

SOLON PLANNING & ZONING COMMISSION
SEPTEMBER 11, 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: Fire Inspector Wolf, Assistant City Engineer Welch, Councilman Kotora, 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. Brad Martin, 6575 Hyllwynd Circle, was present and requested the Council's referral regarding consideration of the adoption of wetlands and riparian setbacks draft ordinances by Chagrin Valley Watershed Partnership (Item "B" on the Planning Commission's Inactive Agenda) be expedited.

The Commission discussed various issues and options and it was determined that Mayor Kraus will request Vice Mayor Meany add this Item to the Council's agenda for discussion. The Item will also remain on the Planning Commission's Inactive Agenda for further review and an eventual recommendation.

The caucus ended at 7:25 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. Brad Martin, 6575 Hyllwynd Circle, recounted the Supreme Court of Ohio's recent ruling against the City of Solon regarding the Kerem Lake parcel.

Mr. Martin said according to Mr. Mark Smoley of Braun-Prenosil Associates, Inc. in the original design document for the Lake Luczek dam produced on March 8, 1991, the intent for its construction was to create an integral part of the Chagrin River Watershed with a high quality ecological system, a complete biodiversity. He said any development on the property would damage the biodiversity of the Chagrin River Watershed and, in turn, the Great Lakes Watershed.

Mr. Martin said in a report supported by the Ohio EPA, written by the Chagrin River Watershed Partners, Lake Luczek is designated as a high quality ecosystem and natural resource that would benefit from resource protection. He said before any permits would be issued, the Army Corp of Engineers would create a delineation map to evaluate the quality level of the wetlands and forest areas. Mr. Martin said at least 75% of the property is covered by wetlands and forests and the dam is currently designated "Class 2" with significant restrictions with ODNR as well as the ACE.

Mr. Martin read portions of Ordinance No. 2012-47, Item 2 of the Open Space Acquisition Policy. He said there are currently two recognized ecologically significant green space areas within the city limits which include the approximately 129 acre Blue Heron Preserve and the approximately 72 acre North Branch Preserve. Mr. Martin believes the documentation provided by the Army Corp of Engineers, Ohio EPA and the Chagrin River Watershed Partners may meet the open space criteria for the Lake Luczek parcel specified in this Ordinance.

Mr. Martin requested the riparian ordinances he introduced from Chagrin River Watershed Partners be placed on a fast track for consideration by Council because of their importance to the entire city and also to establish and maintain the elected official's true commitment to the residents. He believes by applying these ordinances the City could avoid future situations that disrupt the residents through litigation and misguided proposals.

There were no additional comments from the audience.

PENDING:

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|----|-------------------------------------|----------|---|
| 1. | 33675 Solon Road – Burntwood Tavern | 055-2018 | 6 |
| | ▪ Review of exterior alterations | | |

Mr. Christian Kalinyak was present representing Burntwood Tavern. Mr. Kalinyak said the exterior brick façade was falling off the building. He presented pictures of the missing brick façade.

Mr. Kalinyak proposed removing the brick façade from the four sides of the building and replacing it with a real wood grey wash shiplap siding.

Motion by Mr. Mazur, seconded by Mayor Kraus to approve the exterior alterations.

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

Nay: None

Motion Carried

NEW:

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|----|---|----------|---|
| 2. | 36350 Bainbridge Road – Jean M. Miadich | 056-2018 | 3 |
| | ▪ Lot split - PP# 955-16-003 | | |

Ms. Miadich was present.

A public hearing was scheduled.

Mr. Bentley opened the Public Hearing and requested comments.

There were no comments from the audience.

Ms. Miadich presented the plans to split her property for the purpose of selling the lot. She said the parcel has been surveyed, a sanitary hook-up was installed in 1996 and the relevant information was forwarded to the Planning Department.

Mr. Frankland exhibited an aerial of the property and explained it is zoned R-1-D, single family residential. He said Ms. Miadich's house would maintain 2.33 acres and the new potentially buildable lot would be 1.97 acres.

Mr. Bentley closed the Public Hearing.

Motion by Mr. Mazur, seconded by Mr. Newberry to approve a lot split of PP# 955-16-003.

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

3. 32630 Stony Brook Lane – Joshua and Brittany Neidus 057-2018 6
▪ 10' front yard setback variance

Mrs. Brittany Neidus, 32630 Stony Brook Lane, was present. She presented plans to construct a mudroom by moving the garage forward 10'. Mrs. Neidus said the architect has alerted them of the necessity to move a drain.

Mrs. Neidus explained this location was chosen because the back yard has a steep drop off.

Motion by Mr. Mazur, seconded by Councilman Pelunis to approve a 10' front yard setback variance.

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

4. 33090 Arlesford Drive – William and Giselle El Biri 058-2018 7
▪ 4' driveway width variance

Mr. William El Biri, 33090 Arlesford Drive, was present. Mr. El Biri presented pictures of the existing driveway with its sinking stone edging along with pictures of neighboring driveways that measure 20 feet in width. He explained a 20 foot wide driveway would be more efficient due to the number of vehicles at his residence.

Motion by Mr. Newberry, seconded by Mayor Kraus to approve a 4' driveway width variance.

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

5. 36965 Pettibone Road – Tom Ketchum 059-2018 3
▪ 59' sq ft accessory structure area variance

- 1' side yard setback variance

Mr. Bentley noted a letter in support of these variances was received.

Ms. Diane Bya, New Creation Builders, 818 E. 73rd St., Cleveland, was present representing the applicant. Ms. Bya is proposing to demolish the existing garage in order to accommodate the lot size and the homeowner's current needs. She said a new full monolithic pour at the proper foundation depth and number five rebar would be poured in the same placement except that it will extend towards the rear of the lot.

Ms. Bya said this project will not be visible from the street.

Motion by Mr. Mazur, seconded by Mr. Newberry to approve a 59' sq ft 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 1' side yard setback variance.

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

Motion Carried

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| 6. | 34850 Bridle Trail Lane – Adam and Lisa Waldbaum | 060-2018 | 4 |
| | ▪ 660 sq ft accessory pavement variance | | |

Mr. Bob Oster, Greensource LLC, was present representing the applicant. Mr. Oster said the applicant's current driveway does not coincide with their needs. He said to accommodate a family member the walkway leading to the front door would be eliminated and replaced with a concrete turnaround.

Mr. Bentley inquired about the circular area containing a tree.

Mr. Oster said that area would be preserved.

Mr. Newberry asked if the portion of driveway beyond the garage was concrete.

Mr. Oster replied it was concrete but its future purpose was uncertain.

Mr. Newberry noted, as per an Engineering Department memo, an engineer stamped drawing would be required if the retaining wall exceeds 48".

Mr. Oster said the retaining wall will be less than 48".

Motion by Mr. Newberry, seconded by Mayor Kraus to approve a 660 sq ft accessory pavement variance.

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

Motion Carried

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| 7. | 6792 Glenallen Avenue – Scott Sell | 061-2018 | 7 |
| | ▪ 7'-4" driveway width variance | | |

Mr. Scott Sell, 6792 Glenallen Avenue, was present. Mr. Sell presented a plan to widen the driveway equal to the existing two car garage.

Motion by Mr. Newberry, seconded by Mayor Kraus to approve a 7'-4" driveway width variance.

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

Motion Carried

8. 6414 Woodbury Drive – Paul Schramm 062-2018 6
- 28'6" side yard setback variance

Mr. Paul Schramm, 6414 Woodbury Drive, was present. Mr. Schramm presented pictures and project drawings to divert storm water away from his house. He said a catch basin and swale had been installed nearby to move storm water along. Mr. Schramm said he has taken additional measures to divert water away from his property, such as installing French drains and landscaping to the back yard.

Mr. Schramm said he was unaware a permit was necessary for the current project prior to starting the work.

Mr. Schramm said two neighbors were in attendance in support of this project.

Mayor Kraus noted the Woodbury Drive detention basin was built as a result of the June 2006 flooding issue.

Motion by Mr. Mazur, seconded by Councilman Pelunis to approve a 28'-6" side yard setback variance.

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

Motion Carried

9. 6230 Cochran Road – Prime Solon Investment LLC 063-2018 5
- 5' front yard setback variance (canopy)
 - 9' drive aisle width variance
 - Elimination of cross access drive variance
 - 5 sq ft total wall sign area variance ("Prime" sign)
 - 47 sq ft total wall sign area variance ("Storage" sign)
 - Site plan

Mr. Tom Flynn, Prime Solon Investment LLC Partner, was present. He said the main business is Prime Woodcraft Inc. where they manufacture, repair and move over 30 million pallets a year in the Midwest. Mr. Flynn said they are in the process of moving the corporate headquarters from Brunswick to Solon and are interested in renovating the dated building.

Mr. Flynn presented drawings indicating new panels and windows to allow more daylight into the interior and the installation of wood veneer siding to the outside of the building.

Mr. Flynn expressed his pleasure with the community for the welcome his company has received.

Mayor Kraus thanked Mr. Flynn for following through with the commitment to bring his business to Solon.

Mr. Bentley questioned the cross access drive variance.

Mr. Flynn said when they acquired the property they agreed with Swagelok to execute a termination of the driveway easement.

Mr. Stolarsky suggested the Commission accept the withdrawal of the elimination of cross access drive variance request and place a contingency on the site plan for documentation of that abandonment.

At Mr. Mazur's request, Mr. Flynn displayed pictures of a canopy over the eastern front façade and two canopies on the western façade.

Councilman Pelunis inquired if the storage was solely for Prime Solon Investment LLC.

Mr. Flynn replied currently it is solely for the business but they are considering a separate business of renting public storage.

Mr. Newberry inquired about the sign variances.

Mr. Frankland suggested if the proposed design is acceptable, the Commission could act and any modifications could be presented as a minor alteration.

Mayor Kraus agreed it would be advantageous to move forward.

Mr. Newberry expressed concern with the "Storage" entrance sign.

Mr. Flynn said the "Storage" sign was the architect's indication of the separation in the buildings function; it is not representative of the final product.

Mr. Newberry suggested a withdrawal of the "Storage" sign variance request and Mr. Flynn agreed.

Motion by Mr. Newberry, seconded by Mr. Mazur to approve a 5' front yard setback variance (canopy).

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

Nay: None

Motion Carried

Motion by Mayor Kraus, seconded by Mr. Mazur to approve a 9' drive aisle width variance.

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

Nay: None

Motion Carried

Motion by Mr. Mazur, seconded by Mr. Newberry to accept the withdrawal of an elimination of cross access drive variance.

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

Motion Carried

Motion by Mr. Newberry, seconded by Mr. Mazur to approve a 5 sq ft total wall sign area variance ("Prime" sign).

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

Motion Carried

Motion by Councilman Pelunis, seconded by Mr. Mazur to accept the withdrawal of a 47 sq ft total wall sign area variance ("Storage" sign).

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

Motion Carried

Motion by Mr. Newberry, seconded by Mr. Mazur to recommend approval of a site plan contingent on the submittal of documentation eliminating the cross access drive abandonment.

Mr. Stolarsky asked Mr. Flynn if he was aware of a possible tap-in fee and Mr. Flynn said he was.

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

Motion Carried

10. Brookside Estates - M.W. Miozzi Homes, Inc.
▪ Final plat for dedication

064-2018 5

Mr. Mike Miozzi, Developer Brookside Estates, was present. Mr. Miozzi said he is requesting approval of a final dedication plat. He noted the recommendations for the filed record plat have been completed and approved by the Engineering Department.

Motion by Mr. Newberry, seconded by Mr. Mazur to approve a final dedication plat for Brookside Estates.

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

Motion Carried

11. 5416 and 5429 Stone Creek Drive – PP# 951-37-037 &
951-37-008 - Stone Creek Estates, LLC
▪ 14' front yard setback variance
▪ Lot split/consolidation

065-2018 5

Mr. Bentley said a Public Hearing is necessary for this item.

Motion by Mr. Mazur, seconded by Mr. Newberry to schedule a Public Hearing on September 25, 2018 for a lot split/consolidation of PP# 951-37-037 and 951-37-008.

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

Motion Carried

MINOR ALTERATIONS FROM PLANNING DEPARTMENT

- 1. 5865 Harper Road – Die Supply Co.

Mr. Frankland presented an aerial of the property. He said an area at the back of the building will be repurposed into a utility room by removing two overhead doors, installing two windows and relocating a set of stairs.

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

Fire Inspector Wolf extended a thank you to all First Responders on September 11th, Patriots Day.

Fire Inspector Wolf reminded everyone to attend the Fire and Rescue Open House on October 14th from 1:00 P.M. to 4:00 P.M. at Fire Station 1 located at 5595 Harper Road.

Mr. Bentley conveyed his appreciation to Mayor Kraus for his ability to influence businesses to remain in and locate to Solon.

Mayor Kraus wished a Happy New Year to everyone celebrating Rosh Hashanah. He expressed his gratefulness for the condolences and support in the passing of his mother.

Motion by Mr. Mazur, seconded by Mr. Newberry to adjourn the meeting at 8:32 P.M.

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

Nay: None

Motion Carried

Chairman

Secretary