

SOLON PLANNING & ZONING COMMISSION
November 29, 2022 – 7:30 P.M.

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

Present: Commission Members Newberry, Sutton, Councilman Bentley, Mayor Kraus, Assistant Law Director Stolarsky, Secretary Letourneau, Planner Consultant Kasimov

Absent: Commission Member Greenspan

Also Present: Fire Inspector Wolf, 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.

Mr. Stolarsky explained that since one of the Commission members is absent, four voting members constitute a quorum and an affirmative vote of three members is necessary for approval. He said if an applicant believes they may benefit from a full Commission, they may request their item be tabled before a vote.

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 as the City is still waiting for information from the applicant. However, information has been received from the Village of Oakwood that they are meeting with engineers to discuss accepting the sanitary sewer flow from the Hawthorne Golf Estates.

NEW:

2. 29605 Aurora Road – Mac's Convenience Stores, LLC (Circle K) – numerous variances and site plan: Councilman Bentley said the project includes several variances that will be addressed during the meeting.

3. 6025 Kruse Drive – UG2 Solon OH, LP - number of free standing signs variance and a sign height variance: Ms. Jamie Stanley, a representative for the applicant, attended via ZOOM to answer questions during the Caucus and said she will be able to share her screen with the Commission during the meeting.

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 Ms. Sutton to approve the minutes of the November 15, 2022 meeting as presented.

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

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 10/31/22)

A public hearing was scheduled.

Councilman Bentley explained much of the former Hawthorne Golf Course was purchased by the Metroparks and the proposed subdivision plan will include 102 senior housing units for 50 years and older. Information is pending from the applicant regarding authorization to connect to sewers in the Village of Oakwood.

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. Newberry to table consideration of Item 1.

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

Motion carried

NEW:

2. 29605 Aurora Road - Mac's Convenience Stores, LLC (Circle K)
PCPC-2022-318 - Ward 6
 - Extension of a non-conforming use variance

- 75' building front setback variance
- 8' building (street) side yard setback variance
- 1 space number of parking spaces variance
- 14' parking aisle width variance (west)
- 7' parking aisle width variance (east)
- 12' street access drive width variance (west)
- 12' street access drive width variance (south)
- 66' minimum front yard green space & landscaping variance
- Minimum front yard number of trees variance (14 trees)
- Minimum front yard number of shrubs variance (27 shrubs)
- 90% minimum front yard parking & off-street loading screening variance
- Off-street loading area variance
- 0.69' candle paved area variance
- 46.5' candle canopy area variance
- Two product advertising signs variance
- Two building wall signs variance (west elevation)
- Two canopy wall signs variance (west and south elevations)
- 38.5 sf building sign area variance (West elevation)
- 96 sf canopy sign area variance (48 sf on each the west and south elevations)
- Number of free standing signs variance (to permit one additional)
- Site plan

Mr. Anthony Coyne and Ms. Kathryn Weber, Mansour Gavin LPA, 1001 Lakeside Avenue, Suite, 100, Cleveland, Ohio, were present representing the applicant. Mr. Coyne also introduced members involved in the project that were seated in the audience.

Mr. Coyne displayed the plan and explained the landscaping greenspace requirement will be met, however, the type of plant material is specific in the Code and variances are necessary in regard to the number of trees and shrubs. He said they will work to accommodate specific requests. Mr. Coyne referred to front yard parking, loading and screening requirements and noted a trash enclosure will be included, however, the business does not require a loading dock. He said stocking will take place through the front doors and will require a variance.

Mr. Coyne explained the lighting plan is determined to be the safest and most appropriate lighting for the site considering the business will be open 24 hours. He said as there is no residential areas abutting the site, he believes light spillage will not be a significant issue. Mr. Coyne explained the sign package.

Councilman Bentley asked how often the spanner board and frame banner will be changed.

Mr. Brad Busson, 69 Orchard Drive, Doylestown, Ohio was present representing the applicant and explained the expected duration of time before each sign would be changed.

Mr. Coyne explained a new canopy will be built, therefore, there will be a Circle K sign on the western and eastern sides. He said it is not an uncommon sign package

for a national service station and convenience store. He noted there will be 15 employees including a store manager and two assistant managers.

Ms. Weber indicated the locations of the monument signs at each entrance and the canopy signs. Mr. Coyne said the monument signs will be located away from the busy intersection in order to avoid distractions to drivers.

Mr. Coyne advised there will be no substantial detriment from the requested variances as the site use has not changed and the improvements will result in a much more attractive site than what currently exists. He expects the site would be under construction in early 2023 if approvals are received according to the City schedule.

Mr. Stolarsky explained the Law Department determined that a total tear down and rebuild that meets the time requirements would constitute a valid expansion or extension of a non-conforming use.

Mr. Newberry asked the timeline for the construction period. It was determined an approximate six-month timeframe was expected.

Motion by Mayor Kraus, seconded by Ms. Sutton to approve an extension of a non-conforming use variance.

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

Motion carried

Motion by Mr. Newberry, seconded by Ms. Sutton to approve a 75' building front setback variance.

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

Motion carried

Motion by Ms. Sutton, seconded by Councilman Bentley to approve an 8' building (street) side yard setback variance.

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

Motion carried

Motion by Councilman Bentley, seconded by Mayor Kraus to approve a 1 space number of parking spaces variance.

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

Motion carried

Motion by Mayor Kraus, seconded by Mr. Newberry to approve a 14' parking aisle width variance (west).

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

Motion carried

Motion by Mr. Newberry, seconded by Ms. Sutton to approve a 7' parking aisle width variance (east).

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

Motion carried

Motion by Ms. Sutton, seconded by Mr. Newberry to approve a 12' street access drive width variance (west).

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

Motion carried

Motion by Councilman Bentley, seconded by Mayor Kraus to approve a 12' street access drive width variance (south).

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

Motion carried

Motion by Mayor Kraus, seconded by Mr. Newberry to approve a 66' minimum front yard green space & landscaping variance.

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

Motion carried

Motion by Mr. Newberry, seconded by Ms. Sutton to approve a minimum front yard number of trees variance (14 trees).

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

Motion carried

Motion by Ms. Sutton, seconded by Councilman Bentley to approve a minimum front yard number of shrubs variance (27 shrubs).

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

Motion carried

Motion by Councilman Bentley, seconded by Mayor Kraus to approve a 90% minimum front yard parking & off-street loading screening variance.

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

Motion carried

Motion by Mayor Kraus, seconded by Mr. Newberry to approve an off-street loading area variance.

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

Motion carried

Motion by Mr. Newberry, seconded by Ms. Sutton to approve a 0.69' candle paved area variance.

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

Motion carried

Motion by Ms. Sutton, seconded by Councilman Bentley to approve a 46.5' candle canopy area variance.

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

Motion carried

Motion by Councilman Bentley, seconded by Mayor Kraus to approve a two product advertising signs variance.

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

Motion carried

Motion by Mayor Kraus, seconded by Mr. Newberry to approve a two building wall signs variance (west elevation).

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

Motion carried

Motion by Mr. Newberry, seconded by Ms. Sutton to approve a two canopy wall signs variance (west and south elevations).

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

Motion carried

Motion by Ms. Sutton, seconded by Councilman Bentley to approve a 38.5 sf building sign area variance (west elevation).

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

Motion carried

Motion by Councilman Bentley, seconded by Mayor Kraus to approve a 96 sf canopy sign area variance (48 sf on each the west and south elevations).

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

Motion carried

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

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

Motion carried

Motion by Mr. Newberry, seconded by Ms. Sutton to recommend approval of a site plan for 29605 Aurora Road contingent upon the requirements in the November 22, 2022 Engineering Department memo and November 21, 2022 Fire Department memo.

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

Motion carried

3. 6025 Kruse Drive - UG2 Solon OH, LP
PCPC-2022-287 - Ward 6

- Number of free-standing signs variance (to permit one additional)
- 1'8" ground sign height variance
- Site plan

Ms. Jamie Stanley, Poblocki Sign Company, LLC, 201 Kitty Hawk Drive, #100, Morrisville, NC was present representing the applicant via ZOOM. Ms. Stanley displayed the site plan and explained the multi-tenant commercial project to add two free-standing monument signs (A and B on the plan).

Councilman Bentley indicated the sign locations on the plan. It was explained the height variance is for monument sign A to see above an existing wall and sign B is similar with a 7' 8" height. Ms. Stanley said the Fire Department recommended the address be added which will be displayed on both sides.

Mr. Newberry asked if Ms. Stanley has reviewed the department memos for the application. Ms. Stanley said she only received Fire Department comments. Mr. Newberry advised the Engineering Department memo requires positive drainage at

all times, the grading will be inspected, landscaping will not impede the site distance requirements at the intersection and any exterior electric shall be applied for as part of the overall building permit. Ms. Stanley agreed to the requirements.

Motion by Mayor Kraus, seconded by Mr. Newberry to approve a number of free-standing signs variance (to permit one additional).

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

Nay: None

Motion carried

Motion by Mr. Newberry, seconded by Ms. Sutton to approve a 1'8" ground sign height variance.

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

Nay: None

Motion carried

Motion by Mayor Kraus, seconded by Mr. Newberry to approve a site plan for 6025 Kruse Drive contingent upon requirements in the November 22, 2022 Engineering Department memo and the November 17, 2022 Fire Department memo.

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

Nay: None

Motion carried

COUNCIL REFERRAL:

4. Correspondence from Assistant Law Director Stolarsky regarding amending Chapter 1291 of the Zoning Code and adopting a procedure and process for reviewing and approving zoning changes within the Central Retail District as approved by the electorate in November 2021 by Ordinance No. 2021-146.

Mr. Stolarsky explained in November 2021, the voters approved Article XIV, Section 4 of the Charter permitting City Council to make zoning changes within the Central Retail District as defined in the Master Plan without approval of the voters. The Charter provision authorizes the Council to establish a procedure for considering such zoning changes. He said a draft of the Zoning Code amendment prepared by the Administration, Planning Department and Legal Department is provided for consideration.

Motion by Mr. Newberry, seconded by Ms. Sutton to schedule a public hearing for the December 13, 2022 meeting.

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

Nay: None

Motion carried

5. Correspondence received from David Smercina, 5045 Brainard Road requesting to rezone Permanent Parcel No. 951-04-006 from the current multi zoning of C-3 (Commercial) and R-1-D (Single Family Residential) to only R-1-D (Single Family Residential)

Councilman Bentley explained the property is currently zoned C-3 and R-1-D and the request is for the whole parcel to be zoned R-1-D.

Motion by Mr. Newberry, seconded by Ms. Sutton to schedule a public hearing for the December 13, 2022 meeting.

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

Motion carried

COMMENTS FROM THE AUDIENCE:

There were no comments from the audience.

COMMENTS FROM THE COMMISSION:

In turn, members of the Commission and Administration wished everyone a happy and safe holiday.

Mayor Kraus encouraged everyone to shop local.

Mayor Kraus thanked everyone who attended the holiday lighting. He commended the departments involved for their efforts. He commended the Bollywood dancers, Solon Center for the Arts dancers, the Solon Madrigals and alumni and the Solon High School Marching Band for their performances.

Motion by Mr. Newberry, seconded by Ms. Sutton to adjourn the meeting at 8:14 P.M.

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

Motion carried

Chairman

Secretary