

PLANNING & ZONING COMMISSION
July 9, 2013 – 7:05 P.M.

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

Present: Commission Members Bentley, Mazur and Newberry, Mayor Drucker, Councilwoman Richmond, Prosecutor Stolarsky, Planner II Crombie, Secretary McConoughey

Absent: Planning Director Frankland

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
- D. PP# 951-41-011 (located off of Woodall Road) – Wurm Family – Lot split, frontage on unimproved street variances, front yard setback variances, rear yard setback variance, not parallel to street variances and driveway side yard setback variances

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:

- 2. 34500 Dogwood Lane – Frank and Cheryl Radis – 1' minimum swimming pool fence height variance: Mayor Drucker said the applicant notified the Planning Department that they request to table the item.
- 3. 32800 Solon Road – Creative Playrooms – Joan Wenk – site plan for bollards and railing: Mr. Mazur said this item was referred to the Safety and Public Properties Committee which meets tomorrow evening, therefore, it will be tabled.

NEW:

5. 33800 Miles Road – Aaron Salomon – minimum side yard setback variance: Mrs. Crombie said Councilman Kraus called to notify her the applicant was not able to attend the meeting. The Commission determined the item should be tabled.

7. 33650 Baldwin Road – Kim Dyckes – Minimum cumulative side yard setback, minimum side yard setback, minimum driveway setback and maximum accessory pavement variances: Mr. Mazur said the Planning Department determined that a lot consolidation is necessary and the applicant will be requested to begin this process.

8. 32001 Cannon Road – Church of the Resurrection - front yard setback variances, sign height variance and site plan for landscape approval: Mr. Mazur asked if new lighting would be associated with this application.

Mr. Doug Nemeckay was present representing the applicant and said there will be two spotlights on the sign and recessed lighting will be incorporated on the seating walls.

10. 32875 Solon Road – Hartville Professional Centre, Inc. – total onsite parking space variance: Mr. Mazur said the parking space variance was calculated based on the balance of the unoccupied space being a medical use.

Mr. Stolarsky said the correct parking space variance should be 21.

Mrs. Crombie reviewed one minor alteration.

The caucus ended at 7:15 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 Mr. Bentley, seconded by Mr. Newberry to approve the minutes of the June 25, 2013 meeting.

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

Nay: None

Abstain: Drucker

Motion Carried

PENDING:

1. Cannon Road & SOM Center Road – PP#'s 951-39-006, 041-2013
952-09-001, 952-12-004 - Burton Insurance Agency, Inc./Mary Lambert
▪ Lot split/consolidation

Motion by Mr. Mazur, seconded by Mayor Drucker to schedule a public hearing on July 23, 2013.

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

2. 34500 Dogwood Lane – Frank and Cheryl Radis 042-2013
▪ 1' minimum swimming pool fence height variance

Motion by Mr. Mazur, seconded by Councilwoman Richmond to table consideration of Item 2.

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

3. 32800 Solon Road – Creative Playrooms – Joan Wenk - 046-2013
referred to Safety and Public Properties Committee
▪ Site plan for bollards and railing

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. Sherwood Park – Sherwood Park Homeowners' Association - 048-2013
▪ 50' front yard setback variance
▪ 47' side yard setback variance
▪ Site plan for split rail fence

Mr. Mazur said the applicant requested this item be tabled.

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

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

NEW:

5. 33800 Miles Road – Aaron Salomon 049-2013
▪ 7' minimum side yard setback variance

Mr. Mazur said during the Caucus, it was noted the applicant would not be able to attend this meeting.

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

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

Nay: None

Motion Carried

6. 39910 Aurora Road – Lisa Ross (Station 43) 050-2013
- Site plan approval for deck modification
 - 88' front yard setback variance

Mr. David Gentile, Neville Architects, was present representing the applicant. He displayed a site plan indicating the location of the current deck and ramp. He said the ramp will be removed and the deck will be extended to provide additional standing room. Mr. Gentile said a gate will be provided as an emergency exit only.

Mr. Gentile said ADA access will be through the rear entrance to the building and he indicated the area on the site plan.

Mr. Mazur asked Mr. Gentile to confirm there will be no additional seating, awnings or umbrellas added with the deck extension.

Mr. Gentile confirmed Mr. Mazur's statement is correct.

Motion by Councilwoman Richmond, seconded by Mr. Newberry to approve the site plan for the deck modification for 39910 Aurora Road.

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

Nay: None

Motion Carried

Motion by Mr. Newberry, seconded by Councilwoman Richmond to approve an 88' front yard setback variance.

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

Nay: None

Motion Carried

7. 33650 Baldwin Road – Kim Dyckes 051-2013
- 5' minimum cumulative side yard setback variance (garage)
 - 5' minimum side yard setback variance (pavement)
 - 5' minimum driveway setback variance
 - 11 sq ft maximum accessory pavement variance

Mr. John D'Amico, The Great Garage Co., was present representing the applicant. He displayed a site plan indicating the current location of the garage. Mr. D'Amico indicated the existing driveway which is being replaced but will remain in the same location. He indicated where the driveway runs alongside the property line and the existing garage which is also on the property line. The proposal is to construct a new garage approximately 8' from the existing garage and 5' from the property line. This proposal will allow the homeowner to have better access to their garage since the current garage is only 22' from the home, making maneuverability difficult.

Mayor Drucker said similar variances have been granted in the past for narrow driveway conditions such as this, therefore, she will support the variances requested.

Mr. Mazur said a contingency should be added to require the applicant to consolidate the parcels.

Mr. D'Amico said the consolidation process has already begun and the survey was recently completed. The homeowner will submit an application for the consolidation in the near future.

Mr. Bentley asked if gutters will be installed on the new garage.

Mr. D'Amico said there will be gutters on the new garage which will be tied into the storm sewer.

Motion by Mr. Bentley, seconded by Councilwoman Richmond to approve a 5' minimum cumulative side yard setback variance (garage).

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

Motion Carried

Motion by Mr. Mazur, seconded by Mayor Drucker to approve a 5' minimum side yard setback variance (pavement).

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

Motion Carried

Motion by Mayor Drucker, seconded by Councilwoman Richmond to approve a 5' minimum driveway setback variance.

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

Motion Carried

Motion by Councilwoman Richmond, seconded by Mr. Newberry to approve an 11 sq ft maximum accessory pavement variance with the contingency that the applicant will apply for a lot consolidation in the near future.

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

Motion Carried

8. 32001 Cannon Road – Church of the Resurrection 052-2013
- 75' front yard setback variance (fountain and supporting structure)
 - 8.5' front yard setback variance (decorative sitting wall)
 - 1' sign height variance
 - Site plan for landscape/fountain alteration

Mr. Doug Nemeckay, Nemeckay and Associates, was present representing the applicant. He displayed a site plan indicating the location of the current sign. Mr. Nemeckay said the proposal will upgrade the sign as well as be creative. He explained that a large, stone fountain currently exists on the site which will be implemented with the new design. Mr. Nemeckay is proposing to move the

fountain and combine it with the new sign to create the image of a sign with the fountain behind it. He said the new sign will be made of rough-hewn sandstone boulders, similar to the fountain materials with a large solid sign section which will be approximately 6" to 8" wide. The lettering style will be determined later.

Mr. Nemeckay said the goal is to create an overall inviting area in front of the church with walkways connecting to the City sidewalk. In addition, they would like to add seating to the walkway to give people an opportunity to sit and enjoy the fountain and garden area.

Mr. Mazur questioned the depth of the fountain pool.

Mr. Nemeckay said the fountain is considered a waterless fountain. Although some water will be necessary to create a reservoir of water to move through the fountain, the pool will be filled with gravel and will not be a drowning hazard.

Mr. Mazur said if the depth of the water is 2' or more, the Code considers it a pool. He asked if the depth of the unobstructed pool area would be less than 2 feet of water.

Mr. Nemeckay said the depth of the pool area will be less than two feet.

Mr. Nemeckay said there will be two spotlights lighting the sign, some recessed lighting will be incorporated into the bench seating and some up-lighting will be used for the fountain to add some general illumination.

In response to Mr. Mazur's question, Mrs. Crombie said a photometric plan will need to be submitted.

Mr. Mazur said the need for a photometric plan will be added to the motion as a contingency and will be required prior to the item being submitted to the Council. Mr. Mazur said if it is not possible to get the photometric plan prior to the Council meeting on July 15th, the item can be tabled until the next meeting.

Mr. Bentley asked the height of the current sign.

Mr. Nemeckay said the current sign is approximately 36" to 42" and exceeds the current standards. However, every attempt is being made to have the new sign comply with the current standards.

Mrs. Crombie said the landscape plan was reviewed by the City landscape architect and it was approved. It was also recommended an attempt be made to save some of the spruce trees.

Motion by Mayor Drucker, seconded by Councilwoman Richmond to approve a 75' front yard setback variance (fountain and supporting structure).

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

Motion Carried

Motion by Councilwoman Richmond, seconded by Mr. Newberry to approve an 8.5' front yard setback variance (decorative sitting wall).

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

Motion Carried

Motion by Mr. Newberry, seconded by Mr. Bentley to approve a 1' sign height variance.

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

Motion Carried

Motion by Mr. Bentley, seconded by Mr. Mazur to approve the site plan for the landscape/fountain alteration with the contingency that a photometric plan will be submitted.

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

Motion Carried

9. 36200 Pettibone Road – Annex Management, Inc. 053-2013
- Site plan alteration for new lighting

Mr. Mazur said he has been advised by Mrs. Crombie that the photometric plan that was previously submitted needs to be revised.

Motion by Mr. Mazur, seconded by Mayor Drucker to table consideration of Item 9.

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

Motion Carried

10. 32875 Solon Road – Hartville Professional Centre, Inc. 054-2013
- 21 space total onsite parking variance

Mr. David Jezek, Developers Realty, was present representing the applicant. He thanked the Commission and all the other City departments for the assistance provided during the re-purposing of the building. Mr. Jezek said this was a former racquet ball club which has been re-developed into office space. The first tenant was Keller Williams and as they have become more established in Solon, they are now expanding their offices in the building. In addition, a dermatology office will be opening in the building next week.

Mr. Jezek said during the re-development of the building, the mezzanine was removed which reduced the overall square footage of the building. He said the pavement has been painted to accommodate every parking space available.

Mr. Mazur explained the vacant space in the building could have been calculated as office space or medical space. The calculations were completed using the assumption that the area would be occupied with a medical office. This was done to expedite the applicant's process since office space requires fewer parking spaces than medical offices. Therefore, if medical offices do occupy the vacant space, no additional variances will be necessary.

Motion by Mr. Newberry, seconded by Mr. Bentley to approve a 21 space total onsite parking variance.

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

Nay: None

Motion Carried

MINOR ALTERATIONS FROM THE PLANNING DEPARTMENT:

30201 Aurora Road – Verizon Wireless (property is owned by Cosmo-Solon, Ltd. and the tower is located at the northeast corner of the property)

Mrs. Crombie displayed an aerial view of the property and indicated the location where the applicant proposes to replace six existing antennas. She displayed a site plan indicating the tower which is at a 165' elevation and said the proposal is to replace all six existing antennas with panel-style antennas which are typically tall and narrow. Mrs. Crombie said three of the new antennas will be 6" to 8" taller than the existing antennas. In addition, two pieces of equipment will be added to enhance signal strength.

Mrs. Crombie said the plan has been reviewed by the City's structural analysis review consultant and approval of the plans was recommended.

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

COMMENTS FROM THE COMMISSION:

There were no comments from the Commission.

COMMENTS FROM THE AUDIENCE:

There were no comments from the audience.

Motion by Mr. Mazur, seconded by Councilwoman Richmond to adjourn the meeting at 7:54 P.M.

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

Nay: None

Motion Carried

Chairman

Secretary