

**SOLON PLANNING & ZONING COMMISSION
AUGUST 14, 2018 – 7:05 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: Fire Inspector Wolf, Assistant City Engineer Welch, Assistant Clerk of Council Buller

NOTES OF CAUCUS DISCUSSION:

Chairman Bentley presided.

(Secretary's note: Agenda items not mentioned under Notes of Caucus Discussion are items that were not pertinently discussed during Caucus.)

Mr. Bentley recommended cancelling the August 28th meeting as the Council has cancelled its September 3rd meeting due to the Labor Day holiday. The Commission agreed.

NEW:

5. 33200 Aurora Road – SSMJ Solon LLC – maximum average foot candle level lighting variance, maximum foot candle level at residential property line variance: Mr. Mazur inquired if light will flow beyond the property. Mr. Frankland stated the lighting plan does not show spillover and no variance is required for the entry point lights.

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.

MINUTES:

Motion by Mr. Newberry, seconded by Mayor Kraus to approve the July 10, 2018 minutes as presented.

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

Motion Carried

Motion by Mr. Mazur, seconded by Mr. Newberry to approve the July 24, 2018 minutes as presented.

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

Motion Carried

PENDING:

1. Dorset Lane, PP# 955-20-052 – Thornbury Homeowner’s Association
▪ Site plan modification to existing trail 049-2018 3

Mr. Matt McCue, McCue Design Group, LLC, Willoughby, Ohio, and Mr. David Soble, 38210 Flanders Drive, were present representing the applicant.

Mr. McCue displayed drawings of the asphalt trail from Dorset Lane to Patterson Lane. He stated it has been closed for approximately five years and steep sections have washed out. Mr. McCue said the project includes removing the asphalt and replacing it with compacted aggregate limestone approximately six inches thick and six feet wide with boardwalk sections in the areas that are prone to washing out and timber landscape tie steps along the steep areas.

Mr. Bentley noted two areas of the trail that encroach on private property. Mr. McCue indicated the areas and explained the trail cuts into the back corner of one lot and along the edge of a second property. He stated the trail would be adjusted to occupy only the development’s greenspace.

Mr. Newberry stated the Engineering Department’s August 7th memo indicated a portion of the path exists within the 100 year flood zone. He recommends the completion of a Flood Hazard Area Development permit contingency be included as a requirement. Mr. McCue stated they were aware of the memo and the contractor would submit the necessary permits. Ms. Welch added the permit is a requirement prior to the issuance of a construction permit.

Motion by Mr. Mazur, seconded by Mr. Newberry to approve a site plan for the Thornbury Homeowner’s Association path with the contingencies the path does not transgress onto private property and the submission and approval by the Engineering Department of the flood plan application.

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

Motion Carried

2. 6570 Solon Boulevard – Darlene Gall 050-2018 7
▪ Lot consolidation – PP#’s 954-05-205 and 206

Ms. Gall was present.

A public hearing was scheduled.

Mr. Bentley opened the Public Hearing and requested comments.

There were no comments from the audience.

Mr. Bentley closed the Public Hearing.

Motion by Mr. Mazur, seconded by Mayor Kraus to approve a lot consolidation for PP#'s 954-05-205 and 954-05-206.

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

Motion Carried

NEW:

3. 34040 Pettibone Road – Judith and Andy Moyer 051-2018 1
- 4' side yard setback variance
 - 4' cumulative side yard setback variance

Mr. Andy Moyer was present and displayed pictures of the side of the house where a generator would be installed near the air conditioning unit.

Mr. Newberry advised there could be a safety concern if the generator were to be installed in the proximity of the gas main and electric source. Mr. Moyer stated he was comfortable with the contractor's placement of the generator.

Motion by Mayor Kraus, seconded by Mr. Newberry to approve a 4' side yard 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 4' cumulative side yard setback variance.

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

Motion Carried

4. 6695 Ayleshire Drive – Kevin Lurie 052-2018 6
- Accessory structure location variance
 - 3.9' side yard setback variance (south lot line)
 - 4' side yard setback variance (north lot line)
 - 7.9' cumulative side yard setback variance
 - 8% rear yard coverage variance

Mr. Dan White, Daniel's Landscape & Design, Inc., Mayfield Village, Ohio, was present. Mr. White displayed plans to build an in-ground pool and pool deck behind the house in the rear of the pie shaped lot. Mr. White said if he maintained the minimum side yard setback requirements, it would eliminate the majority of the back yard.

Mr. White presented a fencing brochure. He stated there is a 15 foot sewer easement straddling the property; therefore, a five foot high fence will be set back 7.5 feet off of the property line.

Motion by Councilman Pelunis, seconded by Mayor Kraus to approve an accessory structure location variance.

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

Motion Carried

Motion by Mr. Mazur, seconded by Mr. Newberry to approve a 3.9' side yard setback variance on the south lot line.

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

Motion Carried

Motion by Mr. Newberry, seconded by Mr. Mazur to approve a 4' side yard setback variance on the north lot line.

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

Motion Carried

Motion by Councilman Pelunis, seconded by Mr. Mazur to approve a 7.9' cumulative side 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 an 8% rear yard coverage variance.

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

Motion Carried

5. 33200 Aurora Road – SSMJ Solon LLC

053-2018 7

- Maximum average foot candle level lighting variance
- Maximum foot candle level at residential property line variance

Mr. Daryl Mapson, Tribe Architects, 1300 East 187th Street and Mr. Mohammad Rahman, 7208 Selworthy Lane, were present. Mr. Mapson presented pictures, explained the lighting alteration to the existing gas station and noted there are lights at the entrance aprons.

Mr. Mapson said an existing light pole at the western lot line will be removed which will create zero foot candles at the lot line adjacent to the apartment building. He added the south side residential property line is presently at zero foot candles. Mr. Mapson explained the foot candle level is exceeded due to the canopy over the gas pumps.

Mr. Bentley stated the lighting under the canopy is essential for safety.

Mr. Newberry appreciated the applicant's willingness to remove the lighting from the western property line; however, in order to maintain lighting at that end of the property, a light shield could be used to prevent spillage onto the neighboring property. Mr. Mapson believes there is sufficient lighting from the canopies to maintain safety.

Motion by Mr. Newberry, seconded by Mr. Mazur to approve a maximum average foot candle level lighting variance contingent upon approval of a lot consolidation prior to the issuance of an occupancy permit.

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

Motion Carried

Mr. Mazur asked the applicant to confirm they agree to withdraw the variance for maximum foot candle level at residential property line. Mr. Mapson agreed.

Motion by Mr. Mazur, seconded by Mr. Newberry to accept the applicant's withdrawal of the removal of a maximum foot candle level variance at the western portion of the property line.

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

Motion Carried

6. 5264 Denise Court – Eric J. Greenberg 054-2018 5
 ▪ 5' accessory pavement setback variance

Mr. Greenberg was present and displayed a site plan for a driveway addition. He stated there would be a 20 foot setback with an overall length of 26 feet. Mr. Greenberg said he attempted to park his vehicle with a 20 foot setback and was unsuccessful.

Mr. Newberry said there are several accessory aprons on this street but this is the only address to request a setback variance. He believes the variance is due to the walk way along the side of the garage and suggested the walk way could be removed which would eliminate the need for a variance. Mr. Greenberg stated the sidewalk leads from the garage man door and he preferred to keep the sidewalk. He believes his variance request does not differ from the neighbors existing driveway additions that were installed prior to any accessory pavement setback variance requirement.

Motion by Mr. Mazur, seconded by Mayor Kraus to approve a five foot accessory pavement setback variance.

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

Motion Carried

7. 33675 Solon Road – Burntwood Tavern 055-2018 6
 ▪ Site plan – building alteration

The applicant was not present.

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

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

Motion Carried

Councilman Pelunis directed the Clerk to notify the applicant to appear at the next Planning Commission meeting.

COUNCIL REFERRAL:

8. Request from BNH Enterprise Corporation to rezone PP# 955-18-043
 for a Planned Unit Development (winery proposal – former 034-2018 3
 Luczek property)

Mr. Bentley suggested this item be referred back to the Council.

Mr. Stolarsky agreed and suggested the Commission return this matter to Council with no recommendation.

Motion by Mr. Newberry, seconded by Mayor Kraus to refer Item 8 to Council without a recommendation by the Planning Commission.

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

Motion Carried

Mayor Kraus left the meeting at 8:00 P.M.

MINOR ALTERATIONS FROM PLANNING DEPARTMENT

1. Arby's – 6375 SOM Center Road

Mr. Frankland displayed samples of "middle ground" colored bricks versus the darker brown and lighter white colored brick that were originally approved. He believes it will create a better result and stated it has been reviewed by the City's architect.

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

2. Kyntronics – 6565 Davis Industrial Parkway

Mr. Frankland displayed an aerial photo and sketches. He said glass doors and storefront glass will be added to the front of the building where the offices are located and at the back of the building a wall will be removed and replaced with a loading dock. Mr. Frankland noted there are no variances required.

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

3. Channel Products, Inc. – 30700 Solon Industrial Parkway

Mr. Frankland displayed an aerial photo of the area. He said the north side parking spaces will be moved to the south side and no variances are required.

Mr. Mazur noted Channel Products, Inc. will be bringing 65 jobs to the City.

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

4. Mount Olive Cemetery – 27855 Aurora Road

Mr. Frankland displayed an aerial photo of the site. He said the north side building overhead doors will be removed and replaced with an entryway. Mr. Frankland presented the plans and indicated where vinyl siding will be used as fill in at this remodeled area.

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

5. Locus Solutions – 30600 Aurora Road

Mr. Frankland displayed an aerial photo of the site. He said an 8' by 8' chiller would be installed with the understanding bollards or other screening could be required by the Fire Department during the permit review.

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 cancel the August 28, 2018 Planning Commission meeting.

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

Motion Carried

Mr. Newberry stated the school year begins next week and encouraged motorists to use extra caution.

Inspector Wolf reminded everyone Fire Prevention Week will kick off with an annual open house on October 14th from 1:00 P.M. to 4:00 P.M.

Mr. Stolarsky extended birthday wishes to Human Resources Director Stolarsky.

Mr. Bentley encouraged motorists to be patient and keep everyone safe during the school year.

Mr. Bentley commended the attractive brick being installed under the railroad bridge on SOM Center Road.

Motion by Mr. Bentley, seconded by Mr. Mazur to schedule a Public Hearing on September 11, 2018 for a lot split of PP# 955-16-003 located at 36350 Bainbridge Road.

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

Motion Carried

Motion by Mr. Mazur, seconded by Mr. Newberry to adjourn the meeting at 8:08 P.M.

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

Motion Carried

Chairman

Secretary