the house.

Mr. Adelstein stated the request for the chimney extension by the Fire Department would be honored.

Mr. Bentley noted the home is located on a corner lot and no comments have been received from the neighboring properties. Mr. Adelstein stated he had not heard from any neighbors.

Motion by Mr. Newberry, seconded by Councilman Pelunis to approve the accessory structure location variance.

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

Motion Carried

Motion by Councilman Pelunis, seconded by Mayor Kraus to approve the 1.3' outdoor recreational fireplace width variance.

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

Motion Carried

Motion by Mr. Mazur, seconded by Mr. Newberry to approve the 3.6' outdoor recreational fireplace width variance.

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

Motion Carried

Motion by Mr. Newberry, seconded by Mayor Kraus to approve the 6" outdoor recreational fireplace height variance with spark arrestor.

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

Nay: None

Motion Carried

COUNCIL REFERRAL:

7. Consideration of notification procedures for variances and lot consolidations 013-2018

Mr. Bentley said debate has begun on the question to codify the variance, lot consolidation and lot split notification process. Mr. Bentley stated there are numerous situations to consider.

Mr. Frankland explained two options to codify the notification process. Option one would codify the existing process that notifies any property adjacent to a property subject to a variance and would propose the notification occur by first class mail within ten days of the meeting. Mr. Frankland said the Clerk's office also incorporates logic when deciding the parcels to notify. Option two implements the same basic requirements of first class mail with notification at least ten days prior to the meeting but establishes a 100 foot radius, which means properties within a 100 foot radius of any portion of the subject property are notified.

Mr. Frankland said both options would state that failure of delivery does not nullify the Commission or Council's actions.

Mr. Frankland presented examples of 100 foot radius notification versus adjacent notification.

Councilman Pelunis is of the opinion that the existing notification process is working and favors option one. He said 100 foot radius notification in a high density area, such as apartment buildings, the Marketplace or the ABC streets, could be extreme. Mr. Frankland said the property owners, not renters, receive the notification. Mr. Frankland presented an ABC street example where option one notified six parcels and option two notified thirteen parcels. Next, he presented an industrial area example containing a narrow lot contiguous to the applicant parcel. He said option one would not include parcels beyond the narrow lot that could be affected and option two would.

Mr. Frankland said the goal is to eliminate subjectivity as much as possible from the notification process.

In regard to the original issue, Mr. Mazur said after review of the Safety and Public Properties meeting minutes, it appears if there was a breakdown, which he was not certain there was, it seemed to occur with the fact that the homeowners associations were not notified. He said steps have been taken to correct that situation. Mr. Stolarsky interjected and stated the normal procedure was followed by the Clerk's office. Mr. Mazur said the homeowners association presidents who were no longer involved failed to communicate to the board.

Mr. Frankland stated the current procedure forces the Clerk to make interpretations and suggested eliminating subjectivity. Mayor Kraus expressed concern with subjectivity and stated the 100 foot radius addresses that concern. He noted as the notification is mailed to property owners versus renters the volume concern is alleviated. Mr. Bentley said the more people who are notified, the better, however expressed concern that the task could become too onerous to complete within the ten day time limit which could cause a delay to applicants.

Councilman Zelwin thanked Mr. Frankland for compiling the information. He said he understands it is the responsibility of the homeowners associations to notify their residents of an issue. Councilman Zelwin favors option two because it removes subjectivity as well as increases the communication within residents.

Councilman Magill said the original issue was related to the homeowners association and does not believe either option solves that problem. He said while option two includes additional homes, it does not solve the homeowners association issue. Councilman Magill said if the Clerk's office is not notified of homeowner association changes, the problem remains. Councilman Pelunis agreed cooperation is required of the homeowner associations.

Mrs. McConoughey said the discussion has focused on variance notification, however, lot splits and lot consolidations should also be included. Mr. Frankland said lot splits comply with the Code but agreed the consistency aspect should be considered. Mr. Bentley agreed. Mr. Newberry suggested subdivisions be included. Mrs. McConoughey said subdivisions are currently codified at a 400 foot radius notification.

Mr. Mazur recalled of only one other incident where property owners believed they were not properly notified during his tenure. He is uncertain of the need to proceed with either option but believed over communicating is more helpful than under communicating. Mr. Mazur said notification was a concern in January and was hoping the homeowners associations or the public would have comments as to how to improve notification.

Motion by Mr. Mazur, seconded by Mr. Newberry to schedule a Public Hearing for February 27, 2018 to discuss this item.

Councilman Pelunis asked Mr. Frankland to provide GIS maps and the suggested options to the IT Department for posting on the City's website.

Councilman Pelunis agreed with Mr. Mazur in that he has never received a notification complaint.

Mayor Kraus requested the residents be provided an opportunity, such as email, to comment in lieu of attending a public meeting.

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

Motion Carried

8. Request from Darren Guerrini to create a new "I-3" (Industrial Auto Service) zoning classification and place Reno G. Properties, LLC located at 31875-31975 Aurora Road and other properties located along Old South Miles Road in the new zoning classification 014-2018 6

Mr. Darren Guerrini was present and stated this request was submitted previously.

Mr. Newberry inquired if this request supports the updated Master Plan.

Councilman Pelunis questioned if an Industrial Auto Service (I-3) zoning classification would be beneficial for marketing or selling the property. Mr. Guerrini felt it would help. He said he is currently allowing Liberty Ford to store inventory on his property at no charge. Mr. Frankland said anytime district uses are added to a property, the value increases. He pointed out this request would be identical to the I-2 zoning of office, warehousing, distribution; except for the addition of automotive repair and/or maintenance services, automotive towing and/or impound yards. Mr. Frankland said this is part of the Master Plan and presented drawings of the area.

Mr. Guerrini said strict regulations would need to be adhered to if automotive services were to be offered on this property. Councilman Pelunis said the regulations of the Ohio Environmental Protection Agency would be required.

Mr. Mazur inquired how the remaining parcels on Old South Miles Road would be incorporated to the Master Plan and asked if permission was required from the owners. Mr. Frankland said it is not uncommon to propose to implement the master plan and modify and include adjacent property. He said permission is not required but is good practice. He recalled a previous discussion on this subject where adjacent property owners were concerned about appearance and noise.

Mr. Frankland said public hearings will be held providing an opportunity for all to speak and, if preferred, the Commission could modify the district. He stated the process should be completed by mid-August. Mr. Mazur would like to include the other property owners in the process. Mr. Frankland said that could be the next step. Mr. Bentley agreed it would be beneficial to follow the master plan.

Motion by Mr. Mazur, seconded by Councilman Pelunis to schedule an ongoing Public Hearing for Item 8.

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

Motion Carried

MINOR ALTERATIONS FROM THE PLANNING DEPARTMENT:

1. 33600 Inwood Road – Solon High School

Mr. Frankland said roof replacement and repair work would be completed at the high school during the summer months.

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

2. 6835/6845 SOM Center Road – Parkside Elementary/Solon Middle School

Mr. Frankland stated repairs to the foundation and deteriorating walls will be replaced over the summer months.

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

3. 34180 Aurora Road - First National Bank

Mr. Frankland said the lighting plan indicated light poles near the street; however, due to space limitations the poles will be installed in the green space.

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

4. 32910 Solon Road – Jim Alesci’s Place

Mr. Frankland stated HVAC related equipment would be placed at the rear of the building and would not impact the surrounding area.

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

5. 6230 Cochran Road – Prime Woodcraft, Inc.

Mr. Frankland provided pictures and said an upgrade of larger windows and glass doors would be installed as an investment and improvement.

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

6. 34280 Solon Road – P.K. Wadsworth Heating & Cooling, Inc.

Mr. Frankland presented pictures of the building and said west facing windows would be bricked in.

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

Mr. Frankland said the applicants are required to wait until minor alterations are presented to the Commission before permits can be issued. He encouraged the Commission to develop a system where the minor alterations could be approved without review. Councilman Pelunis does not foresee an issue and suggested codifying the minor alterations process. Mr. Frankland agreed. Mr. Newberry said it has been mentioned that alterations in the industrial district not visible from the street have little effect on anyone except those inside the building. Mr. Frankland noted this would create a more business friendly environment.

COMMENTS FROM THE COMMISSION:

Mr. Mazur is pleased with the positive approach by the administration to reach a solution to the relocation of polling locations to Arthur Road School.



Mr. Mazur complimented Mayor Kraus on his vision for Solon that was presented at the Solon Chamber of Commerce Retreat and the State of the City Chamber luncheon. He is looking forward to the projected growth.

Mr. Mazur wished everyone a Happy Valentine's Day.

Mr. Newberry echoed Mr. Mazur's comments and looks forward to helping the Mayor implement his ideas for Solon's future.

Mr. Newberry wished the Comets luck.

Councilman Pelunis said the Board of Elections was considering moving five wards into the Arthur Road School. He said every ward except Wards 4 and 5 would have gone to the Arthur Road School. Mayor Kraus, Councilman Magill, himself and representatives from the Board of Elections met and a tentative solution was reached placing Wards 2 and 7 polling locations at Arthur Road School and Wards 1, 3 and 6 polling locations at Grantwood Golf Course. Councilman Pelunis added a recommendation is expected from the Board of Elections but the preschool at Arthur Road would change their Tuesday meeting date to Friday on election week. He said the main issue is insufficient parking, which could potentially hinder voters.

Mayor Kraus thanked Councilmen Magill and Pelunis for their efforts with the Board of Elections. He thanked those in attendance at the State of the City luncheon and appreciates their comments.

COMMENTS FROM THE AUDIENCE:

There were no comments from the audience.

Motion by Mr. Mazur, seconded by Councilman Pelunis to adjourn the meeting at 7:38 P.M.

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

Motion Carried

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Chairman

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Secretary