

**SOLON PLANNING & ZONING COMMISSION
JUNE 26, 2018 – 7:20 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, Acting Secretary Buller

Absent: None

Also Present: Fire Inspector Eisenhuth, 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.)

Mr. Stolarsky said Mr. Todd Hunt favors removing the SOM Center Road properties from the Inactive Agenda.

The caucus ended at 7:26 P.M. and the meeting began at 7:30 P.M.

CHANGES TO THE AGENDA:

There were no changes to the agenda.

COMMENTS FROM THE AUDIENCE:

Mr. Eric Sarmiento, Cavitch Familo & Durkin Attorney, represented Dr. and Mrs. Joseph Krall, 7116 Navajo Trail, in connection with Item 1.

Mr. Sarmiento objects to the variance request. He stated the request is premature as the Homeowners Association have not approved it nor did the Clerk's office notice supply an adequate period of time to work with the neighbors and also explore possible utility and drainage runoff issues prior to the meeting date. Mr. Sarmiento requested Thomas G. Belden's June 20th letter become part of the record in terms of objections and alternatives.

Councilman Pelunis stated an approval by the Heritage Landing Association was received from Mr. Mark Glatley. (A copy was provided to Mr. Sarmiento.)

Mr. Stolarsky stated the type, manner and timing of the notice is typical and noted the Commission is prepared to take comments up to and including the time of the hearing.

Councilman Pelunis stated he will propose contingencies of the applicant as this is his ward.

Mr. Sarmiento requested the driveway width not be fully extended but narrow at the bottom and wider at the top, drainage issues be resolved and replacement landscaping to address flooding and waste matter removed from the property.

There were no additional comments from the audience.

MINUTES:

Motion by Mr. Newberry, seconded by Mayor Kraus to approve the May 15, 2018 minutes as presented.

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

Motion Carried

Motion by Mr. Mazur, seconded by Mayor Kraus to approve the May 29, 2018 minutes as presented.

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

Motion Carried

NEW:

1. 7112 Navajo Trail – Gennadiy Fayner 044-2018 2
 - 25' accessory pavement setback variance

Mr. Gennadiy Fayner was present and displayed drawings of the proposed driveway modification to the south side of the property. He noted it is the exact pattern throughout the development.

Mayor Kraus inquired why this was being requested. Mr. Fayner replied it is a four person household which will have four cars needing access to the garage next year and also to allow for snow plows versus shoveling.

Councilman Pelunis stated the neighbor is questioning the pavement location. He asked if it is possible to move it to the right side versus the left side. Mr. Fayner stated moving it to the right side would change the typical pattern from the neighboring properties and there is open space on the left side as opposed to the right side which is the location of the walkway to the house.

Councilman Pelunis asked, if the pavement is permitted in the proposed location, would he agree to screen the pavement from the neighbor as well as remedy any possible excess water runoff caused by the additional pavement. Mr. Fayner asked what type of screening is requested. Councilman Pelunis replied shrubbery. Mr. Frankland stated shrubbery, such as boxwood, that would obscure the driveway. Mr. Fayner stated he would accept that condition as a contingency.

Mr. Mazur inquired if the tree located on the left side of the driveway was being removed. Mr. Fayner answered yes.

Mr. Bentley believes placing the proposed additional pavement onto the front yard would be odd. Councilman Pelunis agreed and added the proposed location conforms to the neighboring properties.

Councilman Pelunis said the utilities concern would be addressed prior to any excavating. Ms. Welch stated it is the registered contractor's responsibility to obtain a permit and contact Ohio OUPS prior to digging.

Councilman Pelunis stated overnight parking is not permitted on city streets nor would the removal of a sidewalk be allowed for an application such as this. He believes the neighboring property is protected by the applicant agreeing to plant foliage and address any drainage issues resulting from the additional pavement.

Mr. Newberry said this subdivision was purposefully designed as small lots with a large common area because of the amount of wetlands and unbuildable property. He said the vacant land to the northwest is preserved wetlands. Mr. Newberry said there have been eleven similar variances under similar conditions granted.

Motion by Mr. Newberry, seconded by Mayor Kraus to approve the 25' accessory pavement setback variance.

Councilman Pelunis added two contingencies: the applicant provide appropriate shrubbery screening approved by the Planning Department to shield the view from the neighbor and any and all excess drainage occurring from the installation of this pavement specifically be addressed by the applicant. Mr. Fayner agreed to both contingencies.

Mr. Newberry and Mayor Kraus accepted the contingencies as part of the motion.

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

Nay: None

Motion Carried

COUNCIL REFERRAL:

2. Request from BNH Enterprise Corporation to rezone PP# 955-18-043 for a Planned Unit Development (winery proposal – former Luczek property) – 5/29 tabled – 6/12 tabled - NO NEW MATERIAL

Mr. Bentley advised the Commission awaits a response from the applicant.

Motion by Mr. Newberry, seconded by Mayor Kraus to table Item 2.

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

Nay: None

Motion Carried

MINOR ALTERATIONS FROM PLANNING DEPARTMENT

1. Church of the Resurrection – 32001 Cannon Road

Mr. Frankland displayed an aerial view and explained the plan to straighten an angled area of the parking lot by removing the pavement. He said there will be a net gain in both parking and greenspace.

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 remove the following items from the Inactive Agenda:

Item A - 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

Item B - 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

Item C - 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.

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

Nay: None

Motion Carried

Mr. Mazur invited everyone to attend Solon Home Days July 13th through July 15th. He said the Solon Benevolent Fund, Inc. will be sponsoring a Raffle with numerous prizes and tickets are \$5.00 each or five for \$20.00 and can be purchased on the weekends at Chicago Deli, Rose Italian Kitchen and 56 Kitchen.

Councilman Pelunis thanked Mayor Kraus for the informative and educational Town Hall meeting.

Mr. Bentley introduced his parents, Dr. and Mrs. Eugene Bentley III and his son Eugene Bentley V who attended this evening's meeting.

Mayor Kraus thanked Councilman Pelunis for his Town Hall meeting comments and thanked everyone who attended. He said the next Town Hall will be held in October to discuss the opioid crisis.

Mayor Kraus announced the Fourth of July fireworks will be displayed July 3rd at dusk with the Solon Community Band performing earlier.

Motion by Mr. Mazur, seconded by Mr. Newberry to adjourn the meeting at 7:55 P.M.

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

Nay: None

Motion Carried

Acting Secretary

Chairman