

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

Chairman Ray Wiecek called the meeting to order at 5:30 p.m. July 2, 2019 and the following responded to Roll Call:

PRESENT: Chairman Ray Wiecek
Mayor Anthony Togliatti
Vice Mayor David Grendel
William Gutermuth
Dale Lytkowski

OTHERS

PRESENT: Don Ramm, City Engineer
Jeffrey Markley, City Planner
William Doyle, Assistant Law Director

ABSENT: Gregory J. O'Brien, Law Director

Old Business:

**Approval of Minutes of the Planning Commission meeting held on
June 4, 2019.**

New Business:

- 1. Rockside Woods Blvd. Subdivision, Dalad Group, PPN 561-24-024 –**
Represented by Donald Bohning & Associates for a lot/split and consolidation
for Parcels 1 & 2 in the Rockside Woods Blvd. Subdivision.
- 2. 4807 Rockside Road, One Independence Place, Inc., PPN 561-18-007, 561-
18-008, 561-20-001 & 561-20-003 –** Represented by Chagrin Valley
Engineering for a consolidation of multiple parcels.

Chairman Wiecek stated that all the members had received the Minutes from the June 4, 2019 Regular Planning Commission meeting. He asked if there were any additions or corrections. There were none.

Attorney Fred Ramos stated that he was before the Commission, and he wanted to apologize. He was expecting to talk at the Caucus. He stated that he was before the Planning Commission on behalf of Mark Tiedemann who gave a presentation regarding the hotel. He stated that one of the things that was stated in the Minutes was that he did

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not attend. He was under the impression through the Public Hearing that he did not have to attend the June meetings; so that was why he was not there. Attorney Ramos stated that he understood that the Planning Commission took action on the matter, and they denied the request based upon the information that was provided. He stated that the only thing that he asks is that they would have an opportunity at a later date to make a presentation regarding this project. He stated that he thought that there were a lot of questions that the Planning Commission had that they could answer now.

Attorney Ramos stated that the only thing he just wanted to state was that Mr. Tiedemann was not aware that, he wasn't told that he did have to attend the June meeting, and that was why he didn't attend.

Chairman Wiecek asked for a motion to approve the June 4, 2019 Planning Commission Minutes.

A motion was made by Bill Gutermuth, seconded by Dale Lytkowski, to approve the Minutes of the Planning Commission meeting of June 4, 2019.

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

Rockside Woods Blvd. Subdivision, Dalad Group, PPN 561-24-024 – Mike Ackerman from Donald Bohning & Associates was in attendance. Mr. Ackerman stated that the matter was all set and approved. Topgolf would like to acquire the little piece of property from ODOT. They were going to swap with ODOT, and everything was approved by the Planning Commission and the County. He stated that ODOT looked at it, and they stated that first of all for their regulations they did not want it called a vacation or anything of that nature. He took that wording off, but they also did not want the little piece that they were going to swap. He stated that basically they were giving Topgolf that one area they were looking for nothing in return.

Chairman Wiecek asked Mr. Lytkowski if he had any questions.

Mr. Lytkowski stated that he was confused. He asked why did it come before Planning Commission again.

Mr. Ackerman stated that they were told they had to come back to the Planning Commission.

Mr. Lytkowski asked the Assistant Law Director if that was correct.

Assistant Law Director Doyle stated that was correct. He stated that it was just to clean

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up the record.

Mr. Lytkowski stated that ODOT was going to give them a piece of land, and they will get nothing in return. So, his tax dollars are for nothing.

Mr. Ackerman stated that they were paying for that already.

Mr. Lytkowski stated that he paid for that already through his taxes. He asked why would he want to give Mr. Ackerman that land for nothing?

Mr. Ackerman stated that Topgolf had paid. They were buying that.

Vice Mayor Grendel asked if this was the one that the City worked on.

Mayor Togliatti stated that the City actually purchased it from the Ohio Department of Transportation. They acted as an intermediate in the transaction to eliminate the necessity for an auction of the parcel of the valuation of this and ODOT's policies.

Mr. Lytkowski stated that he had no further questions.

Mr. Gutermuth stated that he thought it seemed pretty straightforward, and he didn't have an issue with it.

Mayor Togliatti stated that he had no objections.

Vice Mayor Grendel stated that he had no objections.

City Engineer Ramm stated that it was just a housekeeping matter as has been eluded to prior.

Chairman Wiecek stated that he agreed.

Assistant Law Director Doyle asked if the owner of the site was still Dalad.

Mr. Ackerman stated that it was still Dalad.

A motion was made by William Gutermuth, seconded by Vice Mayor Grendel, to approve the lot split from Topgolf, Block A as depicted on the submission of 4,500 sq. ft. to the Ohio Department of Transportation, and the consolidation and lot split of the State of Ohio from Parcel AP 2551L, the total square footage of approximately 14,774 sq. ft., in the finding by the Planning Commission based upon information presented by the City Engineer and an exception to Codified Ordinance 1383 applies in that the Planning Commission finds that the compliance of 1383.08

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(C)(1) and (2) would be in compliance; and therefore, an exception to the Steep Slope Ordinance would be appropriate.

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

4807 Rockside Road, One Independence Place, Inc., PPN 561-18-007, 561-18-008, 561-20-001 & 561-20-003 – Ben Stafford from Chagrin Valley Engineering was in attendance along with Kathleen Hopkins who was representing One Independence Place.

Mr. Stafford stated that it was just a straight lot consolidation. He stated that they were all owned by the same owner who produced an Alta a few years back, and it made sense to clean up the parcels per the owner's request.

Mr. Lytkowski asked about the Alta.

Mr. Stafford stated that they produced an Alta in 2007 or 2011 just to evaluate the property for some purchaser's mortgage at the time.

Ms. Hopkins stated that it was for simplicity purposes, just to clean it up.

Mr. Lytkowski asked if there was a buyer in mind.

Ms. Hopkins stated that the property was not for sale.

Mr. Stafford stated that it was the same owner that they produced the Alta for. They were asking for a consolidation to clean up the parcels. He stated that the parcel lines actually intersect the building.

Ms. Hopkins stated that the building was in the middle between 008 and 001.

Mr. Lytkowski stated that he didn't have any questions.

Mr. Gutermuth stated that it was pretty straightforward.

Mayor Togliatti stated that he had no questions.

Vice Mayor Grendel asked if there were four parcels?

Ms. Hopkins stated that it was four parcels being consolidated into one.

The Vice Mayor stated that he had no problem.

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Chairman Wiecek stated that he just had one question. He asked if they were consolidating them for cleaning up purposes.

Ms. Hopkins stated that it has been something they have wanted to do for years, and they had just not gotten around to it. She stated that from a County standpoint of getting a single tax bill would simplify things.

City Engineer Ramm stated that there were a number of easements on the properties, and they have listed them and did a nice job of documenting them, and those would run with the land so there would be no problems in that regard.

Assistant Law Director Doyle stated that he had a quick question for purposes of the motion. He asked if the County or the surveyor give an indication of what the surviving parcel number would be after consolidation.

Mr. Stafford stated that he was not aware. He stated that it was a whole new system they were working in. He has no idea what the parcel number would be.

Assistant Law Director Doyle stated that he thought it was fine for purposes of the motion.

A motion was made by Vice Mayor Grendel, seconded by Dale Lytkowski, to approve the lot consolidation of the parcels bearing Parcel No. 561-18-007, 561-18-008, 561-20-001 and 561-20-003.

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

There being no further business, the Planning Commission meeting was adjourned at 5:46 p.m.

Chairman Ray Wiecek

Debi Beal, Planning Commission Clerk
Minutes Unapproved at Time of Release 07/08/19

