

SOLON PLANNING & ZONING COMMISSION
October 26, 2021 – 7:30 P.M.

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

Present: Commission Members Greenspan, Mazur, Newberry (arrived at 7:35 P.M.), Councilman Bentley, Mayor Kraus, Assistant Law Director Stolarsky, Director of Planning Holloway, Secretary Letourneau

Absent: None

Also Present: Fire Inspector Eisenhuth, Assistant to the City Engineer Hartzell

NOTES OF CAUCUS DISCUSSION:

Councilman Bentley presided.

Councilman Bentley explained to the applicants the procedures that take place during the meeting when they present their applications. He also explained that if their application includes a memo from the Engineering Department, they will be asked to agree to the requirements of that memo prior to the Commission voting.

PENDING:

1. 36200 Pettibone Road – Richard Ledinsky (Annex Bar & Grille) – parking setback from building variance, side yard setback variance, percent extension of a non-conforming use variance, sign projection variance, parking space length variance and review of site plan: Councilman Bentley asked Mr. Holloway to review the variances for this item.

Mr. Holloway said the variance for 759 percent extension of a non-conforming use variance is necessary because the value of the building was determined by the county to be \$50,000 and the proposed expansion substantially exceeds the 60% requirement. He said typically, the percentage amount is not this high.

Mr. Stolarsky said this is not considered that unusual. He said the assessed value of property is usually substantially lower than the sale price.

Mr. Newberry joined the meeting.

NEW:

8. 30525 Aurora Road – Security Self Storage VII LCC – site plan review: Mr. Mazur asked Mr. Hartzell if the Engineering Department is satisfied with the new site plan submitted reflecting the changes recommended by the Engineering Department. Mr. Hartzell believes all of the changes have been made which included the elimination of a few units to prevent them from being located over the existing storm sewers.

10. 33175 Bainbridge Road – Glenn Gable/Gable Investments LLC – sign height variance and sign area variance: Mr. Mazur asked Mr. Gable if he planned to use the existing sign.

Mr. Gable does intend to use the existing sign and will add the electronic message center to the current sign display by raising the monument sign.

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 REGARDING AGENDA ITEMS:

Mr. David Leskovitz, Green Ridge Avenue, spoke regarding Item 4, a variance request to allow for a chicken coop. Mr. Leskovitz opposes the variance due to possible odor and that the chicken coop is located near his grill and fire pit area.

MINUTES:

Motion by Mr. Newberry, seconded by Mayor Kraus to approve the minutes of the October 12, 2021 meeting as presented.

Roll Call: Aye: Bentley, Greenspan, Kraus, Newberry

Nay: None

Abstain: Mazur

Motion Carried

PENDING:

1. 36200 Pettibone Road - Richard A. Ledinsky (Annex Bar & Grille)
PCPC-2021-00184 - Ward 1
 - ~~40~~ 5' parking setback from building variance
 - 33.5' side yard setback variance
 - 759 percent extension of a non-conforming use variance
 - 7.5' sign projection variance
 - 2' parking space length variance
 - Revised site plan

Mr. Richard Ledinsky, owner of Annex Bar and Grille, and Mr. Neil Safran, Architect, was present.

Mr. Safran displayed the plan and explained the requested variances and plan to expand the kitchen and seating area to open the restaurant to the outdoors and to add a handicapped ramp/walkway. He said two handicapped accessible restrooms will also be created.

Mr. Safran said the Annex is a commercial use in a residential district. He said by extending the building, it extends the percentage of the value of the non-

conforming use. Mr. Safran said new siding and roofing is proposed to address maintenance issues. Proposed is an extension over the existing stair to install a blade sign. Mr. Safran explained existing parking spaces are 9' x 18', however, the Code requires 20' long requiring a variance. It is proposed to restripe an area to move existing handicapped spaces closer to the ramp. Mr. Safran advised the Engineering Department provided him a modified drawing for the location of the spaces and Mr. Safran said they will comply with the drawing.

Councilman Bentley questioned the use of a location on the drawing and Mr. Ledinsky advised it is a horseshoe area which is not used very often.

It was noted a sign package will be submitted in the future. Councilman Bentley advised Mr. Ledinsky that neighbors may not support that.

There was discussion regarding the 20' parking space length requirement. Mr. Newberry explained the requirement has been in the Code for some time and finds it beneficial in this case as the parking spaces are against a curb and the extra 2' is hung over the grass/sidewalk area.

Mr. Newberry asked if the applicant reviewed and agrees to the requirements of the Engineering Department memos. Mr. Ledinsky and Mr. Safran agreed to the requirements.

Mr. Newberry advised correspondence was received from a neighbor with concerns about noise and trash in his yard. Mr. Ledinsky indicated he has spoken to the neighbor in the past and those concerns were not discussed.

Mr. Mazur suggested trash cans be placed in the parking lot. Mr. Ledinsky said there are trash cans outside, a landscaper provides service once a week and employees walk the parking lot every morning. He questioned the complaint. Mr. Mazur wanted to ensure the applicant of the concern. Mr. Ledinsky understood.

Motion by Mayor Kraus, seconded by Mr. Mazur to approve a 5' parking setback from building variance.

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

Motion by Mr. Mazur, seconded by Mr. Newberry to approve a 33.5' side yard setback variance.

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

Motion by Mr. Newberry, seconded by Mr. Greenspan to approve a 759 percent extension of a non-conforming use variance.

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

Motion by Mr. Greenspan, seconded by Mayor Kraus to approve a 7.5' sign projection variance.

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

Motion by Mayor Kraus, seconded by Mr. Mazur to approve a 2' parking space length variance.

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

Motion by Mr. Mazur, seconded by Mr. Newberry to approve a revised site plan contingent upon compliance with requirements in the Engineering Department memo of September 8, 2021 and revised memo of October 25, 2021.

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

2. 32910 Solon Road - PP#'s 954-02-009, 954-02-010, 954-02-011, 954-02-012 and 954-02-034 - Solon Road Enterprises Ltd.
PCPC-2021-00193 - Ward 6
 - Lot consolidation

A public hearing was scheduled.

Mr. Frank Alesci, representing Solon Road Enterprises Ltd., was present. Mr. Alesci said at the request of the City, it is proposed to consolidate the parcels. A plan was displayed and the parcels were identified.

Councilman Bentley opened the public hearing and asked for comments. There were no comments, therefore, the public hearing was closed.

Motion by Mr. Mazur, seconded by Mr. Newberry to approve the lot consolidation of PP#'s 954-02-009, 954-02-010, 954-02-011, 954-02-012 and 954-02-034 for 32910 Solon Road contingent upon compliance with requirements in the Engineering Department memo of October 6, 2021.

Mr. Alesci was unaware of the memo. The memo was provided and Mr. Alesci read the contents. Mr. Stolarsky said it is a standard memo to file the lot consolidation. Mr. Alesci agreed to the requirements.

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

3. 5080 Brainard Road - Cleophus Miller Jr.
PCPC-2021-00195 - Ward 5
 - 120 sq ft accessory structure area variance

Mr. Cleophus Miller was present and explained the request to place a shed in the backyard for storage due to his garage being converted into living space for his father. The plan was displayed and Mr. Miller indicated the location of the shed. He noted it will be 20' from the neighbor's property in the rear yard.

Councilman Bentley explained 168 square feet of area is permitted and the request is for 288 square feet in area, therefore, a variance is necessary.

Mr. Miller said the garage conversion is almost complete.

Motion by Mr. Newberry, seconded by Mayor Kraus to approve a 120 sq ft accessory structure area variance contingent upon compliance with requirements in the Engineering Department memo of October 6, 2021.

Mr. Newberry said the memo requires drainage around the building. Mr. Miller agreed to the requirements.

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

Motion Carried

NEW:

4. 6873 Green Ridge Avenue - Geovani & Angela Ulloa
PC-2021-00196 - Ward 7
 - Number of accessory structures variance (to permit 1 additional)

Ms. Angela Ulloa was present and displayed the site plan. Mrs. Ulloa explained the request to install a chicken coop in the rear yard under an existing playhouse to house three chickens. She said it is located on the side farthest from the neighbor. A picture was displayed and Ms. Ulloa indicated the chicken coop.

Councilman Bentley advised a neighbor voiced concerns earlier in the meeting. Mr. Mazur advised the chickens are permitted per the Code. Ms. Ulloa said the chickens are hens and are very quiet.

In regard to odor concerns, Ms. Ulloa said there is no odor when the coop is maintained, unless composting, which she said she is not.

Councilman Bentley said a concern was the location. He said the reason for placing the coop under the playhouse is for protection from predators and the elements. Mr. Mazur said the setback requirements are met. Mr. Newberry clarified the applicant is seeking the variance for a second accessory structure as there is an existing shed on the property. Ms. Ulloa said the playhouse was on the property when the home was purchased. Mr. Newberry clarified the accessory structure variance is still necessary. Ms. Ulloa understood and will rectify the situation.

Mr. Mazur said as the chicken coop was already installed, the applicant may be subject to a penalty.

Motion by Mr. Greenspan, seconded by Mr. Newberry to approve a number of accessory structures variance (to permit 1 additional).

Mayor Kraus asked how the odor will be addressed. Ms. Ulloa again explained proper maintenance will address the odor concerns.

Roll Call: Aye: Bentley, Greenspan, Mazur, Newberry
Nay: Kraus

Motion Carried

5. 31770 Birch Circle - Audra Ber
PC-2021-00197 - Ward 5
- 8' side yard setback variance
 - 5' rear yard setback variance

Ms. Audra Ber was present and displayed the site plan. Ms. Ber explained the request to install a shed in the rear corner of her yard. She noted she is on a corner lot and advised the neighbor's property has no windows on the side that would be facing the shed. She indicated the property on a map. She believes the proposed location is the most aesthetically pleasing. Ms. Ber questioned if the existing playground structure may also need a variance. Mr. Newberry said no because they are temporary.

Mr. Newberry asked Ms. Ber if she understood the requirements in the Engineering Department memo. Ms. Ber indicated she understood.

Motion by Mr. Mazur, seconded by Mr. Newberry to approve an 8' side yard setback variance.

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

Motion Carried

Motion by Mr. Newberry, seconded by Mr. Greenspan to approve 5' rear yard setback variance contingent upon compliance with requirements in the Engineering Department memo of October 20, 2021.

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

Motion Carried

6. 5740 Janet Blvd. - Dan & Tracy Sullivan
PC-2021-00198 - Ward 5
- 152 sq ft accessory pavement area variance
 - 25' accessory pavement setback variance

Mr. Dan Sullivan was present and displayed a site plan. Mr. Sullivan explained the request to expand the driveway and install a cement walkway. Mr. Sullivan indicated the areas on the map to allow parallel parking for two cars and connect the walkway to the back brick patio. He said new cement will replace existing brick on the front.

It was noted the garage holds two cars.

Motion by Mayor Kraus, seconded by Mr. Mazur to approve a 152 sq ft accessory pavement area variance.

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

Motion Carried

Motion by Mr. Newberry, seconded by Mr. Greenspan to approve a 25' accessory pavement setback variance contingent upon compliance with requirements in the Engineering Department memo of October 20, 2021, but not including the requirement that positive drainage shall be maintained to the west, towards SOM Center Road.

Mr. Hartzell explained the requirement for positive drainage does not apply to this application. Mr. Sullivan agreed to the requirements.

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

Motion Carried

7. 35895 Aurora Road - Kim Russell
PC-2021-00199 - Ward 6
- 6' detached garage height variance
 - 874 sq ft accessory pavement area variance

Ms. Kim Russell was present and displayed a site plan. Ms. Russell explained the request to construct a 24' high, three-car detached garage in the rear yard with loft.

Ms. Russell explained the variances were approved over a year ago and she is reapplying. She said the only change is the structure is proposed to be set back further away from the paver patio.

The grading plan was displayed and Ms. Russell indicated the location of the proposed garage.

Councilman Bentley said the garage height is proposed at 24' and the Code requires 18'. He said a 300 square foot area is permitted and the proposal is for 1,174 square feet.

Motion by Mayor Greenspan, seconded by Mayor Kraus to approve a 6' detached garage height variance.

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

Motion Carried

Motion by Mr. Newberry, seconded by Councilman Bentley to approve an 874 sq ft accessory pavement area variance contingent upon compliance with requirements in the Engineering Department memo of October 20, 2021.

Ms. Russell agreed to the requirements of the Engineering Department memo.

In regard to Ms. Russell's concern regarding the proposed square footage for the area variance, Mr. Newberry said not all of the pavement is considered accessory pavement. He noted a 1,400 square foot variance was approved last year.

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

Motion Carried

8. 30525 Aurora Road - Security Self Storage VII LCC
PC-2021-00200 - Ward 6
 - Site plan

Mr. Norm Kotoch, owner, was present representing the applicant. He explained the pandemic resulted in the need for increased storage, therefore, he is requesting to expand the number of indoor units to 75. He said the units are proposed for the east side of the property and the rear. He said additional parking spaces were added, some units were moved away from sewer lines, the buildings are separated by more than 10 feet and the greenspace is appropriate.

Mr. Kotoch displayed a picture indicating the proposed blue and white units.

Mr. Stolarsky asked Mr. Kotoch how access will be restricted to the site.

Mr. Kotoch said access hours are 6:00 A.M. to 10:00 P.M. every day. A unit is necessary to be on site with a passcode assigned to be entered at the gate. He said there is now an app that will allow access and open the storage unit. Mr. Kotoch said people move from other facilities to this one because of quality, security and cleanliness. He noted the facility was named "New Facility of the Year" in 2020.

In response to Councilman Bentley's question regarding office staff on site, Mr. Kotoch said someone is on site Monday through Saturday, 6:00 A.M. to 10:00 P.M., however, no hours on Sunday.

Mr. Kotoch appreciates working with the Administration and noted 75% of tenants are from Solon.

Mayor Kraus commended the applicant for working with the Engineering Department to reach the right solution.

Mr. Newberry asked if the applicant reviewed and agrees to the requirements of the Engineering Department and Fire Department memos. Mr. Kotoch said yes and noted Police and Fire are issued passcodes as well.

Motion by Mr. Newberry, seconded by Mr. Greenspan to approve the site plan contingent upon compliance with requirements in the Engineering Department memo of October 20, 2021.

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

Nay: None

Motion Carried

9. 5769 Spring Grove Drive - Kevin & Michelle Roske
PC-2021-00201 - Ward 5
 - 30' side yard setback variance

Mr. Kevin Roske was present and explained the request to install a shed in the back right corner of the property which abuts State Route 422. A 10' setback is requested. The site plan was displayed and the location indicated on the plan.

Mr. Newberry asked if the applicant reviewed and agrees to the requirements of the Engineering Department and Fire Department memos. Mr. Roske agreed.

Motion by Mr. Mazur, seconded by Mr. Newberry to approve a 30' side yard setback variance contingent upon compliance with requirements in the Engineering Department memo of October 20, 2021.

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

Motion Carried

10. 33185 Bainbridge Road - Glenn Gable / Gable Investments LLC
PC-2021-00202 - Ward 6
- 1.5' sign height variance
 - 25.64 sq ft sign area variance

Mr. Glenn Gable, Gable Investments LLC, was present and advised the sign area variance should be 5.64 square feet. He displayed the site plan and indicated the location of the proposed sign off of Bainbridge Road. A reader board will be added to electronically change messages. He said adjustments can be made to messages if necessary should neighbors complain.

Councilman Bentley supports the sign.

Mr. Greenspan asked if the sign powers down at night. Mr. Gable said lights shut down between 2:00 A.M. and 6:00 A.M. and the sign will automatically dim.

Motion by Mr. Greenspan, seconded by Mayor Kraus to approve a 1.5' sign height variance.

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

Motion Carried

It was clarified that the variance request of 25.64 square feet for sign area is correct as 20 square feet of area is permitted.

Motion by Mr. Newberry, seconded by Mr. Greenspan to approve a 25.64 sq ft sign area variance.

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

Motion Carried

COMMENTS FROM THE AUDIENCE:

There were no comments from the audience.

COMMENTS FROM THE COMMISSION:

Councilman Bentley welcomed Mr. Hartzell to the meeting.

Motion by Mr. Newberry, seconded by Mr. Mazur to cancel the November 23, 2021 Planning Commission meeting.

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

Motion Carried

Mr. Newberry said he enjoyed the Fall Fest and commended the Recreation Department and Administration for their efforts.

Mayor Kraus urged everyone to vote on November 2nd.

Motion by Mr. Mazur, seconded by Mr. Greenspan to adjourn the meeting at 8:43 P.M.

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

Motion Carried

Chairman

Secretary