

MINUTES OF A PUBLIC HEARING HELD BEFORE THE PLANNING COMMISSION OF THE CITY OF INDEPENDENCE, OHIO TO CONSIDER THE APPLICATION BY THE OWNER OF PERMANENT PARCEL NUMBERS 561-15-006 & 561-13-045, SEEKING A SPECIAL CONDITIONAL USE PERMIT FOR THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS.

**HELD IN COUNCIL CAUCUS & VIA ZOOM
5:00 P.M., MONDAY, JULY 10, 2023**

Chairman Vice Mayor Grendel opened the Public Hearing at 5:07 p.m. and the following responded to Roll Call:

PRESENT: Vice Mayor David Grendel, Chairman
Gregory P. Kurtz, Mayor
Cheryl Chase
William Gutermuth
Joseph Moeller
Don Ramm, City Engineer
Jessica Hyser, Economic Development Director
Anne Lynch, City Planner

OTHERS

PRESENT: Gregory O'Brien, Law Director
Michael Gero, Building Official

Chairman Vice Mayor Grendel said welcome everyone to the July 10th Planning Commission meeting and the Planning Commission Public Hearing scheduled for 5:00 PM. The hearing is regarding a request by the Church of Jesus Christ of Latter-Day Saints for a special conditional use variance for their property at 5997 Brecksville Rd., permanent parcel numbers 561-15-006 & 561-13-045.

Before we get started with the Public Hearing, Amanda please call the roll.

The June 6th Planning Commission meeting, on the agenda at that time, was the Church of Jesus Christ of Latter-Day Saints with their proposals; one being a lot consolidation of two existing parcels, 561-15-006- & 561-13-045, plus they requested a special conditional use variance for the Church. They gave a presentation at that time to the Commission, and because of the nature of their request, we scheduled to have a Public Hearing today. So, I guess we'll start the Public Hearing; gentlemen if you would like to give your presentation to our audience.

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Mr. Stevens stated this is Jason Symons, he's a project manager for the Church of Jesus Christ of Latter-Day Saints. I'm Christian Stevens, I work for Haskell, we are a design-build firm overseeing the design, manufacturing, and construction of the proposed project of the new Temple. The project is off Brecksville Road, it is an 11-acre site with the two lots consolidated.

The project is anticipated to only develop the front 5 acres, leaving the back 6 acres undisturbed and left alone. On-site, the main structure is the Temple itself, it is around 9,000 sq. ft., a one-story building with a spire. It also has a utility building located on-site; the utility building will function as a small welcome center for small groups that arrive, where they can gather before they head over to the Temple. Also, a portion of that building will be for storage and grounds maintenance of the property.

The location, obviously, is in the City of Independence, a very beautiful and calm city with a high design and great-looking buildings. The Temple was meant to be a serene, beautiful, calm building and environment that adds to the environment. The Temple is not like a normal meeting house for this faith; a meeting house will be used a couple of times during the week for youth activities, Sunday school classes, and it will also be used on Sundays. The Temple is not open on Sunday, the Temple is a place where members of this faith come not at assigned times, not as assigned groups, but they might come individually, they might come in a small group, but they don't come in large groups. They would come to the Temple throughout the day to attend their services.

The Temple of the Church of Jesus Christ of Latter-Day Saints is the most sacred building to them. This is where they do their highest ordinances and covenants to God, and so to them, this is one of the most important buildings and they take great reverence to it. Like I was trying to say it will provide reverence to the site; it is not a loud place, and there are not any activities that happen outside of the structure. All ordinances and worship services occur inside of the Temple. Is there anything I've missed, Jason?

Mr. Symons stated no.

Mr. Stevens stated the grounds for Temples are generally very well maintained and very beautiful. Again, people come, maybe not even to go inside the Temple, but they come to just walk around the grounds and experience the feeling of the spirits and reverence that's there. So again, it's something, I know Brecksville Rd. is not a huge artery, but it is a main connection. It will be a structure to help beautify as people come into the city, not to take away or diminish anything that is currently there, but to enhance it and be in conjunction with all the other great buildings and things that are going on in your city.

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Chairman Vice Mayor Grendel asked were you going to discuss how the construction is going to go? I know it's a little different.

Mr. Stevens stated I could do that. So, the construction method of this project is a little different than a typical building project. This is built out of modules. So, in order to speed up construction processes, it will actually comprise of 25 separate modules that are built off-site at an alternate location. At the same time that these modules are being built, the foundations would be built so that it's ready. The modules would show up on-site and they could set a good portion massing of this project in about 10 days. From there, craftsmen and artisans will show up and start to do work inside of the Temple to stitch modules together; and exterior cladding will also come on. This will be a large format GFRC, it's like glass fiber reinforced concrete; a very nice robust, elegant looking concrete material with curtain wall windows with stained glass.

Again, the purpose of this is it's a unique building type, it's not one that's used all the time by this owner or a lot out there. It's a revolutionary method of building that's taking off in various places around the country and internationally. It's something that Haskell, our company, has worked on in the past and we partnered with the Church to help them accomplish their goal of being able to bring these sacred buildings closer to the members of their Church. In the state of Ohio, there are about 63,000 members of this faith. Members currently in this area will have to drive 3 plus hours to do their Temple worship, either in Columbus, Ohio, or leave the state. So, this is something that will come closer to them to serve their area. If we can apply these construction methods, then we can help disturb your neighborhood less, and help them achieve their goals by getting these smaller buildings closer to the members and more throughout the world. That's the purpose of the module construction.

After the construction is done, there is a public open house for everyone to come and walk through. It's not the first one we've done. On the others, you'd see the building from the outside and you'd have no idea that it was built from modules. If you walked through the building itself, you'd have no idea where the modules came together. The craftsmanship and the materials that are selected are some of the highest available out there. The artisans and the workers that are enlisted to work on it would make that happen.

Chairman Vice Mayor Grendel asked the size of the of Temple; what is the square footage of the Temple again?

Mr. Stevens stated it is roughly 9,000 sq. ft.

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Chairman Vice Mayor Grendel asked, and the Welcome Building?

Mr. Stevens stated the Welcome Building is 2,600 sq. ft.

Chairman Vice Mayor Grendel asked, and that building is going to be located on the northern side of the property?

Mr. Stevens stated located on the northern side. We looked at other locations and it was very problematic because of the grade and the logistics of getting patrons and their small groups in the building. The main entrance is on the east side, facing where the majority of the parking is, you can see that on the site plan here. Based on the renderings, for those who are not familiar with Temples of this faith, they are very elegant and beautiful buildings. There isn't one side of this structure that is not beautiful: the street side, the north side, the south side, and the entry side.

Chairman Vice Mayor Grendel asked, and the parking will be located on three sides of the Temple?

Mr. Stevens stated that is correct.

Chairman Vice Mayor Grendel asked but not on the west side?

Mr. Stevens stated not in between the Temple and Brecksville Rd. Do you have a question?

A resident stated he could not hear Mr. Stevens.

Mr. Stevens stated I'm sorry. So, parking will not be in front of the Temple between Brecksville Rd.

A resident said you stated that the entrance is going to be on the east.

Mr. Stevens stated that is on the east side of the building.

Mr. Stevens stated correct.

Wayne Benos stated that the parking lot is on the west side of the property, and the ravine is on the east.

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Chairman Vice Mayor Grendel stated Wayne, will you please state your name for the record.

Mr. Benos stated Wayne Benos, I own property at 7400 Longano. I am confused as to how you are going to have an entrance to the property from the east side when it's by the ravine, and the west side.

Mr. Stevens stated so, I think we are confusing each other. When I say entrance, I mean east of the building. You're talking about the road entrance, correct?

Mr. Benos stated yes.

Mr. Stevens stated okay. So, there are two entrances off of Brecksville Rd., on the west side on the site plan up here, but the main entry doors are on the east side of the building, which is what I was referring to, I apologize.

Chairman Vice Mayor Grendel asked, and there will be no parking lot on the west side?

Mr. Stevens stated correct.

Chairman Vice Mayor Grendel asked, and how many parking spaces are there?

Mr. Stevens stated you're asking a hard question, 120.

Chairman Vice Mayor Grendel stated I think that's more than enough parking spaces.

Mr. Stevens stated yes, and it's not anticipated that those are full all of the time. Like I was trying to explain, the Temples, members of this church are not assigned specific times to go to the Temple. They personally choose when they want to do their worship in the Temple, and so you might have one person go to the Temple, you might have a small group get together and go to the Temple. We've done traffic studies, and it is anticipated to have a very light impact on the local roadways and in fact no upgrades proposed or turning lanes along Brecksville Rd. because of that. So, just scattered traffic throughout the day, not huge masses coming in at certain times and leaving at certain times.

Yes, sir?

Mr. Bodnar stated John Bodnar, 7403 Longano Drive. My question is what kind of lighting is planned for, and also what kind of buffer will there be for the neighbors of the north and south sides?

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Mr. Stevens stated great questions. So, the site lighting will meet City Ordinance codes; we have to meet certain light levels, and we will meet those minimum light levels for safety and security reasons. This owner is very keen on making sure that we are not over lighting. We also will design the lighting so that we have full cutoff at property lines, so that we are not affecting the neighbors to the north and the south. And I apologize, I don't know what address numbers you guys live at, but I know that the neighbors to the north and to the south.

A resident stated Longano is north.

Mr. Stevens stated yeah, the road above, right? In addition, we are leaving as much of the current vegetation along the north and the south property lines as possible and adding additional shrubs and trees where possible to help buffer between. We understand this is a transitional area, but it is a residential zone. So, there will be a buffer in between the neighbors to the north and to the south. There is lighting of the Temple itself, it is meant to enhance the architecture of the building itself to make it beautiful, but nothing of high glare, nothing over intense, lighting that is consistent and level, and helps those who attend the Temple or put their eyes on it to remember the purpose of it.

For this faith, steeples and lighting remind them to look towards heaven, to see Jesus Christ in the design and the architecture as read in the scripture to light the world. The lighting will be very artistic and subtle. Nothing to distract, we don't want people driving down Brecksville Rd. and being shocked and getting into a wreck; it's nothing like that. Yes, ma'am?

A resident stated Andrea Simon, 7500 Longano. There is a concern about how tall it is, and also is the lighting on it all night (inaudible). Are there going to be bells that ring at a certain time of day or night or morning?

Mr. Stevens stated so, that's a good question as well. This faith does not ring bells in their steeples. There will not be any audible noises that come from the Temple. The loudest noise you will probably get on this site is from mowing the lawn, quite honestly.

Chairman Vice Mayor Grendel asked, and how about the height?

Mr. Stevens stated the height from the entrance is 100', as you can see from the rendering. The spire is the highest part of the building, not the whole thing, but it is the highest in the center. We have done our very best to locate the Temple in a spot to be less obstructive, again, to those on Brecksville Rd. and to the neighbors around the Temple.

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This highest point is pulled back 200' off Brecksville Rd., 270' down from the neighbor directly to the north, and 240' from the neighbor to the south.

We're doing our very best to keep that highest point as far away as we can, and obviously the back 6-acres are undisturbed, and that includes that large vegetation that's there. The steeple and the architecture of this building wants to be this design.

Ms. Simon asked there's no way to make that a little shorter?

Mr. Stevens stated I understand. The steeple and the architecture of this building is very important to this faith, and through the months and months of this design process and approvals and what the faith would consider divine inspiration. This is the design that we are submitting.

Chairman Vice Mayor Grendel stated for perspective too, I think, Jess in your report to us the top of the cross on St. Michael's, is I think you said 80'.

Economic Development Director Hyser stated correct. The masonry is 60', and then with the cross at the top.

Chairman Vice Mayor Grendel stated so, it'll give you some perspective of how tall this will be.

Ms. Simon said there's no houses right there. The closest neighbor is the shopping center. I think you will be able to see that. It's tall (inaudible).

Mr. Stevens stated yes, this is the rendering of the building right here, and there is not an angel lit up on it. It would just be consistent lighting of the steeple itself. Again, the city ordinances do not allow glare and over lighting, and we do not intend to break those ordinances.

Several people began speaking at once.

Ms. Simon said it's right by my house, and the light will shine down.

Mr. Stevens stated then it needs to be redesigned.

Mr. Stevens stated no, we wouldn't do that. We wouldn't do that to you; we'll work closely with the City as we go through the permitting construction process to make sure that we're meeting all of their ordinances and codes, full cutoff lights. That's the purpose.

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They want to be good neighbors; nothing to distract and take away from the beautiful area that it already is.

Mr. Benos said the concern I have is Longano is a residential area, and it has a certain ambiance (inaudible), especially when you have this spire that's 100' high, and you have it lit up. Are you telling me that this spire will be viewed and observable by the residents on Longano and other streets, and it's in their backyard, so when they go out at night or go out to have a picnic. Is that going to change the ambiance of the neighborhood?

Mr. Stevens stated it is a new building, and it would be seen; that close it would be hard not to see a new structure.

Mr. Benos said okay, so the answer is yes. It will be seen.

Mr. Stevens stated yes, it will be very beautiful.

Mr. Robert Bestrom of 7350 Longano, and I was just curious. I am a new member to the community, and I kind of like the community and everything. I'm just curious how we take a property that is residential and put a church in the middle of it?

Mr. Stevens stated so it is very common for churches to want to be in residential areas.

Mr. Bestrom asked why don't you go across the street by Topgolf? You have all that open land over there.

Mr. Stevens stated Topgolf is a great place, I'm not going to knock Topgolf. Topgolf's lighting is going to be too bright for our building. The Temple, like I said, is the most serene, calm, this is the most Holy structure for this faith. If there's a place that they would want to find reverence and calm, it's amongst residents and that's why you do find a lot of churches, not of this faith, but it's included, in residential communities because it's not the hustle and the bustle of a commercial area like near Topgolf is. It's not very common to find a Temple next to a Walmart or a shopping center in a large commercial district. The owner tries to select locations of where; again, it can enhance the community and not be an obstruction, but also the community is helping it too because these are members that are coming to worship their God. So, coming to a quiet place which Brecksville Rd. is not the quietest, but it's a great location.

Ms. Simon said I think what he's saying, all of us, we are not going for a commercial building, then why buy property for that? It's kind of like closing the barn door when the horse has already left. So, now what recourse do we have?

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If we said no, we don't want it, you're not going to say okay, never mind then. It's kind of like we are putting it there. We are putting a spire; we are putting a building up. What can we do after you already have all the plans and went and bought the property, and you asked what do you think?

Mr. Stevens stated I think our purpose is to try and help you feel comfortable. Obviously, I wouldn't consider this a very plain, dull, stark building that is unattractive to look at. We want you to understand that it is a calm environment, it's nothing that is going to be disruptive to you.

Mr. Bestrom stated you are putting a 100' spire right in my backyard that's lit up. So, we can't really have a quiet night in the backyard because we will always have this light. That's not appealing I think to anyone. Number two, it sounds like that's going to get a lot of traffic, that's where the Welcome Center is, that's where the garden crew is. Why does that have to be right in our backyard? Put it in another spot on the property away, so you have to spend more for construction costs, so be it.

Mr. Stevens stated so, we went through a lot of studies for the best spot for that and grade issues, parking issues, city requirements; we have to be so far off of that ravine in the back per City Ordinances. It ends up that that is one of the best spots for it. We have to do water retention on site as well that occurs in the northeast corner. Again, this is a small Welcome Center, you're not going to have 100 people or 50 people there. The maintenance crew that maintains the yard is 2 people, just to maintain the grounds. Yes, mam?

Ms. Novak stated I have a question about lighting. Does this stay lit 24/7 or is there a time every day when the lights go off? The lighting for the spire, is it always lit 24/7?

Mr. Stevens stated it depends on the location. Some of them leave the lights on, some of them don't.

Mr. Symons stated we'd like to have them lit as long as possible, but also being a good neighbor and wanting to be a part of your community and being accepted as a part of your community, that is one thing that we can work on and work with you all as far as that's concerned, but again, it is an expression of our faith, it is a beacon of light, and we do want people to have that expression as part of our faith and what we're trying to do with this building in this place.

Ms. Novak stated so, your preference is for it to be 24/7.

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Mr. Symons stated our preference would be, yes.

Mr. Stevens stated that all the parking lot lights turn off at night.

A resident stated that the church would look beautiful, but I see the spire being higher. The main floor, you could lower that 35 ft., and it would still be a church. The spire would be too much in the people's eyes. It wouldn't give privacy to the rest of the neighbors in the neighborhood. You could put two layers on the top, the steeple, and it would still be a beautiful church.

Ms. Simon asked is there some rule (inaudible).

Mr. Stevens stated so, the only reason we would say it does not have to is because a religious ordinance does not happen inside of it. As an architect it wants to have that steeple, it needs to have that steeple. As an owner side of things, the steeple is part of their religious desires and wants, and it's an expression of their faith.

Ms. Simon said we really have nothing, there's no need for it. You say you want to be a good neighbor and blah, blah, blah; but then we say what we don't like.

A resident stated you are going to have a light in your bedroom 24 hours a day.

Ms. Simon stated that you say you want to cooperate, but you really don't. I guess (inaudible). The people have a concern, but what you have said so far is blah, blah, blah and no.

Chairman Vice Mayor Grendel asked from what I understand there's a Temple in Columbus and one in Cranberry, Pennsylvania; do they likewise have steeples?

Mr. Stevens stated it's not the exact same design, but they do have a steeple.

Chairman Vice Mayor Grendel asked are they that tall?

Mr. Stevens stated I do not know the answer to that.

Law Director O'Brien asked but you could find that out, right?

Mr. Stevens stated I mean I'm sure we can look it up on our phones right now.

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Mr. Benos stated I have another question. You stated that there's not going to be a high influx of people at any given time. Why do you have 120 parking spaces, and why do you need a 9,000 square foot building for a few people to come and worship.

Mr. Stevens stated I don't mean that there's only going to be 2-3 people in there at a time. I'm saying small groups are trickling in and trickling out.

Mr. Benos asked what's the largest number of people at any one time?

Mr. Stevens stated the maximum occupancy, which is not intended to hit, but maximum occupancy is 221 per code based on the design of the building. Like we said, this only has 120 parking spaces. The difference is it's not a large assembly hall inside there. There are various rooms, there are different types of worship services done in different ways, and people are in different areas of the Temple. It's used differently based on the type of ceremony and the types of worship services that they're doing.

Mr. Benos stated that 200 is the maximum.

Mr. Stevens stated that's per code, that's what the International Building Code allows based on the footprint.

A resident stated you have all those parking spots.

Mr. Stevens stated no, the footprint will never increase in size. The parking spaces are just for convenience. The most people you'll see ever in this parking lot is probably when we do the open house, and we would invite all of the public and those around to come.

Ms. Simon stated you also said something about a meeting room or something. Is that part of the temple, the meeting room? Is there a common meeting room?

Mr. Stevens stated no, so what I was trying to say earlier is there's an ancillary building and inside of it, it has a small what we're calling a Welcome Center, but it's a small room for maybe a family to wait at for the rest of their party to show up and then they walk across to the Temple, it's inside of that little ancillary building.

Ms. Simon stated but the Temple is more like a special place, right? Let's say you have a congregation of 200 people coming, not all those people are allowed in the Temple. Isn't the Temple really a special place? So, you said there's also a special, special place.

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Mr. Stevens stated no, so the Temple is special. It is sacred, only a handful of members who have the qualifications will be attending the Temple. What I mean is there are different types of worship services inside of the Temple. This is not a mega church; this is not a big grand space inside where everybody attending at the same time is there at the same time in one room. There are different types of ordinances and ceremonies that happen in various parts of the building. Yes, sir?

Councilperson Trakas stated my name is Jim Trakas, I live at 6924 Brettin Drive, so I am not from the neighborhood. This is a Public Hearing and part of the purpose of a Public Hearing is to engage the public. I think if you consider what the public is talking about, the residential neighborhood with about 35-40 homes back there and other residential areas, the lighting seems to be the biggest concern that people would have. Obviously, given your faith, you're not going to have a social hall, be having alcohol parties. Is that correct?

Mr. Stevens stated no, that will not happen on site.

Councilperson Trakas stated so we could rule that out, but with respect to the lighting, and I understand why you're doing what you're doing, I'm on a church board myself in North Royalton; but I'd hope that you would consider that you have a dusk to dawn policy. These folks want to get some sleep and so you've got all that lighting out there and it's going to look gorgeous, but at the same time if you are trying to sleep, and you have that light out there, you can understand their concerns. I hope that you can take back as part of this Public Hearing, there are restrictions on lighting in respect to time, so considering a dusk to dawn type of thing, where in early dusk you have it lit, but at night when people are sleeping, I certainly hope there will not be lights on.

Mr. Stevens stated yes.

Chairman Vice Mayor Grendel stated we did a little research regarding the spire in Columbus of the Temple, it's 71' high. This one is about 30' higher.

Mr. Steven stated please understand that that is a completely different design.

Mr. Symons stated so, to kind of address your concerns and your comments; everything that is said today will be taken and considered. Everything will be taken into church leadership, and it will be discussed. It's not just having your comments fall on deaf ears, but we also want to make sure that our aspirations and what we would like to have for the Temple is also one of the things that we consider as we factor in all of the different things and the effect we're going to have on the community. That's why we like to hear what

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the community has to say before going and imposing ourselves into an area. Again, it's not falling on deaf ears, these are things that will be taken back to leadership for deliberation.

Ms. Novak stated two questions. What are you doing with regard to security when people are coming and after hours. My second question is what do you plan on doing with the rest of the acreage? Is it usable.

Mr. Stevens stated there's no plan to do anything with the rest of the acreage, it's to leave as much vegetation if we don't have to impact. In fact, even where we are developing, we are trying to keep as much as we can, but there is no plan for those back 6 acres.

Security, there will probably be 2-3 security cameras on site. In the evenings the parking lot lights turn off. The parking lot lights turn off, they have motion sensors for security and for safety. If somebody was to drive onto the property after hours, late at night, the motion sensors would kick on for security and safety reasons.

Ms. Simon stated that somewhere in here, it said something about a fence. If you put fencing around this, would that be a chain link fence, a nice fence?

Mr. Stevens stated a nice fence, a nice metal ornamental fence. It will only be around the Temple.

Ms. Simon asked and how much space between our property? I had one that was so tiny, and there was not much room. On that one picture you have, it looks like you have (inaudible). How much footage would there be?

Mr. Stevens stated so, I believe from the garage to the ancillary building is about 18'-20'.

Ms. Simon asked the back of it?

Mr. Stevens stated yes, and there are some very large existing trees right there that we are going to maintain. It's about 18'-20', so it would probably be from you to us.

Ms. Simon stated that if you go back and speak to the people from whatever, and you decide whatever you decide, when will we find that out, the day you talk to your people, and then the day you are building it you go, we forgot to tell you, we decided something else. When will we find out what the actual plans are going to be? Do you know what I am saying?

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Mayor Kurtz stated the Building Inspector and the team have to approve plans, and then they'll have to construct it to those plans. So, they can't unilaterally just change things in the field. The Building Department, the Building Commissioner, and the Planning Review Examiner all have to sign off with whatever is submitted. Then, they have to build based on whatever was submitted, not what they want to build. Is that fair?

Ms. Simon asked when will we find out what gets approved? Do any of us need to approve something? Where do I go to say we don't want that. At that point is it too late?

Mayor Kurtz stated well, keep in mind, and maybe the Law Director will have to speak to how much latitude the city really has in this case. It's reflected in some of the conversations earlier, but realistically to answer your first question, they cannot build anything without the Building Department, the Building Commissioner, and the Plans Review examiner signing off. While it's being inspected, we'll have to validate everything that they're doing is based on what was approved, that's issue 1. Issue 2, we have some parameters, like with lighting. We have some flexibility, and I think what they said was and what caught my attention is they're going to take it back to leadership, all of the different comments that were made today, and see whatever they can do to accommodate some of the concerns of their neighbors because they will be your neighbors. So, with that being said I think it's important that they be heard within the relationship you have with your leadership and the neighbors.

Ms. Simon stated we are saying, and by we, I mean we like everybody, we are saying at this point, they are asking, and just for the sake of this conversation, I'm not saying this shouldn't happen, but could you say no, we are not doing it. You are not doing it on the property, or is it like we are having a meeting, and it's a done deal.

Law Director O'Brien stated okay, I can answer that question for you. So, back in 2000 Congress down in D.C. pretty much passed a law, its acronym is RLUPA, it is the Religious Land Use and Institutionalized Persons Act. Basically, what that says is religious organizations can build their churches wherever they want, and community Planning Commissions have very little authority to prevent that. It's been going on for a long time. So, the answer for whether or not to your appointed question, is could the City deny the request for the church, put a church there, let's not talk about what type of church, the city could deny that, and they would file in Federal Court. Unless there was some unique fact, the City would lose that case every single time. RLUPA, your Congress, Senators, and President at the time was happy to put an attorney fee provision in there, so not only would you pay our large law firm, but you'd pay their lawyers as well.

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So, the fact that whether or not; this isn't the first church that came to the City and wanted to build, and we dealt with this Act. The law says that the City cannot put a substantial burden on any religious organization. So, when you're talking about the height of that steeple, and I asked the architect and the representative from the church; does the steeple have a religious significance? They're using their terms in this public meeting because this is not their first public meeting, it may be nuisance to you, but I understand exactly the language they're using. They're using it on purpose because they're using the word religion, and that is something that I'm sure they firmly believe, and it's something that is appropriate for them to use in the event they had to get people like me involved.

The height of the steeple is certainly something that the Planning Commission can work with them, and that's why this whole interaction with the public hearing, and that's what the Federal Government wanted when they passed this act. So, the steeple, at least last time, it did not have any religious significance; the height of the steeple can most certainly be discussed provided we don't put a significant burden on the religious organization. Lighting, and I haven't heard it yet, does not have any religious significance, so lighting can be determined by the Planning Commission. Again, we'd like to be collaborative, this is a great community as you know. With any individual business or any religious organization, so those are the 2 from the Law Departments standpoint; the only 2 issues I think with what we talked about are up for debate for the Planning Commission and City Council.

Mayor Kurtz stated I also heard that they're going to talk to leadership, and they'd listen to the concerns of your neighbors. We would appreciate it if you would do that. Then, we can continue the conversation in good faith and try to create some (inaudible) of neighbors and neighborhood.

Chairman Vice Mayor Grendel asked yes, sir?

Mr. Plassard stated Scott Plassard, 5875 Brecksville Rd.

Mayor Kurtz stated time out, time out. Say that again.

Mr. Plassard stated Scott Plassard, 5875 Brecksville Rd. (inaudible) the Cornerstone of Hope. First of all, we never really addressed this, how does a residential area get changed in zoning to allow this?

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Law Director O'Brien stated the Federal Law that was enacted by Congress in 2000 allows a religious organization to put a church in a residential community, to put it to you bluntly.

Mr. Plassard stated well, the Cornerstone of Hope is not even a religious thing that was put in there. It was mostly nothing going to happen on the weekend, which is certainly not the case. They are not good neighbors. The City helps them out in so many ways, it's ridiculous. That aside, so this place is going to be open 24 hours a day is that correct?

Mr. Stevens stated no.

Mr. Plassard asked what are the hours, and shouldn't that coincide with the lighting?

Mr. Stevens stated typically the hours would be, and I could speak wrong here, generally you would see hours of like 6am-10pm. There are cleaners and some maintenance that would come into the Temple after. The Temple is not open on Sundays to patrons.

Mr. Plassard asked so there are no weekend activities.

Mr. Stevens stated just Saturday. Saturday people would attend just like they would on a Monday or a Tuesday

Mr. Plassard stated the Cornerstone of Hope, there was to be no weekend activities, and there are weekend activities big time. That contradicted everything they said when they were trying to get in.

Law Director O'Brien stated I can answer that for you. If any religion wanted to have an activity on Saturday or Sunday, they'd have activity on Saturday and Sunday.

Mr. Plassard asked how can that be resolved?

Mr. Stevens stated this is part of the process to make that happen. This is the request of the owner and the design team to come to the City and ask for this conditional use permit.

Mr. Plassard stated I don't think my neighborhood wants it.

Mr. Snyder stated my name is Mike Snyder, I am not a member of this City. It looks like we have several from North Royalton. I am the State President, and my congregation includes citizens who live in this congregation, and this city. I have been in this

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responsibility for over 19 years. I think I can speak to this. Please cut me off if I speak too long. There will be no meetings in the Temple on Sunday, there will not be any, period, end of story, you can count on that. Number 2, the meetings that will take place during the rest of the week, usually Monday is also a day that there are no services being done in the Temple. So, you'll usually see Tuesday through Saturday people will come to the Temple dressed similar to how you see me. There are no games, they're not out in the yards, we're not having barbeques, and we're not having picnics. We come to the Temple because it's the most Holy place that we have. We call it the House of the Lord, Holiness to the Lord, you'll see that on the building, inscribed, and that's what you're going to see on that.

Our church buildings, which everyone is entitled to come to at any time. We have one right here on Rockside Road; that's open all the time. You can come on down, you can come in, you can play basketball, we do events all the time. Are there times there when it's loud? Yes sir. I'm going to tell you right now, when you get 150 people in a congregation building, which is not the Temple, I am talking about a chapel, which is not where this is. In the Temple you will never see that. If you go to other Temples, this one is a small Temple; and if you go to various sites of the church you'll see Temples like Washington D.C., Los Angeles, or Orlando, those Temples are much bigger with spires that are much bigger.

The spires and all of this is important to us because we look to this as our right of covenants that we make with the Lord to take care of our families, to take care of our communities. We view this as a very huge blessing. When my parents joined the church here in Ravenna, Ohio in 1960, we had to travel all the way to Salt Lake City to go to a Temple. To have one here where we can go to worship according to the dictates of our own conscious is just a great blessing, but I hear what you're saying and understand I am not going to be making those decisions; I just want you to know how important it is to us.

Mr. Plassard stated that initially you said there was going to be no weekend meetings.

Mr. Snyder stated I want to make sure that I don't mess anything up, but there are no meetings on Sunday. None, there won't be anything. On Saturdays, the meetings will be just like they are the rest of the week. There will be meetings where people will drive in, dress like this, go into the Temple, and worship God, come out dressed like this, get in their car and then leave on a Saturday; that will definitely happen. That's going to happen. I'm just saying if it's anything like any other Temple throughout the church, throughout the entire world, that's what happens in them.

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Mr. Plassard stated I appreciate that, however, you also have to realize that the Cornerstone of Hope have parties on weekends, on Saturdays.

Mr. Snyder stated sir, I do not know anything about the Cornerstone of Hope, nor would I even begin to speak about that. I don't know anything about it; I can only tell you about the Church of Jesus Christ of Latter-Day Saints, and I am the president of the Cleveland, Ohio state. Again, my name is Mike Snyder and I'd be happy to talk with you at any time, I'm here all the time. I don't live in this community, but I worship here, and my people, my congregation live here in this city. So, I can just tell you what I know about our faith and what will happen here.

Several people said thank you.

Mr. Calabrese stated John Calabrese, 5773 Brecksville Rd., I live right across the street from AAA and Topgolf. I don't know how AAA got in a residential area either, but I would sure rather have this in front of my house instead of AAA and Topgolf. I think it's beautiful, more than beautiful.

Mr. Stevens stated thank you.

Mr. Johnson stated I am also a member of the church.

Mayor Kurtz stated state your name please.

Mr. Johnson stated Dave Johnson, Bishop for the congregation and the members that reside in Independence. I just had a question about one of the concerns of the height of the steeple. Have you done any studies as to how visible the spire will be to the surrounding area?

Mr. Stevens stated no we have not as far as pulled back from certain points.

Mr. Johnson stated so my question to help alleviate any concerns of the neighbors would be to do a study of how visible that steeple would be with the trees that will surround it, and how much that will affect the lighting with the lighting at the late hours of the night.

Mayor Kurtz stated yeah, we can take a balloon and light it, then people will be able to see firsthand what they're dealing with.

Several people began speaking at once.

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Mayor Kurtz stated I'm not telling you to do it, I'm just suggesting that might be a practical solution that eliminates some of the concerns by a visual aid that is simple and practical. Just a thought, it could help the Planning Commission.

Mr. Latare stated Ron Latare, 5962 Brecksville Road. Do you know how tall this tower is on City Hall off the top of your head?

Mayor Kurtz stated 82'. Just kidding.

Several people began speaking at once.

Mr. Stevens stated I think you're close.

Mayor Kurtz stated we'll take the drone to make sure,

Mr. Latare stated that was the first thing I noticed walking in here, I'm like oh my god this is a big structure here.

Mr. Latare asked could you explain the buffer zone and the trees. I know AAA has that mound of dirt built up there that they use as a buffer unsuccessfully. What buffering would be between your property and the residents?

Mr. Stevens stated the number one thing is the location of the Temple itself. Centered it as much as we can, but as far back as much as we can in order to get our circulation required by code, fire trucks, and also the parking that is required. So, we're trying to stay away from those nearby houses as much as possible. We also didn't nor can't put the Temple right on Brecksville Rd. location of the Temple is number one for buffering, the second biggest thing that we can do is the vegetation that we can add and keep it as much as existing that we can without killing it during construction if it is not impacted by foundation or anything like that, but then adding additional shrubbery and trees to create a buffer between those nearby neighbors.

Mr. Latare asked, and what about the fence?

Mr. Stevens stated the fence is an ornamental fence that is only around the Temple proper, it's not the whole property. So, when I say proper, I mean inside the parking lot around the Temple.

Mr. Latare stated that was not part of the buffer.

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Mr. Stevens stated right, you were asking about the fence, it's an open ornamental fence.

Ms. Simon stated I thought it was going around the whole perimeter. The church will have a parking lot, and there needs to be a buffer. Sometimes the tree it's more like this tall, and in the fall, there's nothing there. The leaves fall off.

Mr. Stevens stated yeah, so it's not just trees, but also shrubbery, so that's your low growth, trees are your high growth, and your mix. We can look at the current planting plan and make sure we're adding enough coniferous in addition to the deciduous, trees that don't lose their leaves in the wintertime.

Ms. Simon stated that's where my concern would be. The spire (inaudible). At a hundred feet maybe it would be like where is it? I can't see it, or maybe it would be right there. Again, it's hard to know.

Mr. Stevens stated those trees are very big.

Ms. Simon stated on the other hand (inaudible). Am I going to see the spire? Is it illuminating like the moon? Or is it illuminating like ta-dah?

Mr. Stevens stated yeah, so if you were to drive to this building at night, you'd see a couple of spotlights hit it really bright and strong. Our lighting will be consistent, not at extreme levels; same as St. Michael's, that tower is lit up. It's all to enhance that architectural expression of the religious steeple. It's not just to say hey everybody it's here, but it's to make it beautiful.

Ms. Simon stated I get it. It's not like I don't get it. It would be a good time to see lights out or very dim at night. If it's very dim, it would be pretty nice. A dim light instead of a spotlight.

Mr. Stevens stated yeah.

Chairman Vice Mayor Grendel stated I guess what we hear is that the landscaping and the lighting is a big concern, and we'll have time to review that.

A resident stated as well as the height.

Chairman Vice Mayor Grendel stated as well as the height. We'll see what we can do, but I know that it is; maybe in the literature we receive we'll see how important it is to your religious expression, so we'll take that into consideration. Other than that, I just want to

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see if the Commission, anyone on the panel here has any questions for our gentlemen here. Billy?

Mr. Gutermuth stated I just want to state what was on the record of last month's meeting. I thought it was beneficial and I didn't hear it repeated here today. I believe Mr. Stevens stated last month is people that are in the faith community want to live close, and we've seen property values near Temples double or triple because of that and it becomes a high demand place to live, even places outside of Utah. I do hope that still remains true. I expect that it is. Additionally, you mentioned being members of the community, and I think that reflected here today that you want to be good neighbors and good members of the community, so we would expect that that would be true as well.

I think we've already talked a lot about the landscaping; as far as the water is concerned, I want to make sure because my backyard floods and I'm on Brecksville Rd. It does have a tendency to slope downward towards the residential neighborhood. If you could just touch more briefly on what you're going to be doing as far as storm water management and water retention is concerned, so that we can alleviate any concerns about water from this parking lot flowing over into backyards. Can you touch on that?

Mr. Stevens stated so, per code we have to maintain our water, and so we have worked with Don, our Civil Engineering team, and we have an underground water retention plan as well as some additional overflow if needed. If it's over an extremely wet year that

these systems become overrun, there is an overflow that could happen into the back of the property that is regulated to a certain speed or a certain amount, and that would only be if it is extremely wet. The current based on the hardscape, all of the calculations we would be handling that, and the northeast side will be with the underground retention.

Mr. Gutermuth stated so, underground retention in layman's terms is you're going to have sewer grates I expect in the parking lot and water would flow into that.

Mr. Stevens stated Don, you probably have better terms than me, but we install large plastic containers that can contain large volumes of water to allow it to slowly percolate into the ground. As opposed to sending the water off to the property to the north or the south or even on their property in the back, it contains its so that it can percolate slowly and safely.

Mr. Gutermuth stated okay, just from living on Brecksville Road, the ground naturally tends to flow toward the valley. So, that's just something that I wanted to make sure that we're very mindful of as far as water runoff or concerns.

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Mr. Stevens stated that sizing will be extremely critical.

Mr. Gutermuth stated lastly, we did talk about lighting, and I did hear the concern from the community as well. I do live nearby commercial buildings also, and so hopefully we can continue that conversation about what time potentially those lights would turn off or can we dim them at certain hours. Just wanted to really emphasize that we can keep the conversation open on that, and I think that's it from me. Thank you,

Chairman Vice Mayor Grendel stated thank you, Bill. Cheryl?

Ms. Chase stated last month, and I'll just reference the minutes for anyone who's curious. We talked a bit about traffic and concerns with increased traffic. I had asked questions about the number of employees, volunteers, and who would be there regularly; everything was satisfactory to me. You came in with a great deal of your own traffic studies, research, and things like that already.

Mr. Stevens asked did you receive that?

Ms. Chases stated I did. So, having grown up in the city and my kids are 5th generation residents and I do not want; you know, Rockside when I was a kid you didn't even want to go near Rockside Rd., and they've done so much to improve it that we'd hate to go back to this congestion. I was really pleased to find out that you guys have already done some research to see that it would be very viable to put what you want to put there. It's in the minutes from last time if anyone is interested.

Chairman Vice Mayor Grendel stated thank you, Cheryl. Joseph?

Mr. Moeller stated not to add too much more, I think what Bill and Cheryl had said was really well said. I appreciate the traffic study details that you guys shared with us, and as Cheryl had mentioned too, so not many concerns with the volume of traffic. Vehicular traffic didn't seem to have much or any impact really at all compared to what's already existing, so that was good to see. I know we talked about noise, landscaping, lighting, the height of the spire as well, so nothing further from my end. I just want to thank everybody for the open dialogue and everything. I think it's really important as Councilman Trakas mentioned too, that's the purpose of these meetings. Thank you for all of the detail's you guys have provided along the way and all the feedback from the residents.

Chairman Vice Mayor Grendel stated thank you gentlemen. Mayor?

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Mayor Kurtz stated just to recap; the steeple height, lighting, and landscaping, those are the primary issues that we take away. For the benefit of the audience, the real estate transaction and rumors got way ahead of the City leadership knowing about this project; there were rumors out there that transactions had taken place. The City leadership was never made aware of it, we didn't get the courtesy of a call, and we started hearing rumors and before you know it social media takes over.

The person that rectified that was the State President, Mr. Snyder, he came to my office, sat down, apologized profusely, and explained that he wasn't even aware of it. So, when the State President was made aware of it, it's that place where they're held together by a real estate group. City leadership, Council, or myself had no previous knowledge prior to my conversation with Mr. Snyder. So, that was disconcerting, and it circulated for months, so we had to dodge and try to manage something that was taking its own life through social media, but we're here today. I appreciate the fact that the residents came out and they expressed themselves; this is a very engaging community, we're passionate, and we're looking for a long-term relationship once we got through the inconsistencies and lack of communication. You two have been very effective in terms of your presentation, your demeanor, and I'm very confident that you'll come back to us with something that is workable, good for the neighbors, good for the neighborhood, and good for the community overall. That's my goal.

Mr. Stevens stated thank you, Mayor.

Chairman Vice Mayor Grendel stated thank you, Mayor; and again, I would like to thank our residents. Yes?

Ms. Simon stated I have a question. A while a back when these rumors were starting, somebody came back there, and they were marking the trees. They had red x's and blah, blah, blah. Do you know what that was about? What does that mean?

Mr. Stevens stated I have no idea. We saw those when we dd our first site visits as well.

Ms. Simon stated that there were nice trees that I would be sad to see go.

Mr. Stevens stated obviously, from the site plan a lot of those big trees will need to come down in order to achieve the proposed design, but we will keep as much as we can. I saw those too, and I don't know what that was from.

Ms. Simon asked who did that?

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Mr. Stevens stated I don't know if it was the previous owner or if the real estate group, I don't know.

Ms. Simon stated all of a sudden somebody was back there marking the trees. Unless you come right up to my property, here's my yard and here is you. The trees were right there. They weren't 20 feet in, they were by my window. What was that all about? I guess that's why I am so concerned about what I am going to see from my window.

Mr. Stevens stated yeah, anything that doesn't have to be affected, we're not going to affect.

Mr. Snyder stated I just wanted to add one quick thing. William, you mentioned and talked about people wanting to move into these areas, and I can tell Council right now, I won't give their names because they haven't given me permission, but there have already been 3 families that have moved into different areas. Not all into your fair City but have moved in and had tremendous impact on Cleveland, the health of its citizens, healthcare and others that have moved in that said we are moving in because there's going to be a Temple in Independence, Ohio. We haven't even broken ground yet and they're already moving in because of the excitement that we have. I can tell you without a doubt to answer your question that there are already families moving in.

Mr. Gutermuth stated, and I have no intention of going anywhere, nor do I expect anyone here to, but I think we all want to live in a community that other people want to live in. It's in the minutes if anyone wants to read them, it's from last month, but this should make people want to live in our community, which I think is a good thing.

Chairman Vice Mayor Grendel stated thank you, Mr. Snyder. Thank you, residents, for letting us know what your concerns are. We had some of the same concerns. Thank you, gentlemen, for once again giving us a very good presentation. I think that the Mayor mentioned that we have some dialogue here, but I think without a doubt that this is going to be a beautiful addition to our community. It will go along with the Cavaliers facility across the street, Vista Springs, and that area there, some good architecture and institutions. We take great pride that you have chosen our town, so we're going to do the very best we can to not delay your project too long. I guess it will be on next month's agenda and we'll have some discussion over a couple of the issues as far as lighting goes, and things of that nature to make sure we're being as blended as possible.

A motion was made by Mayor Kurtz, seconded by Cheryl Chase, to close the Public Hearing.

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

There being no further business, the Public Hearing was closed at 6:23 p.m.

Chairman Vice Mayor Dave Grendel

Amanda Sharrer, Planning Commission Clerk
Minutes Unapproved at Time of Release 07/25/23