

**MINUTES OF A CONTINUATION OF A PUBLIC HEARING HELD BEFORE THE PLANNING COMMISSION OF THE CITY OF INDEPENDENCE, OHIO, TO CONSIDER THE REQUEST BY LEBEC HOMES TO APPROVE THE PRELIMINARY PLAN OF THE MEADOWS, PHASE 2 TO SUBDIVIDE A PARCEL INTO 7 LOTS AND THE EXTENSION OF MACKENZIE DRIVE 150' WITH A CUL-DE-SAC.**

**HELD IN COUNCIL CHAMBERS AT CITY HALL  
6:00 P.M., WEDNESDAY, JANUARY 2, 2008**

Chairman Lytkowski opened the Public Hearing at 6:28 p.m. and the following responded to Roll Call:

**PRESENT:** Dale Lytkowski, Chairman  
Gregory Kurtz, Mayor  
Vern Blaze, Vice Mayor  
Jack Shallcross  
Jerry Skuhrovec

**OTHERS**

**PRESENT:** Don Elewski, City Engineer  
Gregory O'Brien, Law Director  
Ron White, Executive Assistant  
Jeffrey Markley, City Planner

Chairman Lytkowski stated that at the last meeting there was a Public Hearing, and it was continued. There was a lot of discussion earlier this evening. The Chairman turned over the meeting to Mayor Kurtz who gave a quick update as to where they stand as to Phase 2 of the Meadows.

Mayor Kurtz wanted to welcome the new members to the Planning Commission, Jerry Skuhrovec and Vice Mayor Blaze. The Mayor stated that they had the opportunity to meet with some of the adjoining property owners to see if they could put together a more comprehensive water management plan utilizing the proposed subdivision property as well as off site property that would help the City manage the water and the water course and the water drainage from Mr. Doubrava's property and from the area as it leaves that area to go to the mouth of Midland and Pleasant Valley. They discovered through the Engineer's office that there is a pipe limitation underneath Pleasant Valley in the Midland area. In order to manage some of the water problems that the City has, south of Pleasant Valley and west of Midland; that this area feeds into from the proposed subdivision; there could be a detention pond put in with a 66 inch outlet pipe which would then fit with the 66 inch pipe further down. The bottom line is that the City would be able to manage

**MINUTES OF A CONTINUATION OF A PUBLIC HEARING HELD BEFORE THE PLANNING COMMISSION OF THE CITY OF INDEPENDENCE, OHIO, TO CONSIDER THE REQUEST BY LEBEC HOMES TO APPROVE THE PRELIMINARY PLAN OF THE MEADOWS, PHASE 2 TO SUBDIVIDE A PARCEL INTO 7 LOTS AND THE EXTENSION OF MACKENZIE DRIVE 150' WITH A CUL-DE-SAC.**

some of the water more effectively. With respect to Mr. Doubrava's subdivision, there is water volume or quantity and there are also quality issues that have to be addressed. The Mayor has asked the Engineer to take the area and put together a proposed water management plan that addresses Mr. Doubrava's water quality and quantity on the proposed subdivision; as well as the stream that is to the south of Mr. Doubrava's proposed subdivision. The Engineer's office will put that together in the next couple of weeks. Once they get that, there will be a meeting showing Mr. Doubrava the plan and waiting for his critique. The two neighbors have both agreed to review and consider any suggestion the City has relative to water management and volume management further down the creek. At this point, the Mayor is asking Mr. Doubrava to bear with them so that they can explore any and all opportunities to deal with water management both from a quality standpoint and a volume standpoint; and come back and participate if they are willing to participate. Mr. Doubrava would help, they would help and the City would help in putting together a Master Plan for that area, and possibly incorporating it into the subdivision.

Mr. Doubrava asked if the people the Mayor referred to were willing to participate. Mayor Kurtz stated that the two residents were Massey and Sarley. The Mayor stated that they showed them a rough sketch what they were talking about – water detention. They said to refine it and then share with them the impact on their properties. Then they would let the City know how far they would want to participate. Vice Mayor Blaze stated that they didn't commit to anything, but they are amenable to having the City take this step that was just mentioned to see what can be done to help them, to help Mr. Doubrava, to help the City. The affected neighbors asked the City to take the next step and bring it to them. Then they can go from there.

Mr. Doubrava asked if what was being proposed was on the positive. Every month that goes by, he is losing money. The residents are concerned about getting what is coming to them with their property. Mayor Kurtz stated that is why they have to take a bigger picture approach to the entire proposal. For example, one of the concerns the neighbors had was the potential landscaping and scheme relative to the rear properties that affects their property. The Mayor has asked Jeff Markley to look at that because it may entail more landscaping. They will look at the various issues and be mindful of those; but realizing that this is impacting a number of residents, not only the properties being sold, but the residuals for all the houses that will still be there and the impact of the subdivision on those houses. The Mayor stated that they are taking a comprehensive approach to it;

**MINUTES OF A CONTINUATION OF A PUBLIC HEARING HELD BEFORE THE PLANNING COMMISSION OF THE CITY OF INDEPENDENCE, OHIO, TO CONSIDER THE REQUEST BY LEBEC HOMES TO APPROVE THE PRELIMINARY PLAN OF THE MEADOWS, PHASE 2 TO SUBDIVIDE A PARCEL INTO 7 LOTS AND THE EXTENSION OF MACKENZIE DRIVE 150' WITH A CUL-DE-SAC.**

they are trying to think of the City's overall concerns relative to drain water as well as the impact of this proposed subdivision on all the properties and existing neighbors. The Mayor is hopeful that they will meet with them, his goal would be to meet with them in a couple weeks and then meet with Mr. Doubrava and see if it is still on track to tie this all together; then they will bring it back to Planning Commission in February. If that falls apart, they will go to Plan B, which will be more off site mitigation.

Mayor Kurtz stated that the size of the houses back there and the visibility needs to be softened with appropriate landscaping. Mr. Doubrava stated that with the majority of the Purchase Agreements that he has, they have pine trees going up on the back of the properties, being 8' at the minimum staggered. The Mayor stated that what they are looking at is to do something from a landscape prospective that softens the new subdivision and also minimizes the existing impact. Mr. Doubrava stated that the people buying the new homes to be built will want the same privacy as the neighbors. Mr. Doubrava stated that it will not be an issue.

Mayor Kurtz stated that if it is okay with Mr. Doubrava, they will continue this. As soon as they have a draft of something for Mr. Doubrava to critique, they will get it to Mr. Doubrava. Then they can set up a time to go over it with Mr. Doubrava and list all his concerns. Then they can try and get everyone on board. The Mayor stated that if they can get something resolved in the next couple of months that has a permanent impact on everybody; that is beneficial to the community, then everyone wins. The Mayor stated that they were open-minded. Vice Mayor Blaze stated that seeing the Mayor just got sworn in at 11:00 a.m. this morning, he has made a lot of progress in a half a day.

Chairman Lytkowski asked if there were any questions or comments from the audience. There were none.

Mayor Kurtz would like to leave the Public Hearing open until next month, because if they are able to put this together, all the people in that area are going to be invited so that they understand what the Commission is doing.

Law Director O'Brien stated that it may be beneficial to have a copy of the Purchase Agreements, that way if the retention area encroaches upon a piece of property, they know that they have already been contacted by Mr. Doubrava. Mr. Doubrava stated that he has a Purchase Agreement on the pieces that are putting this together; but the piece of property where the detention is going; his investment group owns that. Mr. Doubrava stated that whatever the City needs let him know and he will do it.

**MINUTES OF A CONTINUATION OF A PUBLIC HEARING HELD BEFORE THE PLANNING COMMISSION OF THE CITY OF INDEPENDENCE, OHIO, TO CONSIDER THE REQUEST BY LEBEC HOMES TO APPROVE THE PRELIMINARY PLAN OF THE MEADOWS, PHASE 2 TO SUBDIVIDE A PARCEL INTO 7 LOTS AND THE EXTENSION OF MACKENZIE DRIVE 150' WITH A CUL-DE-SAC.**

Chairman Lytkowski asked the Law Director if he wanted to look at the By Laws to make sure that Phase 1 and Phase 2 could be combined on that. Law Director O'Brien asked Mr. Doubrava if he has a copy of the By Laws to get to him. Mr. Doubrava agreed to do that.

**A motion was made by Jack Shallcross, seconded by Jerry Skuhrovec, to continue the Public Hearing until Tuesday, February 5, 2008 at 6:30 p.m.**

**ROLL CALL:           Yeas: Shallcross, Skuhrovec, Lytkowski, Kurtz, Blaze  
                              Nays: None  
                              MOTION CARRIED**

Law Director O'Brien stated that since Mr. Doubrava's matter has been continued, and the northwest corner has been removed, and considering that the Engineer needs to get information to the City on Mackenzie Drive, the Chairman may want to just cancel the Planning Commission meeting. The Mayor wanted to speak to Mr. Troiano privately about his matter before the Commission. Chairman Lytkowski stated that they should suspend the meeting, postpone it until next month. Chairman Lytkowski stated that, therefore, they will cancel the regular Planning Commission meeting for January 2, 2008. The Chairman wanted to wish everyone a Happy New Year.

**There being no further business, the Public Hearing was continued as stated above.**

---

**Dale Lytkowski, Chairman**

---

**Debi Beal, Planning Commission Clerk**  
Minutes Unapproved at Time of Release 01/04/08