

SOLON PLANNING & ZONING COMMISSION
January 10, 2023 – 7:30 P.M.

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

Present: Commission Members Greenspan, Newberry, and Sutton, Councilman Bentley, Mayor Kraus, Assistant Law Director Stolarsky, Secretary Letourneau, Senior Planner Parks

Absent: None

Also Present: Fire Inspector Eisenhuth, Assistant City Engineer Lyndon

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. Agenda topics may not have been discussed in order; however, they have been placed in order for the convenience of this record.)

Councilman Bentley presided.

Councilman Bentley explained to the applicants the procedures that take place during the meeting when they present their applications. He also explained that if their application includes a memo from the Engineering Department, they will be asked to agree to the requirements of that memo prior to the Commission voting and before a permit is issued. Councilman Bentley also explained there are two times during the meeting where comments from the audience can be heard.

PENDING:

1. Aurora Road – PP#'s 953-02-001, 951-17-012, 953-06-001 – Hawthorne Golf Estates LLC - Subdivision plat approval: Councilman Bentley said this item will be tabled again as the response from Oakwood Village regarding the sanitary flow analysis has not been received.

COUNCIL REFERRAL:

3. 31100 Solon Road – Solon Multi-Tenant Center Limited – site plan review: Mr. Newberry said the reason this must be reviewed is because any major improvement that is visible to the public/street must be approved by the Planning Commission.

4. Correspondence received from David Smercina, 5045 Brainard Road requesting to rezone Permanent Parcel No. 951-04-006 from the current multi-zoning of C-3 (Commercial) and R-1-D (Single Family Residential) to only R-1-D (Single Family Residential): Councilman Bentley said a public hearing is scheduled for this item tonight.

Mr. Stolarsky asked if the adjacent parcel owners who also have multi-zoning were considering requesting their parcels be rezoned.

Mr. and Mrs. David Smercina were present. Mr. Smercina advised he and adjacent property owners received a letter from legal counsel for the owner of the adjacent commercial property. Mr. Smercina said there was mention about an amendment to the original development agreement in the letter, which he did not understand. He asked Mr. Stolarksy if he knew about the letter and Mr. Stolarksy said that he also received a copy of the letter. Mr. Smercina asked that if any discussions take place, he would like to be involved, as well as the adjacent parcel owners.

Mr. Daniel Bomeli and Mrs. Cynthia Bomeli, 5065 Brainard Road, were present. Mrs. Bomeli indicated she also received the letter but did not understand why her property was included.

Discussion took place about the boundary lines between the residential properties and the commercial property.

The Commission determined that no changes can be made to a development agreement already in place between the commercial property owner and the adjacent residential owners unless that commercial owner made an application to the City for review.

Mr. Stolarksy said if the rezoning application that is before the Planning Commission is approved tonight and approved by Council, there are certain engineering items that will be needed before it can be sent to the Board of Elections to be added to the November ballot.

Mr. Lyndon said a legal description with drawings are necessary before this item can be sent to the Board of Elections. It is the responsibility of the applicant to provide the necessary engineering documents.

Mr. Lyndon asked if Mr. Smercina's parcel will be the only parcel involved in the rezoning as there are other adjacent parcels with the multi-zoning as well.

Mr. Lyndon displayed a map to Mr. and Mrs. Smercina and Mr. and Mrs. Bomeli indicating where the multi-zoning existed on three parcels. Mrs. Bomeli was unaware that their property was multi-zoned. Mr. Lyndon indicated a third parcel and identified the owner as Dorothy Smercina (who was not present).

Mrs. Bomeli said she would also like to be included with the requested rezoning.

Councilman Bentley advised Mrs. Bomeli to provide an application to the Planning Department to move forward with the request.

The Commission discussed having all three properties presented to the Council at the same time and asked Mr. Smercina and Mrs. Bomeli if they believed the third party, Dorothy Smercina, would also want to be part of the rezoning request. Mrs. Bomeli said she believes she would want to be involved.

Ms. Letourneau recommended Mrs. Bomeli call the Planning Department to determine what items are necessary to process the applications for the two additional parcels involved.

Ms. Letourneau explained there is ample time to place this item on the November, 2023 ballot, however, it is too late to place it on the May, 2023 ballot. She explained that one ordinance will be prepared for all three parcels to be on the ballot for the November, 2023 election.

Mr. Smercina asked that his item be forwarded to the next Council meeting for approval but held until the other parcels move through the process.

The Planning Commission determined that if all three parcels are approved for the rezoning, they should all be presented to the Council and scheduled for a public hearing at the same meeting.

Mr. Newberry said the owners of the parcels will have to hire a surveyor to survey the property and provide a legal description of the properties to the City before this item can be sent to the Board of Elections.

The caucus ended at 7:17 P.M. and the meeting began at 7:30 P.M.

CHANGES TO THE AGENDA:

There were no changes to the agenda.

COMMENTS FROM THE AUDIENCE REGARDING AGENDA ITEMS:

There were no comments from the audience.

MINUTES:

Motion by Mr. Greenspan, seconded by Ms. Sutton to approve the minutes of the December 13, 2022 meeting as presented.

Roll Call: Aye: Bentley, Greenspan, Kraus, Newberry, Sutton
Nay: None Motion carried

Motion by Mr. Newberry, seconded by Mr. Greenspan to approve the minutes of the December 19, 2022 special meeting as presented.

Roll Call: Aye: Bentley, Greenspan, Kraus, Newberry, Sutton
Nay: None Motion carried

PENDING:

1. Aurora Road - PP#'s 953-02-001, 951-17-012, 953-06-001 - Hawthorne Golf Estates LLC
PCPC-2021-171 - Ward 5
 - Subdivision plat (submitted 10/31/22)

A public hearing was scheduled.

Councilman Bentley said information is pending from the applicant regarding authorization to connect to sewers in the Village of Oakwood.

Councilman Bentley opened the public hearing and asked for comments.

There were no comments from the audience, however, the public hearing remained open.

Motion by Ms. Sutton, seconded by Mr. Greenspan to table consideration of Item 1.

Roll Call: Aye: Bentley, Greenspan, Kraus, Newberry, Sutton
Nay: None Motion carried

NEW:

2. 6045 Cochran Road - SIA II LTD., LLC
PCPC - 2022-320 - Ward 6
 - Site plan

Ms. Hallie Schuld, Sixmo, 1101 Auburn Avenue, Cleveland, Ohio was present representing the applicant. Ms. Schuld displayed the plan and explained they are placing an exterior dust collector and remote evaporation chiller on the existing building. She said they have recently discussed adding a 6 feet tall chain-link fence with white or gray slats in the future, to conceal these pieces of equipment.

Councilman Bentley referred to the site plan and said the exterior dust collector and remote evaporation chiller will be well hidden from the street view on Cochran Road and adding a 6 feet tall fence with slats in the future will further conceal them.

Mr. Newberry asked if Ms. Schuld has reviewed the department memos for the application. Ms. Schuld said yes and agreed to the requirements in the Engineering memo.

Motion by Mr. Newberry, seconded by Ms. Sutton to approve a site plan for 6045 Cochran Road contingent upon the requirements in the January 4, 2023 Engineering Department memo.

Roll Call: Aye: Bentley, Greenspan, Kraus, Newberry, Sutton
Nay: None Motion carried

3. 31100 Solon Road - Solon Multi-Tenant Center Limited
PCPC - 2022-321 - Ward 7
 - Site plan

Mr. David Perlberg, Chelm Properties, Inc., was present representing the applicant. Mr. Perlberg displayed the site plan and explained the project is to raise 83,000 square feet of the existing warehouse roof from a clear height of 12 feet 6 inches to a clear height of 32 feet. The raised portion of the roof sets back over 200 feet from the front of the building on Solon Road and would be a benefit to the tenant.

Motion by Ms. Sutton, seconded by Mr. Greenspan to approve a site plan for 31100 Solon Road.

Roll Call: Aye: Bentley, Greenspan, Kraus, Newberry, Sutton
Nay: None Motion carried

COUNCIL REFERRAL:

4. Correspondence received from David Smercina, 5045 Brainard Road requesting to rezone Permanent Parcel No. 951-04-006 from the current multi-zoning of C-3 (Commercial) and R-1-D (Single Family Residential) to only R-1-D (Single Family Residential).

A public hearing was scheduled.

Councilman Bentley opened the public hearing and asked for comments.

Mr. Stolarsky explained the rezoning request was discussed in Caucus along with the anticipation of other related applications from contiguous properties. He said he anticipates they will eventually be referred to City Council as one item on the November, 2023 ballot.

Mr. David Smercina was present and stated he wants to continue his request to proceed tonight.

Motion by Mr. Newberry, seconded by Mayor Kraus to recommend approval of the request from David Smercina to rezone Permanent Parcel No. 951-04-006 from the current multi-zoning of C-3 (Commercial) and R-1-D (Single Family Residential) to only R-1-D (Single Family Residential) contingent upon the applicant providing the necessary property survey and legal descriptions.

Roll Call: Aye: Bentley, Greenspan, Kraus, Newberry, Sutton

Nay: None

Motion carried

Mr. Stolarsky further explained he anticipates Council will not schedule the public hearing until all related applications are received and referred by the Planning Commission.

Ms. Letourneau stated she will place the rezoning request for Parcel No. 951-04-006 on the January 17, 2023 Council Agenda and wait until the related applications are received before scheduling public hearings for all the parcels. She said the Board of Elections requires a property survey and legal description from the applicant before adding a rezoning item to the ballot. Ms. Letourneau said the Board of Elections deadline is August, 2023 for the November, 2023 ballot.

Mr. Parks said he can assist with what is needed from the contiguous properties to apply for rezoning as well.

COMMENTS FROM THE AUDIENCE:

There were no comments from the audience.

COMMENTS FROM THE COMMISSION:

In turn, members of the Commission and Administration welcomed Nick Parks back as the City's Senior Planner.

Mayor Kraus also thanked Arthur Schmidt of OHM Advisors for signing a six-month continuation of his contract with the Planning Department.

Mayor Kraus said the City strives to bring in new restaurants and recommended Yi Hot Pot & Sushi & BBQ located at Solon Square.

Councilman Bentley welcomed the new Assistant to the Clerk of Council, Shelby England.

Motion by Mr. Newberry, seconded by Ms. Sutton to adjourn the meeting at 7:53 P.M.

Roll Call: Aye: Bentley, Greenspan, Kraus, Newberry, Sutton

Nay: None

Motion carried

Chairman

Secretary