

PLANNING & ZONING COMMISSION
February 12, 2013 – 7:20 P.M.

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

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

Absent: Councilwoman Richmond

Also Present: Fire Lieutenant Benedict, Assistant City Engineer Welch

The following items remained on the Inactive Agenda:

- A. Willow Street – PP# 956-39-056 – Robert Kucinic – Front yard setback variance
- B. 6235 Sharondale Drive – Richard Lascala – 4.5' cumulative side yard setback variance, 120 sq ft maximum storage building area variance, number of storage buildings variance to permit 2, 4" storage building height variance
- C. 35730 Bainbridge Road – Dale Barstow – maximum front yard pavement coverage variance and minimum distance between driveways variance

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. 34200 Aurora Road – ECHO Solon, LLC (Menchie's) – total green space variance and site plan for patio review: Mr. Mazur said the revised plan eliminates the need for the total green space variance and the applicant has asked that it be withdrawn. Therefore, the site plan for the patio is the only item under consideration.

5. 34310 Aurora Road – ECHO Solon, LLC (Giant Eagle) – site plan modification: Mr. Mazur said Mr. Frankland determined that a variance is required to add an additional 1,000 sq ft to the facility and will require an amendment to the original variance of 92,000 sq ft. Since the variance was just discovered, it will be necessary to notify adjacent and abutting properties of the variance. Therefore, the item will be tabled tonight but Mr. Avolio will still provide a presentation.

Mr. Frankland has three minor alterations to present and briefly reviewed them.

The caucus ended at 7:26 P.M. and the meeting convened at 7:30 P.M.

Chairman Mazur 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 Mayor Drucker, seconded by Mr. Bentley to approve the minutes of the January 29, 2013 meeting.

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

Motion Carried

PENDING:

1. 34200 Aurora Road – ECHO Solon, LLC (Menchie's) – 120-2012
1/29 moved to Active Agenda – revised plan submitted
 - Total green space variance
 - Site plan for patio

Mr. Steve Coven, Yogurt Treats, LLC and Menchie's and Mr. Paul Colla, ECHO Solon, LLC were present. Mr. Coven displayed a revised outdoor patio plan which indicated no green space will be eliminated and the tree will remain intact. He said the tables and chairs will be connected and anchored which the Commission recommended at a previous meeting. Mr. Coven said outdoor seating will be mainly in the front of the store with some seating to the side of the store.

Mr. Mazur thanked Mr. Coven for cooperating with the Commission's requests and feels this is a more acceptable plan.

Mr. Newberry agreed with Mr. Mazur and said this is an excellent example of cooperation between an applicant and City staff to determine a mutually desirable outcome to a problem.

Motion by Mr. Bentley, seconded by Mr. Mazur to accept the applicant's withdrawal of the total green space variance.

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

Motion Carried

Motion by Mr. Newberry, seconded by Mr. Bentley to recommend approval of the revised site plan for the patio for Menchie's.

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

Motion Carried

2. PP# 951-41-011 – (located off of Woodall Road) - Wurm Family 006-2013
- Lot split
 - Frontage on an unimproved street variances – Parcels 1 & 2
 - 18' front yard setback variance – Parcel 1
 - 20' front yard setback variance – Parcel 2
 - 20' rear yard setback variances – Parcels 1 and 2
 - Not parallel to street variances - Parcels 1 and 2
 - 10' driveway side yard setback variances – Parcels 1 and 2

Mr. Stolarsky said he has not received any new information and has not been contacted by any member of the Wurm family.

Motion by Mr. Mazur, seconded by Mayor Drucker to table consideration of Item 2.
Roll Call: Aye: Bentley, Drucker, Mazur, Newberry
Nay: None Motion Carried

3. 33321 Aurora Road – Suite 150 - Earth Fare – revised 007-2013
plan submitted
- ~~216~~ 149 sq ft maximum wall sign area variance

Ms. Valerie Cotner, Vice President, Cleveland Skye Group, was present representing Earth Fare. She displayed a revised sign plan and said based on recommendations from the Commission at the previous meeting, the overall dimensions have been reduced from 316 sq ft to 249 sq ft. Although the sign is larger than the previous Stein Mart sign, this is necessary due to the stacked type of lettering used for the Earth Fare sign.

Mr. Mazur appreciates the cooperation shown by the applicant. Although he would have preferred that the sign not be any larger than the former Stein Mart sign, he understands the issues involved and is satisfied with the applicant's intention and believes the sign will be appropriate for the location.

Motion by Mayor Drucker, seconded by Mr. Newberry to approve a 149 sq ft maximum wall sign area variance.
Roll Call: Aye: Bentley, Drucker, Mazur, Newberry
Nay: None Motion Carried

NEW:

4. 5252 Naiman Parkway – Global Signal Acquisitions (Crown Castle) 009-2013
- Modification of existing Sprint antennas

Motion by Mr. Mazur, seconded by Mayor Drucker to schedule a public hearing for Tuesday, February 26, 2013.
Roll Call: Aye: Bentley, Drucker, Mazur, Newberry
Nay: None Motion Carried

Mr. Mazur said he would like Mr. Frankland to review the section of the Code regarding notifications and public hearings regarding cell towers.

5. 34310 Aurora Road – ECHO Solon, LLC – (Giant Eagle) – Pat Avolio 010-2013
- Site plan modification – 2/7 revised elevations submitted

Mr. Pat Avolio, Director of Real Estate Development, Giant Eagle, was present. He displayed a modified site plan and said it contains three components:

1. To provide an additional 1,000 sq ft to facilitate the addition of a State Liquor Agency to the new Market District store currently under construction.
2. A new program called Online Ordering Curbside Express is being introduced and it is necessary to modify the front drive to allow and facilitate this new program. The program will allow customers to order online, store employees will do the shopping in the store and a designated time slot will be assigned to pick up the order. It is necessary to modify the site plan and add three queuing spaces for this program which will be reviewed at the Safety & Public Properties Committee meeting on February 13th.
3. The last item involves outdoor merchandising and displays. Mr. Avolio displayed photographs of the displays from other Market District locations. He said a Redbox will be added to the vestibule area.

Mr. Mazur asked Mr. Frankland if a variance is necessary for the Redbox. Mr. Frankland said no variance is necessary because it will be located in the vestibule and not located outside.

Mr. Avolio said seasonal items, such as, flowers, pumpkins and produce will be displayed in the outdoor merchandising area. As the seasonal items change, new merchandising plans will be submitted to City staff for review and approval. He is aware that certain items will not be permitted; such as, windshield wiper fluid, mulch, etc.

Mr. Frankland said the Code specifically requires Planning Commission and Council approval for outdoor merchandising. Therefore, the request goes through the approval process once and, if approved, as seasons change, the display items are presented as a minor alteration to the Planning Commission for their review.

Mr. Mazur said this item will be tabled tonight because Mr. Frankland just identified a variance and notification must be sent to adjacent and abutting properties. The 1,000 sq ft addition will be added to the overall size of the building, changing it from 92,000 sq ft to 93,000 sq ft.

Mr. Avolio said all of the previously approved setbacks will be maintained and the exterior will consist of the same materials previously approved.

Mr. Mazur asked for clarification of a ramp depicted on the west side of the rendering.

Mr. Avolio said this ramp will not be used for deliveries but will be utilized by wholesale customers picking up product.

In response to questions raised by Mayor Drucker and Clerk McConoughey regarding the approval process for outdoor display items, Mr. Frankland said this is not considered a variance. The Code states that outside merchandising is permitted subject to review by the Planning Commission and the Council. He feels it is necessary to receive their review and approval only once, and all subsequent requests will be reviewed as minor alterations by the Planning Commission.

Mayor Drucker asked how the request for the three queuing spaces for the curbside express service will be addressed.

Mr. Frankland said this request will be treated as a drive-thru request. Therefore, by Code, the Planning Commission is required to have a recommendation from the Safety and Public Properties Committee.

Mr. Newberry referred to the revised site plan and asked for clarification regarding the crosswalk accessing SOM Center Road. He is concerned about the proximity to the curbside express area.

Mr. Avolio indicated on the plan where an accessible pathway is located to prevent walking into the pick-up area.

Mr. Frankland said concerns regarding walking pathways and pick-up areas will be reviewed at the Safety and Public Properties Committee meeting tomorrow night.

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

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

Nay: None

Motion Carried

MINOR ALTERATIONS FROM THE PLANNING DEPARTMENT:

1. 6025 Kruse Drive – Petco

Mr. Frankland said at the previous Planning Commission meeting, the Commission requested a complete review and application for Petco's request to install a sliding door because it was not centered. He displayed a rendering of the new Petco plan indicating the sliding doors have now been centered and asked if it can be reviewed as a minor alteration.

The Commission members agreed to review it as a minor alteration and that no further review of this item was necessary.

2. 33321 Aurora Road – Earth Fare

Mr. Frankland displayed an aerial view of the property indicating the rear of the building. He said the request is to remove a man door with stairs and replace it with a larger 6' x 7' door flush to the ground with the stairs being moved inside.

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

3. 29500 Solon Road – Swagelok

Mr. Frankland displayed the upgrade to the electrical service plan and an aerial view of the property. He indicated the location of the poles and explained that 4 poles were previously approved. However, it has now been determined that it is necessary to install 5 poles which are required by CEI.

Mr. Frankland indicated an area where a temporary fence for safety will be installed during the installation.

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

Motion by Mr. Mazur, seconded by Mayor Drucker to schedule a public hearing for a lot consolidation of PP#'s 952-17-004, 952-17-005, 952-17-006, 952-17-007, 952-17-021 and 952-26-008 for Centre Pointe Building - (Davis Development Group) at 34055 Solon Road on February 26, 2013.

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

Motion Carried

COMMENTS FROM THE COMMISSION:

Mayor Drucker said on Monday, February 18th, City Hall will be closed in observance of the Presidents' Day Holiday.

Mayor Drucker said the Budget Hearings will begin next week on Tuesday, February 19th at 5:00 P.M. to approximately 7:45 P.M. The Council caucus will begin at 7:45 P.M. with the Council meeting following at 8:00 P.M. The second Budget Hearing will be on Wednesday, February 20th at 5:00 P.M.

Mayor Drucker said the City is holding a Job Fair for part-time and seasonal positions on Wednesday, February 20th at the Community Center between the hours of 10:00 A.M. to 12:00 P.M. and 5:00 P.M. to 7:00 P.M.

Mr. Newberry congratulated the staff and the students of Solon Middle School and Solon High School who hosted an invitational Science Olympiad Fair for approximately 50 school districts. It was very well received and enjoyed by all.

Mr. Bentley congratulated the Solon Boys' Ice Hockey Team for winning the Baron Cup Championship, which is a City Championship. He said Head Coach, Mike Stephens, is doing a great job coaching the young men.

COMMENTS FROM THE AUDIENCE:

There were no comments from the audience.

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

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

Motion Carried

Chairman

Secretary