

**PLANNING & ZONING COMMISSION**  
**January 28, 2014 – 7:00 P.M.**

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

Present: Commission Members Bentley, Mazur and Newberry, Mayor Drucker, Councilman Pelunis, Assistant Law Director/Prosecutor Stolarsky, Planning Director Frankland, Secretary McConoughey

Absent: None

Also Present: Fire Lieutenant Eisenhuth, Assistant City Engineer Welch

**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 Pelunis presided.

**PENDING:**

1. 29000 Aurora Road – Aurora Commerce, LLC (Cleveland Clinic) – various parking variances: Mr. Frankland said the landscape plan has been approved by the City's landscape architect and it is his understanding that the Engineering Department is agreeable to this item moving forward.

Mrs. Welch said the Engineering Department is still working on the storm water calculations with Chagrin Valley Engineering but are confident that it will be completed soon, therefore, a contingency can be added that compliance with storm water management must be met.

Mr. Frankland does not believe the applicant will be attending this meeting.

Councilman Pelunis feels the applicant should be present to agree with the contingency and the item should be tabled tonight if there is no applicant representation.

2. 33615 Aurora Road – Mid America Management – various sign variances and setback variances: Councilman Pelunis said at the last meeting, there were many questions and concerns raised about the sign. He said correspondence was received from the applicant requesting this item be tabled.

**NEW:**

5. 33425 Arthur Road – Solon Board of Education – minimum 25% uniform openings fence variance and site plan for playground and fence: Mr. Frankland

explained that the fence has already been installed, however, a portion is solid and does not have the required opening. As the fence is installed around a school playground, the lack of openings is due to security reasons.

It was determined this item will be tabled tonight as there was insufficient time for notification to be sent regarding the variance.

6. 6025 Kruse Drive – GS II Uptown Solon LLC – site plan review for façade modifications: Mr. Frankland said the proposal is to change the former Talbots space into two tenant spaces. The City's architect has approved the plans.

In response to Mr. Bentley's question, Mr. Frankland said the awning colors will be changed as indicated in the submitted rendering.

#### COUNCIL REFERRAL:

7. Proposed Zoning Code amendment – Comprehensive Revision of Permitted Uses: A public hearing is scheduled.

Councilman Pelunis said Mr. Frankland will give a brief overview of the amendment during the meeting.

The Commission discussed options for reviewing the amendment.

Mayor Drucker believes it would be beneficial to televise the review. Therefore, it was determined that at the end of each Planning Commission meeting a section will be discussed after an introduction and review of that section by Mr. Frankland. The public hearing will remain open during this time and the public is welcome to attend the meetings to comment regarding any portion of the proposed amendment.

Therefore, at the next Planning Commission meeting scheduled for Tuesday, February 11<sup>th</sup>, the first section, Residential, will be reviewed at the end of the meeting.

Mr. Frankland briefly reviewed 3 minor alterations.

The caucus ended at 7:18 P.M. and the meeting convened at 7:30 P.M.

Councilman Pelunis 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. Mazur, seconded by Mr. Bentley to approve the minutes of the January 14, 2014 meeting.

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

Motion Carried

PENDING:

1. 29000 Aurora Road – Aurora Commerce, LLC (Cleveland Clinic) 091-2013 5
  - 0.4' minimum parking aisle width variance (west side parking lot)
  - 0.7' minimum parking space depth variance (west side parking lot)
  - 1.2' minimum parking aisle width variance (east side parking lot)
  - 0.05' minimum parking space depth variance (east side parking lot)

Motion by Mr. Bentley, seconded by Mr. Newberry to table consideration of Item 1 and request the Planning Department to contact the applicant to inform them that there will be a contingency added and a representative must be present at the next meeting.

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

Motion Carried

2. 33615 Aurora Road – Mid America Management 102-2013 6
  - 13 sq ft maximum sign area variance
  - 10" maximum sign height variance
  - 3' – 10" maximum sign width variance
  - 8' minimum sign setback from right-of-way variance (Solon Boulevard)
  - 7' minimum sign setback from right-of-way variance (Aurora Road)

Councilman Pelunis said the applicant has requested this item be tabled..

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

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

Motion Carried

3. 6353 Glenallen Avenue – PP#'s 954-02-135 and 954-02-136 – Barbara Honey 107-2013 7
  - Lot consolidation

Mr. Stolarsky said the property was recently sold and is no longer owned by Ms. Honey. Correspondence was received from Ms. Honey requesting this item be withdrawn.

Motion by Mr. Newberry, seconded by Mr. Bentley to accept the applicant's withdrawal of Item 3.

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

Motion Carried

- 3A. 6353 Glenallen Avenue – PP#'s 954-02-135 and 954-02-136 – Amy Dlugolinski 005-2014 7
- Lot consolidation

Motion by Mr. Mazur, seconded by Mayor Drucker to schedule a public hearing on February 11, 2014 for the lot consolidation of PP#'s 954-02-135 and 954-02-136.

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

Nay: None

Motion Carried

4. 7096 Southwoods Lane – Richard Grossberg 004-2014 3
- 3' maximum outdoor fireplace width variance

Mr. Pat Perrino, Perrino Construction, was present representing the applicant. He explained that Perrino Construction built the house and the fireplace was part of the landscape plan. The fireplace was installed during the landscaping of the property and then the house was sold. Mr. Perrino said about a year and a half later he received a letter from the City advising that the fireplace was constructed without a permit. He assumed it was included with the permitted approval to build the house and the approved landscape plan. Mr. Perrino has a letter from Mike DiSanto who owns three of the adjacent properties which states he has no issues with the fireplace.

Councilman Pelunis said he has no issues with the fireplace as it was part of the landscape plan and after viewing the property, he thinks it is very attractive.

Mr. Bentley said as there is a letter from the Fire Department stating they have no safety concerns with the fireplace, he has no objection to the variance request.

Motion by Mr. Bentley, seconded by Mayor Drucker to approve a 3' maximum outdoor fireplace width variance for 7096 Southwoods Lane.

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

Nay: Newberry

Motion Carried

5. 33425 Arthur Road – Solon Board of Education 006-2014 7
- Minimum 25% uniform openings fence variance
  - Site plan for playground and fence

Mr. Pelunis said this item will be tabled and notification will be sent to adjacent and abutting property owners regarding the variance.

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

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

Nay: None

Motion Carried

6. 6025 Kruse Drive – GS II Uptown Solon LLC 007-2014 6
- Site plan review for façade modifications

Mr. Frankland explained the proposal to modify the former Talbots space at Uptown Solon.

Mr. Steve Hutchinson, DDR Corp, was present representing the applicant. He displayed a rendering of the property as it currently appears and a rendering of the proposed changes to the façade that was previously occupied by Talbots.

Mr. Hutchinson said they have two potential tenants interested in occupying the space. Therefore, the proposal is to create two separate spaces and uniquely identifiable storefronts for them. Mr. Hutchinson said all of the same materials that currently exist will be used as well as the same materials for the new awnings.

In response to Mr. Mazur's question, Mr. Hutchinson said the current space is 12,000 square feet. The proposal is to modify the space to one unit of 8,000 square feet and the other unit will be 4,000 square feet.

Councilman Pelunis is pleased that the space will not be unoccupied for long and that Solon is attracting new businesses.

Motion by Mr. Bentley, seconded by Mayor Drucker to approve the site plan for façade modifications for 6025 Kruse Drive.

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

Nay: None

Motion Carried

COUNCIL REFERRAL:

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| 9. | Proposed Zoning Code amendment – Comprehensive<br>Revision of Permitted Uses | 108-2013 |
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Mr. Frankland explained the proposal to amend the permitted uses in the Zoning Code. Although in 2005, a comprehensive revision of the planning requirements was completed, the permitted uses section was not revised.

Mr. Frankland said the section on permitted uses is approximately 70 years old and dates back to when Solon was a village or a township. He said there has never been a comprehensive revision of this section. Mr. Frankland said this is an initial draft of the revisions and they will be discussed in great detail and will address the removal of problem uses; such as, fuel storage yards, pawn shops, tattoo parlors, etc.

Mr. Frankland said public hearings will be held and public input is encouraged. It is anticipated that residents and the Council will be satisfied with the amendment by the end of August so it can be placed on the November ballot.

Mr. Frankland feels the best way to review the amendment is by sections, during a public televised meeting, which will assist with dispelling misunderstandings about

the amendment. He said he has been discussing with Councilman Kotora one issue already brought to their attention regarding the prohibition of large

agricultural animals. Mr. Frankland said there has been concern from residents regarding horses, however, they are considered under the area of "*unless otherwise explicitly permitted within this ordinance.*" He believes it will be helpful to discuss the amendment in detail so residents will fully understand the amendment. Mr. Frankland clarified that this amendment does not prohibit horses.

A public hearing was scheduled and Councilman Pelunis opened the public hearing and asked for comments.

There were no comments from the public, however, the public hearing will remain open.

Councilman Pelunis said at the next Planning Commission meeting on February 11, 2014, the Residential Section will be discussed at the end of the regular agenda. Residents are welcome to attend and will be able to comment regarding this section or any other section of the proposed amendment.

In response to Mr. Mazur's question about current ownership of horses or fowl and whether this will be "grandfathered", Mr. Frankland said until the moratorium was passed approximately two months ago, agriculture was explicitly permitted. Unless it is a health and safety issue, agricultural animals in the City prior to that time, are permitted or "grandfathered."

#### MINOR ALTERATIONS FROM THE PLANNING DEPARTMENT:

1. 32550 Old South Miles Road – Swagelok

Mr. Frankland displayed an aerial view of the property and indicated the rear of the building where the proposal is to add a generator.

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

2. 29300 Cannon Road – Nestlé

Mr. Frankland displayed a plan of the new facility. He indicated the front of the building where a glass arch will be located and said there is an equipment screening wall in the same area. The proposal is to make the wall a few feet lower than was originally approved. Mr. Frankland said correspondence in writing has been received from Nestlé stating if any equipment is visible because of the change, they will make alterations to correct it.

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

3. 31635 Aurora Road – Shankman and Associates

Mr. Frankland displayed an aerial view of the property and indicated where the proposal is to fill in an overhead garage door area and add a ramp in the front of the building.

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

COMMENTS FROM THE COMMISSION:

Mr. Bentley said due to the extreme weather, school has been cancelled for tomorrow.

COMMENTS FROM THE AUDIENCE:

There were no comments from the audience.

Motion by Mayor Drucker, seconded by Mr. Mazur to adjourn the meeting at 7:51 P.M.

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

Motion Carried

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Chairman

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Secretary