

**PLANNING & ZONING COMMISSION**  
**April 23, 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, Prosecutor Stolarsky, Planning Director Frankland, Acting Secretary Letourneau

Absent: Councilwoman Richmond

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. 6235 Sharondale Drive – Richard Lascala – 4.5' cumulative side yard setback variance, 120 sq ft maximum storage building area variance, number of storage buildings variance to permit 2, 4" storage building height variance
- C. 35730 Bainbridge Road – Dale Barstow – maximum front yard pavement coverage variance and minimum distance between driveways variance
- D. 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.

**NEW:**

- 1. 29750 Cannon Road – Chabad of Solon – revised site plan request for use of landscape screening instead of fencing: Mr. Frankland said the City landscape architect indicated there are dead pine trees on the east side of the property which need to be replaced. Mr. Frankland said a different variety of vegetation has been recommended which should be more appropriate for that area.

Mayor Drucker viewed the area and feels it is unnecessary for the applicant to install additional screening. She said there is fencing on the west side of the

property and the east side of the property contains large trees which serve as a natural screen from viewing the pool.

Mr. Frankland said the site plan was previously approved with sections of fence on both sides of the property. The applicant is now requesting to not install the fence and only install landscaping, thereby, modifying the previously approved site plan which requires approval.

3. 6137 Kruse Drive – Automotive Realty, LLC (Jaguar/Land Rover) – building material and color variance, minimum parking setback from building variance and site plan for building addition and parking lot modification: Mr. Frankland said ADA parking requirements will be reviewed. The issue of the temporary construction trailer will be reviewed by the Chief Building Official to determine the distance to the restroom facilities in the main building which the applicant intends to utilize during the construction of the new facility.

5. 29300 Cannon Road – Nestlé – variance to eliminate additional onsite parking spaces and a revised site plan and landscape plan: Mr. Mazur said correspondence was received from the Metroparks indicating their approval of the revised site plan and landscape plan.

#### COUNCIL REFERRAL:

6. Proposed amendment to permit the manufacture, assembly, restoration or remanufacture of automobiles in the I-2 Zoning District: A public hearing is scheduled.

Mr. Frankland said he has 5 minor alterations to present and briefly reviewed them.

The caucus ended at 7:25 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 Mr. Bentley, seconded by Mr. Newberry to approve the minutes of the April 9, 2013 meeting.

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

Motion Carried

NEW:

1. 29750 Cannon Road – Chabad of Solon 026-2013
  - Revised site plan – use of landscape screening instead of fencing

Mr. Justin Kapela, Form-A Architects, was present representing the Chabad of Solon and displayed photographs of the Chabad property. He indicated the areas located on both sides of the property where fencing was intended to be installed as depicted on the previously approved site plan. However, upon completion of the project, the applicant determined there was substantial landscaping and additional fencing was unnecessary. The applicant is now proposing landscape screening only.

Mayor Drucker said she visited the site and feels it is unnecessary to install additional fencing or landscaping since there is substantial landscaping on one side and the other side contains a fenced-in utility area. She feels it is very well screened.

In response to Mr. Mazur's request, Mr. Kapela indicated the areas in question on the photographs as well as the pool location and noted it is not viewable from the street. He indicated an area where some of the pine trees have died and said another type of more appropriate vegetation for the location will be planted to replace them.

Mr. Bentley clarified that the additional fencing from the previously approved plan was for screening purposes only and was not part of the required fencing for pool safety.

Mr. Mazur believes it is up to the applicant to determine if they want additional landscape screening and agreed the property is appropriate without additional landscape screening.

Mr. Newberry said the applicant does need to maintain the current landscaping and he would like to see the project completed with carefully designed landscape screening.

Motion by Mr. Mazur, seconded by Mr. Newberry to approve the revised site plan and eliminate the requirement for the fence and/or additional landscape screening with the recommendation that the applicant consider the installation of location-appropriate landscape screening.

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

Motion Carried

2. 34055 Solon Road – Centre Pointe Building, LLC 027-2013
  - Wall sign location variance
  - 9' minimum ground sign setback variance
  - 1' maximum ground sign width variance
  - 11.25 sq ft maximum ground sign area variance
  - 21.25 sq ft maximum business unit area variance

Mr. Lou Belknap, Agile Sign & Lighting, representing University Hospitals was present. He displayed a plot map of the property indicating the location of the current tenant sign which is in the center of the right-of-way. Mr. Belknap met with the Planning Department and it was determined the best location for the installation of a new ground sign is to move it south which will remove it from the right-of-way.

Mr. Belknap displayed a rendering of the proposed multi-tenant sign which is necessary to identify the various tenants and services. He explained the requested variances will assist in maintaining the integrity of the illuminated copy, however, the background panels will not be illuminated.

Mr. Belknap displayed photographs indicating the location for the wall signs. He identified the location on the north side of the building where the former tenant, Cleveland State University, had a wall sign. Mr. Belknap said a variance is necessary to install a sign on the north side which will assist in identifying the building, particularly when exiting the highway. He said the sign on the south side of the building, facing Solon Road, meets all Code requirements with no variances needed.

Mr. Mazur said the variance is necessary because University Hospitals does not occupy that side of the building where the sign will be installed and it is considered a technicality.

Motion by Mayor Drucker, seconded by Mr. Newberry to approve a wall sign location variance for 34055 Solon Road.

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry  
Nay: None Motion Carried

Motion by Mr. Newberry, seconded by Mr. Bentley to approve a 9' minimum ground sign setback variance.

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry  
Nay: None Motion Carried

Motion by Mr. Bentley, seconded by Mr. Mazur to approve a 1' maximum ground sign width variance.

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry  
Nay: None Motion Carried

Motion by Mr. Mazur, seconded by Mayor Drucker to approve an 11.25 sq ft maximum ground sign area variance.

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry  
Nay: None Motion Carried

Motion by Mayor Drucker, seconded by Mr. Newberry to approve a 21.25 sq ft maximum business unit area variance.

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry  
Nay: None Motion Carried

3. 6137 Kruse Drive – Automotive Realty, LLC (Jaguar/Land Rover) 028-2013
- Building material variance
  - Building color variance
  - 5' minimum parking setback from building variance
  - Site plan for building addition and parking lot modification

Mr. Al Wangenheim, Davis Development Group, was present. He displayed a site plan of the property and displayed a rendering of the proposed new building. Although approval was granted two years ago to construct a new building, that approval has since expired and changes have been made to the plan. Mr. Wangenheim said the re-branding of Land Rover requires the use of dark green Alucobond metal panels on the building tower. In addition, cultured stone will be used for the area located near the Land Rover gabled roof. Mr. Wangenheim displayed a sample of the metal panel and of the cultured stone.

Mr. Wangenheim displayed a rendering of the front of the building which will advertise Jaguar. He said the front of the building faces south which causes heat problems, therefore, spandrel panels will be installed above the 12' high glass front and metal panels will be installed above the spandrel. Mr. Wangenheim said all of the new materials will match existing materials; including, the brick on the building and the roof screening metal.

Mr. Wangenheim displayed the site plan indicating where a temporary double-wide, ADA accessible trailer will be located during renovation of the showroom. The trailer will not contain restrooms since the restrooms in the showroom will remain open and accessible for staff and customers.

Motion by Mr. Newberry, seconded by Mr. Bentley to approve the building material variance to allow the Alucobond metal panels.

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

Motion Carried

Motion by Mr. Bentley, seconded by Mr. Mazur to approve the building color variance to allow the white roof equipment, white garage doors and silver Land Rover tower.

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

Motion Carried

Motion by Mr. Mazur, seconded by Mayor Drucker to approve a 5' minimum parking setback from building variance.

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

Motion Carried

Mrs. Welch said the site currently has an underground detention system but the City code has since been updated and now requires storm water quality

management. However, the request for this building expansion is less than the requirement for storm water management. Therefore, the Engineering Department requires a letter from the applicant stating that this building expansion will be included in any future expansions for the property and the storm water quality management would be included at that time.

Motion by Mayor Drucker, seconded by Mr. Newberry to approve the site plan for a building addition and parking lot modification with the contingency that the letter requested by the Engineering Department will be submitted at the Council meeting.

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

Nay: None

Motion Carried

Mr. Mazur said the Chief Building Official will review the placement of the temporary structure and its proximity to the restrooms in the showroom.

4. 29500 Solon Road – Swagelok 029-2013

- Fence location variance
- 14.5' minimum side street structure setback variance
- Revised site plan

Mr. Ben DiSante, Swagelok, was present. He displayed a site plan indicating where chiller units were going to be installed to the west of the property. However, a fire line was discovered directly below where the foundation was to be located. Mr. DiSante indicated an area to the east of the property where it was determined would be the appropriate location to install the chillers.

Motion by Mr. Mazur, seconded by Mayor Drucker to approve a fence location variance.

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

Nay: None

Motion Carried

Motion by Mayor Drucker, seconded by Mr. Newberry to approve a 14.5' minimum side street structure setback variance.

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

Nay: None

Motion Carried

Mr. DiSante said this project is very complex and dangerous to those assembling it. In an effort to ensure safety, the structure will be pre-assembled and then lifted by a crane to be placed in its location.

Motion by Mr. Newberry, seconded by Mr. Bentley to approve the revised site plan.

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

Nay: None

Motion Carried

5. 29300 Cannon Road – Nestlé 030-2013

- 95 space additional total onsite parking variance
- Revised site plan and landscape plan

Mr. Kevin Kermode, Senior Automation Engineer, Nestlé, was present. He displayed the previously approved site plan indicating the parking area that included 265 parking spaces. He said after meeting with the Army Corp of Engineers regarding wetland mitigation and in an effort to minimize impact to local wetlands, a new site plan has been created.

Mr. Kermode said the previous parking plan was oversized for the size of the building and the amount of employees. He displayed the new site plan indicating the re-designed parking area that will leave three areas of wetlands undisturbed. He said most of the parking has been shifted to the rear of the building and will now provide 167 parking spaces. Mr. Kermode indicated an area on the site plan and said visitor parking will be in the front of the building, closest to the front door for convenience. Mr. Kermode said parking has been reduced by 95 parking spaces.

In response to Mr. Mazur's question, Fire Lieutenant Benedict said the same information in the previous memo he submitted still applies to this plan. Fire Lieutenant Benedict said the addition of providing isolation valves on either side of the underground fire main tee was added to the list of requirements which was agreed to during a meeting with the applicant.

Mr. Kermode said he also received a list of items from the Engineering Department and he recently attended a meeting with the Engineering Department to review them.

Mr. Newberry said although this seems like a large parking variance, it will reduce the amount of parking spaces and increase the amount of green space. In addition, the site is large enough to accommodate the number of cars that is recommended by the Code if it is ever necessary to increase parking spaces.

Mr. Mazur said the property to the west that borders the Metroparks has been modified and approval of the new plan was received from the Metroparks.

Motion by Mr. Bentley, seconded by Mr. Mazur to approve a 95 space additional total onsite parking variance for Nestlé at 29300 Cannon Road to reduce the number of parking spaces.

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

Motion Carried

Motion by Mr. Mazur, seconded by Mayor Drucker to approve the revised site plan and landscape plan.

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

Motion Carried

COUNCIL REFERRAL:

6. Proposed amendment to permit the manufacture, assembly, restoration or remanufacture of automobiles in the I-2 Zoning District:

Mr. Frankland said this amendment would establish that the assembly or remanufacture of automobiles is a permitted use in the I-2 district and would be considered similar to other industrial-type activities. The amendment further defines what is permitted and also defines what is not permitted. The purpose is to ensure that overall general commercial repair of automobiles is not permitted in the industrial area.

Mayor Drucker asked that a map of the I-2 district be displayed and all of the I-2 areas in the City be indicated. She feels it is important for residents to understand that the amendment will not only re-zone this building but will re-zone the entire I-2 district.

Mr. Frankland displayed a map of the City and indicated all of the I-2 areas located in the City.

Mr. Dale Markowitz, attorney for R&H Automotive, was present. He has reviewed the draft of the amendment and the changes recommended at the previous meeting were reviewed with the Planning Director and have all been agreed to. Mr. Markowitz explained that R&H Automotive is a unique contribution to the City and has no negative impacts to the community. There are no outdoor influences since there is no outdoor storage of vehicles and it produces jobs and income taxes. Although Mr. Markowitz understands the Mayor's concerns about the amendment affecting the entire I-2 zoning area, he feels it is very unlikely that other businesses such as R&H Automotive would proliferate since it is such a high-end use.

A public hearing was scheduled and Mr. Mazur opened the public hearing and asked for comments.

Mr. James Orosz, owner of Solon Frame and Collision Repair, 33580 Bainbridge Road, was present. He has been at this location for over 40 years repairing vehicles. Mr. Orosz bought the property when it was considered commercial zoning for the purpose of repairing vehicles. Mr. Orosz explained that he is unsure of his future since his business is now considered a non-conforming use in this district.

Mr. Orosz said R&H Automotive is currently performing activities that are considered non-conforming for the I-2 zoning and he does not agree with changing the zoning to accommodate their business. Mr. Orosz asked that residents not vote for this amendment.

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

Mayor Drucker explained she has concerns regarding this amendment and although the work being performed is on high-end vehicles, she still considers it to be automotive repair. She is also concerned about future enforcement issues.

Mr. Newberry believes the proposed amendment has been written in such a manner that it will allow certain types of manufacturing of automobiles on a relatively small

scale basis while separating that type of industrial use from typical automotive repair. He does not believe this amendment will promote automotive services in the industrial district but rather find it to be an opportunity to correct one of the uses sections of the Code that has been in need of updating for a long time.

Mr. Bentley has never toured R&H Automotive in Solon. However, he has visited Mr. Woo's facility in Eastlake many times and has never seen bodywork or mechanical work being performed on vehicles.

Mr. Mazur empathizes with Mr. Orosz and understands the comments he made as it appears he is locked into a situation where he cannot improve or expand his business. Mr. Mazur said he was able to tour R&H Automotive and there were no automotive repairs being made. He believes this is a different type of situation and is a form of manufacturing and modification. Mr. Mazur will support the amendment but also has concerns about enforcing it.

Mr. Newberry said if this item is placed on the ballot in November, in addition to passing City-wide, it will also require a majority vote in all three wards where I-2 zoning is located. The recommendation from the Planning Commission to the Council is only the first step of the process.

Motion by Mr. Mazur, seconded by Mr. Bentley to forward this item as written by the Planning Director onto the Council and recommend it be placed on the November ballot.

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

Motion Carried

MINOR ALTERATIONS FROM THE PLANNING DEPARTMENT:

1. 34310 Aurora Road – Giant Eagle

Mr. Frankland displayed a rendering of the new Giant Eagle. He said this proposal is to modify the previously approved sign package. Mr. Frankland said the Giant Eagle Market District sign was previously approved with the colors red and green, however, the applicant feels the red will be less visible against the brick on the building. The proposal now is to make the sign silver which is the same color as the "Open 24 Hours" sign and the bank sign.

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

2. 33003 Aurora Road – Saaj

Mr. Frankland displayed a rendering of the restaurant and patio area. The patio was previously reviewed and approved for a 3' high fence with 3' 6" columns. However, the proposal is to change the fence to 4' with 4' 6" columns since liquor will be served on the patio and the additional fence height is required.

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

3. 5386 SOM Center Road (PP# 952-12-005) – Katherine Nock

Mr. Frankland displayed an aerial view of the property indicating the driveway. The driveway crosses over a parcel that is owned by the City and an easement agreement was previously completed specifying a brick driveway would be installed. Ms. Nock is proposing changing this to a concrete driveway. Mr. Frankland consulted with the Law Director who said this change could be reviewed as a minor alteration.

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

4. 33610 Solon Road – Liberty Square

Mr. Frankland displayed an aerial view of the property indicating the location of the business. The proposal is to change the color of the roof from gray to black and since it is considered part of the Historic District, he wanted to get approval from the Commission.

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

5. 30400 Solon Road – T-Mobile

Mr. Frankland displayed an aerial view of the property indicating the location of the tower which is located in the industrial area. He said when antennas are replaced with the same size antenna, typically, there is no review process. The proposed replacement antennas are triangular shaped and 5' 2" taller, 2" wider and 2" deeper. However, since the tower is 160' tall, the difference will not be noticeable.

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

COMMENTS FROM THE COMMISSION:

Mayor Drucker congratulated the Solon High School Drama Club for a brilliant and successful performance of "Thoroughly Modern Millie" over the weekend. She said they are a very talented group.

Mayor Drucker said on Thursday, April 25<sup>th</sup>, Grantwood will host "Special Titleist Demo Day" from 3:00 P.M. to 7:00 P.M. Anyone interested, should call the Pro Shop and schedule a custom fitting session.

Mayor Drucker said on Saturday, April 27<sup>th</sup>, "Operation Medicine Cabinet" will be held at the Solon Senior Center from 10:00 A.M. to 2:00 P.M. This is an

opportunity to safely dispose of any old or unused prescriptions and is managed by the Cuyahoga County Sheriff's Department.

Mayor Drucker said on Sunday, April 28<sup>th</sup>, the 7<sup>th</sup> annual "Earth Day" celebration will be held at the Solon Community Center from 8:30 A.M. to 1:00 P.M. This will include; tree seedlings to be given away, tips on basic tree care maintenance and landscaping, recycling information, "Touch a Truck" for the children and light refreshments will be served. In addition, mulch can be purchased for \$2.00 per bag for Solon residents only and \$1.00 per bag for Solon senior residents, that day only. There is a limit of 10 bags per car.

Mr. Newberry commended the Solon High School Drama Club and said it was a treat to see them perform a comedy.

Mr. Newberry said at the Council meeting on Monday, April 15<sup>th</sup> a new policy regarding ADA issues was introduced by Mayor Drucker and approved by the Council. He urged caution when implementing and applying such a policy.

Mr. Frankland said the ADA policy is for the City, when given a range of potential layouts for parking spaces, to take the approach that will most benefit the disabled individual and have the parking space be closest to the door.

Mr. Stolarsky commented in regard to the I-2 Zoning District amendment that was forwarded to the Council for their review. He said some very good points were raised by Mayor Drucker. He said this change will affect the entire I-2 Zoning District and, therefore, a very specific ordinance was crafted with regard to what would be permitted.

Mr. Mazur said the May 7<sup>th</sup> election is approaching and there are two zoning issues to be considered. One of them is rezoning property on Aurora Road east of Solon Village from Retail to Office Zoning and the second is rezoning the Liberty Ford property on Aurora Road. The Planning Commission supports both rezoning issues and further information regarding these ballot issues can be viewed on the City's website at [solonohio.org](http://solonohio.org). Mr. Mazur encouraged residents to review the information and vote on May 7<sup>th</sup>.

Mr. Mazur said he toured R&H Automotive and if this item is placed on the November ballot and is approved, Mr. Woo, owner of R&H Automotive, has agreed to enhance the landscaping and signage.

Councilwoman Meany was present and wished to reiterate to residents that Item 5, Nestlé will reduce the number of parking spaces by 95.

#### COMMENTS FROM THE AUDIENCE:

There were no comments from the audience.

7901

Planning Commission  
April 23, 2013

Motion by Mayor Drucker, seconded by Mr. Newberry to adjourn the meeting at 8:30 P.M.

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

Motion Carried

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Chairman

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Acting Secretary