

**MINUTES OF A REGULAR MEETING
OF THE PLANNING COMMISSION
CITY OF INDEPENDENCE, OHIO
Held in the Council Chambers at City Hall**

7:00 P.M., JANUARY 6, 2009

Chairman Dale Lytkowski called the meeting to order at 7:00 p.m., January 6, 2009 and the following responded to Roll Call:

PRESENT: Dale Lytkowski, Chairman
Gregory P. Kurtz, Mayor
Dave Grendel, Councilman
Jack Shallcross
Jerry Skuhrovec

OTHERS

PRESENT: Gregory J. O'Brien, Law Director
Don Ramm, City Engineer
Jeffrey Markley, City Planner
Ron White, Economic Development

AGENDA:

Old Business:

Approval of Minutes of Regular Planning Commission Meeting held on November 4, 2008.

New Business:

- 1. 6000 Rockside Woods Blvd., Ohio College of Podiatric Medicine –** Proposed campus improvements consisting of a recreational area, installation of walking paths, a pedestrian bridge and pavilion.
- 2. 7601 Commerce Park Oval, All Erection & Crane –** Proposed 2,508 sq. ft. addition to existing building.

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Chairman Lytkowski asked if there were any corrections or additions to the Minutes of the Regular Planning Commission Meeting held on November 4, 2008. There were no corrections or additions to the Minutes.

A motion was made by Councilman Grendel, seconded by Jack Shallcross, to approve the Minutes of the Regular Planning Commission Meeting of November 4, 2008 as written.

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

6000 Rockside Woods Blvd., Ohio College of Podiatric Medicine – Mr. Dan Ridgway, Facilities Manager, was in attendance. He stated that the Board of Trustees of OCPM has asked them to come up with a grand master plan for the property. This would be a 20 to 30 year plan. Tonight they are asking for approval of Phase 1 of Phase 1 of the plan; on the property between the college and the Holiday Inn on Rockside Woods Blvd., they are asking to do some grading on the property and take out the sporadic dead trees in the center and plant grass, provide a walking trail along the perimeter for the students, faculty and staff. They would like to attach the walking trails to their property with a walking bridge. They would also like to put in a 20' x 30' picnic pavilion. Mr. Ridgway is looking for approval of the change of grade for the property from the Planning Commission this evening.

Chairman Lytkowski asked City Engineer Ramm if he had any questions. City Engineer Ramm stated that he would recommend approval based on submittal of an engineered site plan that would address all the code requirements for drainage and riparian setbacks.

Mayor Kurtz stated that the Commission talked about this in caucus, and he believes the safety forces will be notified to comment on the Mr. Ridgway's proposal to provide a safe environment. Part of that has to incorporate landscaping buffering that precludes visibility and access from the parking lot of the Holiday Inn. It also needs to be checked if the right-of-way on the west side of the road that accesses the OCPM property can be accessed to create a landscape buffer of trees on both sides. Also, that when the pavilion is put in, there are facilities to provide restroom accommodations with access primarily from the OCPM property that the west cemetery property be identified and landscaped and the City will work to have OCPM assist the City by maintaining that as part of the landscaping maintenance program. The City will work with OCPM if they want to consider a more extensive development on the east end of the property for the boulevard effect.

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City Planner Markley asked if access will be eliminated or restricted from the Holiday Inn parking lot. Mayor Kurtz stated that the safety forces will request some type of fence in that area for the protection of the people walking the paths. Mayor Kurtz stated that Mr. Ridgeway should work with the City for a city use for the residents if there is an opportunity.

A motion was made by Councilman Grendel, seconded by Jerry Skuhrovec, to approve the grading application, subject to review and approval by the police and fire, the installation of water, sanitary and electricity in the proposed pavilion, an agreement to maintain along with the City the cemetery and provide landscaping improvements to the cemetery as discussed in caucus, subject to an acceptable landscaping plan as intimated during this meeting and in caucus as agreed to by the City Planner, subject to the approval of the Engineer as to riparian setbacks and various other code sections of the City’s code applicable thereto, and Board of Zoning and Architectural Board approval.

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

7601 Commerce Park Oval, All Erection & Crane – Architect Paul Beegan was in attendance on behalf of the applicant. Mr. Beegan did have a letter of authorization from the owner to discuss this matter. Mr. Beegan stated that the project would be adding an addition to the existing building. Basically, they would use this addition for storage.

Chairman Lytkowski asked City Engineer Ramm if he had looked at this project from a water and flood plain standpoint. City Engineer Ramm stated that he had a couple of concerns with regard to the information that was provided that it really doesn’t address the flood zone in any way, shape or form. Mr. Beegan stated that they have addressed some things in the plan review correction letter.

City Engineer Ramm also had another concern as to the fire lane width. The Ohio Revised Code stated that there is a 20’ requirement of open space around the structure that does not seem achievable. Mr. Beegan stated that the rear yard setback has an 8’ retaining wall. There is a 10’ setback on the side yard. Mr. Beegan stated that a fire truck could not get to the other side now. Law Director O’Brien stated that it could get to the back with a 20’ setback. Law Director O’Brien stated that it is a State code; that is not a City code. Mr. Beegan asked for a copy of that code. It was then provided to him.

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City Engineer Ramm stated that he also needs to see the parking space layout. There was nothing provided on the plan. Mr. Beegan stated that there were no marked spaces on the site. City Engineer Ramm would like to see a parking space layout.

Chairman Lytkowski asked if the Law Director O'Brien could craft a motion subject to, and the City Engineer could champion it all the way through. The City Engineer did not have a problem with this.

Law Director O'Brien asked City Engineer Ramm what the issue was with the flood plain. City Engineer Ramm stated that most of the property looks like it is in the flood plain. Chapter 1377 is what he is looking to apply for the flood management reduction requirements, flood plain development permit requirements. City Planner Markley asked if that means a change in elevation of the building. City Engineer Ramm stated that it would definitely impact the finished floor. City Planner Markley stated that the finished floor is changing. City Engineer Ramm stated that he cannot say that yet, but it might.

Mayor Kurtz stated that the applicant should realize that the Planning Commission process is getting expedited; however, the applicant has a number of hurdles to overcome in the engineering approval. The Mayor doesn't want the applicant walking out of here saying that this is done. There are a number of thresholds that have to be overcome. The applicant should get this processed through the Building Department and engineering approval, and then the applicant will be all set.

A motion was made by Jack Shallcross, seconded by Councilman Grendel, to approve the addition, subject to compliance with Codified Ordinance 1377, flood mitigation requirements as approved by the City Engineer, the submission of an acceptable parking plan layout to the City Engineer, compliance with Revised Code 506.2.2 or the providing to the City Law Director of an exception to that section, and the submission of an acceptable drainage plan to the City Engineer.

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

The Chairman asked the Secretary the date for the next Planning meeting. The Secretary stated that it would be Tuesday, February 3, 2009. Both the Chairman and Planning member Jack Shallcross will not be in attendance. Therefore, the Chairman asked Planning member Jerry Skuhrovec to chair next month's meeting.

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There being no further comments or business, a motion was made by Chairman Lytkowski to close the meeting at 7:16 p.m.

Dale Lytkowski, Chairman

Debi Beal, Planning Commission Clerk
Minutes Unapproved at Time Released 01/09/09