

**PLANNING & ZONING COMMISSION
December 13, 2011 – 7:00 P.M.**

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

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

Absent: None

Also Present: Fire Lieutenant Benedict, Assistant City Engineer Welch

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. Willow Street – PP# 956-39-056 – Robert Kucinic – Front yard setback variance
- E. Request from Davis Development Group, John Siragusa, Asset Management and Christine Burkholder, Kids Country, to modify the permitted uses in the C-5 Zoning District

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.

NEW:

2. 28815 Aurora Road – Keithley Instruments, Inc. – site plan approval for landscaping improvements: Mr. Mazur said although there is signage depicted on the site plan, it is not under consideration at this time. The landscaping is the only item to be considered this evening and the Commission will be requesting that it be properly maintained.

Mr. Frankland said the landscaping plan has been approved by the City landscape architect.

4. 33240 Bainbridge Road – 33240 Bainbridge Road, LLC – sign setback variance,

sign width variance and site plan review for building, landscape and lighting alterations: Mr. Frankland said the applicant has agreed to stay within Code guidelines and will withdraw the sign width variance request.

5. **6300 SOM Center Road – City of Solon – Lot consolidation of PP#’s**
952-21-035, 952-21-036, 952-21-037, 952-21-38, 952-21-039 and 952-21-040:
Mr. Mazur said a public hearing will be scheduled.

Mr. Frankland said he has 3 minor alterations to review and briefly described them.

The caucus ended at 7:11 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 Mayor Drucker to approve the minutes of the October 25, 2011 meeting as presented.

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

Nay: None

Abstain: Bentley

Motion Carried

Motion by Mr. Mazur, seconded by Mr. Bentley to approve the minutes of the November 15, 2011 meeting as presented.

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

Nay: None

Abstain: Bentley

Motion Carried

NEW:

1. **7380 Royal Portrush – James Hall – (The Weidner Group)** 085-2011

- Rear yard setback variance
- Maximum height variance

Mr. Jim Weidner, Landscape Architect, was present. He displayed a plan and indicated the location of the home and yard. The property borders the Signature of Solon golf course and there have been issues with damage to the property from golf balls and concerns about the comfortable use of his yard.

Mr. Weidner and the Halls believe the addition of a patio covered with a pergola will assist in creating a safer outdoor living space. Although other areas of the property were considered for the patio, the area detailed is the most practical due to the shallowness of the lot and the placement of existing trees. He indicated the

location of the trees and explained they have not yet grown in enough to assist in preventing errant golf balls from **damaging the Halls' property**. However, Mr. Weidner feels the installation of the patio behind the trees as they continue to grow will assist in reducing the amount of errant golf balls in the Halls' yard.

Mr. Mazur said the Code allows a 4 ½' high fence and since the pergola will be taller to allow for people to walk under it, it creates the need for the maximum height variance.

Mr. Bentley asked if approval from the Signature of Solon Homeowners' Association was received. Mr. Weidner said approval was received and he believes an email was sent indicating approval. The Commission determined they did not have verification from the Signature of Solon Homeowners' Association and requested this information be provided to the Clerk.

Motion by Mayor Drucker, seconded by Councilwoman Richmond to approve the 6' rear yard setback variance.

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

Motion Carried

Motion by Councilwoman Richmond, seconded by Mr. Bentley to approve a 5.5' maximum height variance.

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

Motion Carried

2. **28815 Aurora Road – Keithley Instruments, Inc.** 086-2011
 ▪ Site plan approval for landscaping improvements

Mr. Robert Morgan, Landscape Architect, McKnight Associates, was present and distributed additional information to the Commission. He displayed an aerial indicating the area owned by Keithley Instruments. Mr. Morgan indicated the parcel where a building is currently being demolished and said Keithley will restore the site with outdoor amenities for Keithley employees.

Mr. Morgan displayed existing photos of the site indicating the area facing Aurora Road. He said the amenities will include a lawn area, a native meadow area with native grasses and wildflowers and a picnic area. Mr. Morgan said a walking pathway around the perimeter of the property already exists and an additional walking path made from gravel material already on site will be utilized to connect the existing path. The pathway will access a parking area and a volleyball court.

Mr. Morgan said the area will be utilized by Keithley employees and the importance of maintaining it properly is understood.

Mr. Mazur emphasized that although the site plan provides signage details, it is not **under consideration at this time**. He also stressed the importance of the applicant's commitment to maintain the landscaped area.

Mr. Newberry commended the applicant for timely preparation of the landscape

plan.

Motion by Mr. Bentley, seconded by Mr. Mazur to approve a site plan for landscaping improvements for Keithley Instruments at 28815 Aurora Road contingent upon the applicant's agreement to maintain the landscaping in an acceptable manner.

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

Motion Carried

3. **33631 Aurora Road – Solon Square LLC**

087-2011

- Fence location variance
- Site plan review for new fence

Mr. Stephen Fein, MidAmerica Management and Mr. Brian Fabo, Architect, Fabo Enterprises, Inc. were present. Mr. Fabo displayed a site plan indicating the former D.O. Summers Building located at the corner of the Solon Square shopping plaza entrance and Aurora Road. He explained the façade renovation is currently under construction.

Mr. Fabo indicated an area in the front of the property where the gas meters were previously located and explained they are being relocated to a recessed corner of the building. He said the corner will be enhanced with landscaping and indicated an existing column which is part of the building's canopy structure. Mr. Fabo said a section of black ornamental fence is proposed and will connect to a newly installed matching brick column. The purpose is to help protect the landscaping especially during the winter when snow from the adjoining parking lot is pushed into the area.

Mr. Fabo displayed a landscape plan which was updated per the City landscape architect's recommendations.

Motion by Mr. Mazur, seconded by Mayor Drucker to approve a fence location variance.

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

Motion Carried

Motion by Mayor Drucker, seconded by Councilwoman Richmond to approve a 1' brick column height variance.

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

Motion Carried

Motion by Mr. Newberry, seconded by Mr. Bentley to approve a brick column setback variance.

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

Motion Carried

Motion by Mr. Bentley, seconded by Mr. Mazur to approve a site plan for the new fence.

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

Nay: None

Motion Carried

4. **33240 Bainbridge Road – 33240 Bainbridge Road, LLC** 088-2011
- Sign setback variance
 - Sign width variance
 - Site plan review for building, landscape and lighting alterations

Ms. Donna Heffernan and Mr. Neil Saffron, Architect, were present. Mr. Saffron displayed a photo of the existing unsightly building from different angles. He displayed a photo of an attractive Century building in Hudson, indicating certain details of the building and explained this is the general look he will strive to create with the renovations.

Mr. Saffron said the building footprint will remain unchanged. He indicated an area behind the building intended for a future employee lunch area. He indicated an area in the front and the side of the building where landscaping will be added and the location for the installation of a new sidewalk leading to the front entrance.

Mr. Saffron referred to the site plan and said the number of current parking spaces is in compliance with Code requirements and they will be re-striped. There will be an addition of one ADA parking space.

Mr. Saffron displayed the new proposed interior floor plan for a functioning CPA office. He also displayed renderings of the various exterior elevations and explained the improvements to be made on each elevation and the various architectural details. He said the siding will be a white clapboard style with a new gable roof. Mr. Saffron feels the color and material choices are appropriate for the building style.

Mr. Saffron displayed a landscape plan which was reviewed by the City landscape architect whose recommendations have been added. The recommendation includes additional plantings along the east side of the building to screen the HVAC equipment.

Mayor Drucker commended Ms. Heffernan and Mr. Saffron for the proposal and said it went above and beyond the City requirements and will be an attractive addition to the Historical District. She complimented Mr. Saffron for the work done to the Swirl Wine Bar and said she believes this building will be just as attractive when completed.

Mr. Saffron also submitted a photometric plan for lighting and said it is in compliance with the City code in regard to the foot candle levels. He said two additional white sconces will be added to illuminate the adjacent parking lot and are also within Code guidelines. There will be no significant spillage onto adjacent properties.

Mr. Mazur asked why the ADA parking space was not the space closest to the door.

Mr. Saffron said Ms. Heffernan will be using that space daily since it is closest to the

door that accesses her office. He believes the location for the ADA parking space meets all of the State requirements and a handicapped individual would be able to traverse the area and access the sloped sidewalk to the main entrance.

Ms. Heffernan requested the 1' sign width variance be withdrawn.

Motion by Mr. Mazur, seconded by Mr. Newberry to accept the applicant's withdrawal for a 1' sign width variance request.

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

Motion Carried

Motion by Mayor Drucker, seconded by Councilwoman Richmond to approve a 10' sign setback variance.

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

Motion Carried

Motion by Councilwoman Richmond, seconded by Mr. Newberry to approve the site plan for building, landscape and lighting alterations.

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

Motion Carried

5. 6300 SOM Center Road – City of Solon – PP#'s 952-21-035, 089-2011
952-21-036, 952-21-037, 952-21-038, 952-21-039, 952-21-040
▪ Lot consolidation

Mr. Frankland said the consolidation involves the properties where the gazebo and the Veteran's Memorial Park are located. They will be consolidated with the fire station property. Mr. Frankland said the previous gazebo was located on a right-of-way owned by the State. The State has donated the property to the City of Solon and this consolidation will provide the City with clear ownership of the entire park.

Motion by Mr. Mazur, seconded by Councilwoman Richmond to schedule a public hearing on Tuesday, January 10, 2012 for a lot consolidation for PP#'s 952-21-035, 952-21-036, 952-21-037, 952-21-038, 952-21-039 and 952-21-040.

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

Motion Carried

COUNCIL REFERRAL:

6. Ohio Building Code updates and amendments to Chapters 1402 and 1424 of the Solon Building and Housing Code.

Mr. Frankland said this item was submitted by the Chief Building Official and Mr. Boshane recommends updating the Code to reflect the recently released 2011 Residential Building Code State standards which include several amendments. Mr. Boshane also recommends reducing the fee currently charged for roof replacement for commercial buildings.

Motion by Mr. Mazur, seconded by Mr. Newberry to schedule a public hearing on

Tuesday, January 10, 2012 regarding updates and amendments to Chapters 1402 and 1424 of the Solon Building and Housing Code.

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

Motion Carried

Mr. Mazur said it is also necessary to schedule two additional public hearings.

Motion by Mr. Mazur, seconded by Mayor Drucker to schedule a public hearing on Tuesday, January 10, 2012 for the Chabad Jewish Center of Solon, 5570 Harper Road to consolidate parcels 951-28-006, 951-28-028, 951-28-017, 951-28-004, 951-28-003.

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

Motion Carried

Motion by Mr. Mazur, seconded by Councilwoman Richmond to schedule a public hearing on Tuesday, January 10, 2012 for 37167 Landings Drive, the Klotzman residence, for a lot split/consolidation of parcels 955-01-029 and 955-01-030.

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

Motion Carried

MINOR ALTERATIONS FROM THE PLANNING DEPARTMENT:

1. 7196 SOM Center Road – Our Redeemer Lutheran Church

Mr. Frankland displayed an aerial view of the property and said they are proposing the addition of 15 ground mounted lights in the front of the building. He said a submitted lighting plan indicates there will be zero spillage at the property line. It is believed the lights are approximately 12" high.

The Commission members agreed no further review of this item was necessary provided there will be no light spillage onto SOM Center Road.

2. 29500 Fountain Parkway – Techtron Systems

Mr. Frankland displayed an aerial view of the property and said the applicant is proposing the addition of overhead doors. He displayed a site plan indicating where the doors will be added. A man door is also proposed. Mr. Frankland said a parking lot expansion is also planned and will be requested in the future.

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

3. 39910 Aurora Road – Station 43

Mr. Frankland said the proposal is for a temporary weather shelter. However, the applicant was unable to receive additional information for the Commission's review this evening. He displayed photos indicating the rear entrance of Station 43. Mr. Frankland explained that during the winter when the door opens, the wind brings very cold air into this section of the restaurant making it uncomfortable for patrons.

Mr. Frankland said the applicant is requesting permission to construct a temporary L-shaped structure that will have a metal frame surrounded by vinyl material. It will be 7' tall with clear vinyl on the top half with a solid color base and will attach to the building. He said it will be supported by metal posts installed into the concrete that can be removed and capped. The proposed color for the base is scarlet red which is close to an earth-tone color. Mr. Frankland said this is only a temporary shelter which would be removed in the spring.

Mr. Mazur said in an effort to accommodate the business since it is needed for the winter season and since the next meeting has been cancelled, the application will be allowed to proceed with specified criteria. However, the Commission wishes to make clear this is not the typical pattern and would appreciate accurate information for consideration in a timely manner.

Mr. Bentley prefers a color selection that would match the siding color. Mr. Frankland said the applicant did indicate they would be willing to change the color to a tan if the red was not considered appropriate by the Commission.

Mr. Mazur said another criterion for approval is that the temporary structure would be required to be removed by April 1st. In addition, if the temporary structure is requested in the future, the Commission would appreciate all of the necessary information in a timely manner.

Mr. Mazur said based upon the current lack of detail, consideration of the installation will be subject to the Planning Department's approval of the measurements and the dimensions.

Mr. Newberry agreed with Mr. Bentley and would prefer a tan color rather than a prominent color such as scarlet red. He agreed with Mr. Mazur's contingency that the Planning Department should be completely satisfied that the installation of the temporary structure meets with the intent and purpose of the Code.

COMMENTS FROM THE COMMISSION:

Mayor Drucker wished to thank resident, Bob Cibik, for advising the Administration that there was no POW flag displayed at the Veteran's Memorial Park. She said that flag has been ordered and will be on display soon.

Mayor Drucker said the Solon Center for the Arts had a successful weekend with the performance of "The Christmas Carol Rag." She commended Director Karen Prasser, who provided the music and played the piano for the entire production.

Mayor Drucker wished everyone a happy holiday and a healthy, happy and prosperous New Year.

Councilwoman Richmond also commended the performance at the Solon Center for the Arts this weekend. She said the voices were incredible and Karen Prasser and her staff did a wonderful job. She also wished everyone a happy and safe holiday.

Mr. Newberry wished everyone happy holidays.

Mr. Bentley said he attended one of the concerts at the school and said it was wonderful. He encouraged everyone to attend the school concerts to support the students who work so hard preparing for them. He also wished everyone a happy and safe holiday.

Mr. Frankland offered happy holiday wishes.

Mr. Mazur wished everyone a happy and joyous season and a prosperous New Year.

COMMENTS FROM THE AUDIENCE:

There were no comments from the audience.

Motion by Mayor Drucker, seconded by Councilwoman Richmond to adjourn the meeting at 8:15 P.M.

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

Motion Carried

Chairman

Secretary