

PLANNING & ZONING COMMISSION
June 12, 2012 – 7:00 P.M.

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

Present: Commission Members Newberry, and Bentley, Councilwoman Richmond, Mayor Drucker, Prosecutor Stolarsky, Planning Director Frankland, Secretary McConoughey

Absent: Chairman Mazur

Also Present: Fire Lieutenant Benedict, Assistant City Engineer Welch

The following items remained on the Inactive Agenda:

- A. Requests from Wolf Family Trust and Larry Coven, for consideration of allowing medical and dental occupancy in the I-2 Zoning District
- B. Willow Street – PP# 956-39-056 – Robert Kucinic – Front yard setback variance
- C. SW Corner of Miles Road and Neptune Drive – PP#'s 951-04-016, 951-05-001, 002, 003, 004 and 005 – Randy Kertesz – various setback variances and plan for subdivision

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.)

Vice Chairman Richmond presided. She informed applicants that they had the option to table their items tonight since one member of the Commission is absent and noted the next Planning Commission meeting will not be held until July 10th.

NEW:

- 2. SE quadrant of Aurora Road & SOM Center Road – Echo Solon, LLC – drive-through lane setback variance and a site plan modification for a drive-through: Mr. Phil Bishop was present and explained this request is for a national coffee shop.
- 3. 7079 Navajo Trail – Tim & Kathie Stull – rear yard setback variance: Mr. Tim Stull was present and explained the proposal is to enlarge an existing deck.
- 4. 30455 Solon Road – 30455 Solon Road, LLC – total parking space variance and site plan review for exterior modifications: Councilwoman Richmond said it has been determined the variance should be for 16 spaces, not 11 as originally identified.

Mr. Frankland said the site plan submitted indicated 190 parking spaces were existing; however, there are only 174 parking spaces.

Ms. Jen Dotson, GLSD Architects, was present representing 30455 Solon Road, LLC. She explained that the number of parking spaces will be sufficient at this time. They are in the process of renovating the building and should they acquire a tenant who requires additional parking spaces, more will be added.

COUNCIL REFERRAL:

5. Ordinance No. 2012-150 imposing a temporary moratorium on development of parcels 954-29-027, 028, 029, 030, 031 and 032: Councilwoman Richmond recommended this item be tabled.

Mayor Drucker asked if this item should be moved to the Inactive Agenda since review of it is pending with the Master Plan Committee.

Mr. Frankland said the next Master Plan Committee meeting will be scheduled for late July. Therefore, the Planning Commission should be able to consider it during the first meeting in August.

The Commission determined this item should be tabled.

Mr. Newberry asked if a lot consolidation is necessary for Item 4, 30455 Solon Road, LLC.

Mr. Frankland said a lot consolidation is necessary and should be added as a contingency to the approval of the site plan. It was determined that approval will be contingent upon the lot consolidation being submitted prior to the issuance of an occupancy permit.

Councilwoman Richmond referred to Inactive Agenda Item A regarding medical and dental uses in the I-2 district and said this will be removed since it was removed from the Council's Inactive Agenda and it was referred by the Council.

Councilwoman Richmond referred to Inactive Agenda Item C regarding the proposed subdivision at the southwest corner of Miles Road and Neptune Drive and said this item will be moved to the Active Agenda for the July 10th meeting and referred to the Engineering Department for review of the applicant's most recent submission.

The caucus ended at 7:10 P.M. and the meeting convened at 7:30 P.M.

Vice Chairman Richmond presided.

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 May 29, 2012 meeting as presented.

Roll Call: Aye: Drucker, Newberry, Richmond

Nay: None

Abstain: Bentley

Motion Carried

PENDING:

1. Thornbury Subdivision – Forest City Land Group

- Phase 7 – Dedication plat
- Phase 8 – Dedication plat

Mrs. Welch said no new information has been received.

Motion by Councilwoman Richmond, seconded by Mr. Newberry to table consideration of Item 1.

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

Nay: None

Motion Carried

NEW:

2. SE quadrant of Aurora Road & SOM Center Road –
Echo Solon, LLC

053-2012

- 5' drive-through lane setback variance
- Site plan modification (drive-through)

Mr. Phil Bishop, Vice President, Echo Solon LLC, was present. He explained that approval is sought to install a drive-through for a section of the new 11,000 sq. ft. retail facility which was previously approved and is currently under construction.

Mr. Bishop referred to Section 1288.03 of the Code and reviewed the supplemental regulations for non-residential uses and the specific application for a drive-through. He said the proposal is in compliance with all of the regulations, with the exception of the necessity for a 5' drive-through lane setback variance.

Mr. Bishop explained the proposal has been presented to the Safety & Public Properties Committee and a favorable recommendation was received with minimal changes to the configuration of the drive-through.

He displayed a site plan of the entire re-development area indicating the location for the new retail facility. Mr. Bishop said the drive-through will serve a nationally known coffee shop which will be named officially once the lease is signed. He indicated the various units in the new retail facility and said they are already being leased. Mr. Bishop indicated the first unit on the end, stating it is a 1,700 sq. ft. facility with a drive-through on the end cap. In addition, there will be outside seating to accommodate up to 6 tables.

Mr. Bishop reviewed the flow of traffic and the manner in which the drive-through will operate. He indicated the ingress and egress for the drive-through.

Mayor Drucker asked about signage for the drive-through as requested by the Traffic Engineer; for example, when exiting, left-turn only will be permitted and when entering; right-turn only will be permitted. However, she asked if striping the drive-through might be considered to indicate the permitted turns.

Mr. Bishop referred to the site plan and indicated where a concrete median will be installed which will diminish maneuverability. He recommended the installation of "Do Not Enter" signs rather than striping the pavement.

In response to Councilwoman Richmond's question, Mr. Bishop indicated where the trash receptacles would be installed and the route the front loaders will use to empty them.

Mr. Bentley said he is astounded at how quickly the project is moving along. He asked for clarification regarding exiting the drive-through after receiving your order.

Mr. Bishop indicated on the site plan the various routes patrons will be able to access to exit onto SOM Center Road or Aurora Road and he believes there are cross-access agreements with some of the current retailers. He explained that meetings will be held at a future date with the existing retailers on the adjacent property to discuss the possibility of utilizing their entrances.

Councilwoman Richmond expressed concern with the outdoor seating area and its close proximity to the drive-through lane. She asked how patrons would be protected in the event a vehicle hit the fence.

Mr. Bishop said he believes a combination of fencing, bollards and the concrete median would be most appropriate. He said fencing will completely surround the outdoor seating area. He feels that especially in the front, some type of bollard should be installed.

Mr. Newberry shares the concern and also believes protection of some type should be installed. However, he feels the cars will stack up while waiting for service which will reduce the potential of a vehicle hitting the fence. In addition, the type of fencing that is shown on the plan is light-duty crash rated for 10 miles or less for an ordinary passenger vehicle and will bend but not break. Mr. Newberry feels this fence is an excellent choice. For additional safety, the addition of a concrete bollard in the corner would be appropriate.

Mr. Bishop agreed and said a raised 6" concrete curb will be installed and will also assist with safety measures. He said it would not be easy for a vehicle turning into the drive-through lane at 10 or 15 miles per hour to jump a 6" concrete curb.

Mr. Newberry feels the addition of the bollards should be added as a contingency to the motion for approval of the site plan. He has no other specific concerns and believes the addition of the outdoor seating will be well received.

Mr. Frankland said with the addition of the contingency, he feels Fire Lieutenant Benedict should be involved with determining the appropriate bollard location.

Fire Lieutenant Benedict agreed and said the Fire Department will work with the applicant on the site. In response to Councilwoman Richmond's question regarding the drive-through configuration, Fire Lieutenant Benedict said Chief Shaw was at the Safety & Public Properties Committee meeting when the drive-through was approved and he was in agreement with the configuration.

Motion by Mayor Drucker, seconded by Councilwoman Richmond to approve a 5' drive-through lane setback variance.

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

Motion Carried

Motion by Mr. Newberry, seconded by Mr. Bentley to approve the site plan modification for the drive-through with the contingency that the fencing for the outside seating area be installed as presented, appropriately determined bollard(s) will be placed at the corner of the drive-through entry and "Do Not Enter" signs will be installed.

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

Motion Carried

3. 7079 Navajo Trail – Tim & Kathie Stull 054-2012
▪ 2' rear yard setback variance

Mr. Tim Stull was present and explained that the project started out as enclosing the deck by adding a screen porch because there is a marsh adjacent to the property which attracts a lot of bug activity and makes it difficult to sit outside in the evening. He displayed a layout of the porch and said the roof line was widened to fit the existing gable in the rear of the house. Mr. Stull explained that the landing outside at the top of the stairs will be expanded to accommodate a grill, which creates the need for the 2' variance.

Motion by Mr. Bentley, seconded by Mayor Drucker to approve a 2' rear yard setback variance.

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

Motion Carried

4. 30455 Solon Road – 30455 Solon Road, LLC 055-2012
▪ 16 space total parking variance
▪ Site plan - exterior alterations

Ms. Jen Dotson and Mr. Sam Messina, GLSD Architects, were present representing 30455 Solon Road, LLC. Ms. Dotson displayed photographs of the building; one as it appeared when it was formerly the fitness center and the other as it will appear when the renovations are completed.

Ms. Dotson explained the intent of the renovation is to upgrade the building to be used as office space. In order to achieve this, windows will be added for natural light and appropriate entrances will be installed. Ms. Dotson said upon review of the site plan, it was determined that the current parking would be considered undersized for the conversion to office use which created a 16-space total parking variance. She explained that once a tenant is found for the property, the parking space requirement will be revisited and, if it is determined additional parking is necessary, spaces will be added at that time.

Mr. Frankland said this conversion benefits the City by the applicant renovating a non-conforming commercial building for a conforming use. A 16-space total parking variance is a minor consideration.

Councilwoman Richmond said the building will look beautiful when completed and she commended the applicants for their efforts and said it will be an asset to the City.

Motion by Councilwoman Richmond, seconded by Mayor Drucker to approve a 16-space total parking variance.

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

Motion Carried

Motion by Mr. Newberry, seconded by Mr. Bentley to approve the site plan for exterior alterations with the contingency that a lot consolidation will be filed prior to the issuance of a certificate of occupancy.

Mayor Drucker said she has viewed some of the progress on the building and also commended the applicants for renovating the building. She expressed her gratitude for their investment in the community by taking a non-conforming use and renovating it into a conforming use office building.

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

Motion Carried

COUNCIL REFERRAL:

5. Ordinance No. 2012-150 imposing a temporary moratorium on development of parcels 954-29-027, 028, 029, 030, 031 and 032 – request for recommendation regarding appropriate zoning.

Motion by Councilwoman Richmond, seconded by Mr. Bentley to table consideration of Item 5.

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

Motion Carried

Mr. Newberry said since the Master Plan Committee will review this item at their meeting in July, the Commission should wait to see what their recommendations are.

Councilwoman Richmond said Inactive Agenda Item A, the request for consideration of allowing medical and dental occupancy in the I-2 Zoning District, was not supported by the Master Plan Committee and the Council has removed this item from their agenda.

Motion by Councilwoman Richmond, seconded by Mr. Newberry to remove Inactive Agenda Item A from the Planning Commission agenda.

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

Motion Carried

Councilwoman Richmond said regarding Inactive Agenda Item C, the submittal from Randy Kertesz for a new subdivision on the southwest corner of Miles Road and Neptune Drive, should be moved from the Inactive Agenda to the Active Agenda. She said this will allow area residents time to become familiar with the request since it will be on the Planning Commission's July 10th agenda.

Motion by Councilwoman Richmond, seconded by Mr. Newberry to move Item C from the Inactive Agenda to the Active Agenda and refer it to the Engineering Department.

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

Motion Carried

MINOR ALTERATIONS FROM THE PLANNING DEPARTMENT:

1. 33675 Solon Road – Burntwood Tavern

Mr. Frankland explained that Burntwood Tavern has submitted some minor modifications to their previously approved plan. He displayed a photograph of the building indicating the cupola roof which was supposed to be made out of metal. The applicant is now proposing shake shingles for the roof.

The Commission members agreed with the change.

Mr. Frankland displayed the photograph and indicated a large tree on the left side of the building. He explained that behind the tree, there is a large awning on the building that the applicant proposes removing. In addition, the windows covered by the awning are made of black glass since it is the location of the rest rooms. Mr. Frankland said if the Commission is concerned as to how the building will look once the leaves are gone from the tree and the awning is removed, a contingency can be added to the approval that it will be reconsidered in the fall.

The Commission members did not feel a contingency was necessary and agreed with the change.

Mr. Frankland said the doors leading to the outside bar area were originally approved as sliding doors. The applicant would now like to install folding glass doors that will match the front door. He displayed a photograph of the front entry door and indicated the deteriorated wood trim. The applicant would like to replace the trim with a rustic wood appearance which will match the rest of the building.

The Commission members had no objection.

Mr. Frankland displayed the bar area and said the bar was previously approved using sandstone. The applicant is now proposing a copper bar.

The Commission members had no objection.

2. 30500 Carter Street – Christopher Tool

Mr. Frankland displayed an aerial indicating the area where an outdoor stairway is proposed. He displayed a diagram of the stairs layout and their appearance which will be located behind an area of trees. Mr. Frankland said they will be 12' long and 5' high. He said an area of lawn will have to be removed but there is ample green space on site.

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

COMMENTS FROM THE COMMISSION:

Mayor Drucker said members and associates of the Solon Police Department will be participating in the Annual Law Enforcement Torch Run for the Special Olympics on June 20th. She said law enforcement in all 50 states and more than 25 countries participate in the program. This makes the program the largest grassroots fundraising program for the Special Olympics in the world. Mayor Drucker said the Solon Police Department has been involved in the program since 2001.

Mayor Drucker said Solon police officers will take the Flame of Hope from the Moreland Hills officers at approximately 10:30 A.M. on Wednesday, June 20th. This will take place at Route 91 and Miles Road. The Solon officers will proceed to the Twinsburg line where the Flame of Hope will be handed to Summit County officers. She encourages people to come out and cheer for those involved in the torch run.

COMMENTS FROM THE AUDIENCE:

There were no comments from the audience.

Motion by Mayor Drucker, seconded by Mr. Newberry to adjourn the meeting at 8:00 P.M.

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

Nay: None

Motion Carried

Chairman

Secretary