

**MINUTES OF A REGULAR MEETING
OF THE PLANNING COMMISSION
CITY OF INDEPENDENCE, OHIO
March 2, 2021
Held Virtually Via Zoom**

Chairman Lytkowski called the meeting to order at 6:41 p.m. March 2, 2021 and the following responded to Roll Call:

PRESENT: Chairman Dale Lytkowski
Mayor Gregory P. Kurtz
Vice Mayor David Grendel
William Gutermuth

OTHERS

PRESENT: Don Ramm, City Engineer
Michael Gero, Building Official
Gregory J. O'Brien, Law Director
Jeff Markley, City Planner

New Business:

**Approval of Minutes of the Planning Commission meeting held on
December 1, 2020.**

- 1. Saucy Brew Works, PPN 561-24-023, Rockside Woods Blvd.** – Seeking approval for an accessory use to operate a brewery and the company's corporate offices on the premises.
- 2. 8801 East Pleasant Valley Road, CSA America Testing & Certification, LLC** – New construction of a consumer products certification testing laboratory.
- 3. 6355 Evergreen Drive, Gregory Kurtz Trust** - Proposed lot split and consolidation.

Chairman Lytkowski stated that Planning Commission members had received the Minutes of December 1, 2020 Planning Commission meeting. The Chairman asked if there were any additions or corrections.

A motion was made by Vice Mayor Grendel, seconded by Mayor Kurtz, to approve the Minutes of the December 1, 2020 Planning Commission as written.

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

Chairman Lytkowski asked the Secretary if all the appropriate residents been notified of the items on the agenda this evening.

The Secretary replied yes.

Chairman Lytkowski stated that the first item on the agenda, Saucy Brew Works, which had a Public Hearing this evening, will be on the agenda for the April 6, 2021 Planning Commission meeting.

8801 East Pleasant Valley Road, CSA America Testing & Certification, LLC – Rich Weiser, Keith Rintamaa, Manny Satija, Peter Ehlers and Nick Keyes were all in attendance on behalf of CSA America Testing & Certification, LLC.

Chairman Lytkowski asked Mr. Weiser to give an overview of what they were trying to accomplish this evening.

Mr. Weiser stated that basically CSA Group, they have been operating in Independence for over 50 years at the 8501 East Pleasant Valley location. He stated that the business has been growing over the past several years, and they have been expanding on that lot for a while now. He stated that they have been running out space, they have been running out of capacity there to continue their growth, and the lot next door to them became available about a year ago, and they decided to purchase that lot for their future growth. He stated that unfortunately then the pandemic hit and slowed them down a little bit, but they are ready to move forward with the new facility next door.

Mr. Weiser stated that they have been testing and certifying products to national safety and efficiency standards for 100 years now. He stated that they have been doing it for over 50 years in the Independence area. He stated that the new facility will do many of the same basic things that they do today. They will be able to expand into some new product area, expand some of the existing product areas and be able to grow this business further.

Mr. Weiser stated that they wanted to knock down the existing building. He stated that the building was fairly old. They think they could put up something newer and nicer that will meet their needs as they continue to grow in the region there. He stated that was a basic overall. He stated that if the Planning Commission wanted some more details, they would be happy to help and provide that.

Chairman Lytkowski asked Mr. Weiser what was the timing of the project.

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Mr. Weiser stated that they would like to be able to get started with the demolition in the next few weeks, and it would be about a year long process to be able to put up a new building and get things running. He stated that in about a year from now they should be ready to go.

Chairman Lytkowski asked how large would the new building be.

Mr. Weiser stated that it would be about 40,000 sq. ft.

The Chairman asked if it would be two floors.

Mr. Weiser replied yes. He stated that there would be office space that would be two floors, and then there would be their lab space which will be two floors, but it would be open in the lab space.

Mr. Rintamaa stated that it would be a single story building, matching the building height of the office.

The Chairman stated that he was not familiar with Mr. Weiser's company. He asked what do they test? Was it quality control testing?

Mr. Weiser stated that basically they test all types of products. They test electronics. They test gas products, things that run on natural gas, propane and so forth. They test plumbing products, any type of consumer products. He stated that they test those products to National Safety Standards and National Efficiency Standards and so forth. Once somebody would pass all those tests, they would be able to apply their logo to that product to show people that the product meets that safety requirement or that efficiency requirement.

He stated that if you would actually look at the back of your computer, there would be a good chance that you would see a CSA mark on it; that means that they have evaluated that product to a safety standard and approved it. That was mainly what they were focused on.

He stated that the other thing that they do also within their Cleveland office and globally, was that they also write those safety standards. He stated that they have people who will come together and create these standards for use by anybody to test and certify. He asked if that helped.

Chairman Lytkowski asked if they worked with the American Petroleum Institute.

Mr. Weiser stated that they didn't.

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The Chairman stated that he was just curious. He stated that he has done a lot of work with API.

Mr. Weiser stated that he hated to use this example because they were their competitor, but Underwriters Laboratories, you probably see UL marks on a lot of things. He stated that they do the same thing that UL would do. They were competitors with them.

He stated that they were a well kept secret in Independence. He stated that they do great work. It was a global organization. They make the world a better place, and he thinks that they were a well kept secret.

Mayor Kurtz stated that he could tell the Chairman speaking from first time experience, the decades of working with CSA. They were a first class organization. He stated that the leadership has always been very receptive to the City's officials, City's leadership, and he can't say enough about what a good corporate citizen they have been.

Mr. Weiser thanked the Mayor, and he stated that they feel the same way about the City. He stated that it has been a great relationship for all the years, and they have appreciated being able to run their business here.

Mayor Kurtz stated that he didn't tell Mr. Weiser, but part of the condition of any support will be predicated upon hiring Independence residents. He asked if they agreed on that? He stated that he couldn't remember.

Chairman Lytkowski asked how many employees would be at the location once it would be fully up and operating.

Mr. Weiser stated that it would be somewhere between 40 and 50 employees who will work in the facility. He stated that some of the people will relocate from the current building which was next door into the facility, but the great thing about it was they were creating capacity in the new building and creating capacity in the old building too. He stated that they plan on growing the business in both locations. He stated that the plan was that they will adding somewhere around 20 new engineering jobs over the next few years.

Chairman Lytkowski asked about the average salary.

Law Director O'Brien stated that at times the Chairman's microphone, usually when he was leaning back, he was muffled.

Vice Mayor Grendel stated that he agreed.

Mayor Kurtz stated that he agreed.

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Vice Mayor Grendel asked what was the average salary of the engineering jobs? He stated that he did not hear that.

Mr. Weiser stated that the new engineering jobs would be a mix of new engineers out of school, and there will be experienced people that they will be bringing in for some of the special technologies that they will deal with. He stated that it will range. He stated that a new engineer will be around that \$60,000 start up, and then some of the more experienced people will be probably closer to \$100,000 or more. He stated that it will be a range in between there most likely.

Vice Mayor Grendel asked if he correctly heard Mr. Weiser stated that there would be approximately in the next few years, 20 new jobs over what they currently have.

Mr. Weiser stated that was the plan. They were hoping maybe more than that, but that was what they were going with right now.

Vice Mayor Grendel stated very good, thank you.

Chairman Lytkowski asked the Vice Mayor if he had any questions or comments.

Vice Mayor Grendel stated that he agreed with the Mayor, when he was growing up, he lived around the corner there on Brecksville Road from Pleasant Valley, and he knows that CSA had been there a long time; and again they have been one of the steadiest and reliable corporate citizens so he was all for the project.

Chairman Lytkowski asked Mr. Gutermuth if he had any questions or comments.

Mr. Gutermuth asked if there were any variances that would be needed. He asked if the applicants had fit it in within the site. He asked if there were steep slope issues at play. He asked if anyone could speak to that or as far as the layout went were they good to go.

Law Director O'Brien stated that there was a steep slope issue under Chapter 1383 of the Revised Code, it was towards the back. He stated that he had talked with Building Official Gero earlier today about this application. He stated that at some point it will need to be addressed, either in compliance with the steep slope or the applicant will need to seek an exemption from the Planning Commission. He stated that the City Engineer manages those things.

Mayor Kurtz stated that the City Engineer gives the Planning Commission direction on that.

Mr. Gutermuth stated that overall he thought the project looked good. He was glad to see that they were expanding their footprint in Independence. He stated that the closer they

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could get it to within the code without the variances, the better; but all in all he thought the project looked good.

Chairman Lytkowski asked if the Planning Commission was giving final approval or preliminary plan until all the permits and all the variances would be lined.

Law Director O'Brien stated that the Planning Commission's approval this evening would be for preliminary plan approval. He stated that it would be a recommendation to City Council to approve it, and then an ordinance would be presented to City Council to approve it. He stated that once the applicant would get all the diagrams and everything, he would come back to the Planning Commission for final plan approval which would not need to go to Council.

Chairman Lytkowski replied perfect. He asked the Law Director if that would include ARB as well, they would be involved?

Law Director O'Brien stated that he would defer to the Building Official. He didn't know if they were working in a tandem and parallel path.

Building Official Gero stated that the ARB will review it. He stated that once they have received approval to go ahead and begin their construction drawings, the ARB will review their plans for their building construction prior to them submitting for permit which would be after they received any variances that would be required. He stated that he believed that there was a parking variance required which would be from Planning, which they could receive with the steep slope variance; and he believes that they need to go to the BZA for a side yard variance.

The Chairman stated that he had no other comments or questions. He asked if anyone else had any comments or questions. He stated that he would entertain a motion for preliminary approval. He asked the Law Director if there would be any subject to's.

A motion was made by Mayor Kurtz, seconded by Vice Mayor Grendel, to approve the preliminary plan and recommend approval to City Council.

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

Chairman Lytkowski thanked the applicants. He stated that the Planning Commission appreciated them coming here this evening, and continued good luck and good fortune for their company as well as the City of Independence.

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Mr. Weiser thanked the Planning Commission. He stated that they look forward to working with the City on the project.

Mayor Kurtz recused himself from participating in the next item.

6355 Evergreen Drive, Gregory Kurtz Trust – Attorney Tom Boutall was in attendance on behalf of the applicant.

Attorney Boutall stated that he was in attendance on behalf of the property owner, the trust, that owns the property at 6355 Evergreen who seeks to acquire a .29 acre piece of land from the Bakais who reside at 6321 Evergreen Drive.

Chairman Lytkowski asked if the land had been purchased already or was it in the process of being acquired.

Attorney Boutall stated that it was in the process.

Chairman Lytkowski asked if there was a purchase document.

Attorney Boutall stated that they will have one.

Chairman Lytkowski asked if the neighbors were notified about the lot split and consolidation.

The Secretary replied yes.

Chairman Lytkowski asked City Engineer Ramm if he had checked the property out from a water standpoint, and were there any water problems that could possibly happen.

City Engineer Ramm stated that everything was good. He stated that there was natural drainage in the immediate vicinity, so things were well drained and well sloped and no concerns.

Chairman Lytkowski asked if the applicant was going to build on the additional land.

Attorney Boutall stated that he didn't believe so.

The Chairman asked Vice Mayor Grendel if he had any questions.

Vice Mayor Grendel stated that he wanted to make sure he was looking at it properly. He stated that the Bakais owned the property that was behind the parcel owned by Broadway Investment Properties.

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Attorney Boutall agreed. He stated that it was to the north.

Vice Mayor Grendel stated that will even out their southern property line then when it was all done.

Attorney Boutall agreed.

Vice Mayor Grendel stated that he didn't have any problem at all. He didn't see any problem with the matter.

Mr. Gutermuth stated to be clear, it was really just a cleaning up of the lot. He stated that there would be no building going on it. He stated that it looked pretty easy. He just wanted to make sure he was not missing something.

Attorney Boutall stated it was a wooded area.

The Chairman stated that it was a vanilla type lot split and consolidation.

Mr. Gutermuth stated that was what he thought.

Law Director O'Brien stated that it didn't have any road access. It already had a building on it, and it looked like an out building. He stated that it would have to remain unless someone approved a variance.

Mr. Gutermuth stated that the Planning Commission didn't usually get things, at least, nothing had been cut and dry and that simple. He stated he appreciated a nice one to close the meeting out.

Vice Mayor Grendel asked about the terrain, if it was just a wooded area there. He asked if there was a slope.

Attorney Boutall stated that it was a wooded area back there, and then to west towards Broadway's property it drops off sort of like a ravine. He stated that he didn't think the Bakais could really get to that little area without having to go through Broadway's property because of the ravine there. He stated that it would kind of make more sense for the trust to acquire it.

Vice Mayor Grendel replied very good. He stated that he had no further questions.

Chairman Lytkowski stated that he would entertain a motion for approval.

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A motion was made by Vice Mayor Grendel, seconded by William Gutermuth, to approve the lot split and consolidation.

**ROLL CALL: Yeas: Grendel, Gutermuth, Lytkowski
 Nays: None
 MOTION CARRIED**

Chairman Lytkowski stated that he had one more comment before the Planning Commission would adjourn. He stated that it sticks to his craw a little bit. He stated that Kent State University, he asked City Planner Markley if they ever talked to him about the landscaping and the screening of the solar panels. He stated that he drives by there every day, and nothing seemed like it ever happened. He stated that plus there was the chain link fence, and did they ever talk to the City Planner about that. He stated that the Planning Commission approved that project a few months ago, and it was subject to the City Planner's approval agreeing to the landscape and the fence. He asked if that has been done.

City Planner Markley stated that it had not been done.

Vice Mayor Grendel stated that it was kind of unsightly.

Mayor Kurtz stated that keep in mind that part of the condition was that they had to do an extensive landscaping along that side, and they were going to be held to it. He stated that the City Planner has made that clear to them.

Chairman Lytkowski wanted the City Planner to mention too about the fence. He stated that they preferred the rubber type slats. He asked how would they follow up on that.

City Planner Markley asked if the fence had been installed already.

Chairman Lytkowski stated that he had no idea.

Mayor Kurtz stated that nothing had been done landscaping wise.

The City Planner stated it was just the solar panels were in place.

Mayor Kurtz stated that realistically next month is when they will start defining that, and he stated that perhaps the City Planner should meet with them sometime next month. He stated that it was still too early to try to plant anything.

Mr. Gutermuth stated that it was pretty difficult to put some trees in. He stated that he believed the Planning Commission also had it conditioned on putting it on the freeway

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side, that they would get the ODOT permission; but he could understand not putting trees in the middle of winter.

Mayor Kurtz stated that might end up putting a mound down the State property with trees and a fence because it definitely is a distraction from the beauty of the building. They were very open about addressing that so he doesn't see a problem.

City Planner Markley stated that he will look back at the application and determine who the best contacts would be to reach out to.

Mayor Kurtz stated that was a great idea.

Chairman Lytkowski stated that he didn't have anything else for the Planning Commission.

A motion was made by Mayor Kurtz, seconded by Vice Mayor Grendel, to adjourn the Planning Commission meeting of March 2, 2021.

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

There being no further business, the Planning Commission meeting of March 2, 2021 was adjourned at 7:05 p.m.

Chairman Dale Lytkowski

Debi Beal, Planning Commission Clerk
Minutes Unapproved at Time of Release 03/05/21