

SOLON PLANNING & ZONING COMMISSION
OCTOBER 15, 2019 – 7:15 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 Stolarsky, Planning Director Frankland, Assistant Clerk of Council Buller

Absent: None

Also Present: Inspector Eisenhuth, Assistant City Engineer Lyndon

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. Bentley presided.

NEW:

3. 33124 Linden Drive – PP#'s 954-05-222 and 954-05-223 – Elizabeth Rentschler – lot consolidation: Because the lot consolidation is a Code requirement, Mr. Frankland said he could present it at the public hearing if materials were provided.

4. 33290 Bainbridge Road – Astrid Moise – sign front yard setback variance: Mr. Lyndon said a possible future right-of-way obstruction could exist because the sign is proposed at 1.5' from the right-of-way. He recommended a contingency on the placement of the sign.

Mr. Newberry asked if the sign would be replaced within the existing frame or if the entire frame would be replaced. Mr. Dean Karabogias, Fastsigns of Twinsburg, said the same footprint from the previous tenant would be used. He noted the size and height of the sign would be within regulation but it would be moved 3' into the original footprint. If the City requires, Mr. Karabogias offered to place the sign back by 1'.

Mr. Stolarsky said if the sign is built within the right-of-way, it is at the owners liability. He said the variance exists from the right-of-way. Mr. Karabogias said if the sign is installed at the wrong location, they will move it.

Mr. Lyndon suggested a contingency that if, in the future, the sign is determined to be in the right-of-way, the sign will be moved and relocated at the owner's expense.

Mr. Mazur inquired about the Inactive Agenda items. The Commission decided to revisit the Inactive Agenda items in December or early next year.

The caucus ended at 7:28 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 Mr. Mazur to approve the minutes of the September 24, 2019 meeting as presented.

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

Motion Carried

NEW:

- | | | | |
|----|--|----------|---|
| 1. | 38750 Lochmoor Drive – Onuwabhagbe Abbey Omoichodion | 093-2019 | 3 |
| | ▪ 20' side yard setback variance | | |

Mr. Kevin Ciptak, Perfection Landscapes, was present representing the applicant. Mr. Ciptak said they are proposing to build a paver patio in the rear of the property with a walkway leading from the patio to the driveway.

Mr. Mazur asked if landscaping would be planted along Chagrin Highlands Drive. Mr. Ciptak said evergreens currently exist there and a row of arborvitae would be planted.

Mr. Bentley noted two neighbors, Mr. Joseph Napoli and Mr. Craig Novak, submitted letters of support.

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

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

Motion Carried

- | | | | |
|----|---|----------|---|
| 2. | 33124 Linden Drive – Elizabeth Rentschler | 094-2019 | 7 |
| | ▪ 5' accessory structure rear yard setback variance | | |
| | ▪ 10' distance between structures variance | | |

Ms. Elizabeth Rentschler, 33124 Linden Drive, was present. Ms. Rentschler displayed a picture of the 10x10 shed that was removed and a picture of the new 12x10 shed.

Ms. Rentschler explained the property is a corner lot and the shed would be placed in the general area of neighboring sheds.

Motion by Mr. Newberry, seconded by Mayor Kraus to approve the 5' accessory structure rear yard setback variance.

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

Motion Carried

Motion by Councilman Pelunis, seconded by Mr. Mazur to approve the 10' distance between structures variance.

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

Motion Carried

3. 33124 Linden Drive – PP#'s 954-05-222 & 954-05-223 - 095-2019 7
Elizabeth Rentschler
▪ Lot consolidation

Motion by Mr. Mazur, seconded by Mayor Kraus to schedule a Public Hearing on October 29, 2019 for the lot consolidation of PP#'s 954-05-222 and 954-05-223.

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

Motion Carried

4. 33290 Bainbridge Road – Astrid Moise 096-2019 6
▪ 8.5' sign front yard setback variance

Mr. Dean Karabogias, Fastsigns of Twinsburg, was present representing the applicant and displayed a picture of the proposed sign. Mr. Karabogias said the sign would be placed on the original footprint occupied by the previous tenant. He said if the sign were placed according to regulations, it would be located on the parking lot and would not be easily visible from the roadway.

Mr. Bentley said the discussion in Caucus and the Commission's compromise addressed the ramifications if the sign was installed in the right-of-way. Mr. Newberry explained the variance would be granted contingent upon the applicant's agreement that if it was discovered any part of the sign projects into the right-of-way, after proper notice from the City, the landowner would move the sign at their expense.

Motion by Mr. Newberry, seconded by Mr. Mazur to approve the 8.5' sign front yard setback variance contingent upon the applicant moving the sign at their expense if any part of the sign projects into the right-of-way.

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

Motion Carried

5. 33695 and 33655 Bainbridge Road 097-2019 6
KMC Real Estate Holdings LLC
▪ 3 space number of parking spaces variance
▪ Revised site plan

Mr. Bill Savel, Brooklyn Cabinets, Inc., 2950 Westway Drive, Brunswick, was present representing the applicant. Mr. Savel said due to the amount of wetlands on the property, designating the proper amount of parking spaces according to the Code is difficult.

Mr. Savel displayed the plans for the property and indicated where a retaining wall will be built to support the parking lot along the wetlands area.

Mr. Bentley noted the wetlands are located to the north and west on the property.

Mr. Stolarsky requested the revised site plan incorporate the Engineering Department's reissued memo of October 9, 2019. Mr. Savel said he is aware of the memo.

Mr. Newberry asked what materials would be used for the retaining wall and Mr. Savel said the wall is in the design phase but most likely will be built of poured concrete.

Motion by Mr. Mazur, seconded by Mr. Newberry to approve the 3 space parking space variance.

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

Nay: None

Motion Carried

Motion by Mayor Kraus, seconded by Mr. Mazur to recommend approval of the revised site plan contingent upon compliance with requirements noted in the Engineering Department memos dated August 8, 2019 and October 9, 2019.

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

Nay: None

Motion Carried

6. 33695 and 33655 Bainbridge Road – PP#'s 952-21-049 and 952-21-016 - KMC Real Estate Holdings LLC

098-2019 6

- Lot consolidation

Motion by Mr. Mazur, seconded by Mr. Newberry to schedule a Public Hearing on October 29, 2019 for the lot consolidation of PP#'s 952-21-049 and 952-21-016.

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

Nay: None

Motion Carried

COUNCIL REFERRAL:

7. Proposed amendment to the Zoning Code to create a new "R-3-C" (Multi-Family - Special Needs) Zoning Classification

The public hearing remained open from September 24, 2019.

Mr. Frankland said R-3-C Zoning is not currently in place and would be a stand-alone zoning specifically designed to accommodate the needs of persons with disabilities and their support providers. He said a minimum project area of three acres is required and a maximum density level of five units per acre is allowed. Mr. Frankland said this zoning is similar to the senior housing design but on a smaller scale, with lesser setbacks.

Mr. Frankland advised, at this time, there is a proposal to apply this zoning to a specific area. He recommended modifying the previous 5.84 acre proposal located at the corner of Portz Parkway and Aurora Road to 7.36 acres in order to add an additional parcel.

Mr. Frankland said if this zoning is approved it would provide a new tool to expand living opportunities within the City and, most importantly, advance the Master Plan goal of expanding and serving underserved housing markets within the City.

Mr. and Mrs. Bagdasarian were present. Mr. Bagdasarian thanked the Commission for their support of this project and gave a brief background of himself, his wife and daughters.

Mr. Bagdasarian said it has been explained why the Special Needs R-3-C Zoning is necessary for the City and its Master Plan and he is looking forward to the voters support on the March 2020 ballot.

Mr. Bagdasarian said, in addition to the great services Solon has to offer and the support it has demonstrated, this project would create a self-sustainable safe neighborhood for children with disabilities to age in place. He said Senior Services Director Frankel has also indicated her support.

Mr. Bagdasarian displayed an aerial of the corner of Portz Parkway and Aurora Road. He indicated the location of the proposed project and a house east of the traffic signal that was purchased by Solon Community Living to serve the development and for caregiver use.

Mrs. Bagdasarian indicated on the aerial a proposed connecting road and a preliminary building layout. She said a storm sewer along Portz Parkway prohibits building near the hillside and said heavy landscaping and possibly another mound along Aurora Road was planned. Mrs. Bagdasarian said wide sidewalks would connect the neighborhood to the local amenities.

Mrs. Bagdasarian said the plan includes building ten to twelve ADA compliant high-quality two bedroom, two bath units of approximately 1,000 square feet and displayed pictures of examples of housing and interiors. She said a minimum of one trained staff member would be on site at all times. Mrs. Bagdasarian said discussions have been had with Welcome House regarding property management.

Mrs. Bagdasarian said this project would enable peace of mind to the families of its residents.

Mr. Bagdasarian said financing is ongoing and one-third of the funding has been raised for this three million dollar project. He is confident the project can be completed once the Zoning is approved.

Patrick and Leslie Owens, 35736 Meadowdale Drive, were present in support of the zoning and the proposed project. Mr. Owens said they moved to Solon in 1992 and have a disabled son. He said all their financial planning is centered on providing for their son when they are no longer here. Mr. Owens said this project is what they are looking for in terms of assuring a secure, safe place for their son to live.

Mrs. Owens said she has worked with the Bagdasarians behind the scenes on this project. She believes their work is meticulous and of the highest quality and the

design of this community emphasizes the safety, security and sustainability they can support for their loved ones.

Ms. Teresa Markowitz, Carrington Court, said they raised their two daughters in Solon, one of which has special needs. She is excited Solon is being forward thinking with the special needs zoning and subsequent project.

Ms. Jean Marie Dipadova, 7201 Winchester Drive, said her son has special needs and is employed at the Community Center. She expressed gratitude to the Bagdasarians for their endeavors and fully supports this project.

There were no additional comments; therefore, Mr. Bentley closed the public hearing.

Mr. Bentley thanked everyone for their comments. He appreciates Mr. Frankland's input and work on the zoning and the project.

Mr. Mazur asked what the modification to the acreage entails. Mr. Frankland said the house on Aurora Road is part of the original proposal and the modification would encompass the Aurora Road property containing the City utility structure.

Mr. Stolarsky said it appears the recommendation to City Council would be the R-3-C Zoning be created and submitted to the electors for the creation of that zoning and also the rezoning of the 7.36 acres of land.

Mr. Newberry inquired if the Commission or Council should act on the parcels to be contained in the Zoning. Mr. Frankland recommended specific parcel numbers be included in the ballot language.

Mayor Kraus said the community's housing needs have been made clear. He has reflected on the families who have struggled in the past and believes this zoning is long overdue for Solon. Mayor Kraus said he would like to make certain the project has safe walkability access to the community's amenities.

Councilman Pelunis thanked the Bagdasarians for their work on this project. He said this is a need that is not currently served in the community.

Mr. Mazur thanked the Bagdasarians and their supporters for the efforts made on this project.

Mr. Bentley thanked Mr. Bagdasarian for meeting with him and discussing the project. He supports this project 100% and is excited to bring it to the community.

Motion by Mr. Newberry, seconded by Mayor Kraus to recommend to Council approval of the proposed amendment to the Zoning Code to create an R-3-C Multi-Family-Special Needs Zoning Classification to be placed on the March 2020 election ballot.

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

Motion Carried

Motion by Mr. Newberry, seconded by Mr. Mazur to recommend approval to Council to rezone the following parcels into the R-3-C Multi-Family-Special Needs Zoning District: PP#'s 954-35-008, 954-35-011, 954-35-009, 954-35-006 and 954-40-010.

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

Motion Carried

8. Proposed amendment to the Zoning Code to expand restaurant uses in the "C-2" (Restricted Commercial) and "C-6" (General Commercial) Zoning Districts

The public hearing remained open from September 24, 2019.

Mr. Bentley explained the proposed amendment would allow sit down, casual and fast food restaurants in these particular Zoning Districts.

Mr. Frankland said the amendment would allow all the major commercial zoning classifications the same types of restaurants. Presently, the C-2 Zoning District does not allow for fast food but does allow for sit down and casual. The C-6 Zoning District, which includes the ALDI/Hobby Lobby area, does not allow for any restaurant uses. Mr. Frankland said more and more over the years Solon has been allowing drive-throughs.

There were no comments; therefore, Mr. Bentley closed the public hearing.

Mr. Newberry said the C-2 Restricted Commercial Zoning District includes Uptown Solon, Mustard Seed and the properties across the street and the C-6 General Commercial Zoning District includes ALDI/Hobby Lobby and the parcels along the north side of Solon Road from the railroad tracks to the cemetery.

Motion by Councilman Pelunis, seconded by Mr. Mazur to recommend to Council approval of the proposed amendment to the Zoning Code to expand restaurant uses in the C-2 Restricted Commercial and C-6 General Commercial Zoning Districts.

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

Motion Carried

COMMENTS FROM THE AUDIENCE

There were no comments from the audience.

COMMENTS FROM THE COMMISSION

Mr. Mazur commended the Recreation Department and the Administration for a fun and well-attended Fall Fest.

Mr. Bentley said the Fall Fest was fun, successful and well attended.

Mayor Kraus thanked the vendors, Center for the Arts Manager Sullivan and Community Center Manager Parker for their efforts toward the Fall Fest. He enjoyed the food and music.

Mayor Kraus said he attended the Hobby Lobby Grand Opening and said it brings vitality to the shopping center.

Mayor Kraus hopes to see everyone at ALDI's Grand Opening on Thursday, October 17th.

Mayor Kraus said Yours Truly will be hosting a Grand Opening next Sunday and he looks forward to their good food.

Motion by Mr. Mazur, seconded by Mr. Newberry to adjourn the meeting at 8:30 P.M.

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

Nay: None

Motion Carried

Chairman

Assistant Clerk of Council