

PLANNING & ZONING COMMISSION
February 25, 2014 – 7:00 P.M.

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

Present: Commission Members Bentley, Mazur and Newberry, Mayor Drucker (entered at 7:05 P.M.), Councilman Pelunis, Assistant Law Director/Prosecutor Stolarsky, Planning Director Frankland (entered at 7:05 P.M.), Secretary McConoughey

Absent: None

Also Present: Councilman Kitora, Councilman Pedicino, Fire Lieutenant Eisenhuth, Assistant City Engineer Welch

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 Pelunis presided.

PENDING:

1. 33615 Aurora Road – Mid America Management – Sign area, height and width variances, sign setback from right-of-way variances: Councilman Pelunis said Mid America Management requested this item be placed on the Inactive Agenda.

NEW:

4. 30003 Bainbridge Road – Stouffer Corporation – Parking setback variances, other various variances, lot consolidation and street vacation: Mr. Mazur viewed the site and is concerned about an unstriped crosswalk located on the north side. In addition, there was a vehicle parked on one of the other sidewalks.

Ms. Kira Kabo from Nestle said the lack of parking spaces has become a problem which is why they submitted this application which will help alleviate the situation.

Mr. Frankland said the variance for the foot candles is very conservative since the Code requires 0% at the residential property line. However, the residential property line is located across State Route 422, so the variance is very minimal.

Mr. Newberry added that State Route 422 is located in a residential zone.

5. 7196 SOM Center Road – Our Redeemer Lutheran Church – minimum square footage variance, building material variance: Councilman Pelunis said he has issues with this application and will discuss them during the meeting.

COUNCIL REFERRAL:

6. Proposed Zoning Code amendment – Comprehensive Revision of Permitted Uses: The Commission discussed the format for discussing the amendment. It was determined Mr. Frankland would review the section to be discussed this evening and then the public hearing will be opened for resident comments.

Mr. Frankland said there are 2 minor alterations to review.

The Commission discussed how changes would be made to the amendment prior to submission to the Council for their review

The caucus ended at 7:16 P.M. and the meeting convened at 7:30 P.M.

Councilman Pelunis 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. Newberry, seconded by Mr. Bentley to approve the minutes of the February 11, 2014 meeting.

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

Nay: None

Abstain: Drucker

Motion Carried

PENDING:

1. 33615 Aurora Road – Mid America Management 102-2013 6
 - 13 sq ft maximum sign area variance
 - 10" maximum sign height variance
 - 3' – 10" maximum sign width variance
 - 8' minimum sign setback from right-of-way variance (Solon Boulevard)
 - 7' minimum sign setback from right-of-way variance (Aurora Road)

Motion by Mr. Bentley, seconded by Mr. Mazur to move Item 1 to the Inactive Agenda.

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

Motion Carried

2. 38600 Bainbridge Road – Sprint (lessee)/First Energy (tower owner) 012-2014 3
- Site plan for new equipment

A public hearing was scheduled and Councilman Pelunis opened the public hearing and asked for comments.

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

Mr. John Sindayla, Sprint, was present and said the proposal is to replace and upgrade two equipment cabinets to make them more technically efficient on the steel platform at the base of the tower. There will be no changes to the tower.

Mr. Frankland said as a condition of approval, it is requested that the landscaping be restored as determined in the original landscape plan since much of the original landscaping did not survive.

Motion by Mayor Drucker, seconded by Mr. Mazur to approve the site plan for new equipment for 38600 Bainbridge Road – Sprint (lessee)/First Energy (tower owner) with the contingency that the landscaping that did not survive will be replaced to conform with the original plan.

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

Motion Carried

3. 7135 SOM Center Road – Sprint (lessee)/First Energy (tower owner) 013-2014 2
- Site plan for new equipment

A public hearing was scheduled and Councilman Pelunis opened the public hearing and asked for comments.

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

Mr. John Sindayla, Sprint, said this is a proposal to replace the cabinets.

Motion by Mr. Mazur, seconded by Mr. Newberry to approve the site plan for new equipment.

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

NEW:

4. 30003 Bainbridge Road – Stouffer Corporation (PP#'s 014-2014 5
951-27-002, 951-33-002, 951-33-009, 951-33-012, 951-33-013,
951-33-014, 951-33-015, 951-33-016, 951-33-017, 951-33-018,
951-33-019, 951-33-020, 951-33-036
- 18.1' minimum side yard parking setback variance
 - 11.7' minimum rear yard parking setback variance
 - Maximum parking space interruption by green space variance
 - 0.6% minimum interior parking lot green space variance
 - 162' maximum parking lot setback from building entrance variance
 - Parking lot curbing variance
 - Minimum landscaping variance
 - 2.9 maximum foot candle lighting variance
 - Site plan - parking lot expansion
 - Lot consolidation
 - Street vacation

Mr. Frankland explained the proposal to add 148 parking spaces to the rear of the existing lot for the Nestlé building located at the northeast corner of Bainbridge Road and Harper Road. The additional parking spaces are intended to accommodate the employees that are being transferred to Solon with the relocation of their frozen pizza division.

Mr. Leonardo Sferra, GPD Group and Ms. Kira Kabo, Head of Corporate Facilities and Security, Nestlé, were present.

Mr. Newberry is concerned about the maximum parking space interruption by green space variance since Solon prides itself on being as environmentally friendly and appealing as possible. He asked if adding parking spaces to the adjacent parking lot by removing some of the green space was a consideration, as it is not a very efficient parking lot, rather than creating all of the new parking spaces on the east end without green space.

Mr. Sferra said various site plans were considered and it was determined that the current investment Nestlé is making at this time would prevent doing what Mr. Newberry suggested. However, Nestlé has future plans for re-working the entire parking lot needs. At this time, based on Nestlé's financial plan, only an expansion is under consideration.

Mr. Newberry asked about the time frame for the parking expansion. He said there is plenty of green space in the current parking lot and it has been used as a positive example for other businesses when creating parking lots. Therefore, he is disappointed that the expansion will only include asphalt. Mr. Newberry asked when Nestlé anticipates the comprehensive re-organization of the parking facilities.

Ms. Kabo said she has no definite date, however, Nestlé's Financial Committee is exploring options. The current parking expansion plan will address the immediate

need for additional parking and is financially feasible at this time, since the building is also being remodeled to accommodate the additional employees. Ms. Kabo believes within the next one to three years, the comprehensive plan will be considered.

In response to Mr. Mazur's request, Mr. Sferra displayed a perspective view of the parking lot as it will appear from Bainbridge Road. Mr. Sferra indicated the trees and mounded areas and said the bio retention area will be located behind the mounds. It is anticipated that once the trees have attained full maturity, it will create the buffer as seen in the rendering. Mr. Sferra said although the green space is limited within the parking lot, the intent was to limit the view of the parking lot with the buffering when driving on Bainbridge Road. Mr. Sferra said the type of vegetation will be consistent with Code requirements and was submitted to the Planning Department for review by the City's landscape architect.

Mr. Frankland said the plan has been reviewed for total screening and the Planning Department has indicated that the screening will be consistent with the current on-site screening. He explained it is not like normal front yard parking screening because of the bio retention area.

Mr. Sferra said Nestlé is very flexible and as the project progresses and becomes more technical, they will work in conjunction with the Planning Department to ensure the City's satisfaction with the end result of the landscape screening.

Mr. Mazur referred to an area of the plan where it appears there are three parking spaces in the right-of-way. He asked Mr. Sferra for an explanation.

Mr. Sferra said there will be no parking spaces in that area and it will be a consistent drive aisle. It only appears this way on the plan due to computer drafting.

Mr. Mazur referred to the southernmost stairway in the parking lot and said there is no striping for the pedestrian walkway all the way to the building. He feels this is a safety concern for the employees and would like to see it addressed.

Mr. Sferra said this will be reviewed.

Mr. Mazur said when he viewed the site, he noticed there are vehicles parked in non-parking zones. He suggested bollards be placed in those areas to prevent vehicles from being parked there.

Ms. Kabo said they are aware of these concerns and the lack of parking has become a real issue which they are trying to address with the expansion.

Mr. Sferra said these are all concerns that Nestlé will continue to monitor and pursue a resolution. It is hoped that once the addition is complete, it will alleviate many of these concerns.

Motion by Mayor Drucker, seconded by Mr. Mazur to approve an 18.1' minimum side yard parking setback variance.

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

Motion Carried

Motion by Mr. Mazur, seconded by Mr. Newberry to approve an 11.7' minimum rear yard parking setback variance.

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

Motion Carried

Motion by Mr. Newberry, seconded by Mr. Bentley to approve a maximum parking space interruption by green space variance.

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

Motion Carried

Motion by Mr. Bentley, seconded by Mayor Drucker to approve a 0.6% minimum interior parking lot green space variance.

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

Motion Carried

Motion by Mayor Drucker, seconded by Mr. Mazur to approve a 162' maximum parking lot setback from building entrance variance.

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

Motion Carried

Motion by Mr. Mazur, seconded by Mr. Bentley to approve a parking lot curbing variance.

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

Motion Carried

Motion by Mr. Newberry, seconded by Mr. Bentley to approve a minimum landscaping variance contingent upon the applicant adjusting the landscaping to meet the current code when the parking lot is comprehensively renovated.

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

Motion Carried

Motion by Mr. Bentley, seconded by Mayor Drucker to approve a 2.9 maximum foot candle lighting variance.

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

Motion Carried

Motion by Mayor Drucker, seconded by Mr. Mazur to approve the site plan for the parking lot expansion.

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

Motion Carried

Motion by Mr. Newberry, seconded by Mr. Bentley to schedule a public hearing for the lot consolidation and the street vacation for March 11, 2014.

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

Nay: None

Motion Carried

5. 7196 SOM Center Road – Our Redeemer Lutheran Church 015-2014 2
- 1,104 minimum square footage variance
 - Building material variance
 - Site plan for storage building/drop-off box

Mr. Alex Hillis, St. Pauly Textile, Farmington, NY, and Mr. Aaron Pingel, Associate Pastor, Our Redeemer Lutheran Church, were present. Mr. Hillis said the proposal is to install an 8' x 12' clothing drop-off shed provided by St. Pauly Textile. This will be very closely monitored for cleanliness and all of the donated clothing is picked up once a week by St. Pauly Textile. In addition, a church representative will also maintain the shed and check it regularly to ensure that no items are being left outside of the shed.

Councilman Pelunis said this is in Ward 2 and he has concerns. He referred to a rendering supplied by the applicant and said the shed will be located approximately 55' from the property line and visible from backyards of homes on Cromwell Drive. Councilman Pelunis asked if it was possible to have a storage bin for clothing donations located inside of the building.

Mr. Hillis said the shed is for accessibility to the entire community to be able to donate clothing. Mr. Hillis said approximately 85% of clothing is thrown away in the United States.

Pastor Aaron said Hands, Hearts and Homes Outreach (H3O) is a program that is partnered with Advent Lutheran Church in North Solon. Member collections from both churches include; clothing, food items and sometimes furniture which is brought into Cleveland. He said when the opportunity from St. Pauly Textile was presented, it was believed it could be very beneficial for the collection of clothing, especially donated men's clothing, which is in short supply. Pastor Aaron said their agreement with St. Pauly Textile is that the congregation is allowed to remove clothes they need for their own ministry purposes.

Councilman Pelunis believes this is a very admirable and beneficial program. However, it will not serve the community if the donation shed is located in the rear of the property since it will not be seen from the street. He feels if only church members will be aware of it, the donation bin could be located inside of the building.

Mr. Hillis said as part of the program and the affiliation with churches, St. Pauly Textile also promotes the donation program with press releases in the newspaper, flyers and posters around the town and church members telling others.

Councilman Pelunis feels that could make the situation worse for the adjacent residents since many people will be driving to the rear of the parking lot to drop off donations if it is heavily advertised. This is in a residential neighborhood and he is concerned it will cause disruption.

Mr. Bentley asked if it would be helpful to move the proposed collection shed next to the garage already located in the rear of the building.

Councilman Pelunis is concerned about the number of vehicles that will be coming into the parking lot to drop off donated items and is trying to keep the neighborhood quiet and traffic-free. He suggested locating the collection shed closer to the building.

Mr. Hillis said if the Commission feels there is a better location on the property for the collection shed, Pastor Aaron can review that with the Church Board.

Mayor Drucker said she believes that other donation bins/sheds located in the City are in commercial zoned areas and asked Mr. Frankland if he was aware of how many there were.

Mr. Frankland said since 2001, all of the requests for donation bins/sheds have been in the commercial areas.

Mayor Drucker asked Mr. Hillis if consideration could be given to choosing another site in the City in the commercial area.

Mr. Hillis said St. Pauly Textile works exclusively with non-profit organizations, mostly churches since this is a great way to connect with the community. He said there is a more respectful relationship when working with non-profit organizations and a stronger commitment since the churches are excited about working with St. Pauly Textile. Mr. Hillis said it would not be typical of the organization to install collection sheds at shopping centers or gas stations. He said quite often the business does not monitor the collection sheds and they become messy and are not well maintained. Mr. Hillis said St. Pauly Textile avoids these situations as they wish to be viewed in a positive manner.

Mr. Newberry said the City has been cautious when approving donation bins since some past experience has been negative. He said due to poorly maintained donations bins, the City had to request many of them be removed.

Mr. Hillis said St. Pauly Textile is an A+ rated member of the Better Business Bureau and works with over 800 non-profit organizations in various local states. He said this is a universally positive issue and the organization is diligent about maintenance and timely pick-ups. Mr. Hillis said they have had to remove only a few of the donation bins and it was due to the organization closing.

Councilman Pelunis said his concern is for the surrounding residents and the disruption caused by vehicles in the parking lot and the residents who have to view the collection shed from their backyard.

Mr. Hillis believes the church administration would be receptive to locating the collection shed next to the garage where it would not be visible from the homes.

Councilman Pelunis said he has not reviewed the plan in relation to the homes on Winchester Drive if the collection shed is moved next to the garage.

Mr. Newberry asked Mr. Hillis if the collection sheds come in different colors.

Mr. Hillis said they generally are a beige color, however, they would be open to a different color recommendation.

Pastor Aaron said the existing garage is a cream color.

Mr. Hillis said they can match the color of the garage if this would be helpful.

Mr. Newberry feels matching the color of the collection shed to the color of the garage would be helpful. If the application is approved, the bright yellow signs will identify it as something other than a garage.

Councilman Pelunis looked over the plan and believes some of the residents located on Winchester Drive will be able to view the collection shed if it is moved next to the garage. He, therefore, still has concerns and objections.

Mr. Hillis said they would be willing to change the color of the signs.

Mr. Mazur said the signage will be facing the church and will not face the homes. He asked if it would be possible to plant shrubbery to screen the collection shed which might mitigate some of the concerns of Councilman Pelunis. Mr. Mazur believes moving the collection shed next to the garage would be an appropriate solution with shrubbery planted for screening.

Mr. Bentley agreed with Mr. Mazur.

Pastor Aaron said the church operates a daycare facility and many other evening programs on a regular basis and to his knowledge, there have been no issues with traffic concerns from the local residents.

Councilman Pelunis said he has never received any complaints from local residents regarding the activities held at the church. However, he still has concerns about this type of structure in a residential area and the traffic and/or safety issues that might arise from it, especially when collection bins have always been located in commercial areas in the City.

Mr. Mazur believes that most people making a clothing donation would do so in conjunction with being at the church for a reason and would not be making a special trip to the church for this reason. He does not feel increased traffic is a major concern.

Mr. Hillis asked for clarification regarding the building material variance. He said they would be willing to change the building material as the Commission deems appropriate.

Mr. Newberry said the City Code requires the use of brick, stone, or solid wood siding as primary building materials and Duratemp plywood veneer would require a variance.

Mr. Hill asked if pine board and batton siding would meet the City's solid wood Code requirements.

Mr. Newberry said pine board and batton siding would meet the City's Code requirements.

Mayor Drucker agreed with Councilman Pelunis. Although she supports the cause, she does not think collection sheds should be permitted in residential areas and she will not support the variances. Mayor Drucker told Mr. Hillis she would support the application if the location was changed to a commercial area.

Motion by Mr. Newberry, seconded by Mr. Bentley to approve a 1,104 minimum square foot variance for an accessory building.

Roll Call: Aye: Bentley, Mazur, Newberry

Nay: Drucker, Pelunis

Motion Carried

Mr. Hillis said he will withdraw the request for the building material variance and will provide material that meets the City's Code.

Motion by Mr. Bentley, seconded by Mr. Mazur to accept the applicant's withdrawal of the building material variance.

Roll Call: Aye: Bentley, Mazur, Newberry

Nay: Drucker, Pelunis

Motion Carried

Motion by Mr. Mazur, seconded by Mr. Newberry to recommend approval of the site plan for the storage building/drop-off box with the contingencies that it be painted a color to match the garage, screened, signage only be placed on the east side of the structure, that it be located next to the garage and the building materials adhere to Code requirements.

Roll Call: Aye: Bentley, Mazur, Newberry

Nay: Drucker, Pelunis

Motion Carried

Councilman Pelunis feels approving the application for the residential area will be setting a bad precedent and this should only be approved for the commercial area. He is concerned this could cause problems in the future.

COUNCIL REFERRAL:

6. Proposed Zoning Code amendment – Comprehensive Revision of Permitted Uses 108-2013

Review of:

- a. Golf Course Community District
- b. Two-Family Residential District
- c. Multi-Family Residential District

Councilman Pelunis said Mr. Frankland will provide a presentation and then the public hearing will be re-opened for comments.

Mr. Frankland reviewed the proposed amendment and read the portions concerning the Golf Course Community District, the Two-Family Residential District and the Multi-Family Residential District.

R-1-F (Single Family Residential) - Golf Course Community

Mr. Frankland said this section only affects the Signature of Solon which is a unique community since it covers a large area but the homes are situated on small lots surrounded by a large amount of common area. The amendment will not make any major changes to the district and the proposal mainly divides the permitted uses into three categories with more detailed information; Principal Uses, Accessory Uses and Prohibited Uses. Mr. Frankland reviewed each category.

Mr. Frankland noted that under Prohibited Uses, if an item is not listed as a prohibited use, this does not mean that it is a permitted use but shall be considered as a supplementary use to the principal or accessory use. He said this is important for clarification purposes when enforcing zoning requirements since attorneys will often use the argument that if something is not a prohibited use, then it is allowed.

Mr. Frankland said the philosophy of the proposal for all high density areas in the City for keeping agricultural animals, such as pigs, cows, goats, donkeys, horses, chickens or other fowl shall be prohibited, unless otherwise explicitly permitted within this ordinance. The wording is different than what will happen in approximately 75% of the single family zoning districts where some type of agriculture will be allowed. The wording in the proposal is that it not be allowed in the R-1-F (Golf Course Community) district or in the apartments. Mr. Frankland said input from residents will be considered when making a final decision.

R-2 (Two-Family Residential)

Mr. Frankland said the only R-2 residential housing is located on the south side of Bainbridge Road to the west of the Kruse Drive and Bainbridge Road intersection. He said there is a small section of two-family residential zoning located on small lots. The proposal divides the permitted uses into three detailed categories;

Principal, Accessory and Prohibited Uses. Mr. Frankland read each proposed category.

Mr. Newberry asked the approximate size of a lot in the R-2 district.

Mr. Frankland believes they are approximately 20,000 square feet.

Mr. Newberry said he is concerned about the exclusion of agricultural animals in the R-2 district and believes this area needs additional study and analysis. He said if chickens were allowed on a 4,800 square foot lot then why not be allowed in the R-2 district.

Mr. Bentley also questioned the exclusion of agricultural animals to this district and said if someone owned a duplex on an acre of property, should they have the option to have chickens on their property.

R-3 (Multi-Family Residential)

Mr. Frankland said this zoning area includes the Solon Park Apartments and Liberty Hill and the area on the south side of Aurora Road, across from Liberty Ford. He said some of the items listed currently under Permitted Uses are very dated and will be eliminated.

Mr. Frankland said the section regarding colleges and private schools or educational and welfare institutions organized and operated as non-profit organizations will be removed under this proposal. He said this would be considered a very unusual permitted use in a multi-family district.

In addition, the section regarding orphanages, children's boarding homes, day nurseries, and kindergartens will also be removed from the multi-family residential district under this proposal.

Mr. Frankland said the section regarding "hospitals, clinics, or sanitariums (other than those for the feeble minded or the treatment of contagious diseases, alcoholics, or drug patients)," is also recommended for removal under this proposal.

Mr. Frankland said the section regarding any other use similar to those listed above of an educational welfare, or cultural nature and also dormitories and other residential buildings of such institutions, is also recommended for removal under this proposal.

The proposal divides the permitted uses into three detailed categories; Principal, Accessory and Prohibited Uses. Mr. Frankland said under Accessory Uses, the City Planning Commission reviews and recommends approval to the City Council for confirmation since multi-family sections are treated as commercial sections in terms of the review process. Mr. Frankland read each proposed category.

R-3-A (Multi-Family Residential – Senior Citizen 1)

Mr. Frankland said this section only affects the senior housing on Emerald Ridge Parkway. The proposal divides the permitted uses into three detailed categories; Principal, Accessory and Prohibited Uses and Mr. Frankland read the information. Mr. Frankland noted the age requirement remains the same and the dwelling unit is to be occupied exclusively by one or more individuals aged fifty or over. He said although there are currently no assisted living facilities in Solon, language has been included in the proposal and he recommended it be reviewed.

R-3-B (Multi-Family Residential – Senior Citizen 2)

Mr. Frankland said this section only affects the Carrington Court senior housing area. It is exactly the same as the R-3-A district except the age requirement per unit is to be occupied exclusively by one or more individuals aged fifty-five or over.

A public hearing was scheduled and Councilman Pelunis opened the public hearing and asked for comments.

Mr. Steve Swiniarski, 28400 Cannon Road, was present and spoke regarding livestock. He said he currently has a horse, 3 sheep and 5 chickens on his property, which is approximately 1.8 acres and he has maintained good relationships with his neighbors. Mr. Swiniarski said substantial investment has been made to his property to accommodate the care of the livestock, including; fencing, drainage, water access, etc. He, therefore, would object to any changes to the Code being considered that would prevent him from continuing to have agricultural animals on his property.

Mr. Swiniarski believes there are deeper objections to consider. He feels the primary consideration should be the concern for property values. Mr. Swiniarski said the investments he has made to his property for the care of livestock will be a detriment if he should ever try to sell the property where a new owner would not be able to utilize it for that purpose. He said it would be unfortunate for those who have agricultural animals to be forced to give them up or move to a location where the animals could be accommodated. Mr. Swiniarski said this would create multiple properties for sale in the same area, at the same time. This, in turn, could create properties on the market for a substantial period of time and possibly foreclosure.

Mr. Swiniarski said it is an admirable goal to modernize the Zoning Code, however, he hopes that the existing uses of the properties that support agricultural animals and what is actually drawing people to these types of properties is taken into consideration. Mr. Swiniarski believes he, as well as others, specifically moved to their locations because of the access to the City while still able to have a large enough lot to accommodate agricultural uses.

Mr. Swiniarski believes there are enough existing ordinances to cover issues that might arise with agricultural animals and asked for the Commission's careful consideration of this issue.

Ms. Donna Boss, 6824 Glenallen Avenue, was present and said she recently purchased two chickens. She said Solon has always communicated that they are an animal-friendly community with a heritage of acceptance. She said when she first moved here, a pasture with farm animals was located where the industrial park is now located. Ms. Boss said she found that to be very heartwarming for her community. Although she understands that communities change, she is very happy with her chickens and shares their eggs with her neighbors. She is also concerned that she only heard about this through the newspaper and asked how the City would communicate to residents when there are public hearings regarding this issue.

Councilman Pelunis said there was a public hearing at the last Planning Commission meeting where it was determined the public hearing would remain open during the entire review process of the proposed amendment. There will be a discussion at every Planning Commission meeting and anyone wishing to comment will be able to do so. The next public hearing will be on March 11th.

Mr. Newberry said comments received from the public thus far have been very informative and have prompted the City to obtain input from groups that are well-informed about agricultural animals and are able to provide appropriate guidance regarding animals and land density.

Ms. Nicole Wright, OSU Extension, Urban Agricultural Program, was present and said they welcome the opportunity to be used as a resource for the City. She said they will gladly research any questions that might help obtain accurate information for the City as they determine the best changes to make to the agricultural animal section of the Code. Ms. Wright said they can also provide samples from other cities. She said her colleague worked extensively with the City of Cleveland during their update of the agricultural animals section and offered to provide information which assisted them with their decisions.

Mr. Mazur asked if there was information on the OSU Extension website regarding this topic that might be accessed.

Ms. Wright said there is no information on their website specific to agricultural animals, however, she could research and gather information regarding the number of animals, size requirements and types of animals.

Mr. Mazur said some type of guidelines would be helpful to determine the number of animals per size of the property and to make intelligent decisions.

Mrs. Michelle Swiniarski, 28400 Cannon Road, was present. She asked if something occurred with agricultural animals that prompted the proposed amendment. Mrs. Swiniarski was excited to buy their current property to have the opportunity to have the land for a horse and livestock and to be a part of the community. She asked if there have been complaints regarding livestock since she would like to understand why this amendment is necessary.

Councilman Pelunis said this is an effort to modernize the Zoning Code. There are many uses listed in the Code that are not considered acceptable for a suburban area.

Mr. Newberry said the way the Code is currently written, he would be permitted to have cows and horses on his 18,000 sq ft lot which would not be practical. The update will make it comfortable for those who maintain livestock and for those who live next to them.

Mr. Rich Collingwood, 5165 Brainard Road, was present and asked how many more public hearings will be held regarding the proposed amendment.

Councilman Pelunis said there will be several more public hearings. In addition, comments can be sent by email or phone calls made to council members or to the City administration.

Mr. Collingwood asked when the next revision to the proposed amendment will be presented.

Mr. Frankland said before this issue is referred to the City Council, input at each meeting will be reviewed and a revision will eventually be presented and reviewed.

Mr. Collingwood asked how he will know when the revision is available for review.

Mr. Frankland said once all of the information is reviewed, it will be announced at a meeting that the revision will be reviewed at the next Planning Commission meeting.

Councilman Pelunis said the revision will also be posted to the City website for review.

Mr. Collingwood said posting the amendment on the City's website is great for those who have read the paper and are aware of the proposal but there are still people who are unaware of it. He recommended that those council members that have agriculture in their wards, send out a newsletter to residents. Mr. Collingwood said it is important to provide information to the people who would be most interested in this subject.

Mr. Newberry thanked Mr. Collingwood for the material he submitted at the last Planning Commission meeting. He said it was helpful and illuminating.

Mr. Feng Yang, 7270 Popham Place, was present. He understands the importance of following rules and he currently owns three chickens. Mr. Yang conferred with his surrounding neighbors and told them if they ever felt uncomfortable, he would make a change or remove the chickens. Thus far, there have been no issues or complaints from his surrounding neighbors. Mr. Yang said his chickens are like pets and are part of the family. He said he wishes to follow all of the rules and he is curious about how many chickens will be permitted since he would like to own more chickens.

There were no further comments from the public, therefore, Councilman Pelunis advised the public hearing will be continued at the next Planning Commission meeting on March 11th where the sections for review will be the Office and Commercial areas of the City.

Mr. Bentley asked how "grandfathering," would affect the residents who currently have agricultural animals.

Mr. Frankland said currently there is unrestricted agriculture permitted in the City. This could be open to very broad interpretation. Therefore, anyone who currently has agricultural animals in the City is considered "grandfathered" unless there is an imminent health and safety risk involved.

Mr. Swiniarski said although "grandfathering" would eliminate the concern for losing current animals, this amendment could have long-term effects on the property values if no accommodation is given to maintaining agricultural animals on these types of properties.

Mr. Newberry said horses, donkeys and mules are currently allowed.

Mr. Swiniarski said he has sheep. He explained that under the current zoning, he could have had more than one horse but chose not to and added the sheep as a companion for the horse.

MINOR ALTERATIONS:

1. 31900 Solon Road – King Nut

Mr. Frankland displayed an aerial view of the property and explained King Nut recently had water damage issues. He indicated where a garage door is proposed in order to allow access for equipment to be brought in to make the necessary repairs. Mr. Frankland is unsure if the garage door is temporary or permanent, however, it will not be highly visible from the road.

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

2. 30725 Solon Industrial Parkway – Interdesign

Mr. Frankland displayed an aerial view and indicated the location where the addition of a generator is proposed. The generator will be located between two buildings owned by Interdesign.

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

COMMENTS FROM THE COMMISSION:

Mayor Drucker said the Solon Center for the Arts will host a "Girls Night Out" on Friday, February 28th at 7:00 P.M. featuring unique pieces of artwork, jewelry, purses and other handmade items. Tickets may be purchased at solonarts.org, at the Arts Center or at the door that evening.

Mayor Drucker said the Solon Chamber of Commerce is hosting a "Taste of Solon" on Sunday, March 2nd at Signature of Solon from 4:00 P.M. to 7:00 P.M. It will include live music, a silent auction, door prizes and celebrity judges to judge specialties from area restaurants.

Mayor Drucker said the 2014 Northeast Ohio Tolerance Fair is being held on Sunday, March 9th from 1:00 P.M. to 5:00 P.M. at the new Cleveland Convention Center, with free admission. In addition, the Huntington Bank garage is offering free parking for this event. This event originated in Solon in 2011 when Justin Bachman, a student at Solon High School suggested the event and has since grown to the extent that it must be held in a larger location.

Mr. Newberry thanked residents for the continuing input regarding the proposed revision to the Zoning Code.

Councilman Kotora said it is important to remind residents that once the revision to the Zoning Code has been completed, it will be going to the electorate for residents to vote on.

COMMENTS FROM THE AUDIENCE:

There were no comments from the audience.

Motion by Mayor Drucker, seconded by Mr. Mazur to adjourn the meeting at 9:15 P.M.

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

Motion Carried

Chairman

Secretary