

SOLON PLANNING & ZONING COMMISSION
January 25, 2022 – 7:30 P.M.

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

Present: Commission Members Greenspan, Newberry, Sutton, Councilman Bentley, Mayor Kraus, Assistant Law Director Stolarsky, Director of Planning Holloway, Secretary Letourneau

Absent: None

Also Present: Fire Inspector Eisenhuth, Assistant City Engineer Lyndon

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 and before a permit is issued.

Councilman Bentley welcomed Ms. Kim Sutton to the Planning Commission.

PENDING:

1. 33725 Station Street – Quinisha Singleton – number of wall signs variance, number of ground signs variance, ground sign front yard setback variance, ground sign height variance and a ground sign material variance: Councilman Bentley said ground signs are always an issue and the City does not permit many.

Mr. Newberry said ground signs cannot be located in the right-of-way and are typically not approved.

Mayor Kraus said his only concern is with the ground sign.

2. 6426 Woodbury Drive – Justin and Annamaria Lenz – 25% aggregate fence opening variance: Councilman Bentley said the applicant requested installing fencing with no aggregate fence opening to surround their rear yard.

Mr. Holloway said the Planning Department is continuing to meet with them to try to reach a mutual compromise.

Councilman Bentley said this item will be tabled.

3. 33095 Bainbridge Road/6050 Kruse Drive – side yard setback variance, height variance, number of stories variance, front yard setback variance, parking area side yard setback variances, parking area front yard setback variance, total

number of parking spaces variance, greenspace variance and site plan review: Mr. Gary Biales, OMNI Senior Living, was present and submitted a new site plan including retaining walls and a slope to comply with the Engineering Department's recommendations.

Mr. Lyndon said this change was requested by the Engineering Department and adjusts the slope of the retention basin.

Mr. Newberry asked Mr. Biales how this plan has changed since the previously approved application.

Mr. Biales advised the building location was changed and a bridge is no longer proposed. The building will have the same square footage and height.

Mayor Kraus said Mr. Biales was cooperative and worked with the City to add a trail from Bainbridge Road to Kruse Drive.

Councilman Bentley said the cell tower modifications on the agenda consist of removing and replacing antennas. The antennas are located at the top of the tower, are unable to be seen and are getting smaller as technology progresses.

NEW:

9. 37110 Broadstone Drive – Amanda and Brandon Bradford – accessory structure area variance, accessory structure location variance and side yard setback variance: Councilman Bentley said there have been issues in the past with the Signature of Solon Homeowners Association (HOA) in regard to the City approving variances. The Commission requested an approval letter from the HOA.

After further discussion, the Commission determined there would need to be an approval letter submitted from the HOA prior to any permits being issued.

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 REGARDING AGENDA ITEMS:

There were no comments from the audience.

MINUTES:

Motion by Mr. Greenspan, seconded by Mr. Newberry to approve the minutes of the January 11, 2022 meeting as presented.

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

Nay: None

Abstain: Sutton

Motion Carried

PENDING:

1. 33725 Station Street - Quinisha Singleton
PCPC-2021-00217 - Ward 6
 - Number of wall signs variance (to permit 1 additional)
 - Number of ground signs variance (to permit 3 additional)
 - 10' ground sign front yard setback variance
 - 6' ground sign height variance
 - Ground sign material variance (3 banner signs)

Ms. Quinisha Singleton was present. The site plan was displayed. Ms. Singleton indicated the location of her business and explained the request to place removable flags/signs in the grass near the entrance of the parking lot. She displayed a picture of the front of the building and indicated the proposed location for two wall signs.

Councilman Bentley approves of the wall signs, however, expressed concern about the flags/ground signs.

Mr. Newberry said the ground sign in the picture is temporary advertising of space available. He said although not permitted, the City does not prevent building owners from advertising for space available. He does not object to the wall signs on the building. He noted that although the applicant is renting two units, the City only allows one sign per tenant, therefore, a variance is necessary.

Mr. Newberry expressed objection to the proposed temporary signs being placed in the right-of-way or within the setbacks of the right-of-way. He noted currently there are snow piles where the signs are proposed.

Mr. Greenspan supports temporary signs advertising businesses but believes a time period may be necessary.

Mr. Newberry agreed, however, he does not want the temporary signs to become permitted. In response, Mr. Greenspan again recommended a time period be applied.

Ms. Sutton and Mayor Kraus agreed a time period could be added. Mr. Stolarsky concurred and advised it has been done in the past.

An appropriate time period was discussed. Ms. Singleton requested 60 days as she said she is open for business. Mr. Stolarsky suggested 60 days from Council approval.

Motion by Mr. Newberry, seconded by Mayor Kraus to approve a number of wall signs variance (to permit 1 additional).

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

Motion Carried

Motion by Mr. Greenspan, seconded by Ms. Sutton to approve a number of ground signs variance (to permit 3 additional) for a 60-day period beginning on the date of Council approval.

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

Motion Carried

Motion by Mayor Kraus, seconded by Ms. Sutton to approve a 10' ground sign front yard setback variance.

Mr. Newberry asked who will determine the location of the right-of-way line.

Mr. Lyndon advised permits approved in the past required a surveyor mark the right-of-way.

Mr. Newberry said hiring a surveyor may not be necessary but he feels the right-of-way needs to be marked by a surveyor who may have done prior work on the site. He said there are many utilities on Station Street and is concerned with disrupting a utility. He asked Ms. Singleton if she understood and Ms. Singleton said yes. He suggested a contingency upon approval to have the right-of-way marked prior to the installation of the sign.

Councilman Bentley was concerned the applicant may need to hire a surveyor.

It was discussed to add the contingency stating the right-of-way will be marked prior to placement of the signs and the location of the signs will not be in the right-of-way.

Mr. Newberry was concerned the 10' variance puts the sign as close as zero feet from the right-of-way.

Mr. Greenspan asked the location of the right-of-way. Mr. Newberry said the right-of-way is measured from the centerline of the street. He estimated the right-of-way is typically in the vicinity somewhere between the back of the sidewalk to the edge of the parking lot. He was unsure of the location as he did not visit the site.

The motion was revised.

Ms. Singleton again acknowledged she understood the contingency.

Motion by Mayor Kraus, seconded by Ms. Sutton to approve a 10' ground sign front yard setback variance with the contingency that the right-of-way will be marked prior to placement of the signs and the location of the signs will not be in the right-of-way.

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

Motion Carried

Motion by Mr. Newberry, seconded by Mr. Greenspan to approve a 6' ground sign height variance.

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

Motion by Ms. Sutton, seconded by Mr. Greenspan to approve a ground sign material variance (3 banner signs).

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

2. 6426 Woodbury Drive - Justin and Annamaria Lenz
PCPC-2021-00223 - Ward 6
 - 25% aggregate fence opening variance

Councilman Bentley said the applicant is still discussing options with the Planning Department.

Motion by Mr. Newberry, seconded by Mayor Kraus to table consideration of Item 2.

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

3. 33095 Bainbridge Road/6050 Kruse Drive - OMNI SLF Solon, LLC.
PCPC-2021-00224 - Ward 6
 - 42'-1" side yard setback variance
 - 15' height variance
 - 1.5 number of stories variance
 - 66'-10.08" front yard setback variance
 - 50' parking area side yard setback variance
 - 93'-8.52" parking area front yard setback variance
 - 170 space total parking variance
 - 3% greenspace variance
 - 5' parking area side yard setback variance
 - Site plan

Mr. Gary Biales, OMNI Senior Living, was present representing the applicant. He displayed a site plan and explained the request to build an addition. Mr. Biales noted an addition was previously approved but approval has expired. He advised the new plan is the same as the previous except for the location of the building. He said the current independent living facility is almost fully occupied. The request is to add 30 units consisting of larger one and two-bedroom units up to 1,350 square feet. He indicated the proposed location on the site plan. Mr. Biales explained a property line runs through the site and causes the need for variances. He said the addition will match the existing building with an entrance on the first floor featuring a sitting/refreshment area. He said the fourth floor will have a common area. Mr. Biales explained proposed ingress and egress access which was approved by the Fire Department. Mr. Biales explained although the variance for greenspace states 3%, he said he only needs a .6% variance.

Mr. Biales said he read the Engineering Department memo and agrees to it. He noted he will seek a phased approval for construction of this project because of significant site work to be completed.

Mr. Stolarsky said those issues can be addressed administratively if the applicant agrees to the requirements of the Engineering Department memo.

Mr. Lyndon agreed.

Mr. Biales explained in the past, he had a traffic analysis, rather than a traffic study done and believes a traffic study is still not necessary as he is below the required number of vehicles. He said a traffic study is listed in the Engineering Department memo and asked that another traffic analysis be permitted as in the past.

Mr. Stolarsky asked that the traffic study requirement remain until the Traffic Engineer determines one is not necessary.

Mr. Lyndon further explained the traffic study was part of the development agreement, however, the Traffic Engineer determined it was not needed at the time based on the number of vehicles. He said if the Traffic Engineer confirms under 100 vehicles, this phase will be continued as the previous phase was done.

Mr. Newberry said it was discussed in Caucus that this building is essentially the same as the one previously approved, but without the parking deck and bridge. Mr. Biales said that is correct. Mr. Newberry said he supports the application.

Mr. Stolarsky expressed appreciation for Mr. Biales' cooperation regarding storm water issues and trail issues.

Mr. Lyndon referred to Item 2 in the Engineering Department memo regarding a proposed retaining wall. He explained Mr. Biales revised calculations to eliminate the retaining wall used for the detention basin.

Mr. Holloway explained Mr. Biales cooperated with the City to allow a trail to connect Bainbridge Road to Kruse Drive. He expressed his appreciation to Mr. Biales.

Mayor Kraus concurred and said the proposed trail will go through Darrell Young's, Art Lawrence's and Glenn Gable's property. He said the trail will eventually connect with the Norfolk Southern trail.

Motion by Mayor Kraus, seconded by Mr. Newberry to approve a 42'-1" side yard setback variance.

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

Nay: None

Motion Carried

Motion by Mr. Newberry, seconded by Mr. Greenspan to approve a 15' height variance.

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

Nay: None

Motion Carried

Motion by Mr. Greenspan, seconded by Mayor Kraus to approve a 1.5 number of stories variance.

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

Motion by Ms. Sutton, seconded by Councilman Bentley to approve a 66'-10.08" front yard setback variance.

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

Motion by Councilman Bentley, seconded by Ms. Sutton to approve a 50' parking area side yard setback variance.

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

Motion by Mayor Kraus, seconded by Mr. Newberry to approve a 93'-8.52" parking area front yard setback variance.

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

Motion by Mr. Newberry, seconded by Ms. Sutton to approve a 170 space total parking variance.

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

Motion by Mr. Greenspan, seconded by Ms. Sutton to approve a 3% greenspace variance.

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

Motion by Ms. Sutton, seconded by Councilman Bentley to approve a 5' parking area side yard setback variance.

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

Motion by Mayor Kraus, seconded by Mr. Newberry to approve a site plan contingent upon compliance with requirements outlined in the January 6, 2022 Engineering Department memo and that the applicant continue to work with the City in regard to the trail.

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

NEW:

4. 37550 Aurora Road - Debra & Eugene Stefanini
PCPC-2022-00225 - Ward 3
 - 11' side yard setback variance

Mr. Eugene Stefanini was present and displayed a site plan. Mr. Stefanini indicated the proposed garage location on the plan.

Councilman Bentley asked if Mr. Stefanini agreed to and understands the requirements in the Engineering Department memo. Mr. Stefanini said yes.

Mr. Newberry asked what is parked next to the existing garage. Mr. Stefanini identified a concrete pad which he parks his plow truck on to avoid parking it in the turn around.

Motion by Mr. Newberry, seconded by Ms. Sutton to approve an 11' side yard setback variance contingent upon compliance with requirements in the January 19, 2022 Engineering Department memo.

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

Motion Carried

5. 33000 Solon Road - City of Solon/T-Mobile/Crown Castle USA, Inc.
PCPC-2022-00226 - Ward 6
 - Site plan - cell tower modification

Councilman Bentley explained the proposed modifications to the tower are not noticeable to the public.

Mr. Anthony Kobak, Crown Castle USA, Inc., 2000 Corporate Drive, Canonsburg, PA, was present representing the applicant.

Mr. Kobak explained the proposal to replace existing antennas. He said the structural analysis finds the tower and its foundation have sufficient capacity to carry the proposed load configuration and no modifications are required. He displayed pictures of the tower and indicated the location of where antennas will be replaced. He noted there is no extension to the tower or expansion to the ground compound.

Mr. Newberry clarified the tower is on the Police Station property.

Motion by Mayor Kraus, seconded by Ms. Sutton to approve a site plan for cell tower modification at 33000 Solon Road contingent upon compliance with requirements outlined in the January 19, 2022 Engineering Department memo.

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

Motion Carried

6. 6801 Cochran Road - 6801 Cochran Road LLC/~~T-Mobile~~ AT&T/Crown Castle USA, Inc.
PCPC-2022-00227 - Ward 7
 - Site plan - cell tower modification

A public hearing was scheduled.

Councilman Bentley opened the public hearing and asked for comments.

Mr. Anthony Kobak, Crown Castle USA, Inc., 2000 Corporate Drive, Canonsburg, PA, was present representing the applicant. Mr. Kobak advised the application incorrectly stated T-Mobile as the applicant and that the correct applicant is AT&T.

Mr. Kobak said the proposal is to remove three antennas and add nine new antennas. There is no tower height extension or compound expansion. He said the structural analysis finds the tower and its foundation have sufficient capacity to carry the proposed load configuration and no modifications are required. He displayed pictures of the tower.

There were no comments, therefore, the public hearing was closed.

Motion by Ms. Sutton, seconded by Mr. Greenspan to approve a site plan for cell tower modification at 6801 Cochran Road.

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

Nay: None

Motion Carried

7. 30401 Wedgewood Drive - Ruth L. Wolfson
PCPC-2022-00228 - Ward 5
 - Accessory structure location variance
 - 2'-3" side yard setback variance

Ms. Ruth Wolfson was present and explained her request to install a generator on the west side of the home in close proximity to the gas and power meters for safety, efficiency and cost. She further explained that the west side of the house is the ideal location. She said the generator will be screened by existing trees and the decibel level is of normal range.

Mr. Stolarsky said the Cleveland Metroparks, an abutting property owner who received notification, responded that the variance will not conflict with any recorded deed restrictions.

Motion by Mayor Kraus, seconded by Mr. Newberry to approve an accessory structure location variance contingent upon compliance with requirements in the Engineering Department memo of January 19, 2022.

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

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

Nay: None

Motion Carried

Motion by Mr. Greenspan, seconded by Ms. Sutton to approve a 2'-3" side yard setback variance.

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

Nay: None

Motion Carried

8. 39350 Bainbridge Road - PP# 955-18-043 - 39350 Bainbridge Road, LLC
PCPC-2022-00229 - Ward 3
- Lot split

Motion by Mr. Newberry, seconded by Mr. Greenspan to schedule a public hearing for February 15, 2022.

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

Motion Carried

9. 37110 Broadstone Drive - Amanda & Brandon Bradford
PCPC-2022-00230 - Ward 1
- 731 sq ft accessory structure area variance
 - Accessory structure location variance
 - 5' side yard setback variance

Mr. Patrick Cloonan, Cloonan Design Services, Inc. was present representing the applicant. Mr. Cloonan displayed the site plan and explained the request to install a pool and cabana with fence. He indicated the location on the plan.

Councilman Bentley said there is concern with considering such applications that have not been approved by the homeowners association (HOA) associated with the property.

Mr. Cloonan explained the applicant will seek HOA approval but wanted to be sure the City will approve of the cabana size and pool first. He said they have contacted the HOA for consideration to ensure the applicant has approval before the Council meeting on February 7th. He requested a contingency for HOA approval be placed on variance approval.

Mr. Newberry prefers the applicant receive approval from the homeowners association before any City approval.

Mr. Greenspan asked when the project could begin. Mr. Cloonan said the cabana can begin immediately, however, they must arrange scheduling with the pool company. Mr. Cloonan believes City approval is needed before HOA approval considering his client is paying for his time.

Mr. Greenspan supports approval contingent upon HOA approval, considering it is currently difficult to secure a contractor and to avoid the delay of an additional meeting for the applicant.

The Commission agreed.

Mr. Stolarsky concurred a contingency could be placed on approval.

Mr. Newberry asked if Mr. Cloonan is aware of the Engineering Department memo regarding positive drainage. Mr. Cloonan said yes.

Motion by Mr. Greenspan, seconded by Ms. Sutton to approve a 731 sq ft accessory structure area variance contingent upon approval by the homeowners association prior to issuance of permits and compliance with requirements in the Engineering Department memo dated January 19, 2022.

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

Motion Carried

Motion by Mayor Kraus, seconded by Ms. Sutton to approve an accessory structure location variance.

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

Motion Carried

Motion by Ms. Sutton, seconded by Mr. Greenspan to approve a 5' side yard setback variance.

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

Motion Carried

10. 6801 Cochran Road - 6801 Cochran Road LLC/Verizon Wireless/Crown Castle USA Inc.
PCPC-2022-00231 - Ward 7
 - Site plan - cell tower modification

A public hearing was scheduled.

Councilman Bentley opened the public hearing and asked for comments.

Mr. Anthony Kobak, Crown Castle USA, Inc., 2000 Corporate Drive, Canonsburg, PA, was present representing the applicant.

Mr. Kobak said the proposal is to remove three antennas and add three new antennas. There is minor ground work proposed but no compound expansion or tower height extension. He said the structural analysis finds the tower and its foundation have sufficient capacity to carry the proposed load configuration and no modifications are required.

There were no comments, therefore, the public hearing was closed.

Motion by Mr. Newberry, seconded by Mr. Greenspan to approve a site plan for cell tower modification at 6801 Cochran Road.

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

Motion Carried

COUNCIL REFERRAL:

11. From Planning Director Holloway regarding a proposed amendment to Section 1295 of the City of Solon Zoning Code, Enforcement and Penalties

A public hearing was scheduled.

Councilman Bentley opened the public hearing and asked for comments.

Councilman Bentley advised this change follows the recently modified and approved sign ordinance.

There were no comments, therefore, the public hearing was closed.

Motion by Mr. Newberry, seconded by Ms. Sutton to recommend the proposed amendment to Section 1295 of the City of Solon Zoning Code, Enforcement and Penalties to the Council.

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

COMMENTS FROM THE AUDIENCE:

There were no comments from the audience.

COMMENTS FROM THE COMMISSION:

Mr. Holloway advised the Master Plan will be updated this year as required by the Code. He said the opportunity for public input will be provided.

In turn, members of the Commission welcomed Ms. Sutton to the Planning Commission.

Ms. Sutton said she is honored to be part of the Commission and looks forward to working with everyone.

Mayor Kraus welcomed Ms. Sutton.

Mayor Kraus thanked everyone for their input and efforts in regard to the OMNI Senior Living project.

Mayor Kraus commended the Service Department for their efforts during the recent storm.

Motion by Ms. Sutton, seconded by Mr. Newberry to adjourn the meeting at 8:40 P.M.

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

Chairman

Secretary