

SOLON PLANNING & ZONING COMMISSION
SEPTEMBER 10, 2019 – 7:00 P.M.

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

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

Absent: Mayor Kraus

Also Present: Inspector Eisenhuth, Assistant City Engineer Lyndon, 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.

Mr. Bentley advised one Commission member was absent therefore; any applicant who preferred to have their item tabled could make that request prior to a vote.

NEW:

2. 33315 Aurora Road – Solon Square, LLC – 13.3 sq ft sign area variance: Mr. Newberry asked how the height of the sign compared to the neighboring Advance Auto Parts sign. Mr. Frankland was uncertain but noted by the picture in the packet, he believes the sign will fit well in the space. Mr. Joe Palecek, Advanced Installation and Sign Service Commissions, said the Advance Auto Parts sign is approximately 40' wide and 6' tall.

Ms. Victoria Kilpatrick, owner of CoreElite, provided a brief overview of cryotherapy.

3. 5021 Stansbury Drive – Lorna and Howard Titlebaum – 1' pavement side yard setback variance: Mr. Mazur informed the applicants of the Engineering Department's recommendation to stake the property lines. Mr. Titlebaum said they were unaware of that request. Mr. Newberry said the September 6th Engineering Department memo recommended a survey.

Mr. Titlebaum asked if the survey is recommended or required. Mr. Bentley said the Engineering Department memo recommended a survey. Mr. Frankland said the Planning Department did not require a survey, although it is always a good idea. Mr. Lyndon said the recommendation was made because the applicant believed the electrical box to be the property line. Mr. Bentley asked the applicant if they know where the property pins were located. Mr. Titlebaum said possibly.

4. 7238 Selworthy Lane – Royce E. Groff – various accessory structure variances: Councilman Pelunis said he would relay the neighbor’s comments at the meeting. Mr. Bentley said the Engineering Department recommended a survey for this site also.

Mr. Mazur said the drainage to the north should be addressed. Mr. Groff said there is a pass through where heavy rain situations will drain and the shed will be located north of the pass through.

6. 33290 Bainbridge Road – PVAVC, LLC – site plan: Mr. Mazur asked if a landscape plan and signage package had been submitted. Mr. Frankland said the required landscape plan had been submitted and no signage variances were identified.

7. 6801 Cochran Road – ORG Holdings – 3’ parking setback from building variance, site plan: Mr. Bentley said the applicant has requested this item be placed on hold for an undisclosed amount of time. The Commission agreed to place the item on the Inactive Agenda rather than remove it from the agenda.

The caucus ended at 7:22 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.

Mr. Stolarsky explained the Planning Commission is composed of five members, requiring three affirmative votes to pass an item. He said although only four Commission members are present this evening, three affirmative votes are still required for passage. Mr. Stolarsky noted an applicant may request to table their matter at any time prior to a vote.

MINUTES:

Motion by Mr. Mazur, seconded by Mr. Newberry to approve the minutes of the July 23, 2019 meeting as presented.

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

Motion Carried

NEW:

1. 30201 Aurora Road – American Tower (Verizon) 081-2019 6
 - Site plan - cell tower modification

Motion by Mr. Mazur, seconded by Mr. Newberry to schedule a Public Hearing for the September 24, 2019 meeting.

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

Motion Carried

Mr. Bentley explained it is not unusual to replace telecommunication tower antennas annually to provide better reception; however, a public hearing is required.

2. 33315 Aurora Road – Solon Square, LLC 082-2019 6
▪ 13.3 sq ft sign area variance

Mr. Joe Palecek, Advanced Installation & Sign Service, was present representing the applicant and CoreElite. Mr. Palecek displayed pictures of the site. He said the stores' frontage was approximately 300 feet from the roadway and even though the sign exceeds the allowed square footage, it still might not be large enough.

Motion by Mr. Newberry, seconded by Mr. Mazur to approve the 13.3 sq ft sign area variance.

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

Motion Carried

3. 5021 Stansbury Drive – Lorna and Howard Titlebaum 083-2019 5
▪ 1' pavement side yard setback variance

Mr. and Mrs. Titlebaum were present. Mr. Titlebaum displayed plans to widen the north side of the driveway by 1'. He said when vehicles park in the driveway, it is difficult to maneuver around them without driving in the grass area and the wider driveway will also make snowplowing easier.

Mr. Mazur asked if the driveway could be widened on the south side instead and Mr. Titlebaum said they did not want to remove a landscaped island with a tree on the south side.

Mrs. Titlebaum advised the neighbor directly to the north initialed a letter supporting this request. Mr. Newberry requested a copy of the letter for the record.

Mr. Mazur said he will not require the survey recommended by the Engineering Department because the neighbor is in agreement. Councilman Pelunis agreed.

Motion by Mr. Newberry, seconded by Mr. Mazur to approve the 1' pavement side yard setback variance.

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

Motion Carried

4. 7238 Selworthy Lane – Royce E. Groff 084-2019 2
▪ Accessory structure location variance
▪ 4' accessory structure side yard setback variance
▪ 5' accessory structure cumulative side yard setback variance

Mr. Royce Groff was present and displayed an aerial of the property and plans for a shed. Mr. Groff indicated the shed needs to be installed in the side yard because of an addition on the back of the house and the rear yard is heavily sloped and contains a retaining wall. He said approximately ten months out of the year the rear yard is wet and issues would arise if the shed were placed in that area.

Mr. Groff explained his proposal to place the shed at the corner of his property, inside the fence line within 1' of the property line. He said a total of 20' between buildings on both sides is required and indicated the south side has a 14' clearance.

Councilman Pelunis said the next door neighbor expressed concern that her landscaper would not have access to the back of her property if the shed were placed on the property line because of Mr. Groff's fence. He said her other concern is the shed would obstruct her view from her window.

Mr. Groff said the neighbors landscapers have never traversed onto his property nor passed through the fenced area to access the neighbor's backyard. He said the shed will be inside his fenced area and noted the neighbor's window allows a view of his backyard but not so much of his patio.

Mr. Mazur questioned the proposed color of the shed and Mr. Groff said the color is uncertain but it could be painted a dark green to disguise it from the road. Mr. Mazur recommended a subdued color.

At Mr. Mazur's request regarding landscaping, Mr. Groff said a tree in the front yard is offset from the house creating a visual breakdown and a similar tree is located in the neighboring yard.

Councilman Pelunis said he spoke earlier with Mr. Groff about alleviating some of the neighbor's concerns by moving the shed a few feet to the west and a foot to the south.

Mr. Groff said a foot to the south could be acceptable; however, a few feet to the west could interfere with the steep grade.

Councilman Pelunis asked the height of the fence and Mr. Groff said the fence is 4' high and the shed is 8'.

To avoid delay, Councilman Pelunis suggested the Commission vote this evening and he would discuss the variance with the neighbor. If it was necessary to amend the variance, he would contact Mr. Groff and it could be addressed at the Council meeting.

Mr. Mazur asked if moving the shed 1' to the south would have an impact. Mr. Groff said the neighbor's yard is at a higher elevation at the fence line and her windows are another five feet above the fence. By moving the shed 1' to the south, it would not have a substantial effect on the view.

Mr. Groff was acceptable to installing the shed as far west as possible.

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

Councilman Pelunis noted he would vote in favor this evening, speak with the concerned neighbor and, if any adjustments were necessary, he would contact Mr. Groff and recommend any changes at the Council meeting.

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

Motion Carried

Motion by Mr. Mazur, seconded by Mr. Newberry to approve the 4' accessory structure side yard setback variance contingent upon use of a subdued shed color.

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

Motion Carried

Motion by Councilman Pelunis, seconded by Mr. Mazur to approve the 5' accessory structure cumulative side yard setback variance contingent upon installation of the shed as far west as possible.

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

Motion Carried

5. 30620 Miles Road – Unree and Beverly Johnson
- 20' side yard setback variance
 - Secondary driveway divergence variance
 - 10' secondary driveway width variance

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Mr. and Mrs. Johnson were present with their contractor, Ms. Diane Bija, New Creation Builders. Ms. Bija displayed an aerial of the property and plans for an accessory structure that will be used to store two antique cars. She said the location of the structure is necessary to preserve three large trees on the property and the structure cannot be located closer to Miles Road.

Ms. Bija said the building will be a standard 24'x24' style garage with a front gable, siding and shingles matching the house, raised panel garage and man doors and white trim.

Ms. Bija asked about the apron and Mr. Lyndon said the driveway permit includes the apron along with pre-pour and pour inspections.

Motion by Mr. Mazur, seconded by Mr. Newberry to approve the 20' side yard setback variance.

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

Motion Carried

Motion by Mr. Newberry, seconded by Mr. Mazur to approve the secondary driveway divergence variance.

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

Motion Carried

Mr. Frankland said the driveway width was indicated to be 16' and Ms. Bija confirmed that was correct. Mr. Frankland said that would create a 6' secondary driveway width variance instead of 10'.

Motion by Councilman Pelunis, seconded by Mr. Mazur to approve the 6' secondary driveway width variance.

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

Motion Carried

6. 33290 Bainbridge Road – PVAVC, LLC 086-2019 6
 ▪ Site plan

Mr. Bill Miller, W.J. Miller Builders, Inc., and Mr. Joe Presot, Craig M. Dixon & Associates Architects, Inc. were present representing the applicant.

Mr. Presot displayed plans to remodel the existing building and add an addition to it. He indicated the existing building's west elevation will have new finishes, the entrance will be located at the south elevation, the east elevation will be new building and the north elevation will face the street.

Mr. Presot said the building's architecture is consistent with the City's requests.

Mr. Miller said the entire building will be used but in the event it would operate as separate entities, dual entrance and secondary entrances have been included. He said an inside area is blocked out to incorporate a possible pass through.

Mr. Mazur said building materials will need to be submitted and Mr. Miller said the City Architect has supplied them the acceptable color range and window trim samples.

Motion by Mr. Mazur, seconded by Mr. Newberry to recommend approval of the site plan.

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

Motion Carried

7. 6801 Cochran Road – ORG Holdings 087-2019 7
 ▪ 3' parking setback from building variance
 ▪ Site plan

Mr. Bentley said the applicant has requested this item be placed on hold for an undisclosed amount of time and the Commission agreed in Caucus to place this item on the Inactive Agenda.

Motion by Mr. Mazur, seconded by Mr. Newberry to place Item 7. on the Inactive Agenda at the applicant's request.

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

Motion Carried

COUNCIL REFERRAL:

8. Proposed amendment to the Zoning Code to create a new R-3-C Multi-Family Special Needs Zoning Classification

Mr. Frankland explained the Special Needs Zoning Classification is designed to be a stand-alone zoning or it can be specifically applied to the property Mr. Bagdasarian will be discussing, which is located west of Portz Parkway and Aurora Road.

Mr. Frankland said Special Needs Zoning will allow for developments specifically designed to address the needs of people with special needs and noted one of the

primary aspects of this property would be the care provider would be living on site. He explained the special needs and the qualifications necessary to reside within the development are defined in the proposed R-3-C Zoning District. Mr. Frankland said the general format and layout is similar to the Senior Housing Zoning with similar amenities. Mr. Frankland said the scale of the buildings is reduced so the setbacks are a little relaxed.

Mr. Frankland said it is a worthy concept that would advance the Master Plan concept and expand the availability of housing within the City. He said the entire 5+ acre area is being presented because the exact layout of a proposed connector road between Carrington Court and Portz Parkway is unknown. He said the availability of the property would be determined by City Council.

Mr. and Mrs. Bagdasarian provided a power point presentation to help establish the need for quality, accessible, sustainable housing for individuals with disabilities in Solon. Mr. Bagdasarian said after living in Solon for 21 years, the community support is solidly in place to advance the Special Needs zoning to a public hearing and the March 2020 ballot.

Mr. Bagdasarian said the property west of Portz Parkway on Aurora Road is suited to execute the zoning for the project because of its proximity to the recreation center, parks, library and shopping. He said the Master Plan is designed to promote housing opportunities to meet the unique preferences in the needs of all ages so that it enables residents to reside in Solon throughout the various stages of their life. Mr. Bagdasarian cited the zoning that supports seniors but said there is no zoning that quite matches people with disabilities under age 50 to age in place. He noted the housing option will be different from a traditional group home.

Mr. Bagdasarian expressed gratitude to everyone who has worked to develop this new proposed R-3-C Zoning.

Mr. Bagdasarian displayed an aerial of the 4+ acres where the proposed project would be placed and indicated the location of the house the non-profit Solon Community Living purchased for the caregiver or office/home along with the best estimate of how the connector road and parcel might appear.

Mr. Gary Biales, 32870 Wintergreen Drive, said he has viewed the site. He indicated on the aerial where an Aurora Road right turn lane into Portz Parkway was planned and noted the project is set back from Portz Parkway due to a storm sewer. Mr. Biales said the picture presented this evening is not a site plan but a projection of a project that would meet the city's restrictions.

Mrs. Bagdasarian reiterated the images shown are not a site plan and described them as a pocket neighborhood of ten to twelve attached one story, high quality, two-bedroom ranch duplex units for the residents to age in place. She said the center building would be a common room for small gatherings and noted a large recreation room was unnecessary because of the community center's close proximity. Mrs. Bagdasarian said the entrance would be located off Portz Parkway with access minimized to an Aurora Road landscaped border. She said in addition to the resident's

personal care staff, trained staff would be on site at all time. Mrs. Bagdasarian displayed pictures of what the unit's interior might resemble.

Mrs. Bagdasarian said discussions regarding property management and service coordination have been held with Welcome House, a 47 year old care agency.

Mrs. Bagdasarian said the biggest benefit of the project is peace of mind for the families.

Mr. Bagdasarian said funding is well under way and is confident the project can move forward. He summarized by thanking everyone for their time and encouraged the passage of R-3-C Zoning.

Mr. Bentley is excited about the project and said a public hearing will invite community input.

Councilman Pelunis requested tonight's power point presentation be posted to the City's website prior to the public hearing.

Mr. Newberry said the emphasis should remain on the rezoning at this point and noted the public hearing will remain open for two meetings.

Motion by Mr. Newberry, seconded by Mr. Mazur to schedule a Public Hearing for the September 24, 2019 meeting.

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

Motion Carried

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 at the September 24, 2019 Planning Commission meeting for 30400 Solon Road for telecommunication tower modifications.

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

Motion Carried

Motion by Mr. Newberry, seconded by Mr. Mazur to schedule a Public Hearing at the September 24, 2019 Planning Commission meeting for 32900 Station Street for telecommunication tower modifications.

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

Motion Carried

Motion by Mr. Newberry, seconded by Mr. Mazur to schedule a Public Hearing at the September 24, 2019 Planning Commission meeting for the proposed amendment to the Zoning Code to expand restaurant uses in the "C-2" and "C-6" Zoning Districts.

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

Motion Carried

Mr. Newberry and Mr. Bentley noted school is back in session and encouraged everyone to drive carefully, especially through construction zones.

Motion by Mr. Mazur, seconded by Councilman Pelunis to adjourn the meeting at 8:35 P.M.

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

Motion Carried

Chairman

Secretary