

**MACEDONIA PLANNING COMMISSION  
MEETING MINUTES  
AUGUST 18, 2014**

**CALL TO ORDER:**

Mayor Kuchta called the planning commission meeting to order at approximately 5:30p.m.

**ROLL CALL:**

Present were Mayor Kuchta, Mr. Hopkins, and Mr. Westbrooks. The staff members present were Assistant Building Commissioner Dennis Saxe, Fire Inspector Don Bell, and City Planner Brian Frantz.

**PROPOSAL FOR NEW NON-ILLUMINATED GROUND SIGN FOR CHICAGO TITLE AT 360 E. HIGHLAND ROAD**

Comments from City Planner Brian Frantz were read for the commission. There were no questions or concerns. Mr. Hopkins made the motion to approve as submitted, Mr. Westbrooks seconded the motion and all members were in favor.

END OF TOPIC

**PROPOSAL TO REPLACE EXISTING UNDER-CANOPY BLADE SIGNS FOR MACEDONIA COMMONS**

The motion was tabled to the next planning commission meeting due to an applicant not being present at the meeting.

END OF TOPIC

**PROPOSED GROUND SIGN PERMIT FOR XTRA LEASE AT 1211 E. HIGHLAND ROAD**

Ms. Darrow arrived at the meeting at approximately 5:40p.m. Comments from City Planner Brian Frantz were read for the commission. The applicant informed the commission that Xtra Lease will be removed from the already existing ground sign with Advanced Excavating; the sign will still remain there, but will only be used for Advanced Excavating and Rental. A second sign will be installed for Xtra Lease. The applicant also explained that they are two separate addresses, but they share a driveway. Mr. Frantz explained to the commission that there is an off premise regulation prohibition about off-site signs, therefore he was trying to find a way for the proposal to comply. Adjacent lots cannot advertise for other business. They can only advertise for the business located on their parcel. One way to get around the issue would to combine the lots. Also, the applicant could ask for a variance from the BZA. Mr. Westbrooks suggested having just one sign with all the businesses names on it for buildings that are located behind each other. This would be easy to accomplish since all the parcels have the same owner. Mr. Hopkins made the motion to approve with the condition of a BZA variance. Ms. Darrow seconded the motion, all members were in favor.

END OF TOPIC

**PROPOSED WALL SIGN FOR WESTERN RESERVE GRACE CHURCH AT 1066 E. AURORA ROAD**

Comments from City Planner Brian Frantz were read for the commission. Mr. Westbrook asked if the applicants have complied with past requests. Ms. Darrow informed him that they have. Ms. Darrow made a motion to approve as submitted. Mr. Hopkins seconded the motion and all members were in favor.

END OF TOPIC

**PROPOSED WALL SIGN FOR SIGNARAMA AT 9862 FREEWAY DRIVE UNIT B**

Comments from City Planner Brian Frantz were read for the commission. Mr. Westbrook made a motion to approve as submitted. Ms. Darrow seconded the motion and all members were in favor.

END OF TOPIC

**PROPOSED ZONING CODE CHANGE RELATED TO ACCESSORY STRUCTURES**

Mr. Frantz had no comments, he explained that the language was cleaned up and the law department had approved the language as well. Ms. Hanneken explained that the ordinance was placed on the Council Agenda for July 24<sup>th</sup> and had the first reading and will also be on the agenda for August 28<sup>th</sup> meeting. Mayor Kuchta said he would like to wait to discuss the proposal after the public hearing, which will be held on August 28<sup>th</sup>.

END OF TOPIC

**TREE BOARD**

Tree board discussion was tabled to the next planning commission meeting, September 15<sup>th</sup>.

END OF TOPIC

**PROPOSED ZONING CODE CHANGE RELATED TO ACCESSORY STRUCTURES**

Mr. Frantz informed the commission they needed to make a recommendation to council regarding the legislation within 30 days of receiving the documents. Mr. Westbrook asked when the 30 day time period begins. If it begins at the meeting the material was presented, then they do not need to make a recommendation and can keep the proposal tabled until the next meeting, after the public hearing. Mr. Hopkins asked Mr. Frantz if the 30 day time period would begin the day of the August 18<sup>th</sup> meeting. He informed the commission that it was one way to interpret the code. Mayor Kuchta informed the commission that there would be some members of the BZA attending the public hearing opposed to the code change. Ms. Darrow questioned how he knew and he informed her that the members had told him. Ms. Hanneken said the legislation was written to prevent residents whose houses have been torn down but have an accessory structure on the land from tearing down the building. They cannot build an accessory structure on a vacant lot. Mr. Frantz explained that there hasn't been a past practice as to

when the 30 days begin, so the commission should set that precedence tonight as to how they interpret the code for the 30 day waiting period. The commission can determine that the proposal was not received until the day of the meeting and the 30 days would begin at that moment. Mr. Hopkins stated that he doesn't know why they would need 30 days to make a recommendation. Mr. Westbrooks said it would depend on whether or not they want to hear public input. Mr. Frantz mentioned that in some city charters if there is a disapproval recommendation from the planning commission, it would require a super majority of council for the legislation to pass, but it may not be in Macedonia's charter. Ms. Hanneken stated that she did not think that was the case for Macedonia. Ms. Darrow asked Mr. Frantz if he would like to see the charter. Mr. Westbrooks questioned why it would matter what the charter reads; they need to make a recommendation based on the planning commission. Mayor Kuchta said the 30 days is not the question, the question is do we approve this concept. Ms. Darrow made the motion to approve the concept. Mr. Hopkins said they still have a lot of questions and need some clarification before they vote. If they do not have the time now to discuss the issue, they should wait until the next meeting. Ms. Darrow stated that Ms. Hanneken has been before the planning commission several times. Mayor Kuchta said there was a problem and it was solved but the legislation is moving forward regardless. Ms. Darrow said council is allowed to introduce legislation, Mr. Westbrooks said he understands, but is not sure the code change is a good idea. There was an issue, which caused the legislation to be written, but the issue was solved. Should future problems be handled the same way or should the legislation be approved or should these problems be handled through the BZA. Mayor Kuchta said we need to do what is best for Macedonia. Mayor Kuchta said this legislation will stop the city from regulation accessory buildings. Ms. Hanneken disagreed and said it would stop the city from demolishing buildings that are in good shape. Ms. Darrow stated that Mr. Hlad informed the commission the structure that had been cited was a chicken coop, not the barn that is being discussed. Ms. Hanneken said this solution will permit an accessory building with a similar situation, but will need council's approval. Mayor Kuchta did not understand why the council would be the ones approving, and not the Planning Commission, Board of Zoning Appeals or Building Department. Mr. Westbrooks stated that he would like to see the reasons people are against the legislation at the public hearing. Ms. Darrow agreed that they should wait until after the council meeting. Mr. Westbrooks questioned why they were having a discussion on the matter, if they were going to decided after the council meeting. Ms. Darrow said her previous motion to approve was meant for to approve Mr. Frantz's recommendation for when proposals come in for text changes to the code, the commission considers them received at the first meeting they see it. Mr. Westbrooks made the motion to approve Mr. Frantz's 30 day time limit recommendation. Ms. Darrow seconded, all members were in favor. Mr. Hopkins asked who would have final approval for legislation. Ms. Hanneken informed him council can approve the legislation even if Planning Commission does not recommend the code change, they just need a majority. Mr. Westbrooks made the motion to table the proposal. Ms. Darrow seconded, all members were in favor.

END OF TOPIC

## **ADJOURNMENT**

Mr. Westbrooks made the motion to adjourn at approximately 6:30p.m., Mr. Hopkins seconded and all members were in favor.