

SOLON PLANNING & ZONING COMMISSION
July 27, 2021 – 7:30 P.M.

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

Present: Commission Members Mazur, Newberry, Councilman Bentley, Mayor Kraus, Assistant Law Director Stolarsky, Planner Parks, Secretary Letourneau

Absent: Commission Member Greenspan

Also Present*: Project Engineer Bennett, Fire Inspector Eisenhuth

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.)

Councilman Bentley presided.

PENDING:

1. 29001 Solon Road – 29001 Solon Road, LLC – sign area variance and number of wall signs variance: Councilman Bentley said this item will be withdrawn as requested by the applicant.

3. 33755 Station Street – Shibley Properties – pavement side yard setback variance, cross access drive width variance and site plan review: Mr. Newberry said necessary information has been received.

Mayor Kraus asked Mr. Shibley if he received the memo from the Engineering Department. Mr. Shibley said he has seen it.

Councilman Bentley informed all of the applicants attending the Caucus that as a matter of approving an application, if there is a memo from the Engineering Department or Fire Department, the applicant must agree to the contingencies listed in the memorandums.

4. 6020 Enterprise Parkway – WOMOB Fresenius Solon, LLC – front yard setback variance, color variance: Councilman Bentley said this application is to install awnings at the entrances. There was no representative present during the Caucus.

5. 33885 Country View Lane – Ronald and Kim Hands – number of accessory structures variance, accessory structure area variance and a rear yard setback variance: There was no representative present during the Caucus.

6. 7455 SOM Center Road – Carl and Maria Klein – accessory pavement area variance: The Commission discussed the possibility of a variance for a roof and

setback. However, it was determined this is not part of this application and will not be discussed at this time.

7. 33700 Aurora Road – Olympic Restaurants, LLC – free standing sign design variance and a free standing sign material variance: There was no representative in attendance for this item during the Caucus.

Mr. Stolarsky said at the last meeting, the applicant referenced the outcome of a meeting in 2019. He said he reviewed the minutes from that meeting and determined it was a different situation regarding an existing sign on the building which the Commission regarded as a “grandfathered” situation and the variance was granted. However, the current application is for a different sign located in the parking lot which would change the site plan. Mr. Stolarsky said if the applicant attends the meeting, it will be his recommendation that this not be approved because the applicant does not have the jurisdiction to submit the application.

8. 33000 Solon Road – City of Solon (Verizon Wireless) – cell tower modification: The representative from Strategis was present. Councilman Bentley explained the new antennas that are proposed will be located on the tower and will not be viewable.

NEW:

10. 32582 South Roundhead Drive – accessory pavement setback variance: Mr. Newberry said this is located on a corner lot and there is an Engineering Department memo affiliated with any approval given.

11. 5035 Crofton Avenue – Eric Oberster – side yard setback variance: Councilman Bentley said this application is to add a sidewalk to access the back yard. There is an Engineering Department memo associated with this item.

12. 32682 Springside Lane – Melvin and Linda Solomon – side yard setback variance, rear yard setback variance and number of accessory structures variance (to permit 2): Councilman Bentley said the applicant plans to remove a shed and install a slightly larger one in its place. Mr. Solomon said it will be located a little further back than the current one.

13. 33725 Station Street – Shibley Properties, LLC – rear yard setback variance, side yard setback variance, curbing variance and site plan review: Mr. Lawrence Shibley was present. Councilman Bentley said the applicant proposes a day care at this location. He said there is an Engineering Department and a Fire Department memo associated with this item that the applicant must agree to before approval would be given.

*Clerk’s note: It was later determined that an Engineering Department memo was not included in the packet as it was believed the item would be tabled and additional information was needed from the applicant in order to complete the memo.

Councilman Bentley said there are concerns about the ADA requirements.

Mr. Parks said there are ADA requirements that need to be addressed. In addition, there is concern about children walking across the parking lot from the day care to the play area. Since additional information from the applicant was not provided, the Engineering Department memo has not been prepared for this item. It is his recommendation that this item be tabled.

Mr. Shibley said there is an ADA ramp located in the area. Mr. Parks said Mr. Lyndon from the Engineering Department is concerned the ADA ramp does not meet ADA requirements. Mr. Shibley advised he will meet any requirements determined.

Mayor Kraus questioned why the concerns were not discussed at the meeting held with Mr. Shibley.

Mr. Parks said there was a meeting regarding the cross access portion but there are concerns with the playground portion.

Councilman Bentley believes the item should be tabled if departments still have concerns.

Mr. Shibley asked if the play area was moved adjacent to the building, would it meet the requirements.

Mr. Parks said this was one of the items that was previously discussed with the applicant and asked if Mr. Shibley would be willing to do so.

Mr. Shibley indicated he would not want to lose his tenant due to a delay if a new plan was necessary, however, they will move the play area if necessary.

Mr. Newberry said a new plan would be necessary.

It was discussed the application could be approved with a contingency to meet the requirements of the Engineering Department.

Mr. Shibley said they would agree to contingencies in the Engineering Department memo.

It was determined the Engineering Department will prepare a memo before the Council meeting that will be made a contingency for approval.

Mayor Kraus agreed with the contingency as he does not want the applicant to lose their tenant.

14. 7634 Capilano Drive – Derek and Julie Few – not parallel to the street variance: Councilman Bentley said this application is for the construction of a new home. He said there is an Engineering Department memo associated with this item that must be agreed to by the applicant prior to any approval being given.

16. 33825 Aurora Road – Steve Passov – Passov Group (Imperial Wok) - parking space length variance, parking space minimum number of parking spaces variance, rear yard setback variance and site plan review: Councilman Bentley said this application is to install a patio. He informed the applicant there is an Engineering Department memo and a Fire Department memo associated with the application that the applicant will have to agree to as part of the approval.

Mr. Mazur asked if the planters shown on the plan will be removed to install bollards. Mr. Michael DuBois was present and said fencing with planter boxes will be installed.

17. 32500 Solon Road – Quality Threads and Notions – off street parking location variance and site plan review: Councilman Bentley said the properties included in this application have never been properly recorded. As a condition of approval, the applicant will be required to consolidate and properly record the parcels.

Mr. Newberry said there is also an Engineering Department memo associated with this application that will need to be agreed to for approval of the item.

The caucus ended at 7:27 P.M. and the meeting began at 7:30 P.M.

Due to Mr. Greenspan's absence, Mr. Stolarsky explained in order for an application to be approved, it will need the affirmative vote of three of the four voting members. Therefore, if an applicant believes they would benefit from a full Commission, they may choose to table their item until the next meeting.

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 Mayor Kraus, seconded by Mr. Newberry to approve the minutes of the July 13, 2021 meeting as presented.

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

Motion Carried

PENDING:

1. 29001 Solon Road – 29001 Solon Road, LLC
PCPC 2021-00143 – Ward 5
 - 136.6 sq ft sign area variance
 - Number of wall signs variance (to permit one additional)

Motion by Mr. Newberry, seconded by Mr. Mazur to accept the applicant's withdrawal of the application.

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

Motion Carried

2. 6639 Edgemoor Avenue – Scott and Anne Barto
PCPC 2021-00145 – Ward 7
 - 5' side yard setback variance

Mr. Scott Barto was present and explained the request to extend his patio and add an L-shaped fence for privacy. He displayed an aerial of the property indicating the location of the current patio, the area for the extension and where he intends to locate the fence.

Councilman Bentley said this is a corner lot and corner lots are problematic.

Motion by Mr. Mazur, seconded by Mr. Newberry to approve a 5' side yard setback variance.

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

Motion Carried

3. 33755 Station Street – Shibley Properties
PCPC 2021-00146 – Ward 6
 - 15' pavement side yard setback variance
 - 6' cross access drive width variance
 - Revised site plan review

Mr. Lawrence Shibley, 8190 Devon Court, Chagrin Falls, was present. He displayed an aerial view of the property and a site plan. He indicated where the area will be re-paved and the two properties will be merged with the addition of pavement. Mr. Shibley said he owns both properties.

Motion by Mayor Kraus, seconded by Mr. Mazur to approve a 15' pavement side yard setback variance.

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

Motion Carried

Motion by Councilman Bentley, seconded by Mr. Newberry to approve a 6' cross access drive width variance.

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

Motion Carried

Mr. Newberry asked Mr. Shibley if he had seen the memo from the Engineering Department. Mr. Shibley said he has seen the memo and agrees to the contingencies.

Motion by Mr. Newberry, seconded by Mayor Kraus to recommend approval of the revised site plan contingent upon compliance with the July 22, 2021 Engineering Department memo.

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

Motion Carried

4. 6020 Enterprise Parkway – WOMOB Fresenius Solon, LLC
PCPC 20221-99147 0 Ward 6
- 10' front yard setback variance
 - Color variance

As there was no representative present for Item 4, the Commission determined it would be tabled. As this is the second time this item is tabled, if there is no representative at the next meeting, the item will be moved to the Inactive Agenda.

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

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

Motion Carried

5. 33885 Country View Lane – Ronald and Kim Hands
PCPC 2021-00148 – Ward 4
- Number of accessory structures variance (to permit 2)
 - 56 sq ft accessory structure area variance
 - 2' rear yard setback variance

Mr. Ronald Hands was present. He displayed an aerial view of the property indicating where he would like to add an additional storage shed.

Mr. Newberry asked Mr. Hands if he had seen the Engineering Department memo discussing the maintenance of positive drainage around the shed. Mr. Hands said he has seen the memo and agreed to it.

Councilman Bentley said this is a second accessory structure, however, it is a large yard.

Mr. Mazur said no objections from neighbors were received.

Motion by Mr. Mazur, seconded by Mayor Kraus to approve a number of accessory structures variance (to permit 2) contingent upon compliance with the July 22, 2021 Engineering Department memo.

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

Motion Carried

Motion by Mr. Newberry, seconded by Councilman Bentley to approve a 56 sq ft accessory structure area variance contingent upon compliance with the July 22, 2021 Engineering Department memo.

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

Motion Carried

Motion by Mayor Kraus, seconded by Mr. Mazur to approve a 2' rear yard setback variance contingent upon compliance with the July 22, 2021 Engineering Department memo.

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

Motion Carried

6. 7455 SOM Center Road – Carl and Maria Klein
PCPC 2021-00149 – Ward 1
- 260 sq ft accessory pavement area variance

Mr. Carl Klein was present and explained the request for additional pavement to create a turnaround for his driveway for safety purposes to exit onto SOM Center Road. He displayed an aerial view indicating where he would like to add the pavement.

Mr. Mazur asked Mr. Klein if he had seen the memo from the Engineering Department and if he agrees to it. Mr. Klein said he has seen the memo and agrees to it.

Motion by Mr. Mazur, seconded by Mayor Kraus to approve a 260 sq ft accessory pavement area variance contingent upon compliance with the July 22, 2021, Engineering Department memo.

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

Motion Carried

7. 33700 Aurora Road – Olympic Restaurants, LLC
PCPC 2021-00152 – Ward 6
- Free standing sign design variance
 - Free standing sign material variance

Mr. Pete Mioassis, representing Simply Greek Restaurant, was present and explained the request to erect an A-frame sign advertising the restaurant. He displayed a site plan and said the sign is located on the north side of the parking lot and indicated the location on the site plan.

Councilman Bentley advised this sign was put up during the pandemic, however, it is not permitted by Code. Councilman Bentley said at the previous meeting, there was discussion with Mr. Stolarsky about a sign that was previously granted.

Mr. Stolarsky said regarding Mr. Mioassis' previous comments about the granting of a sign, he reviewed the minutes from that meeting and determined this was for a wall sign. He said Mr. Lobe was at the meeting and used a generous interpretation of the wall sign, known as a "grandfathered" sign to allow Mr. Mioassis to change it to his own sign.

Mr. Stolarsky said this current request is a different situation. The request is for a free-standing A-frame sign in the parking lot and, potentially in the right-of-way. The site plan for this address affects all of the other businesses within this location. Mr. Stolarsky said it is his recommendation that Mr. Mioassis does not have the standing to make this application, as the building owner did not sign the application.

Mr. Stolarsky said Mr. Lobe made it clear during the previous request for the wall sign that Mr. Moissis presented a lease which may or may not state that he has the approval to request signage with the landlord's approval. It was made clear at that time that it is not within the City's authority to interpret or make rulings about his authority from the lease. He feels Mr. Moissis benefited from the previous interpretation which permitted him to put a sign where the former tenant had a wall sign.

Mayor Kraus noted handwritten items on the lease.

Mr. Moissis believes the lease gives him the authority to request the signage and a precedent was already set when he used the same lease in 2019.

Mr. Stolarsky said it is his recommendation that the applicant does not have standing to make application for the sign.

Mr. Moissis said there are other violations on the property that the landlord has not addressed. He indicated many signs similar to the one he is requesting are located in the city.

Mr. Mazur said he has not seen the type of sign being requested.

Mr. Moissis said the sign was used during the pandemic and he appreciated the City relaxing the reinforcement of this type of sign. He advised he has the same lease he had prior and is asking to continue to use the sign.

Mr. Stolarsky reiterated Mr. Moissis does not have the standing to make this application and the previous request and approval was for a "grandfathered" sign.

Mr. Mazur said he would not approve of this sign even if Mr. Stolarsky approved of it because it is not permitted.

Motion by Mr. Newberry, seconded by Mr. Mazur to approve a free standing sign design variance.

Roll Call: Aye: Kraus
Nay: Bentley, Mazur, Newberry Motion Failed

Motion by Mr. Newberry, seconded by Mr. Mazur to approve a free standing sign material variance.

Roll Call: Aye: Kraus
Nay: Bentley, Mazur, Newberry Motion Failed

Mr. Stolarsky advised Mr. Moissis of his right to appeal the decision and the Clerk will notify him of the procedure.

8. 33000 Solon Road – City of Solon (Verizon Wireless)
PCPC 2021-00153 – Ward 6
 - Cell tower modification

Ms. Susan Maruszan, Strategis LLC, was present representing the applicant. Ms. Maruszan explained the request to remove 12 antennas and replace them with three antennas to allow for 5G. It was clarified there will be no significant change in appearance at the proposed height.

Motion by Mr. Mazur, seconded by Mr. Newberry to approve the site plan for cell tower modification.

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

Motion Carried

9. 6000 Enterprise Parkway - Seniorita Bonitas
PCPC 2021-00154 - Ward 6
 - Site plan

Mr. Ricardo Leon was present representing the applicant and explained the request to cover an existing patio. A site plan was displayed and Mr. Leon indicated the location of the patio and how it will appear.

Motion by Mr. Newberry, seconded by Mr. Mazur to approve the site plan for 6000 Enterprise Parkway.

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

Motion Carried

10. 32582 South Roundhead Drive - Rajdeep Singh
PCPC-2021-00155 - Ward 2
 - 25' accessory pavement setback variance

Mr. Singh was present and explained the request to expand his driveway for additional parking. A drawing was displayed and Mr. Singh indicated the proposed location for the extension. It was noted the property is on a corner lot.

Mr. Newberry advised of requirements in an Engineering Department memo regarding the timing for the paving, sidewalk thickness and width of the driveway. Mr. Singh agreed to the requirements.

Motion by Mr. Newberry, seconded by Mr. Mazur to approve a 25' accessory pavement setback variance contingent upon requirements in the July 22, 2021 Engineering Department memo.

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

Motion Carried

11. 5035 Crofton Avenue - Eric Oberster
PCPC-2021-00156 - Ward 5
 - 7'- 8" side yard setback variance

Mr. Eric Oberster was present and explained the request to add a sidewalk to extend from the driveway to the back yard patio. A drawing was displayed.

Mr. Mazur asked Mr. Oberster if he received the Engineering Department memo of July 22, 2021. Mr. Oberster advised he did not. Mr. Mazur said a permit will need to be applied for and Mr. Oberster indicated he understood.

Motion by Mr. Mazur, seconded by Mayor Kraus to approve a 7'- 8" side yard setback variance contingent upon requirements in the July 22, 2021 Engineering Department memo.

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

Motion Carried

12. 32682 Springside Lane - Melvin and Linda Solomon
PCPC-2021-00157 - Ward 6

- 7' - 6" side yard setback variance
- 1' - 3" rear yard setback variance
- Number of accessory structures variance (to permit 2)

Mr. Melvin Solomon was present and explained the request to replace a deteriorated shed. Councilman Bentley said the request is to build a larger shed and to have two sheds on the property, therefore, variances are required.

Mr. Newberry advised of an Engineering Department memo indicating positive drainage is needed around the structure. Mr. Solomon acknowledged the requirement.

Motion by Mr. Mazur, seconded by Mayor Kraus to approve a 7' - 6" side yard setback variance.

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

Motion Carried

Motion by Mr. Mazur, seconded by Mr. Newberry to approve a 1' - 3" rear yard setback variance.

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

Motion Carried

Motion by Mr. Newberry, seconded by Mayor Kraus to approve a number of accessory structures variance (to permit 2) contingent upon requirements in the July 22, 2021 Engineering Department memo.

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

Motion Carried

13. 33725 Station Street - Shibley Properties, LLC
PCPC-2021-00158 - Ward 6

- 18' rear yard setback variance
- 3' side yard setback variance
- Curbing variance
- Site plan

Councilman Bentley explained the request to install a playground area in the back parking area with fence for a prospective tenant. He advised an Engineering

Department memo requires bollards and other items to provide proper safety for the children. Councilman Bentley said other concerns were discussed in caucus and will need further discussion to proceed with approval to allow Mr. Shibley to continue with his prospective tenant.

Mr. Lawrence Shibley, 8190 Devon Court, Chagrin Falls was present. A site plan was displayed and Councilman Bentley indicated a parking area, the proposed location for the playground and a crosswalk leading to the playground. There was concern with children crossing the parking area to reach the playground. A possible solution was to move the play area against the building, however, Mr. Parks advised he would need to review the revised location.

Mr. Shibley asked if cones could be erected in the crosswalk/parking area before the playground is used. Mr. Parks advised the Engineering and Fire Departments would need to comment.

Lieutenant Eisenhuth advised he viewed the site. He finds cones are not necessary, however, the bollards are necessary.

Mr. Newberry agreed with the striped crosswalk if the Engineering Department approved.

Mr. Shibley said parking spaces in that area will be restricted to employees only.

Mr. Mazur will support the variances if the applicant complies with any ADA requirements determined by the Engineering Department as a contingency.

Mr. Shibley agreed.

Additional requirements may be needed based on the Engineering Department's review of the site plan.

Motion by Mr. Mazur, seconded by Mr. Newberry to approve a 18' rear yard setback variance.

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

Nay: None

Motion Carried

Motion by Mayor Kraus, seconded by Mr. Mazur to approve a 3' side yard setback variance.

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

Nay: None

Motion Carried

Motion by Mr. Mazur, seconded by Mr. Newberry to approve a curbing variance.

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

Nay: None

Motion Carried

Motion by Mr. Newberry, seconded by Mr. Mazur to approve a revised site plan contingent upon the Engineering Department's requirements after review of the revised site plan and the Fire Department's memo of July 26, 2021.

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

Motion Carried

14. 7634 Capilano Drive - Derek and Julie Few
PCPC-2021-00159 - Ward 1
- Not parallel to the street variance

Mr. Derek Few, 2298 Champion Trail, Twinsburg was present and explained the request for a variance to not place a house parallel to the street to maximize the golf course view. He said the house will still be in line with other existing houses.

Motion by Mr. Newberry, seconded by Mr. Mazur to approve a not parallel to the street variance.

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

Motion Carried

15. 32975 Aurora Road - LPV Properties, LLC
PCPC-2021-00160 - Ward 6
- 565 sq ft sign area variance
 - Number of wall signs variance (to permit 2)

Mr. Izzy Schachner was present representing Birdigo. Councilman Bentley explained the request for a mural facing the vacant Liberty Ford site.

Mr. Schachner explained the purpose of the mural is to maximize traffic to the restaurant and on social media.

Mayor Kraus commended Mr. Schachner and said he appreciates public art.

Mr. Mazur questioned the practical difficulty involved. Mr. Schachner explained the mural is to provide an experience for those posting on social media to promote both the restaurant and the City of Solon.

Mr. Mazur indicated he will not support the variance.

Mr. Schachner indicated the sign may help promote Solon, however, is easily changeable or removable.

Mr. Mazur believes it is for advertising. Mayor Kraus said public art is an integral part of cities interested in providing walkability and bringing people to their city.

Motion by Mr. Newberry, seconded by Mayor Kraus to approve a 565 sq ft sign area variance.

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

Motion Carried

Motion by Mayor Kraus, seconded by Councilman Bentley to approve a number of wall signs variance (to permit 2).

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

Motion Carried

16. 33825 Aurora Road - Steve Passov - Passov Group
PCPC-2021-00161 - Ward 6

- 2' parking space length variance
- 4 parking space minimum number of parking spaces variance
- 25' rear yard setback variance
- Site plan

Mr. Michael DuBois, Imperial Wok, was present representing the applicant.

Mr. DuBois displayed the site plan and explained the request to install a covered patio at the main entrance in the back of the building to help increase business.

Mr. DuBois said the short-term parking spaces will be removed and handicapped spaces will be located on the other side of the entrance. The patio will be 18' and protected by bollards and existing planters will be removed.

Motion by Mr. Mazur, seconded by Mr. Newberry to approve a 2' parking space length variance.

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

Motion Carried

Motion by Mayor Kraus, seconded by Mr. Mazur to approve a 4 parking space minimum number of parking spaces variance.

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

Motion Carried

Motion by Mr. Mazur, seconded by Mr. Newberry to approve a 25' rear yard setback variance.

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

Motion Carried

Motion by Mr. Mazur, seconded by Mr. Newberry to approve a site plan for 33825 Aurora Road contingent upon requirements of the July 22, 2021 Engineering Department memo and July 26, 2021 Fire Department memo.

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

Motion Carried

17. 32500 Solon Road - Quality Threads and Notions
PCPC-2021-00162 - Ward 7

- Off-street parking location variance
- Site plan

Mr. Bob Heintz, Quality Threads and Notions, was present and explained the request to increase parking. Mr. Heintz indicated on the plan the location where four additional parking spaces will be added.

Councilman Bentley advised parking is on the neighboring property, however, Mr. Heintz said the landlord owns both properties.

Mr. John Fitzwater of Weston, 4760 Richmond Road, Warrensville Heights, was also present. Mr. Fitzwater stated Weston does not own both properties and only owns 32500 Solon Road. Mr. Fitzwater explained issues involved when the property was purchased by Weston. He advised the four requested parking spaces are on the Weston property, however, the County records show they are on the adjacent lot. Mr. Fitzwater understood a contingency to approval will require the plat be changed with the County to indicate the correct property line.

Mr. Heintz asked if they will need to wait for a permit until the County correction is made.

Mr. Stolarsky said a time frame could be included as part of the contingency and he suggested one year.

Motion by Mr. Newberry, seconded by Mayor Kraus to approve an off-street parking location variance contingent upon the consolidation of the parcels to correctly reflect ownership within 12 months.

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

Motion Carried

Motion by Mr. Mazur, seconded by Mayor Kraus to approve the site plan contingent upon compliance with the requirements of the July 22, 2021 Engineering Department memo.

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

Motion Carried

Mr. Heintz provided a brief explanation of his business and noted the business is growing.

COUNCIL REFERRAL:

18. Proposed amendment to Section 1288.04 (3)(d) entitled "Non-Commercial Opinion Signs" of the Zoning Code

No new material was received.

Mr. Stolarsky said a meeting will be held with Mr. Myers and Mr. Frankland.

Motion by Mr. Mazur, seconded by Mr. Newberry to table consideration of Item 18.

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

Motion Carried

COMMENTS FROM THE AUDIENCE:

There were no comments from the audience.

COMMENTS FROM THE COMMISSION:

Mr. Newberry commended everyone involved with Home Days.

Councilman Bentley enjoyed Home Days.

Mayor Kraus thanked the applicants opening new restaurants in the City and for investing in Solon.

Mayor Kraus thanked everyone who attended Home Days. He thanked the City staff who devoted their time for the event.

Motion by Mr. Mazur, seconded by Mr. Newberry to adjourn the meeting at 8:50 P.M.

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

Motion Carried

Chairman

Secretary