

**PLANNING & ZONING COMMISSION
August 27, 2013 – 7:15 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. 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:

3. Forest Hills Subdivision Entry Way – 35030 Pettibone Road – minimum sign setback variance: Mr. Mazur said this item was reviewed by the Safety and Public Properties Committee who have no concerns with the sign setback. He said the applicant will be asked to maintain the landscaping.

3A. 35730 Bainbridge Road – Dale Barstow – (from inactive agenda) – maximum front yard pavement coverage variance and minimum distance between driveways variance: Mrs. Welch said the applicant will install additional drainage.

NEW:

6. Neptune Oval Estates (off of Miles Road) – Kertesz Enterprises, Inc. – real estate sign location variance: Mr. Mazur said this is a proposal to install one sign on Miles Road to advertise the new development.

In response to Mr. Mazur's question, Mr. Kertesz said the sign will be removed once all of the lots have been sold but he anticipates the sign remaining on Miles Road through the winter and into the spring of 2014. He said once the plans have had the final review by the Engineering Department, he hopes to start the development and be able to pave in the spring.

Mr. Mazur asked Mr. Kertesz to indicate on the plan during the meeting where the setback for the sign will be located.

Mr. Kertesz said the sign will be located in the landscape easement area and will be located behind the sidewalk.

Mayor Drucker said she would like to stipulate that if the one sign is permitted on Miles Road, Mr. Kertesz will not install for sale signs on the individual lots since he is technically allowed to put a for sale sign on each lot.

Mr. Kertesz said he will not install for sale signs on each lot if the large sign advertising the development remains on Miles Road. However, if he later puts individual for sale signs on lots that are unsold, he will remove the sign on Miles Road.

Mrs. Crombie briefly reviewed 7 minor applications.

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 Councilwoman Richmond, seconded by Mr. Bentley to approve the minutes of the August 13, 2013 meeting.

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

Motion Carried

PENDING:

1. 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 correspondence was received from the applicant who requested this item be tabled.

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

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

Nay: None

Abstain: Drucker

Motion Carried

2. (From Inactive) 6235 Sharondale Drive – Richard Lascala 098-2012
- 4.8' minimum cumulative side yard setback variance

In response to Mr. Mazur's question, Mrs. Crombie said no new information has been received for this item.

Motion by Mr. Mazur, seconded by Mayor Drucker to table consideration of Item 2.

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

Nay: None

Motion Carried

3. Forest Hills Subdivision Entry Way – 35030 Pettibone Road 060-2013
Forest Hills Homeowners' Association
- 7.5' minimum sign setback variance

Mr. Mazur said this item was reviewed by the Safety and Public Properties Committee and they have no objections to the variance.

Mr. Richard Oliver, 7445 Hillside Lane, representing the Forest Hills Homeowners Association, was present. He explained that several years ago when Pettibone Road was widened, the landscaping and sign at the entrance to the development was removed.

Mr. Oliver said since then a sidewalk was added to connect the neighborhood to the new sidewalks installed on Pettibone Road. In addition, an assessment of \$400 has been collected from all 42 homeowners to hire TLC Landscaping to beautify and update the entrance to Forest Hills and install a new sign. Mr. Oliver displayed a rendering of the new sign and he displayed a plan indicating the location of the setback variance to install the sign.

Mayor Drucker said she was the Ward 1 councilwoman when Pettibone Road was widened and recalled that substantial landscaping was removed from this location to improve line-of-sight issues. There was never an issue with signage and she understands the neighborhood would now like to install a new sign. She will support the variance request.

Motion by Mr. Bentley, seconded by Mayor Drucker to approve the 7.5' minimum sign setback variance for the entrance to the Forest Hills Subdivision.

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

Nay: None

Motion Carried

- 3A. (From Inactive Agenda) 35730 Bainbridge Road – Dale Barstow 090-2012
- 4.5% maximum front yard pavement coverage variance
 - 14' minimum distance between driveways variance

Mr. Dale Barstow was present and said his proposal is to concrete his current gravel driveway and add another section to create a horseshoe-style driveway. He displayed a plan indicating the area of the existing gravel driveway. Mr. Barstow said originally there was a detached garage located on the west side of the property which was removed and the driveway was extended to an attached garage prior to his purchasing the property.

Mr. Barstow indicated the area where drainage into the City catch basin will be added as determined by the City's Engineering Department.

Mrs. Welch confirmed the Engineering Department's drainage recommendation.

Mayor Drucker asked for clarification regarding an approximate 10' section indicated on the plan on the west side of the property that extends beyond the horseshoe shape.

Mr. Barstow said because the home originally had a detached garage, the 10' section leads to the kitchen and the home's secondary access door which is still accessible.

Mr. Mazur said although he previously had concerns about the application, Mr. Barstow has demonstrated to him the need for the driveway based on the traffic issues on Bainbridge Road and he will support the request.

Motion by Councilwoman Richmond, seconded by Mr. Bentley to approve a 4.5% maximum front yard pavement coverage variance.

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

Motion Carried

Motion by Mr. Mazur, seconded by Mayor Drucker to approve a 4' minimum distance between driveways variance.

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

Motion Carried

NEW:

4. 37125 Aurora Road – Hattie Larlham 061-2013
- 2.5' maximum accessory structure height variance
 - 80.6 sq ft maximum accessory structure area variance

Mr. Mazur recommended this item be tabled until the next meeting since there was no representative present.

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

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

Motion Carried

5. 30801 Carter Street – Carter GLT, LLC 062-2013
- 1.5' minimum front yard setback variance (sidewalk)
 - Site plan - new sidewalk and landscaping

Mr. Steve Wake, one of the owners of the building, was present. He displayed a plan and indicated where the proposal is to add a sidewalk to a new entrance in the front of the building. Mr. Wake indicated where additional landscaping will be installed.

Mr. Mazur said the City's landscape architect has reviewed the landscaping information and approved it.

Motion by Mayor Drucker, seconded by Mr. Newberry to approve a 1.5' minimum front yard setback variance (sidewalk).

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

Motion Carried

Motion by Mr. Mazur, seconded by Councilwoman Richmond to approve a site plan for the new sidewalk and landscaping.

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

Motion Carried

6. Neptune Oval Estates (off of Miles Road) – Lake Neptune Estates, LLC (Kertesz Enterprises, Inc.) 063-2013
- Real estate sign location variance

Mr. Randy Kertesz was present and displayed a lot plan indicating where a sign advertising Neptune Oval Estates is proposed on Miles Road in the rear of Lots 8, 9 and 10 and behind the right-of-way.

Motion by Mr. Newberry, seconded by Mayor Drucker to approve a real estate sign location variance with the contingency that individual "for sale" signs will not be placed on each lot to advertise the development and if individual "for sale" signs are used, the large development sign will be removed from Miles Road. In addition, the sign will be removed when all of the lots are sold.

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

Motion Carried

Mr. Stolarsky recommended a variance for a 5' setback be added since the sign on Miles Road will be located 5' from the sidewalk and the Code requires 10'.

Motion by Mr. Mazur, seconded by Mayor Drucker to approve a 5' setback variance.
Roll Call: Aye: Bentley, Drucker, Mazur, Newberry, Richmond
Nay: None Motion Carried

MINOR ALTERATIONS FROM THE PLANNING DEPARTMENT:

1. 32001 Aurora Road – The Church of the Resurrection

Mrs. Crombie displayed an aerial view of the property and said landscaping, a sign and a fountain were previously approved. She indicated an area where there are six evergreen trees located and although it was recommended they remain, the landscape architect has determined that the trees cannot remain and will be removed.

Mrs. Crombie indicated an area that was previously approved as a seating wall with lighting and the fountain area with lighting. The applicant is proposing lighting that will not create additional photometrics and will comply with 0.0' at the property lines and no more than 2.5' candle average for the project site.

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

2. 5020 Brainard Road – Bar 50/20

Mrs. Crombie displayed an aerial view of the property indicating where a patio and fencing were added to the south side of the building. The patio was originally approved to extend out approximately 6 ½' from the front of the building, however, the plan was modified and the patio was installed behind the front wall of the building.

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

3. 30500 Bainbridge Road – Nestlé

Mrs. Crombie said alterations were made to a previously approved plan for front yard parking and landscaping. She displayed a plan indicating where day lilies will be planted along the front of the building which was previously approved as lawn.

Mrs. Crombie indicated the area adjacent to Bainbridge Road where a stepping-stone area is located and was previously going to be surrounded by periwinkle plants but will now be lawn area. She indicated another area where barberry plants were to be planted but will now be a combination of barberry and boxwood plants.

Mrs. Crombie indicated a location on the plan where the landscape architect had recommended attempting to preserve some pin oak trees and two maple trees. However, due to the grading for detention, the current recommendation is to remove them and new maples will be planted along the street side.

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

4. 6000 Cochran Road – Storage Zone

Mrs. Crombie said Storage Zone is expanding within the building and are proposing the installation of a 12' x 14' overhead door. She displayed a plan indicating the location and where bollards will be located on either side of the door. Mrs. Crombie said since some parking will be eliminated, a site plan has been requested from the applicant. If the Commission agrees, the item can be approved contingent upon the submission of the site plan and the application for certificate of occupancy.

The Commission members agreed no further review of this item was necessary providing the noted contingencies are completed.

5. 34310 Aurora Road – Giant Eagle

Mrs. Crombie displayed a site plan indicating locations along the south property line and on the west and east side of the property where it was previously determined that spruce trees would be planted. However, Norway spruce has been planted instead of spruce as they are considered a hardier variety.

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

6. 6231 SOM Center Road – Marc's

Mrs. Crombie displayed an aerial overview of the property indicating a trash compactor located parallel along the rear wall of the building. The proposal is to re-position the trash compactor so that it is perpendicular to the building and install a 10' x 40' concrete pad to support the weight of the compactor. Mrs. Crombie said another change will be to in-fill the existing door where the trash compactor is currently located and installing a new 42" x 42" door at the new location.

Mrs. Crombie displayed a plan of the front of the building indicating a bring wall, which on the previously approved plan was indicated to be 4' wide. However, the current plan indicates the wall will only be 2 ½' wide with larger windows.

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

7. 30701 Carter Street – L'Oreal

Mrs. Crombie displayed an aerial view of the property and explained that dismantling of some of the equipment inside the building has begun and a temporary chain-link fence has been erected on the east side of the building. This was done in an effort to keep the employees away from this area temporarily while the equipment is being dismantled. Mrs. Crombie said access is still available and the Fire Department did not object to the temporary fence.

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

COMMENTS FROM THE COMMISSION:

Mayor Drucker said today was the official start to the Solon school year and wished all students well. She advised motorists that all of the flashing safety lights have been activated around the schools and all should be cautious.

Mayor Drucker said Fire Lieutenant Benedict is retiring and this is the last Planning Commission meeting he will attend. She thanked him for his years of service and commended him on his valuable contributions to the City. Mayor Drucker congratulated him and said his services will be missed.

Mayor Drucker wished Mr. Newberry a Happy Birthday.

In turn, Commission members congratulated Mr. Benedict on his upcoming retirement and wished him well. They also wished Happy Birthday to Mr. Newberry.

COMMENTS FROM THE AUDIENCE:

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

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

Motion Carried

Chairman

Secretary