

SOLON PLANNING & ZONING COMMISSION
September 27, 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, Secretary Letourneau, Planner Consultant Kasimov

Absent: None

Also Present: Fire 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. Agenda topics may not have been discussed in order; however, they have been placed in order for the convenience of this record.)

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 also explained there are two times during the meeting where comments from the audience can be heard.

PENDING:

1. Aurora Road – PP#'s 953-02-001, 951-17-012, 953-06-001 – Hawthorne Golf Estates LLC - Subdivision plat approval: Councilman Bentley said this item will be tabled again tonight as the City is still waiting for information from the applicant.
3. 33217 N. Roundhead Drive – Drew Slane – variance for fence location and setback variance: Councilman Bentley said the applicant requested this item be withdrawn. The applicant worked with the Engineering Department and was able to determine a plan to avoid the utility right-of-way and install the fence without the need for variances.
5. 35100 Aurora Road – Ara Bagdasarian/Solon Community Living – numerous variances: Councilman Bentley said a public hearing is scheduled but this item will be tabled as the Commission is waiting for a recommendation from the Public Works Committee.

NEW:

6. 6230 Penfield Lane – Sreedhar & Deepa Nair – side yard setback variance for principle structure: Councilman Bentley said the need for this variance was discovered after the Nairs were told their property was in violation and did not meet the setback requirements. This situation existed before the Nairs purchased the property and they were unaware of it.

Mr. Newberry said the setback variance was approved at the time the subdivision was being constructed.

The caucus ended at 7:15 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. Newberry, seconded by Mayor Kraus to approve the minutes of the September 13, 2022 meeting as presented.

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

Nay: None

Motion carried

Motion by Mr. Greenspan, seconded by Mr. Newberry to approve the minutes of the September 16, 2022 special meeting as presented.

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

Nay: None

Abstain: Sutton

Motion Carried

PENDING:

1. Aurora Road - PP#'s 953-02-001, 951-17-012, 953-06-001 - Hawthorne Golf Estates LLC
PCPC-2021-171 - Ward 5
 - Subdivision plat (submitted 5/27/22)

A public hearing was scheduled.

Councilman Bentley advised additional information is pending from the applicant. He announced the Metroparks purchased the larger abutting property. The Hawthorne development will be 102 units for ages 50 years and older.

Councilman Bentley opened the public hearing and asked for comments. There were no comments from the audience, however, the public hearing remained open.

Motion by Ms. Sutton, seconded by Mr. Greenspan to table consideration of Item 1.

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

Nay: None

Motion carried

2. 34182 Aurora Road – Echo Realty (Starbucks)
PCPC-2022-278 – Ward 6
 - Site plan

Mr. Jason Grubaugh, Kimley-Horn and Associates, Inc., was present representing the applicant. Mr. Grubaugh displayed the plan and explained the request to re-locate the menu board further back to optimize the vehicle stack to seven to achieve ten extra transactions at peak volume. He said they have received approval by the Safety and Public Properties Committee.

Mr. Newberry thanked the applicant for resolving the drive through issues.

Mr. Stolarsky said the Safety and Public Properties Committee requested cooperation from the applicant should the plan need adjustments in the future.

Mr. Grubaugh said he would need to speak with the project manager and Starbuck's. He believes based on their studies, they found this is the peak traffic flow in terms of stacking.

Mr. Stolarsky said the Engineering Department memo for this item recommended the site plan be referred to the Safety and Public Properties Committee for review, which was satisfied.

Motion by Ms. Sutton, seconded by Mr. Newberry to approve the site plan for 34182 Aurora Road contingent upon requirements in the July 20, 2022 Engineering Department memo and the requirements of the Safety & Public Properties Committee referral dated August 11, 2022.

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

Nay: None

Motion carried

3. 33217 N. Roundhead Drive - Drew Slane
PCPC-2022-296 - Ward 2
 - Variance for fence location of a third party easement
 - Setback variance

Councilman Bentley explained the applicant requested to place a deck on a utility easement which is not permitted by Code. He said the applicant reconsidered the location and variances are no longer necessary. Therefore, the applicant requested to withdraw the application.

Motion by Mr. Newberry, seconded by Mr. Greenspan to accept the applicant's withdrawal of Item 3.

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

Nay: None

Motion carried

4. 5391 SOM Center Road - David and Amy Brewer
PCPC-2022-298 - Ward 4
 - Accessory structure location variance

Mr. David Brewer was present and displayed the site plan. Mr. Brewer explained the request to place a generator on the side of his home rather than in the required rear yard location. He said he resides at the corner of Meadow Lane and SOM Center Road and noted the requested side yard location is less visible than in the required rear yard location.

Councilman Bentley advised of the challenges of corner lots and of utility issues with generator locations.

Motion by Ms. Sutton, seconded by Mr. Greenspan to approve an accessory structure location variance contingent upon requirements in the September 7, 2022 Engineering Department memo.

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

Nay: None

Motion carried

5. 35100 Aurora Road - Ara Bagdasarian/Solon Community Living
PCPC-2022-300 - Ward 6
 - 37' front yard building setback variance (triplexes)
 - 47' front yard building setback variance (5-unit building)
 - 40' side yard building setback variance (triplexes)
 - 80' side yard building setback variance (5-unit building)
 - 40' rear yard building setback variance (triplexes)
 - 80' rear yard building setback variances (5-unit building)
 - 85' front yard accessory use variance
 - 42' parking area to public streets variance
 - 2' length variance for 3 parking spaces (clubhouse)
 - 4' parking aisle width variance (clubhouse)
 - 4' parking street access width variance (clubhouse)
 - 4' driveway width access variance (clubhouse)
 - 22' outdoor recreation area front to public street variance
 - 0.3 units per acre density variance
 - 4' street width variance
 - 20' right-of-way width variance
 - 1' sidewalk width variance
 - 2' driveway width variance (residential buildings)
 - Site plan

A public hearing was scheduled.

Councilman Bentley advised this item was referred to the Public Works Committee for review and recommendation.

Councilman Bentley opened the public hearing and asked for comments. There were no comments from the audience, however, the public hearing remained open.

Mr. Kasimov advised that the contingency requiring approval of the final architectural review by the City's architect has been satisfied and can be removed.

Motion by Mr. Newberry, seconded by Mr. Greenspan to table consideration of Item 5.

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

Motion carried

NEW:

6. 6230 Penfield Lane - Sreedhar & Deepa Nair
PCPC-2022-304 - Ward 3
- 13' side yard setback variance for principle structure

Mr. Sreedhar Nair was present and displayed the plan and a letter from a survey company. He explained the house was purchased in 2005 and is on a corner lot.

Mr. Kasimov explained the variance is necessary as the side yard setback from the street is less than 40' as required by the plat and less than 50' as required by the Zoning Code.

Mr. Stolarsky said the 13' variance will allow the house to remain at a 37' setback.

Councilman Bentley said the issue was discovered when the home was sold. He thanked Mr. Nair for correcting the issue.

Motion by Mr. Newberry, seconded by Ms. Sutton to approve a 13' side yard setback variance for principle structure at 6230 Penfield Lane to allow the house to remain at a 37' setback from Chagrin Highlands Boulevard.

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

Motion carried

7. 5838 Briarwood Lane - Patrick & Emily Wallen
PCPC-2022-305 - Ward 6
- 6' detached garage height variance

The applicant was not present. Councilman Bentley asked that the applicant be contacted to attend the next meeting.

Motion by Mr. Greenspan, seconded by Ms. Sutton to table consideration of Item 7.

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

Motion carried

8. 28005 Louise Drive - Loretta Lacy
PCPC-2022-306 - Ward 5
- 10' rear yard setback variance

Mr. Timothy West, 28005 Louise Drive, was present representing the applicant. Mr. West displayed the plan and explained the request to replace an existing deteriorated deck with a new 16' x 16' deck with a ramp. He explained the ramp is for wheelchair access for his wife.

Mr. Newberry asked if Mr. West agreed with the requirements of the Engineering Department memo. Mr. West said yes.

Motion by Mr. Newberry, seconded by Mayor Kraus to approve a 10' rear yard setback variance contingent upon requirements in the September 21, 2022 Engineering Department memo.

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. Newberry and Councilman Bentley wished everyone Happy Rosh Hashanah.

Councilman Bentley recommended motorists plan for additional traffic with the start of school.

Mayor Kraus attended Rosh Hashanah services at the new social hall auditorium at the Chabad Jewish Center and complimented the facility's renovation. He said the Rabbi and his wife expressed their appreciation for the expedited permit process.

Mayor Kraus congratulated the Fall sports teams and wished them continued success.

Motion by Ms. Sutton, seconded by Mr. Greenspan to adjourn the meeting at 7:54 P.M.

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

Nay: None

Motion carried

Chairman

Secretary