

PLANNING & ZONING COMMISSION
August 23, 2011 – 7:15 P.M.

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

Present: Commission Members Bentley, Mazur, Newberry, Councilwoman Richmond, Mayor Drucker, Law Director Lobe, Planning Director Frankland, Acting Secretary Letourneau

Absent: None

Also Present: Fire Lieutenant Benedict

The following items remained on the Inactive Agenda:

- A. Thornbury Subdivision – Forest City Land Group – Dedication Plat for phases 7 and 8
- B. 34050 Aurora Road – BP America – Number of signs variance (to permit 16)
- C. Requests from Wolf Family Trust and Larry Coven, for consideration of allowing medical and dental occupancy in the I-2 Zoning District
- D. 6585 Liberty Road – Alex and Julie Spirikaitis – Site plan and front yard setback variance for new home construction

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.)

Chairman Mazur presided.

PENDING:

1. 29605 Aurora Road – 322 & 91 Properties, LLC – Jon Sines – site plan modification to previously approved landscape plan: Mr. Frankland said no new information has been received. He said they are currently in violation of the Code and it was determined a letter should be sent to them.

4. Appeal to the decision of the Chief Building Official filed by S. Michael Lear on behalf of Mitchell Leventhal, 6630 Cummings Drive: Mr. Mazur said this item will be tabled based on a request from Mr. Leventhal's attorney.

NEW:

6. 33290 Bainbridge Road – Bharet & Indu Khemsara - site plan approval for renovations including fencing and canopy: Mr. Mazur confirmed the applicant had paint samples to present during the meeting.

Mr. Mazur said the applicant has requested consideration of the renovations being completed in two phases, which will be reviewed during the meeting.

The Commission further discussed the requirement that the renovations would have to be completed within the one-year timeframe. Mr. Mazur informed the applicant the appropriate permits would be required to be issued within one year from the approval date.

Mr. Frankland briefly described a minor alteration he will review during the meeting.

Mr. Mazur said information was received this afternoon regarding Inactive Agenda Item D and he will request this item be moved to the Active Agenda to be heard at the next Commission meeting on September 13th.

The caucus ended at 7:20 P.M. and the meeting convened 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.

APPROVAL OF MINUTES:

Motion by Mr. Newberry, seconded by Mr. Bentley to approve the minutes of the August 9, 2011 meeting as presented.

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry, Richmond

Nay: None

Motion Carried

PENDING:

1. 29605 Aurora Road – 322 & 91 Properties, LLC – Jon Sines 037-2011
 - Site plan modification to previously approved landscape plan

Mr. Frankland said he and Mayor Drucker met with the applicant and it was determined a revised site plan would be submitted showing the green space re-installed on the site and a slight alteration to the access drives. However, as of yet there has been no new information submitted.

Mr. Mazur instructed the Clerk to send a letter to the applicant advising them to submit the agreed upon revised site plan without delay. In addition, they are considered to be in violation of the Code.

Motion by Mr. Mazur, seconded by Mayor Drucker to table consideration of Item 1.

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry, Richmond

Nay: None

Motion Carried

2. 34172 Russell Drive – PP#'s 956-13-003 and 956-13-004 - 055-2011
Mehri Varghai
- Lot consolidation (re-approval)

Mr. Mazur said this consolidation was approved over a year ago, however, the applicant never recorded the consolidation and it has since expired.

Mr. Frankland displayed an aerial view of the property indicating the two lots to be consolidated. One lot contains a home and the other contains an accessory building. The lots are required by Code to be consolidated. Mr. Frankland said the consolidation will create a 1.92 acre lot. Mr. Frankland noted in order to maintain the lots separately, a variance would be required.

In response to Mr. Mazur's question, Mr. Frankland said he has not seen a plat prepared by a surveyor thus far.

A public hearing was scheduled. Mr. Mazur opened the public hearing and asked for comments.

Mr. Mazur said it would have been preferable to have the applicant present for the meeting.

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

Motion by Mr. Mazur, seconded by Councilwoman Richmond to approve the lot consolidation for PP#'s 956-13-003 and 956-13-004 for 34172 Russell Drive and to instruct the Clerk to send a letter to the applicants advising them to be present for the September 7th Council meeting as well as to submit a prepared consolidation plat.

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry, Richmond
Nay: None

Motion Carried

3. 33175/33245 Aurora Road – Colton Enterprises - 058-2011
(Huntington Bank)
- 27.9' front yard building setback variance
 - 8' drive aisle width variance – south elevation
 - 8' drive aisle width variance – west elevation
 - 8' drive aisle width variance – north elevation
 - 10' parking lot/drive aisle setback from building variance
 - 25' drive aisle/street access drive setback variance from rear property line
 - Building color variance
 - Number of wall signs variance (to permit four (4) signs)
 - Building material variance
 - Site plan for new building

Mr. Mazur said this item will be reviewed by the Safety and Public Properties Committee at their next meeting on September 14th and will, therefore, be tabled.

In response to Mr. Newberry's question regarding the necessity for a lot consolidation, Mr. Frankland said a lot consolidation is necessary along with a public hearing.

Mr. Newberry suggested the applicant take the necessary action to have the lot consolidation added to the agenda for the next meeting.

Mr. Frankland said the applicant would like to begin the project this year.

Mr. Newberry said the lot consolidation is not critical until they seek occupancy of the building.

Mr. Frankland said more variances will be required without the lot consolidation and, therefore, he would like to see the lot consolidation process begin.

Motion by Mr. Newberry, seconded by Mr. Bentley to table consideration of Item 3.

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry, Richmond

Nay: None

Motion Carried

4. Appeal to the decision of the Chief Building Official filed by S. Michael Lear on behalf of Mitchell Leventhal, 6630 Cummings Drive

Mr. Mazur said a request was received from the applicant's attorney to table this item.

Motion by Mr. Mazur, seconded by Councilwoman Richmond to table consideration of Item 4.

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry, Richmond

Nay: None

Motion Carried

NEW:

5. 33505 Solon Road – Matthew Puflea 062-2011
 ▪ Site plan – window modifications

Mr. Steve Ciciretto, Architect, was present and displayed photos of the existing home and explained the changes that are proposed. He said this home is in the historic district and some changes to the windows have been made since the previous plan was approved.

Mr. Ciciretto indicated the windows and said the new plan will maintain the character of the existing windows as well as give the owner much needed wall space since the house is rather small. He displayed the originally approved plan and indicated where the proposed changes would be.

Commission members agreed the proposed window changes would maintain the character of the home.

Motion by Mr. Mazur, seconded by Mayor Drucker to approve the site plan for window modifications.

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry, Richmond
Nay: None

Motion Carried

6. 33290 Bainbridge Road – Bharet & Indu Khemsara 063-2011
▪ Site plan – renovations including fence and canopy

Mr. Robert Martien was present and displayed a site plan indicating the building formerly known as Anthony's Beauty Salon. The applicant, Dr. Khemsara, is proposing a veterinary clinic in that location. He indicated an area in the rear yard to be covered with pea gravel that will be utilized as a supervised exercise area for the dogs. He indicated another area where a trash compactor would be located and said both areas would be fenced. Mr. Martien said the entire rear yard is currently being used as a parking lot.

Mr. Martien said the initial plan is to get the business going as soon as possible. Once they are in the building, they will have a better idea of the changes that should be made to it which include an addition. Mr. Martien said the plan is to make the interior changes within the year but not right away.

Mr. Martien displayed a plan indicating a canopy in the rear yard and a side elevation of the canopy. He explained the canopy will be useful to stand under when outside with the dogs during inclement weather and will serve as another entrance. Mr. Martien said there is a canopy over the front door and the two canopies will match. Mr. Martien displayed a sample of the fencing which will be 6' high to prevent the dogs from jumping over it.

Mr. Martien displayed an aerial view of the property indicating the rear property line and explained there is significant pedestrian traffic from the neighborhood and the applicant would like to close the rear yard with a 4' high fence.

In response to Mr. Mazur's question, Mr. Martien said there will be two entrances, both in the front.

Mr. Mazur said if there are changes to the plans, they will be required to be approved by the Commission.

In response to Mr. Bentley's question, Mr. Frankland said although parking will be lost, the parking in the rear was never striped and there is more than adequate parking on site per the Code for the current building and once the addition is built.

In response to Councilwoman Richmond's question, Mr. Martien said Dr. Khemsara also has a practice in Newbury and recently closed one in Euclid.

Mr. Mazur asked if there would be any outside storage such as kennels for the dogs and Mr. Martien said there will be no outside kennels.

Motion by Mayor Drucker, seconded by Councilwoman Richmond to approve the site plan for 33290 Bainbridge Road for a rear yard fence, enclosed dumpster, canopy and a handicapped access ramp.

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry, Richmond
Nay: None

Motion Carried

MINOR ALTERATIONS FROM THE PLANNING DEPARTMENT:

1. 32849 Aurora Road – Liberty Ford

Mr. Frankland displayed an aerial view indicating the location of the renovated building. He said this item was previously approved with solid garage doors. However, the applicant installed glass doors which are considered a modification to the plan. Mr. Frankland believes it improves the appearance of the building and the Commission members agreed.

The Commission members agreed no further review of this item was necessary.

Motion by Mr. Mazur, seconded by Mr. Newberry to move Inactive Agenda Item D, 6585 Liberty Road, Alex and Julie Spirikaitis to the Active Agenda since the applicants have received the documentation from the Army Corp of Engineers.

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry, Richmond
Nay: None

Motion Carried

COMMENTS FROM THE COMMISSION:

Mayor Drucker said school is now back in session and the 20 MPH speed limit has been activated. She said while the weather cooperates, some students are biking or walking to school and she encouraged everyone to use caution when driving.

COMMENTS FROM THE AUDIENCE:

There were no comments from the audience.

Motion by Councilwoman Richmond, seconded by Mayor Drucker to adjourn the meeting at 7:55 P.M.

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry, Richmond
Nay: None

Motion Carried

Chairman

Secretary