

SOLON PLANNING & ZONING COMMISSION
JULY 9, 2019 – 7:20 P.M.

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

Present: Commission Members Bentley, Mazur, Newberry, Councilman Pelunis, Mayor Kraus, Law Director Lobe, Planning Director Frankland, Secretary McConoughey

Absent: None

Also Present: Inspector Eisenhuth, Project Engineer Bennett

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 Bentley presided.

NEW:

2. 6175 SOM Center Road – 6175 SOM Center LLC – Number of parking spaces variance and cross access drive: Mr. Mazur questioned whether the cross access agreement should be referred to the Safety and Public Properties Committee and it was determined if approved, a contingency should be added to require approval of the easement by the Law Department.

The caucus ended at 7:25 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:

Mrs. Gloria Longo, 550 Bristal Drive, Aurora, owner of the property at 33700 Aurora Road said Mr. Pete Moissis (her tenant at 33700 Aurora Road) is requesting an additional wall sign for her property. She objected to the additional wall sign and explained as the property owner, she is fiscally responsible for the signs on the front of the building and removal of remaining signs when tenants vacate. Mrs. Longo advised there are also certain disagreements involving with the lease on this property and unlike previous tenants, Mr. Moissis did not discuss the sign variance with her prior to submitting the application.

PENDING:

1. 30865 Solon Road – Rose Bonsignore
 - Expansion of a non-conforming use variance

- 77' front yard setback variance
- 15' setback between structures variance

Mr. Bentley said the applicant has requested this item be tabled.

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

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

Nay: None

Motion Carried

NEW:

- | | | | |
|----|--|----------|---|
| 2. | 6175 SOM Center Road – 6175 SOM Center LLC | 067-2019 | 4 |
| | <ul style="list-style-type: none"> ▪ 1 space - number of parking spaces variance ▪ Site plan (proposed cross access drive) | | |

Mr. Lowell Mintz, 33225 Ledge Hill Drive, was present representing the applicant. Mr. Mintz displayed plans of the Titan Realty Group properties, AAA building and the SOM Solon building at 6175 SOM Center Road and said these properties are adjacent but have no parking lot connection. He indicated the 6175 SOM Center Road building has access to Solon Road through the adjacent property, however, the access drive is close to the traffic signal which makes left turns difficult and exiting onto SOM Center Road is challenging.

Mr. Mintz said it would be mutually beneficial to the SOM Solon building tenants to allow them access to the AAA building exit and vice versa.

Mr. Bentley asked Mr. Mintz to indicate the parking space that would be eliminated. Mr. Mintz indicated the space where the drive would be installed and a portion of an earthen berm would be paved. He said a storm water management agreement will be submitted.

Mr. Mazur requested the Law Department review the perpetual cross access agreement and Mr. Mintz agreed.

Motion by Mr. Newberry, seconded by Councilman Pelunis to approve the 1 space – number of parking spaces variance.

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

Nay: None

Motion Carried

Motion by Mr. Mazur, seconded by Mayor Kraus to recommend approval of the site plan as proposed contingent upon review/approval of a perpetual cross access agreement.

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

Nay: None

Motion Carried

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|----|---|----------|---|
| 3. | 33700 Aurora Road – Pete Moissis (Simply Greek) | 069-2019 | 6 |
| | <ul style="list-style-type: none"> ▪ 22.5 sq ft wall sign area variance ▪ Number of wall signs variance (to permit 2) | | |

Mr. Bentley noted comments were made earlier regarding this item by Mrs. Longo.

Mr. Pete Moissis, Simply Greek, 33700 Aurora Road was present and said the restaurant business is very competitive. Mr. Moissis is requesting to place a side wall sign where a previous sign had been located for the benefit of the eastbound Aurora Road traffic. He said the building protrudes toward Aurora Road more than the neighboring buildings which makes this side sign beneficial.

Mr. Moissis displayed the plans for the signs and said only the sign facing Aurora Road will have graphics. He indicated the side driveway is narrow therefore, for safety reasons, the gooseneck lamps pictured could possibly be changed to a different type of lamp. Mr. Bentley asked how high the lamps would be located on the building and Mr. Moissis said around 10' high. Mr. Moissis believes a previous tenant was granted a sign variance in this location.

Councilman Pelunis asked Mr. Lobe if the applicant has the legal authority to apply for this variance. Mr. Lobe believed in this case the applicant has the authority. However, he will not, and neither should the Commission, become involved in private matters, nor will he interpret the lease between the owner of the building and the applicant. He said it is possible this request has been presented in an overabundance of caution because the sign could be grandfathered. Councilman Pelunis noted the sign box for the previous sign remains on the building. Mr. Lobe requested the Commission vote on the request and only apply the Duncan vs. Middlefield practical difficulties test.

Mr. Mazur said the sign is necessary to promote the business and its visibility will be critical to the restaurant's success.

Mr. Newberry said previous signs have existed in this location and the applicant is basically asking for a replacement.

Councilman Pelunis agrees the variance could be an excess of caution because a previous sign and electrical connections exist in this location. Mr. Moissis confirmed the electrical connections are still present.

Motion by Mr. Mazur, seconded by Mayor Kraus to approve the 22.5 sq ft wall sign area variance.

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

Nay: None

Motion Carried

Motion by Mr. Newberry, seconded by Mr. Mazur to approve the number of wall signs variance to permit 2.

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

Nay: None

Motion Carried

COUNCIL REFERRAL:

4. Proposed amendment to Section 1291.02 of the Zoning Code, (Minor Exterior Alterations) to amend the approval process and requirements

Mr. Bentley provided a brief explanation of the proposed amendment. He said the Planning Department would discuss the minor alteration with the Planning Commission Chairman who would either agree to allow the Planning Department to sign off on the plans or request the alteration be presented to the Commission for review. Mr. Bentley said this would create a more expedient process for both the City and businesses.

A public hearing was scheduled. Mr. Bentley opened the public hearing and requested comments.

Councilman Pelunis said he has urged the Council to take action on this amendment to avoid delaying the contractors.

Mr. Frankland said several businesses have expressed interest in this amendment.

Mr. Newberry said many changes have occurred over the years and this amendment will conclude the Architectural Review Board process that was in place before the architectural considerations were included in the Code. He believes the amendment will be beneficial to the City as well as the businesses.

There were no comments from the public; therefore, the public hearing was closed.

Motion by Mr. Newberry, seconded by Mr. Mazur to refer the proposed amendment back to the Council with the recommendation to approve the amendment to Section 1291.02 of the Zoning Code; "Minor Exterior Alterations".

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

Motion Carried

MINOR ALTERATIONS FROM PLANNING DEPARTMENT

1. 6680 Parkland Boulevard – Solon, LLC

Mr. Frankland displayed previously presented parking lot plans. He said the new plan will eliminate a few parking spaces but will still retain more parking than is required.

Mr. Bentley asked what would be placed in the vacant spaces. Mr. Frankland said he was uncertain at this point.

The Commission agreed no further review of the item was necessary.

2. 28500 Miles Road – The Shoppes of Solon North

Mr. Frankland displayed an aerial of the property and said the parking lot will undergo repairs and repaving. He indicated an island will be removed because it is interfering with drainage and a Brainard Road entryway island will be slightly shortened. He noted the modifications are compliant with the Code.

The Commission agreed no further review of the item was necessary.

3. 6199 and 6221 SOM Center Road - Carter Lumber and ALDI/Hobby Lobby

Mr. Frankland displayed an aerial of the properties and indicated the retaining wall between the properties will be painted an earth tone color. Mr. Frankland said ALDI/Hobby Lobby has requested Carter Lumber remove the 6' chain link fence that is currently on top of the retaining wall and place it onto their property and Carter Lumber has agreed. He noted the fence will be in compliance with the Zoning Code and the Fire Department will review its placement.

COMMENTS FROM THE AUDIENCE

There were no comments from the audience.

COMMENTS FROM THE COMMISSION

Mr. Newberry thanked the City for a fantastic fireworks display.

Mayor Kraus said the fireworks display was a success. He encouraged everyone to attend "Shakespeare in the Park" featuring "As You Like It", a free event at the Community Park at 6:30 P.M. on July 13th and 20th and 5:00 P.M. on July 14th and 21st.

Motion by Mr. Mazur, seconded by Mr. Newberry to adjourn the meeting at 7:59 P.M.

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

Nay: None

Motion Carried

Chairman

Secretary