

PLANNING & ZONING COMMISSION
January 24, 2012 – 7:15 P.M.

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

Present: Commission Members Mazur, Newberry, Bentley, Councilwoman Richmond, Mayor Drucker, Law Director Lobe, Planning Director Frankland, Secretary McConoughey

Absent: None

Also Present: Fire Lieutenant Benedict, Assistant City Engineer Welch, Councilman Kraus (entered meeting at 8:00 P.M.)

The following items remained on the Inactive Agenda:

- A. Thornbury Subdivision – Forest City Land Group – Dedication Plat for phases 7 and 8
- B. 34050 Aurora Road – BP America – Number of signs variance (to permit 16)
- C. Requests from Wolf Family Trust and Larry Coven, for consideration of allowing medical and dental occupancy in the I-2 Zoning District
- D. Willow Street – PP# 956-39-056 – Robert Kucinic – Front yard setback variance
- E. Request from Davis Development Group, John Siragusa, Asset Management and Christine Burkholder, Kids Country, to modify the permitted uses in the C-5 Zoning District

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:

3. Aurora Road and SOM Center Road – ECHO Solon – Giant Eagle (Solar Shopping Center) – various variances: Mr. Phil Bishop, ECHO Solon, was present and said they intend to give a brief presentation and discuss the overall development regarding their plans and the timing issues. He said a representative from Giant Eagle will be in attendance and they are prepared to answer questions regarding the project. He advised meetings have been held with various City officials to determine the final plans and have arranged to appear at the various committee meetings in February.

Mr. Mazur said the next meeting of the Safety & Public Properties Committee is on February 8th, therefore, the Commission will have one more meeting to review the

application.

Mayor Drucker said it was understood that there is a limited timeline associated with this item so it has already been placed on all of the different committee agendas for the upcoming months.

COUNCIL REFERRALS:

6. From the Planning Director regarding a proposed "Open Space Acquisition Policy": A public hearing is scheduled.

Mr. Frankland said he has 5 criteria listed and will recommend a 6th to consider the purchase of land for storm water mitigation purposes.

Mr. Frankland said there are no minor alterations to review.

The caucus ended at 7:23 P.M. and the meeting convened at 7:30 P.M.

Mr. Mazur presided.

CHANGES TO THE AGENDA:

There were no changes to the agenda.

COMMENTS FROM THE AUDIENCE:

Mr. Harley Gross, Vice President of Carrington Court Apartments, Ltd. was present and wished to speak about Item 3, the proposed development of a new Giant Eagle Supermarket adjacent to the senior housing community. He said, in addition, legal counsel for Carrington Court, Randy Cole, is also in attendance.

Mr. Gross believes the proposal, in its present state, is not ready for consideration by the Commission. He said there are many items missing from the plan, such as; a landscaping plan, storm water management, photometric analysis, buffering details, etc.

Mr. Gross believes the plan needs to be adjusted. He said the adequacy of the buffers between the proposed development and Carrington Court is of prime importance to management and the residents. Mr. Gross said they are also concerned about the visible and audible vehicle pollution, loading areas and exterior material storage. He said the City Code requires specific information regarding landscaping and he does not believe this information has been submitted yet.

Mr. Gross said it appears from the plan that the proposed Giant Eagle will face SOM Center Road and the rear lot line will be adjacent to the Carrington Court development. The memo from Mr. Frankland indicates that Giant Eagle intends to install sidewalks and parking areas zero feet from the Carrington Court Development lot line which would require a 25' variance. This would result in no space for a buffer between the commercial development and the adjoining

residences. Mr. Gross believes the Code-approved noise levels will be exceeded at the property line without the proper buffering.

Mr. Gross expressed concern regarding potential storm water run-off and contaminants from the large impervious parking areas proposed by Giant Eagle. A storm water plan is critical for protecting the wetlands and vegetation located on the Carrington Court property along with appropriate buffering. Mr. Gross believes the Planning Commission should request an environmental impact statement as authorized by Section 1256.02 of the Zoning Code.

Mr. Gross said he believes it is necessary to make changes to the proposed preliminary development plan in order to meet all of the previously mentioned buffering and setback issues. He said it is an obligation of the City to protect the established residential community from the appearance of a commercial use as well as all activities associated with a commercial use.

Mr. Gross said currently there is a general lack of detail about the plan, material use, colors, roofing, equipment screening, ground utility equipment, location of dumpsters, etc. He said depending on the final design, there might be a need for additional variances. Mr. Gross said without a photometric plan, there is no assurance that there will be no disturbing light adversely affecting the Carrington Court senior community.

Mr. Gross, therefore, requested the Planning Commission address the proposed development with the care it has always exercised and which the citizens of Solon deserve and have come to expect. He said they look forward to working with the City, Giant Eagle and ECHO Realty in addressing the numerous unresolved issues in the current plans. Mr. Gross said prior to the start of this meeting, Mr. Bishop from ECHO Realty offered to meet with representatives of the Carrington Court Development and City officials and he would welcome the opportunity.

Mr. Rob Zimmerman, Benesch Friedlander, Cleveland, OH, attorney for the Cleveland Hebrew School, located on SOM Center Road, was present. He **represents the Cleveland Hebrew School's** educational foundation, which is a supporting foundation of the Cleveland Jewish Federation. Mr. Zimmerman said the school will be adjacent to the proposed re-development. He said it is understood that the project will move quickly and is an expansion. However, they too share many of the concerns previously expressed by Mr. Gross. Mr. Zimmerman said they look forward to a neighborly relationship with Giant Eagle and have also been offered by Mr. Bishop to have a meeting to discuss any concerns.

APPROVAL OF MINUTES:

Motion by Mr. Newberry, seconded by Councilwoman Richmond to approve the minutes of the January 10, 2012 meeting as presented.

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

Motion Carried

PENDING:

1. 29750 Cannon Road – Jewish Center of Solon – 1/10 tabled 006-2012
- 52’ front yard setback variance (residence)
 - 42’ front yard setback variance (detached garage)
 - 3’ front yard setback variance (swimming pool)
 - 20’ side yard setback variance (residence)
 - 15’ side yard setback variance (swimming pool)
 - Site plan - (pool)

Mr. Mazur said notification regarding the variances was sent to adjacent and abutting property owners to provide additional opportunity for comments and no objections have been received.

Mr. Justin Kapela, representing the Jewish Center of Solon, was present and said the variances are necessary to install a pool for their summer camp program.

Mr. Mazur said all of the questions regarding this application were answered satisfactorily by Mr. Kapela and Mrs. Greenburg at the last meeting.

Motion by Mayor Drucker, seconded by Councilwoman Richmond to approve a 52’ front yard setback variance (residence).

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

Motion Carried

Motion by Councilwoman Richmond, seconded by Mr. Newberry to approve a 42’ front yard setback variance (detached garage).

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

Motion Carried

Motion by Mr. Newberry, seconded by Mr. Bentley to approve a 3’ front yard setback variance (swimming pool).

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

Motion Carried

Motion by Mr. Bentley, seconded by Mr. Mazur to approve a 20’ side yard setback variance (residence).

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

Motion Carried

Motion by Mr. Mazur, seconded by Mayor Drucker to approve a 15’ side yard setback variance (swimming pool).

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

Motion Carried

Motion by Mr. Mazur, seconded by Mayor Drucker to approve the site plan for a pool with the contingency that the pool will only be used June, July and August, that the drop off and pick up of students will only take place at the main entrance off of Harper Road and the pool will only be used during daylight hours or until 7:30 P.M.
Roll Call: Aye: Bentley, Drucker, Mazur, Newberry, Richmond

Nay: None

Motion Carried

NEW:

2. 6801 Cochran Road - AT&T Mobility 010-2012
- Co-location of new antennas on existing tower

Ms. Sherry Duff, Somerset, KY was present for AT&T.

Mr. Frankland displayed an aerial indicating the location of the existing tower which is 190' tall. The applicant proposes 3 additional antennas at the 190' level and 3 additional antennas at the 150' level.

Mr. Mazur said the City consultant has approved the request and said the antennas are in conformance with the Ohio Building Code.

Mr. Mazur opened the public hearing and asked for comments.

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

Motion by Councilwoman Richmond, seconded by Mr. Newberry to approve the co-location of new antennas on an existing tower at 6801 Cochran Road for AT&T Mobility.

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

Motion Carried

3. Aurora Road and SOM Center Road – ECHO Solon – Giant Eagle 011-2012
(Solar Shopping Center)
- a) - 12% total green space variance
 - b) - Total number of parking spaces w/o interruption of green space variance
 - c) - 2,635 sq ft maximum building area variance
 - d) - Maximum building height variance
 - e) - Building material type variance
 - f) - 10' front yard building setback variance (drive through canopy)
 - g) - 25' front yard building setback variance (Get Go building)
 - h) - 22' front yard building setback variance (Get Go gasoline canopy)
 - i) - 12' side yard building setback variance (Giant Eagle loading docks)
 - j) - 15' side yard accessory building setback variance (outparcel dumpsters)
 - k) - 20' rear yard accessory building setback variance (dumpsters behind the renovated plaza)
 - l) - 5' front yard parking setback variance (parking along SOM Center)
 - m) - 15' side yard parking setback variance (parking adjacent to BP property)
 - n) - 25' rear yard parking/sidewalk setback variance
 - o) - 10' Parking lot setback from building variances
 - p) - Street access drive setback variance (southernmost SOM Center drive)
 - q) - Total number of wall signs variance (to permit 9 signs)
 - r) - Sign location variance
 - s) - Cross access issues/variances
 - t) - Site plan for Giant Eagle redevelopment

Mr. Phil Bishop, Vice President, ECHO Realty was present. He said they have a purchase and sales agreement in place to purchase the existing shopping center on the corner of SOM Center Road and Aurora Road. Mr. Bishop said the plan is to re-develop the center with Giant Eagle as the main tenant. He explained that a preliminary plan will be presented tonight and questions and comments will be heard.

Mr. Bishop said meetings have been taking place with City representatives and a Development Agreement was approved by the City Council which took a great deal of time and effort. Mr. Bishop said they have much to accomplish in an expedited time line since they have a due diligence period which expires on April 12, 2012.

Mr. Bishop said the concerns expressed by Mr. Gross and Mr. Zimmerman are being addressed. He said ECHO Realty has been involved in many projects in the Cleveland area and they do things right. Mr. Bishop said there are many activities taking place behind the scenes, such as; wetland investigations, environmental assessments, landscape and buffering plans, storm water management plans, etc. He said they have met with the Engineering Department and the Fire Department and many others who are working on the re-development of the shopping center.

Mr. Bishop displayed a site plan indicating the location of the current Giant Eagle. He said the purchase agreement also includes two residential properties located to the south and indicated the area where the new Giant Eagle will be constructed. He said Phase 1 will consist of relocating some of the existing tenants within the center to the areas that will be maintained within the center in a new 11,500 sq ft retail facility. He said providing all of the necessary approvals are given by the deadline date of April 12, 2012, relocating the tenants will begin as well as the construction of the new 11,500 sq ft retail center. Mr. Bishop said the next step would be to demolish the section to the south to start preparations for the new Giant Eagle.

Mr. Bishop said by late fall, 2012, the new pad should be completed and Giant Eagle should be able to begin construction. Phase 2 should be completed by the summer of 2013 with a new Giant Eagle open for business. Mr. Bishop said this will all be completed while continuing operations at the existing Giant Eagle. He said this will require much cooperation and coordination with traffic control, utilities, demolition, moving of tenants, etc.

Mr. Bishop said once the new store is operational, Phase 3 will be the demolition of a portion of the current Giant Eagle supermarket leaving a 20,000 sq ft area available to be marketed as a junior anchor store. It is their hope that everything will be completed by the fall of 2013.

Mr. Bishop introduced Mr. Pat Avolio, Director of Real Estate Development for Giant Eagle. He displayed elevation plans and explained that after multiple meetings with Mr. Frankland and the City architect, they have developed a project which meets the Western Reserve components the City is requesting. He displayed a sample of the Quik-brick material to be used on the building and said he believes the materials will enhance the appearance of the new store.

Mr. Avolio said Giant Eagle is grateful for the opportunity to upgrade the store.

Mr. Newberry believes more time is needed to review what has been presented. He has no initial concerns with the proposed appearance of the store and is looking forward to seeing how some of the other stores will be re-façaded.

Mr. Mazur asked for clarification regarding the use of Quik-brick.

Mr. Avolio explained it is a design brick and said it is considered a through-the-wall, full-depth, single width concrete masonry construction and is not a fired unit.

Mr. Newberry explained through-the-wall indicates it goes all the way through the wall, front to back and 12" deep as opposed to a veneer finish and the color is all the way through the unit as well.

Mr. Avolio said the Quik-brick can also be used on the inside of the store.

Mr. Newberry said if anyone is interested in viewing the material, it is used at Macedonia Commons and the Marketplace in Bainbridge.

Mr. Mazur listed some of his concerns about the project. He said he would like to see more green space in the development and asked if it might be possible to reduce the number of parking spaces, as well as giving close attention to details relating to the trash dumpsters. He shares the concern of Mr. Gross due to the proximity of the dumpsters to the residential areas. Mr. Mazur also has concerns regarding the number of signs requested and believes some of them are repetitive. He would also like to see the peak of the building more closely resemble the Western Reserve style, such as the Solon Center for the Arts building. Another concern is the size of the convenience store to be located at the GetGo and the number of parking spaces at the gas station.

Mr. Avolio discussed the ratios regarding parking and said they will work to add interior landscaping to the development. He said based on the C-3A zoning that was previously approved, they will take the size limitations into consideration when planning for the gas station convenience store. Mr. Avolio said they are willing to work with the City and are excited about finally moving the Giant Eagle re-development project forward.

Mr. Bentley said he is excited to see the project move forward, however, shares some of Mr. Mazur's concerns and wants to see them addressed.

Mr. Mazur said it would be important to have all of the appropriate information reviewed by the Safety and Public Properties Committee at its Wednesday, February 8th meeting. This would allow the Planning Commission to have further information for their meetings on February 14th and February 28th. He would like to be ready to refer this item to the Council for its first meeting in March.

Mr. Bishop said they are still finalizing plans and are hoping to have them for the

February 8th and February 14th meetings, however, they still have sufficient time to prepare in order to meet the April 12th due diligence date.

Mayor Drucker said the traffic study report should be finalized within the next week. Mrs. Welch confirmed this.

Mr. Bishop said the plans are coming together and the comments made tonight will assist with making any necessary changes.

Mr. Mazur said, if necessary, a special meeting can also be scheduled to meet the deadline date.

Mr. Lobe said the updated development agreement has additional provisions for compliance with the Western Reserve concept and is **consistent with the City's** Master Plan.

Mr. Mazur suggested historic lighting be considered as well.

Mayor Drucker said Giant Eagle is very cognizant of their neighbors and the various concerns. She said it is important to get this item on all the necessary Committee agendas to make all concerned parties aware of the project and to give Giant Eagle and ECHO the opportunity to address those concerns. She said although this is an important project that will enhance the retail area, resident concerns are also important.

Mr. Bishop said ECHO Solon is not the type of developer that will just develop a business, sell it and then leave. He said ECHO Solon considers this a long-term investment and will strive to be good neighbors to all concerned.

Mr. Newberry said this development agreement is more favorable for the City than the previous re-development agreement approved in 2009. He asked if the on-site storm water management would comply with the National Pollutant Discharge Elimination System (NPDES) standards. Mr. Bishop said it will comply with the NPDES standards. Cuyahoga County has already been contacted and it will be structural underground as opposed to surface treatment.

Councilman Kraus said it is important that there be connectivity between the shopping center and the senior housing development. He said there should be walking paths and possibly a bridge for accessibility.

Mayor Drucker said although this was previously discussed, it is understood this is private property owned by Gross Builders and ECHO and it will ultimately be their decision. The City cannot demand them to install walking paths.

Motion by Mr. Mazur, seconded by Mr. Newberry to table consideration of Item 3.

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

Nay: None

Motion Carried

4. **29601 Hall Street – 29601 Hall Street Properties, LLC** 012-2012
- 18 space total parking variance
 - Single access drive variance/waiver
 - 3% total parking area green space variance
 - **8' Side yard setback variance (generator)**
 - Site plan

Mr. Spencer Piszczak, Premier Development and Mr. Denver Brooker, Architect for Vocon, were present. Mr. Brooker displayed a site plan and said they are proposing **additional parking, a façade improvement and significant landscaping.**

Mr. Piszczak said Premier Development has owned the building since 1983 and there have been many tenants occupying various portions of the building. At times, they have had up to 4 different tenants. Mr. Piszczak said the building currently needs upgrades and modernization. This project proposal will provide the foundation to create a better image for the exterior of the building and the interior of the anchor space and the space available for additional tenants.

Mr. Brooker displayed the site plan and indicated where the parking will be expanded. He said the building fronts on Cochran Road but the street address is Hall Street. Mr. Brooker said although the Code requirement is 111 parking spaces, due to setback restrictions, there is only enough space for 93 parking spaces. He said this leads to the request for the 3% green space variance in the parking lot.

Mr. Brooker indicated the south side of the building where an emergency generator is proposed to be installed next to an existing transformer. He said there is existing landscaping with significant trees located in this area which will assist with shielding the equipment.

Mr. Brooker said a new deck is proposed on the west side of the building. The plan will maintain the northern half of the parking lot for large truck deliveries and maneuverability.

Mr. Brooker displayed photographs of the current building and a rendering of the building after renovation. He indicated the building will be re-painted in two gray tones and the accent color will be blue/green, which is the company logo color. Mr. Brooker distributed revised renderings to the Commission which indicate slight changes to the colors and modifications to window locations.

Mr. Brooker indicated the new parking area where significant front yard landscaping will be installed in accordance with the Zoning Code requirements.

Fire Lieutenant Benedict said they have no issues with the proposal. He said it is basically the same layout with a few additional spaces in the front.

Mr. Mazur said the City's landscape architect has approved the landscape plan.

Mr. Mazur said it is important that the painted brick be properly maintained and the applicant agreed.

Mr. Mazur requested that the trash enclosure be similar to the decking material being used.

Councilwoman Richmond asked about the angular windows in the drawing and said they look attractive.

Mr. Brooker said this was done intentionally to carry through the theme of the renovation.

Motion by Mr. Mazur, seconded by Mayor Drucker to approve an 18 space total parking variance.

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

Motion by Mayor Drucker, seconded by Councilwoman Richmond to approve a single access drive variance/waiver.

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

Motion by Councilwoman Richmond, seconded by Mr. Newberry to approve 3% total parking area green space variance.

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

Motion by Mr. Newberry, seconded by Mr. Bentley to approve an 8' side yard setback variance to allow the generator.

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

Motion by Mr. Bentley, seconded by Mr. Mazur to approve a site plan for 29601 Hall Street.

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

COUNCIL REFERRAL:

5. Proposed amendments to Section 1248 of the Subdivision Regulations regarding lots fronting on unimproved streets 090-2011

Mr. Frankland explained this amendment would propose regulations for construction on unimproved streets in the City. He said this is important since there are many unimproved streets located in the City. Mr. Frankland said currently there is only a policy which has been followed for the past 20 or so years which basically says that a home cannot be constructed on an unimproved street unless public and private utilities are installed. He said the proposed ordinance will make it a law.

Mr. Frankland said at a previous meeting it was suggested the wording of the ordinance prohibiting the construction on private streets needed to be stronger.

Therefore, he proposed the following: "Construction shall not occur on any lot unless full City improvements are installed across the entire frontage of the property."

Mr. Frankland said, in addition, it defines in more detail what the City considers full improvements, such as; storm sewers, sanitary sewers, water lines, electric lines, public street connected and constructed to City specifications, public sidewalks constructed to City specifications with a caveat that the City can waive this requirement if there are neither sidewalks in the immediate area or planned sidewalks in the area. It also states all other public or private utilities mandated by the codified ordinances of the City of Solon can be required.

Mr. Mazur said a memo was prepared many years ago which basically stipulates the same information provided by Mr. Frankland, although Mr. Frankland's version has more detail.

Mr. Mazur opened the public hearing and asked for comments.

Mr. Rick Mendelsohn, 32790 Ledge Hill Drive, was present and asked if this amendment would set up a potential caste system between developers and individual residents who may have owned property for quite some time and are being precluded from developing a singular lot. He believes this amendment will make it cost prohibitive for some areas to ever be developed.

Mr. Mendelsohn said although he understands the desire to limit population, he believes this generates problems in some of the retail areas. He said this is not a simple issue of whether or not to stop the development of potential construction. Mr. Mendelsohn thinks people are treated differently and developers who have the equipment and expertise to develop large areas are given the advantage over the individual resident. He thinks individual residents should be considered.

Mr. Mazur said this amendment protects the residents so they have sidewalks, lighting and sewers, etc. This is a policy that has been followed for years and the passing of the amendment will make it official.

Mr. Newberry said it will protect the resident who is considering buying a piece of property that seems to front on a street, but it is an unimproved street. The amendment will help prevent the resident from being faced with the impossibility of developing the property because there is no access to public utilities.

Mr. Mendelsohn said he has also heard of issues with sidewalks, however, he believes this type of revision could be used against someone who does not own the "main property" and would be required to install the necessary piping across the entire property before they could build on their own property. He believes this situation has occurred on property off of Cannon Road.

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

Motion by Mr. Newberry, seconded by Mr. Bentley to recommend approval of the

proposed amendment to the Council.

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

Motion Carried

6. Proposed "Open Space Acquisition Policy"

009-2012

Mr. Frankland explained the City is regularly approached to purchase open space. Mr. Frankland said although purchasing open space is important, like most communities there are limited funds and it is not feasible to purchase every available property that is proposed to the City. Therefore, it is important for the City to have a policy that focuses these decisions toward effective results. Mr. Frankland said this would not be a mandatory policy but a discretionary policy since it is part of the Master Plan.

Mr. Frankland reviewed the criteria included in the proposed amendment and discussed the possibility of an additional criteria.

The additional criteria would be to consider the purchase of land to implement storm water mitigation plans. He said this is very important to the city and is one of the main reasons the City has been purchasing green space over the past several years.

Mr. Frankland explained this policy would establish a rational, focused policy for green space acquisition where currently there is no standard policy and whenever it is proposed, the matter needs additional discussion by the Planning Commission and the Council.

Mr. Mazur opened the public hearing and asked for comments.

Mr. Rick Mendelsohn, 2790 Ledgehill Drive, was present and said he is unaware of any previous meeting history regarding this issue and is curious as to what initiated the policy. He said this has been an area that has generated discussion in the past in regard to which properties should be obtained. Mr. Mendelsohn believes some of the purchases have proven to be good ones, such as; the Chagrin Preserve. However, he believes the destruction of the Springside Creek is an example of a bad purchase. He believes this creates animosity between residents and Council and the policies identified are subject to change over time.

Mr. Mendelsohn said the issue of residential control was linked to the schools and **this year's graduating class will be approximately 485 students. He has been told that this year's entering kindergarten class is significantly below 300 students.** The issue of an over built community on the basis of school, is not an accurate one.

Mr. Mendelsohn said additional conversations have taken place regarding the green space along the freeway and taking it out of development. He believes the economic downturn has indicated communities, business and individuals need to have flexible financial plans. Mr. Mendelsohn said he has problems with green space being purchased just to take it out of development. Mr. Mendelsohn said he has a problem with a City that has a significant amount of green space set aside

and continues to buy green space without a marginal return.

Mr. Mendelsohn said from a financial aspect, strategic property such as Walgreens, which would have created the 4th corner of the town center but was considered too expensive. He believes in order for the City to control future traffic, there is only one main intersection, which is SOM Center Road and Aurora Road. He believes before a plan is made that will be used to limit future activity, it has to be determined if this is the right thing to do or should a purchase plan for strategic properties be implemented.

Mr. Mendelsohn thinks this is something that just cropped up and the public is entitled to know the history behind it. He would like to see evidence that it was in this type of developed thought pattern during the prior Master Plan stages.

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

Mr. Mazur said there was no specific event that caused this to be reviewed. He said when he was on the Master Plan Committee, at least 5 years ago, it was discussed. He said it is a guideline for the City to use when purchasing property. Mr. Mazur said this has been brought up a few times since he has been a member of the Planning Commission where a resident suggested the City buy the property that would require a variance or variances in order to develop it.

The Commission discussed sending the item to the Council for approval. It was determined that the policy should be amended to include the 6th item recommended by Mr. Frankland.

Mr. Frankland said he will add specific, final language to the policy.

Mr. Newberry encouraged Mr. Frankland to consider what types of properties the City might be interested in acquiring for storm water management purposes. He said he can think of numerous storm water basins that some Homeowners Associations would have no objection if the City determined they would like to acquire them.

Mr. Frankland said this is a part of the Master Plan and not a law. This is a discretionary policy which will be written in a manner allowing the City to make the determination as to what is considered an appropriate property to buy for storm water management.

Motion by Councilwoman Richmond, seconded by Mr. Bentley to forward the proposed "Open Space Acquisition Policy" to the Council for approval.

Mayor Drucker said with regard to storm water issues, the City Engineer identifies those properties of interest. This is initiated by the City Engineer. Mayor Drucker said since there will be changes to the proposed policy, this item should be tabled until the changes are made and reviewed.

Councilwoman Richmond withdrew her motion to forward the proposed "Open

Space Acquisition Policy" to the Council for approval.

Motion by Councilwoman Richmond, seconded by Mr. Bentley to table consideration of Item 6.

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

Motion Carried

MINOR ALTERATIONS FROM THE PLANNING DEPARTMENT:

There were no minor alterations to review.

COMMENTS FROM THE COMMISSION:

Mayor Drucker announced that the Finance Committee budget hearings are scheduled for February 7th and 14th at 5:00 P.M. and are open to the public.

Mr. Newberry offered his condolences to former Councilman Dave Krus and his family for the passing of his wife. He said she was a great lady.

Mr. Newberry commended the Planning Department for the annual report and said despite the fact that it was a slow year, they accomplished a great deal.

Mr. Mazur asked Mr. Lobe for the information requested at the last meeting regarding citations pending for Mr. Phillip Talarico.

Mr. Lobe said the information was taken from public records at Bedford Municipal Court. In 2001, there were criminal citations issued for failure to keep matters free from nuisance and failure to maintain exterior. These items were dismissed in 2002, upon compliance. Mr. Lobe said there were additional items in 1989 regarding unsafe vehicles and expired plates.

Mr. Lobe said he found no records for 2004. However, there were seven citations given in 2010. They were for: junk vehicles on property, improperly dumping of material, exterior maintenance, improper parking of trucks, improper pool fence, failure to maintain pool and failure to maintain structure. These matters have not been closed and will be heard by Judge Jacob on April 18th.

Mr. Mazur said he is a member of the Solon Chamber of Commerce and he is involved with the Retail Committee. He said there is a campaign called Shop Solon First going on that started last year and asked for everyone to do just that.

Mr. Mazur asked the Commission to review the Inactive Agenda. He asked the Engineering Department to review the item regarding Thornbury and said he would like their feedback at the next meeting.

COMMENTS FROM THE AUDIENCE:

There were no comments from the audience.

Motion by Mr. Mazur, seconded by Mayor Drucker to adjourn the meeting at 9:00 P.M.

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

Motion Carried

Chairman

Secretary