

**SOLON PLANNING & ZONING COMMISSION
MAY 15, 2018 – 7:00 P.M.**

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

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

Absent: None

Also Present: Assistant Chief Shebeck, Assistant City Engineer Welch, Councilwoman Meany

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:

7. 6150 SOM Center Road - Chick-fil-A – various variances and site plan: Mr. Frankland advised the total parking space variance should be for 19 spaces instead of 15. He also advised an additional 6' rear yard setback variance is necessary for the free standing sign on the western side.

9. Emerald Ridge Parkway – Unit A – site plan: Mr. Bentley advised certain issues are pending and a public hearing is necessary, therefore, this item will be tabled. Mayor Kraus questioned the issues and Mr. Frankland explained the plan includes Phase 1 and Phase 2. As Phase 2 has not been approved, the plan should only include Phase 1. Approval is required from the Homeowners Association because the appearance of the houses is changing. In addition, a modification to a plat requires a public hearing.

11. Miles Road west of Neptune Drive – Kertes Enterprises, Inc., re-approval of preliminary plat: Mr. Stolarsky explained the plan is exactly the same as the plan previously approved, however, since the approval expires after one year, it must be reapproved. Mr. Frankland requested the reapproved plan be contingent upon compliance with all the contingencies required with the original approval.

12. 39350 Bainbridge Road – BNH Enterprise Corp – rezoning request for Planned Unit Development: Mr. Bentley explained the Council tabled the item and did not refer it to the Planning Commission as previously expected. Therefore, this issue was removed from the agenda.

Inactive Agenda Item A – Le Chaperon Rouge: The Clerk will contact the applicant and request the status of the application. Mr. Newberry suggested if there is no response, the item should be removed from the Inactive Agenda.

The caucus ended at 7:15 P.M. and the meeting began at 7:30 P.M.

CHANGES TO THE AGENDA:

Item 12 was removed from the agenda. There were no additional 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 April 24, 2018 meeting as presented.

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

Nay: None

Motion Carried

PENDING:

1. Request from Craig Novak to amend the Zoning Code to permit medical related uses in the I-2 Zoning District (Industrial Manufacturing) 021-2018

A public hearing was scheduled. Mr. Bentley advised the request is to permit medical uses in the Industrial District, however, some medical uses may not be appropriate. He said Mr. Frankland submitted a revised medical uses definition and opened the public hearing.

Mr. Frankland advised the request is to expand the uses in the Industrial District that currently permit business and professional offices but excludes medical and dental offices, to allow medical offices in the I-2 District. He proposed a modification to the code language to read "business and professional offices, including medical and dental offices, and any other medical profession licensed through the Ohio Board of Health, but excluding hospitals, emergency care facilities, outpatient clinics and/or any other conglomerate type medical facility accommodating more than five medical providers".

Mr. Frankland explained at the last meeting, the Planning Commission requested clarification of a "Primary Medical Provider". Mr. Frankland provided a definition which states: "For the purposes of this Code, a primary medical provider shall mean: 1) a person possessing a Doctor level degree in the State of Ohio Department of Health licensed medical field to which a medical practice is devoted; and 2) whose onsite expertise is the primary service and purpose of the practice. Non doctor level staff supporting the doctor level function shall not be considered to be Primary Medical Providers".

Mr. Bentley said the public hearing remains open and asked for comments from the audience.

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

Mr. Newberry commended Mr. Frankland for providing the definition verbiage.

Mr. Mazur supports the request.

Motion by Mr. Mazur, seconded by Mr. Newberry to recommend approval of the request from Craig Novak to amend the Zoning Code to permit medical related uses in the I-2 Zoning District (Industrial Manufacturing) to be placed on the ballot.

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

Motion Carried

NEW:

- | | | | |
|----|--|----------|---|
| 2. | 35335 Aurora Road – Joe and Dina Shaner | 028-2018 | 6 |
| | <ul style="list-style-type: none"> ▪ 4' distance between drives variance ▪ 12' driveway width variance ▪ 18% front yard coverage variance | | |

Mr. Joe Shaner was present and explained his request to modify his driveway to provide improved access. A drawing was displayed indicating the location of the house and the driveway located across from Portz Parkway. Mr. Shaner advised the turning lane from Aurora Road to Portz Parkway has made it difficult to safely enter and exit his driveway. Mr. Shaner advised of the hazardous condition when turning left from Aurora Road into his driveway. Mr. Bentley agreed it is a safety issue.

Mayor Kraus said he is aware of the safety issues on Aurora Road and supports the variances.

Mr. Shaner advised the driveway improvements would be necessary for any person who owned his house. He noted crossing the street to reach the bike path is also hazardous.

Mr. Mazur asked if the existing driveway is gravel. Mr. Shaner clarified the gravel part of the driveway will be paved with asphalt. Mr. Mazur advised a land mound located in the right-of-way will need to be removed. Mr. Shaner acknowledged the mound and said it is 15' from the road in the 30' right-of-way. He explained he met with a representative from the Engineering Department that advised the mound is in the right-of-way albeit somewhat far back. Mr. Shaner told the engineer he would move it if necessary and noted other homes on the street have trees, fencing and poles in the right-of-way.

Mr. Mazur believes removal is a requirement of the Engineering Department.

Mr. Newberry said the mound needs to be moved behind the right-of-way line to avoid obstructions in a public way.

Mr. Shaner asked should the Aurora Road project begin in 2019 or later and it is determined the mound needs to be removed at that time, could he delay moving the

mound until construction. He added moving the mound back 30 feet would not be aesthetically pleasing.

Councilman Pelunis asked if removal of the mound from the right-of-way could be contingent upon approval. Mr. Stolarsky believes it could but removal will have to be relatively immediate in the future. Mr. Newberry advised the contingency would include a time limit for removal after Mr. Shaner's project is complete.

Mr. Shaner again asked if he could remove the mound at the start of the project. Mr. Stolarsky explained it is a City policy and the Engineering Department requested it be removed. Mr. Shaner said the mound also helps block headlights from Portz Parkway shining into his home.

Ms. Welch advised as part of the Aurora Road Widening Project, a multi-use path will be installed on Mr. Shaner's side of the road, therefore, the mound will need to be removed prior to the project in order to do the work in the right-of-way. She added that a temporary traffic signal at Portz Parkway will be sent out for bid soon, therefore, construction will be occurring in the area near Mr. Shaner's property. In response to Mr. Shaner's question, Ms. Welch said construction will occur within the whole right-of-way limits on Mr. Shaner's side of Aurora Road. She said the project details are available on the City's website. Mr. Shaner questioned how much right-of-way will be affected by construction considering the road is already three lanes near his home.

It was clarified the mound will need to be removed from the right-of-way per City policy as it is not Mr. Shaner's private property.

Mr. Shaner said the engineer from the City advised him that the mound could be removed at the time of construction if Mr. Shaner accepted the financial responsibility. Mr. Newberry asked if that was in writing. Mr. Shaner said the engineer asked if he would be willing to sign a document stating it is Mr. Shaner's responsibility both physically and financially and Mr. Shaner replied absolutely.

Mr. Newberry said the Planning Commission only considers obstructions in the right-of-way and asked Mr. Shaner to remove the obstruction as soon as practical unless the Engineering Department decides otherwise.

In answer to Mr. Shaner's question regarding signing a document, Mr. Stolarsky said an assistant engineer is present and indicated the mound should be removed.

Ms. Welch concurred with Mr. Stolarsky and asked that the mound be removed or relocated from the right-of-way.

Although he empathizes with Mr. Shaner, Mr. Bentley will support the Engineering Department's requirement.

Mayor Kraus advised funding will not be available for the project until 2020. Ms. Welch clarified funding will be available sooner than expected in 2019.

Mr. Bentley asked if the temporary signal will be installed this summer and Ms. Welch said it would.

Mr. Shaner inquired about other property owners with bushes in the right-of-way and Mr. Bentley said they will have to be removed at the property owner's expense.

Motion by Mr. Newberry, seconded by Mr. Mazur to approve a 4' distance between drives variance.

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

Nay: None

Motion Carried

Motion by Councilman Pelunis, seconded by Mr. Newberry to approve a 12' driveway width variance.

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

Nay: None

Motion Carried

Motion by Mr. Mazur, seconded by Councilman Pelunis to approve an 18% front yard coverage variance contingent upon removal of the mound in the right-of-way prior to issuance of the building permit.

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

Nay: None

Motion Carried

Mr. Shaner asked if the driveway installation could coincide with removal of the mound. Mr. Stolarsky recommended Mr. Shaner contact the Engineering Department to possibly incorporate it as part of the permit requirement.

3. 30865 Solon Road – Fram Investments

029-2018 6

- Expansion of a non-conforming use variance
- 77' front yard setback variance
- 15' setback between structures variance

Mr. Frank Finelli, 30865 Solon Road, was present and explained the request for variances to create additional living and storage space.

Mr. Finelli displayed the plan and indicated the location of the house located in front of the Finelli Architectural Iron and Stairs and also near three other residences. The existing garage would be removed and replaced with a new garage with additional storage area. A new family room addition is proposed and a bedroom would be extended to create a master bedroom with master bathroom. Mr. Finelli said the house is currently 1,000 square feet. The new construction would add 900 square feet of space.

Mr. Bentley clarified the existing garage will be removed and a new garage will be built on the current footprint with additional space in the rear for storage. Mr. Finelli said yes but the foundation of the garage will also be replaced.

Motion by Mr. Mazur, seconded by Mayor Kraus to approve an expansion of a non-conforming use variance.

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

Nay: None

Motion Carried

Motion by Mr. Newberry, seconded by Councilman Pelunis to approve a 77' front yard setback variance.

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

Motion Carried

Ms. Welch said the Engineering Department requires the applicant to provide a letter stating they will include the additional impervious area in any future expansions. Mr. Finelli agreed to do so.

Motion by Councilman Pelunis, seconded by Mr. Newberry to approve a 15' setback between structures variance contingent upon written agreement to comply with storm water requirements for any future development.

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

Motion Carried

4. 32682 Springside Lane – Mel Solomon 030-2018 6
- 4' accessory pavement setback variance

Mr. Mel Solomon was present and explained his request to add an additional parking area to the east of the driveway next to the garage.

Mr. Russell Mascia, contractor, was present and explained Mr. Solomon's request is for a 9' wide concrete area which will leave one foot from the lot line. He said Mr. Solomon's pavement in front of the garage is only 12' wide and he is unable to park two cars in front of the garage.

Mr. Bentley asked if there is a man door going into the garage. Mr. Mascia said no.

It was noted there were no comments received from the neighbors.

Motion by Mr. Mazur, seconded by Mr. Newberry to approve a 4' accessory pavement setback variance.

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

Motion Carried

5. 37025 Broadstone Drive – Scott Herman 031-2018 1
- 112 sq ft accessory structure area variance
 - 3'-9" accessory structure height variance

Mr. James Arch, Vizmeg Landscaping, Inc., was present representing the applicant. Mr. Arch displayed the plan and explained the request to construct a pavilion in the backyard. Mr. Arch said the pavilion will consist of four columns and a roof.

Mr. Arch explained there are existing evergreen trees on one side of the property to provide screening, however, more could be added if necessary and the other side is a vacant lot.

Mr. Bentley believes the request is appropriate for the size of the lot.

Mr. Newberry asked if a water course runs through the back of the lot. Mr. Arch replied there is a swale, the pool, evergreens and a natural tree line.

Mr. Mazur questioned if the landscaping on the drawing is existing or will be installed. Mr. Arch said the landscaping is existing evergreen trees.

Mr. Frankland advised there are no screening requirements and there were no responses to notification sent to neighbors.

Mr. Mazur asked if there is new fencing along the property line. Mr. Arch said yes, it will be moved out.

Mr. Newberry noted the neighboring lot is located further away as well as the homes on Worlington Drive.

Motion by Mr. Newberry, seconded by Councilman Pelunis to approve a 112' square foot accessory structure area variance.

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

Motion Carried

Motion by Mayor Kraus, seconded by Mr. Mazur to approve a 3'–9" accessory structure height variance.

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

Motion Carried

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|----|--|----------|---|
| 6. | 32890 Bainbridge Road – James and Elizabeth Sosan | 032-2018 | 6 |
| | <ul style="list-style-type: none"> ▪ 0.3' front yard setback variance ▪ 4.2' rear yard setback variance ▪ Not parallel to the street variance | | |

Ms. Elizabeth Sosan was present. The plan was displayed and Mr. Bentley explained a plan was previously approved for new construction on the pie shaped lot. Ms. Sosan indicated the footprint of the house on the plan and due to the irregular shape of the lot, additional variances are necessary to place the structure on the lot.

Mr. Bentley said the curve in Bainbridge Road also makes it difficult to determine "parallel to the street".

Mr. Newberry believes the plan is substantially similar to the prior approval and looks forward to the unique construction of the house.

Motion by Mr. Newberry, seconded by Mayor Kraus to approve a 0.3' front yard setback variance.

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

Motion Carried

Motion by Mr. Mazur, seconded by Councilman Pelunis to approve a 4.2' rear yard setback variance.

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

Motion Carried

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

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

Motion Carried

7. 6150 SOM Center Road – Chick-fil-A, Inc./L. I. Development Ohio LLC 033-2018 6

- 31' front yard building setback variance
- 26' side yard structure setback variance (drive-thru canopy)
- 45 19 space total parking variance
- 8' parking lot setback from building variance
- 20' side yard setback for drive-thru lane variance
- 20' rear yard setback for drive-thru lane variance
- 15' side yard setback for dumpster variance
- 18' rear yard setback for dumpster variance
- 1' parking space width variance
- Total number of wall signs variance (to permit 4)
- Total number of free standing signs variance (to permit 4 3)
- Parking encroachment onto City owned land
- 6' rear yard setback variance for sign (western side)
- Site plan

Mr. Gary Rouse, GBC Design, and Mr. Jason Hill, Chick-fil-A, were present. Mr. Rouse displayed the plan and explained the proposal to raze the existing former Panini's Restaurant and construct a new Chick-fil-A with a double drive-thru, associated parking and on-site improvements. They will reuse the existing infrastructure in place, however, Mr. Rouse believes the site is challenging considering the two frontages on Kruse Drive and Solon Road, therefore, variances are requested. Mr. Rouse explained there will be a large 27 car stack for the drive-thru and 70 on-site parking spaces. He noted there are 200+ parking spaces between this site and the neighboring Rose Italian Kitchen site.

Mr. Rouse indicated the proposed building on the plan is parallel to Kruse Drive and the drive-thru pickup area is parallel to Solon Road. The existing entrance on Kruse Drive will be closed to utilize the access drive between the site and the neighboring Donato's Pizza property. He indicated the ingress and egress for the drive-thru and added that it is isolated in an area where pedestrian traffic will not be an issue. He indicated parking areas in the front.

Mr. Bentley asked if there will be access from Solon Road and Mr. Rouse said no.

Mayor Kraus welcomed Chick-fil-A to Solon and for producing a plan that will fit the site. He said GPD Group has spent time reviewing the traffic in the area and indicated they concur with the applicant that the completion of the development will not have a significant impact on the operation of the surrounding roadway. GPD Group also concurred with current access points being eliminated. Mayor Kraus is pleased the

drive-thru will not interfere with pedestrian traffic. He thanked the applicant for cooperating with the neighboring restaurant and for working with the Safety and Public Properties Committee.

Councilman Pelunis inquired about the necessity for the 26' side yard structure setback variance for the drive-thru canopy. Mr. Hill said the canopy is positioned in the optimal location for the drive-thru to operate as efficiently as possible. Consideration was given to ordering time by the customer, receipt of the order by the kitchen and delivery of the order to the pick-up window or delivery area. The parcel lines change along Kruse Drive with a unique right-of-way and the canopy is located where the parcel line jogs in.

Councilman Pelunis asked if that location is where the employee will scan for orders outside. Mr. Hill said there will be three or four individuals in two lanes scanning outside dependent upon weather conditions. He noted there are heaters and fans under the canopy.

Councilman Pelunis asked if the building could have been constructed without variances. He disagreed with statements made at the Safety and Public Properties Committee meeting in reference to the number of cars in the drive-thru lanes which he has witnessed at different locations. Councilman Pelunis supports the project in Solon but believes it is not an appropriate site. He believes there are more appropriate sites in the City. He believes if the building was reduced on the Solon Road site, the number of variances would be reduced which would reduce the effect on the neighboring restaurant and Solon Road and allow more stacking in the drive-thru.

Mr. Hill said it is true of almost any site that the building size could be reduced, however, the applicant would sacrifice kitchen size which handles the volume of 60% drive-thru customers and 40% dine-in customers. He explained online mobile orders are now available in which customers order online, pull into a parking space and go inside to pick up their order. Seating and a play area could not be offered with a reduced size building.

In regard to drive-thru volume in other cities, Mr. Hill said he depends on the samples received by their traffic engineers. He said all of the locations around Cleveland have smaller buildings, shorter drive-thru stacks and lack of technology unlike the drive-thru proposed for Solon. He noted issues in other locations are solved in this plan. He clarified the parking for their site is adequate for their use, however, the variance being requested is for an overall parking variance, not specifically for Chick-fil-A's operation. He indicated employee parking is also efficiently located.

Mr. Mazur asked how the architecture of the building will appear. Mr. Hill displayed the plan and indicated the location of the various features of the site.

Mr. Mazur questioned how the outdoor patio will be accessed. Mr. Hill indicated a man door and access in the fencing to reach the patio. Mr. Mazur inquired if bollards will be installed and Mr. Hill said architectural columns will satisfy the requirement.

The SOM Center Road elevation was displayed. Mr. Mazur requested the dumpster location be indicated on the plan. Mr. Hill said the dumpster is located in the most

remote area of the site so as to not intervene with the patio, front door, drive-thru or trash pick-up truck. He indicated the area where trash is taken to the dumpster and where deliveries are also made. He noted the variances are needed for the dumpster based on the challenging property lines.

Mr. Mazur questioned where ground signs will be located. Mr. Hill advised the signs are similar to each other except for the location of the Chick-fil-A name. The sign on SOM Center Road will replace the existing sign, a sign will be installed on Solon Road and a monument sign will be located at the access drive off of Kruse Drive.

It was clarified three free-standing ground signs are requested rather than four.

Mr. Newberry asked if Sign A is the changeable copy and Mr. Hill said yes.

Councilman Pelunis asked if the building could be re-positioned to reduce variances. Mr. Hill said it is possible, however, parking that is convenient to the front door would be sacrificed.

Councilman Pelunis asked Mr. Hill to explain the encroachment on City owned property. Mr. Hill displayed the location of a small cut-out in the right-of-way. To maximize the number of cars in a stack, the building had to be located to the southeast to reach a 27-car stack. In order to add a bypass lane, a small encroachment less than 10' is necessary in the right-of-way, therefore, Mr. Hill is working with the Engineering Department regarding an easement. Mr. Stolarsky said it is a small pie shaped encroachment. Mr. Hill indicated the area on an aerial drawing.

The landscaping plan was displayed which depicted the screening of the drive-thru along Kruse Drive and Solon Road. Landscaping will be placed around the patio and near parking spaces that front Solon Road.

Mr. Mazur inquired about a screening issue at a Chick-fil-A being constructed in Mayfield Heights. Mr. Hill said it is the same size building but a different configuration. He said the screening issue involved the drive-thru fronting Mayfield Road. The City required it be screened with a 3 foot berm with plantings. Councilman Pelunis asked how many parking spaces are at that location. Mr. Hill believed there are 65 parking spaces on their parcel with cross access rights to the rest of the shopping center.

Mr. Newberry understands the difficulty of the site and he appreciates the effort by the applicant. He explained the background of the city-owned right-of-way.

Mr. Newberry asked if the applicant is aware of changes made by Rose Italian Kitchen and if they understand that certain pavement is no longer there. Mr. Hill said that is correct. Mr. Newberry said if approved, there will be a written understanding with the City regarding the small triangle of parking in front of the store and the five spaces that lead to the back of Rose Italian Kitchen. Mr. Newberry believes it is one of the locations they showed as active for the dumpster. Mr. Hill said they have worked with the property owner, who has approval rights over the applicant's site plan, and he

noted their approval of the current plan. Mr. Newberry requested a copy of the written agreement be submitted.

Motion by Mayor Kraus, seconded by Mr. Mazur to approve a 31' front yard building setback variance.

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

Motion Carried

Mr. Mazur said he attended the Safety and Public Properties Committee meeting prior and it was noted the right turn in/out would be eliminated out of the access drive onto SOM Center Road.

Ms. Welch said it is currently right out only, however, Chief Viland asked that approval be contingent upon the applicant installing a right in/right out with a curb section for the access driveway on SOM Center Road.

Mr. Mazur believes it will be added to the traffic study.

Motion by Mr. Mazur, seconded by Mr. Newberry to approve a 26' side yard structure setback variance (drive-thru canopy).

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

Motion Carried

Motion by Mr. Newberry, seconded by Mayor Kraus to approve a 19 space total parking variance.

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

Motion Carried

Motion by Mr. Bentley, seconded by Mr. Mazur to approve an 8' parking lot setback from building variance.

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

Motion Carried

Motion by Mr. Mazur, seconded by Mayor Kraus to approve a 20' side yard setback for drive-thru lane variance.

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

Motion Carried

Motion by Mayor Kraus, seconded by Mr. Mazur to approve a 20' rear yard setback for drive-thru lane variance.

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

Motion Carried

Motion by Mr. Newberry, seconded by Mr. Mazur to approve a 15' side yard setback for dumpster variance.

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

Motion Carried

Motion by Councilman Pelunis, seconded by Mr. Bentley to approve an 18' rear yard setback for dumpster variance.

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

Motion Carried

Motion by Mr. Bentley, seconded by Mr. Mazur to approve a 1' parking space width variance.

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

Motion Carried

Motion by Mr. Mazur, seconded by Mayor Kraus to approve a total number of wall signs variance (to permit 4).

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

Motion Carried

Motion by Mr. Newberry, seconded by Mr. Mazur to approve a total number of free standing signs variance (to permit 3).

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

Motion Carried

Motion by Mayor Kraus, seconded by Mr. Mazur to approve a parking encroachment onto City owned land contingent upon an easement.

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

Motion Carried

Motion by Mr. Mazur, seconded by Mr. Newberry to approve a 6' rear yard setback variance for a sign (western side).

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

Motion Carried

Ms. Welch said as part of site plan approval, it is requested the applicant incorporate the Engineering Department's memo items as a contingency.

Motion by Mr. Newberry, seconded by Mr. Bentley to approve a site plan contingent upon requirements in the Engineering Department's memo of May 3, 2018 and submission of a cross access agreement between the applicant and the owners of Rose Italian Kitchen prior to the issuance of a building permit.

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

Motion Carried

8. 30525 Aurora Road – Norman Kotoch/Security Self Storage 035-2018 6
- 10' front yard building setback variance
 - Total number of wall signs variance (to permit 2)
 - 65 sq ft wall sign area variance
 - ~~20~~ 15 sq ft free standing ground sign area variance
 - ~~4.5~~ 1' freestanding ground sign height variance
 - 2' free standing ground sign width variance
 - ~~33.3%~~ 22% changeable copy area variance
 - Number of changeable copy colors variance
 - Site plan modification

Mr. Norm Kotoch, Security Self Storage, Mr. Chris Lachman, Construction Manager of CSL Consulting and Mr. Robert Bajko, Architect, HSB Consultants were present.

Mr. Kotoch explained Security Self Storage has been a family-owned business for 30 years with seven locations specializing in higher-end self-storage facilities. The proposed location is the former Hunter Manufacturing location on Aurora Road left vacant for a number of years. Mr. Kotoch said although it is an antiquated building, it is suitable for self-storage units. He said the proposal is to mirror their Westlake facility and it will be a drive through type facility. Mr. Kotoch said the exterior and every unit will be protected with alarms and specialized locks that cannot be cut with bolt cutters. Under their lease, a master key system is used for inspection of units if necessary. A wine storage facility will be installed as well.

Mr. Kotoch said variances are necessary for signs and a decorative feature near the entranceway.

Mr. Bajko displayed the plan and explained an internally lit steel tower is proposed on the southeast corner of the property to be used as the customer entrance. He said a front yard setback variance is necessary for the tower. Mr. Bajko said an architectural element is proposed on the west side of the property with individual letters spelling "storage" along the front façade. Security self-storage signs are proposed along the southern façade. Mr. Bajko said the windows will be replaced and the interior renovated.

Mr. Bajko indicated signage proposed for the property and said the main 60 square foot Security Self Storage Signs will border the approximately 29'6" tower. The storage letters on the west side of the front façade are 165 square feet of signage and are more of an architectural element for balance. The proposed monument sign at the street is a 6'x10' sign.

Councilman Pelunis asked if the sign that needs a 65 square foot wall sign area variance is necessary. Mr. Bajko said it is an architectural element to balance the building, however, it may not be necessary. Councilman Pelunis said as there is a changeable copy sign proposed by the street and another on the building, what is the practical difficulty for the third sign.

Mr. Kotoch said he is willing to remove the "storage" sign although he would like it to remain.

Mr. Mazur is concerned with the features of the changeable copy ground sign. Mr. Kotoch believes the current code is antiquated based on current technology, however, he said features that concern the Commission could be adjusted on the sign. He requested an unlimited number of colors. Mr. Mazur said the industrial district is conservative and believes the applicant should adhere to the two colors requirement for changeable copy signs as required by the Code. Mr. Kotoch said the signs at the other locations were found to be attractive unlike a monochromatic sign. He said civic events could be advertised as well as messages for the Solon Comets in the colors blue and gold.

Councilman Pelunis believes installing both the ground sign and building sign is excessive. Mr. Kotoch believes this is a manufacturing area where product is delivered for the majority of businesses. However, he said his storage facility will rely on signage for their customers to identify the location and is vital. Councilman Pelunis said there is another storage facility in the area that does not have such signage. Mr. Kotoch believes this storage facility does not compare. He again advised they work with the city by adding civic or event messages. Mr. Kotoch said unlike other facilities, this storage facility will primarily serve the residents of Solon who deserve a better product. Mr. Kotoch believes the sign is appropriate considering it is not near residential and is necessary because the building is set back from the road.

Mr. Mazur does not know of other signs that advertise for business in the industrial area and finds the request to be uncommon. He noted the majority of people who work in the industrial area do not live in Solon. Mr. Newberry concurred.

Mayor Kraus supports the proposal and noted he has heard comments from the businesses that the City needs to be more innovative and involved with technology. He believes the businesses are more advanced than the City and it is time the City considers change. He said unlike in the past, the Fire Department no longer has concerns regarding the indoor storage facility use.

Mr. Newberry questioned if the applicant could reduce the size of the variances for the height, width or area of the ground sign. Mr. Kotoch said the sign has individual panels and suggested changes to the top and bottom of the sign to reduce the changeable copy area by one-half foot. Although an improvement, Mr. Newberry preferred it be closer to code requirements and offered suggestions in regard to size and area for a sign. Mr. Kotoch believes it is a safety issue for vehicles when reading more message text in a smaller area than larger letters on a longer sign. He also finds the one minute changeable copy requirement more of a safety concern than if the copy changed more often. Mr. Newberry agreed.

Councilman Pelunis agreed with Mayor Kraus that the proposal is an innovative re-use of the building, however, when discussing self-storage years ago, there was a lawsuit involved. He also believes the self-storage use does not financially benefit the City as there are a limited number of employees that will not provide much tax dollars compared to a manufacturing company with many employees. He finds no economic benefit other than filling a vacancy. He disagreed with advertising civic events on a self-storage building. He believes a changeable copy sign in the industrial area will set a precedent. He advised he has not heard resident comments regarding a need for more storage facilities.

Mr. Kotoch said based on research and feasibility studies, it is determined there is a need for storage facilities and he believes economic feasibility is not a legitimate reason to deny the application. Mr. Kotoch said the service provides additional space for the residents that may not have extra storage in their homes. He believes storing clutter off site also increases home value and aides in "staging" homes for sale. Mr. Kotoch again agreed with omitting the "storage" sign from the plan and is open to modifications to achieve the changeable copy sign. Mr. Kotoch agreed to reduce the

top of the sign and the changeable copy area for a total of 55 square feet and remove the "storage" sign from the building. However, he believes the ground sign is vital.

Mr. Bentley supports the proposal and has no objections.

Mr. Newberry prefers the height be reduced by 6" overall and the width be reduced by 1 foot, however, he is flexible. It was determined the changeable copy percentage will be changed to 22%.

Mr. Bentley clarified that the agreement is to modify the size of the monument sign and to remove the word "storage" from the building.

Mr. Kotoch asked if the colors are acceptable. Mr. Newberry was unsure as it is difficult to adjudicate an appropriate number of colors. He said the two color requirement is in the code to address distraction.

Mr. Kotoch advised he would prefer the wording "storage" on the building if the Commission would agree.

It was clarified in regard to the changeable copy monument sign, the area variance will be 15 square feet, the height variance will be one-half foot and the changeable copy variance will be 22%.

Motion by Mayor Kraus, seconded by Mr. Newberry to approve a 10' front yard building setback variance.

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

Motion Carried

Motion by Mr. Mazur, seconded by Mr. Newberry to approve a total number of wall signs variance to permit two ("storage" and "self-storage").

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

Motion Carried

Motion by Mr. Bentley, seconded by Mayor Kraus to approve a 65 sq ft wall sign area variance.

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

Motion Carried

Motion by Mr. Newberry, seconded by Mr. Mazur to approve a 15 sq ft free standing ground sign area variance.

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

Motion Carried

Motion by Mr. Bentley, seconded by Councilman Pelunis to approve a .5 foot freestanding ground sign height variance.

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

Motion Carried

Motion by Mr. Mazur, seconded by Mayor Kraus to approve a 2 foot free standing ground sign width variance.

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

Motion Carried

Motion by Mayor Kraus, seconded by Mr. Mazur to approve a 22% changeable copy area variance.

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

Motion Carried

Motion by Mr. Newberry, seconded by Mr. Bentley to approve a number of changeable copy colors variance.

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

Motion Carried

Mr. Kotoch advised the .5' freestanding ground sign height variance should be 1' as they agreed to reduce it by one-half of a foot.

Motion by Mr. Newberry, seconded by Mr. Bentley to amend the motion approving the .5' free standing ground sign height variance to a 1 foot freestanding ground sign height variance.

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

Motion Carried

Motion by Mr. Bentley, seconded by Mr. Newberry to approve a site plan modification contingent upon storm water requirements outlined in the Engineering Department's memo of May 9, 2018.

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

Motion Carried

9. Emerald Ridge Parkway - Unit A – Uday Patel
▪ Site plan

036-2018 5

Motion by Mr. Bentley, seconded by Mr. Mazur to schedule a public hearing for May 29, 2018.

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

Motion Carried

Motion by Mr. Newberry, seconded by Mr. Mazur to table Item 9.

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

Motion Carried

10. 6375 SOM Center Road – Arby's Restaurant Group
▪ Building material color variance
▪ Total number of wall signs variance (to permit 3)
▪ 67' front yard setback variance for drive-thru order canopy
▪ Site plan

037-2018 6

Mr. Mark Tomson, R.E.D. Architecture and Planning was present representing the applicant. Mr. Tomson displayed the plan and explained the request for exterior renovation and remodel of the Arby's restaurant. He said interior upgrades and

modification to the red band on the exterior elevations are proposed. The preferred brick samples for the building and the red color example for signs were displayed. The existing signage is to be replaced with a smaller sign package to be more in line with the brand standard with red and hat logo at the front.

Mr. Bentley clarified the color will be lighter than the existing. Mr. Tomson said the red will have a deeper undertone. He identified the white and darker brown brick locations.

Mr. Newberry is pleased with the new proposed colors.

Motion by Mr. Newberry, seconded by Mayor Kraus to approve a building material color variance.

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

Motion Carried

Motion by Mayor Kraus, seconded by Mr. Mazur to approve a total number of wall signs variance (to permit 3).

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

Motion Carried

Motion by Mr. Mazur, seconded by Mr. Newberry to approve a 67' front yard setback variance for drive-thru order canopy.

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.

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

Motion Carried

11. Miles Road west of Neptune Drive – Kertes Enterprises, Inc. 038-2018 5
PP#'s 951-04-016, 951-05-001, 951-05-002, 951-05-003,
951-05-004, 951-05-005
▪ Extension of the preliminary plat for Neptune Oval Estates

Mr. Randy Kertesz, Kertes Enterprises, Mr. Jordan Berns, Berns, Ockner and Greenberger, LLC and Mr. Dan Neff, Neff and Associates were present.

Mr. Kertesz explained the request to extend approval with previous conditions to proceed with the Neptune Oval Estates development.

Mr. Bentley understood there were issues with the sewer. He is pleased the project will now proceed.

Mr. Stolarsky said the approval is for the preliminary plat which is the layout of the development.

Ms. Ann Hammond, 5091 Neptune Drive, believes the development should not proceed until the toxins are addressed in one of the two lakes. She said storm water discharged into the lake which contained pesticides and fertilizers causing algae bloom.

She said this subsequently flows into Lake Erie and the drinking water. She said the fish cannot be consumed as they absorbed the toxins and she noted it also affects the wildlife. Ms. Hammond said the toxins are a safety issue for pets, children and adults.

Councilwoman Meany said surrounding neighbors were contacted and most of the comments were positive. She said some residents in the North Park development are still concerned about drainage.

Motion by Councilman Pelunis, seconded by Mr. Newberry to approve an extension of the preliminary plat for Neptune Oval Estates contingent upon development as previously approved with all conditions and contingencies and compliance with Engineering Department requirements.

Mr. Newberry advised Ms. Hammond's concerns are valid and should be addressed. He noted after development, the existing lakes and run-off will continue. He explained improved storm water and run-off controls need to be implemented uphill and upstream from this site in order to restore the water quality of the lakes, however, the City cannot leave the responsibility to the developer.

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

Motion Carried

MINOR ALTERATIONS FROM PLANNING DEPARTMENT

1. 6675 Parkland Boulevard - Demag

Mr. Frankland displayed a drawing and explained the request to install a handicapped access ramp at the rear of the building.

The Commission agreed no further review of the item was necessary.

2. 33600 Inwood Road - Solon City Schools (High School)

Mr. Frankland displayed the aerial and explained the request to pave a grass area south of the football field where busses fuel. The lane will be installed to bypass the fueling area. The approval is contingent upon the applicant meeting storm water management requirements.

The Commission agreed no further review of the item was necessary.

3. 33700 Aurora Road – Simply Greek

Mr. Frankland displayed the aerial and indicated the end unit. He said mechanical equipment will be added to the roof and is required to be screened. The applicant proposes to install a wood-type fence along the top of the building.

The Commission agreed no further review of the item was necessary.

COMMENTS FROM THE AUDIENCE

There were no comments from the audience.

COMMENTS FROM THE COMMISSION

Motion by Mr. Mazur, seconded by Mr. Newberry to schedule a public hearing for Verizon Wireless for PP# 953-24-004 at 6801 Cochran Road for a proposed equipment modification to the tower.

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

Motion Carried

Motion by Mr. Mazur, seconded by Mr. Newberry to adjourn the meeting at 9:59 P.M.

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

Motion Carried

Chairman

Secretary