

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 NUMBER 561-24-023, SEEKING A SPECIAL CONDITIONAL USE PERMIT FOR A PROPOSED OFFICE BUILDING WITH SATELLITE AND COMMUNICATION EQUIPMENT

**HELD IN COUNCIL CAUCUS & VIA ZOOM
5:30 P.M., TUESDAY, AUGUST 2, 2022**

Chairman Vice Mayor Grendel opened the Public Hearing at 5:31 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 stated that the public notice went out last month in compliance with the required law to hold a Public Hearing at 5:30 p.m. on Tuesday, August 2nd for the Planning Commission. He stated that the Commission was meeting to consider an application by the owner of Permanent Parcel Number 561-24-023, seeking a Special Conditional Use Permit for a proposed office building with satellite and communication equipment.

Chairman Vice Mayor Grendel welcomed Joseph Moeller who was attending the meeting virtually.

He stated that it was his first Public Hearing as Chairman of the Planning Commission. He stated that ever since he got wind of the project, he had been very excited. He stated that there were so many good things about this project to be excited about. He stated that the Planning Commission will hear the presentation from the applicant.

Matt Moran, Vice Present and General Manager of 19 News, WOIO, WUAB, the CW and WTCL which is Telemundo Cleveland. They had bought that channel approximately six months ago. He stated that they currently put out 70 plus hours of news a week

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across three broadcast channels. He stated that they do their 6:00 p.m. news and 11:00 p.m. news which is also broadcast on Telemundo as well.

Mr. Moran stated that they had been downtown at Reserve Square for many, many years. He stated that it had several different owners, the most recent owner was a company they acquired call Raycom. He stated that they acquired Raycom approximately four years ago. He stated that he became General Manager in December 2021. He stated that he went into the building and immediately knew it was a time for a change. He stated that he worked with his boss, the Senior Vice President of the company, and he told him to go find property as it was time. He stated that they looked around and saw this beautiful piece of property on Rockside Woods between Topgolf and the Embassy Suites Hotel. He stated that Saucy Brew Works was going to put a restaurant/brewery there. He stated that it would make all the sense in the world for them to be on that property.

Mr. Moran stated that the property had great access to major communities. He stated that in his business it was important to get places quickly. He stated that their market was much bigger than Cleveland. He stated that the market goes from Ashtabula to Sandusky, from downtown Cleveland all the way to New Philadelphia. He stated that highway access north and south was critical for them because they have to cover the entire market. He stated that they want to cover the entire market as everyone's story is important. Mr. Moran stated that location and the access all made sense to them.

He stated that what they were proposing would be a 35,000 to 40,000 square foot facility. He stated that in their business they need satellite dishes, at the high end 10, and at the low end 6 to 8. He stated that was where they pull down some of their programming, some of their syndication. He stated that in addition they would want to erect a tower as well. He stated that it would be about a 75 foot structure that would have a dish on the side. He stated that what they would use that for would be they would send their signal to Parma where they have two antennas, WUAB and WOIO 19. He stated that they send their signal there, the transmitter then shoots it out across the entire market. He stated that they may need a 75 foot tower as well, and some adjustments to parking.

Mr. Moran stated that a large portion of their space would be studio space, so it was not pure office space as well. He stated that they were looking for those things.

Mr. Moran stated that they were very, very excited to be in Independence, and he could answer any questions that the Planning Commission might have. He stated that he thought they had a site plan in front of them. He stated that was preliminary at this point. He stated that their goal would be to get the conditional use. They will close on the piece

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of land and then start the architectural drawings at that point. He stated that they will be back.

Mr. Moran stated that Gray builds amazing buildings. He stated that they both want something that would be beautiful, that would be built to last. He stated that they understand some of the Commission's concerns as far as not being able to see the dishes from the highway. He stated that was not a problem. They could shield that with landscaping. He stated that Gray had done a couple of different buildings. He proceeded to show their Augusta, Georgia building. He stated that they do a marvelous job when it would come to landscaping and building buildings. He stated that it was something that they want to be proud of. He stated that they want the City to be proud of it as well and be part of the community as well. He then had a rendering of a Madison, Wisconsin building. He stated that the two buildings were the newest buildings that they had built.

Mayor Kurtz asked if there was a water feature there.

Several people began speaking at once.

Mr. Moran stated that they were landscaped beautifully. He stated that they will work with the City on landscaping and appearance. He stated that they want to make sure that the City would be happy with what they see. He stated that they take a lot of pride in their buildings.

Economic Development Director Hyser stated that one thing she wanted to add was that they would be a 24 hours a day, 7 day a week operation. They will have staff in their building at all hours of the day which was one of the reasons also when it would come time to talk about a parking variance, not only because of the studios, but also because of the natural shift work of the employees that they would be requesting a parking variance.

Chairman Vice Mayor Grendel asked Mr. Moran if they had their own security for the protection of the employees.

Mr. Moran stated that at this point they did not. He stated that in the new building it would be a secured parking lot. He stated that he didn't believe they would have additional security unless it would warrant it.

Chairman Vice Mayor Grendel stated that they had Topgolf next door, and they had extra security there, and the Embassy Suites has extra security for events. He stated that he

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knows that project Visibility with CBIZ, and the beautiful architecture and building that will be built. He stated that Topgolf had a new architecture for their structure, and of course Embassy Suites was the City's best hotel they had. He stated that what Mr. Moran was proposing, he believes the street will be set up beautifully. He stated that also with the podiatric school, and even with the office buildings closer to Rockside, they were very nice. He stated that this will be the crown jewel of that street and the commercial area there. He stated that he was excited to hear about this, as long as they were really serious about Independence and not using it as a bargaining tool with Cleveland because they wouldn't be happy. He stated that he thought the prestige to him was out of this world, and he was really excited.

Mr. Moran stated that their intention was to close as quickly as possible on the property. He stated that they were committed.

Chairman Vice Mayor Grendel stated that they will have their Council meeting next week, and with the Planning Commission, they could expedite the project as far as he was concerned. He asked what was the timetable for construction.

Mr. Moran stated that the architecture should take them through the end of this year and potentially the spring of next year. He stated that if they read in Crain's, they have a landlord situation, but that was a situation that they have comments that they will resolve and deal with. He stated that their goal would be to get going as quick as they can.

Chairman Vice Mayor Grendel stated that as far as the Planning Commission, membership had changed over the years, and Mr. Gutermuth was part of it, they worked twice with Saucy Brew Works on the project going at least three or four years. He stated that there were two different type of proposals that they went through. He stated that what Mr. Moran was proposing was just a perfect project. He stated that he didn't know if Mr. Moran was planning on signage for the building with I-480 and I-77.

Chairman Vice Mayor Grendel stated that the Planning Commission worked with screening with the podiatric school. He stated that they had solar panels that the Commission was concerned about screening from the freeway. He stated that he knows they need the tower to get the signal from Broadview.

Ms. Chase stated that she had no questions. She stated that her office was located on Rockside as well for those very reasons, and she stated that it was not only attractive in order for her to get places. She stated that she was supposed to be in Huron, and it was no big deal as it was right up the road on the highway. She stated that it was also

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attractive for employees. She stated that it was a great thing to hang out there and say they were in Independence. She stated that it was a great community. She stated whether they choose to live here or not, that was one thing; but the access to Independence from all over Cleveland was great.

Mr. Moran stated that when the news broke, he didn't want to make an announcement to his employees until they actually closed on the land. Obviously, the news broke, and he met with the employees, and they were thrilled. He stated that not one person asked why they were going to Independence. He stated that they were all amazed and thrilled at the possibility of being there. He stated that he had his boss up here last week. He stated that it took them 10 minutes from downtown Cleveland to the site.

Ms. Chase stated that it was not just for her access, but it was a great carrot to dangle in front of potential employees that you really want to attract. She stated that you don't have to deal with traffic, plus there were all the amenities on Rockside. She stated that there were gas stations. You could run out for lunch. You could go and get lunch in your half hour and be back in your office. She stated it was a great town.

Mr. Moran stated that they have employees that show up at all hours of the day, so it would be important that they have a place that would be safe and easy to get to.

Mayor Kurtz stated that he missed the part about the restaurant on top of the building.

Mr. Moran stated that he was pushing for a weather deck.

Mayor Kurtz asked about a helicopter landing pad.

Mr. Moran stated that they didn't have a helicopter. He stated that they were good without the helicopter. He stated that there were some stations that still use them, but not many.

Several people began speaking at once again.

Chairman Vice Mayor Grendel stated that he has his law office in Independence, and he can go downtown for a meeting and get back within an hour's time. He stated that he can go down to Akron.

Mr. Moran stated that a lot of news does come out of Akron.

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Chairman Vice Mayor Grendel stated that this location will allow them to expedite everything.

Mr. Moran stated that if you are going to be everywhere, you should be in a location that you can actually get everywhere. He stated that you can get to the airport in 10 to 15 minutes as well. He stated that when he first looked at the property, the first person he took out there was the News Director. He told him he was thinking about doing a deal, that corporate was giving him the ability to do it. He wanted to make sure from the news standpoint that he was not missing anything. He stated it was an amazing location. The News Director stated that he could get his news crew anywhere from this location.

Ms. Chase stated that from a Planning Commission standpoint, she thought the only thing, and she does trust the other Boards to make sure the architecture was the way it would need to be, and the landscaping was the way it would need to be. She stated that there may be more activity around the clock than there used to be, those were all things that the City was great at taking care of. She stated that if everyone else was cool with it, as long as those dishes would be done in a way that would be tasteful, she was fine. She stated it was very exciting.

Chairman Vice Mayor Grendel asked Mr. Gutermuth if he had any questions.

Mr. Gutermuth asked what would the square footage be compared to their present location? He asked if it would be bigger or equal. He stated that he had been at the current location.

Mr. Moran stated that it would be smaller, but the current location, the space was not well used. He stated that they have about 50,000 square feet.

Mr. Gutermuth stated it would be comparable at least.

Mr. Moran stated that it was a big station. He stated that in the world of television stations, it was big. He stated that the Augusta location was 25,000 or 26,000 square feet. He stated that if they were in a bigger market, they would need something bigger. He stated that a market this size would be 35,000 or 40,000 square feet. He stated that it would give them enough space, and enough space to grow as well.

Mr. Gutermuth stated that in terms of their peak hours for operational purposes in terms of number of employees. He asked at a given time, what would be the most that would fit, administrative staff and things like that?

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Mr. Moran stated that the peak hour is 1:00 p.m., and they have about 100 employees. He stated that the peak hours would be typically 10:00 a.m. to 3:00 p.m. That was when they have the shifts changing, and folks run up for the newscast.

Mr. Gutermuth stated that the building was not really being built in terms of with an eye on growing the number of employees. He stated that preliminary plan had 132 spaces, and Mr. Moran would be thinking 100 people would be the peak.

Mr. Moran stated that right now they have 140 employees. He stated that they could add to that as well. He stated that what they were going to continue to do was add more news product. He stated that as you would add more news product, you would add more people.

Mr. Gutermuth stated that does not necessarily mean that they were reporting to the news office at the same time. He stated that was what he was after. He stated that was it for him.

Chairman Vice Mayor Grendel asked Mr. Moeller if he had any comments or questions.

Mr. Moeller stated that he just had a couple of comments. He stated that overall it was a really exciting opportunity. He stated that it seemed like a great spot for it. He stated that echoing some of the other thoughts and sentiments, he thinks that area on Rockside Woods with CBIZ being built right across there, it will become a nice great community of other businesses. He stated that it seemed great for that. He stated that he liked the renderings that they saw on the screen. He thinks they were really intriguing and exciting to see what some of the other ones they have built in other areas.

He stated that he knows there are a number of regulations within the code, and assuming they would be well within those once the land would be developed further with towers and satellite dishes and things like that. Assuming all those requirements would be met, he thinks it would be a great opportunity.

Chairman Vice Mayor Grendel stated that last but not least, Mayor would you like to give your comments or questions.

Mayor Kurtz stated that he thought it was a great opportunity to develop this piece of property in a manner that would be compatible with the size of the property, the logistics of the property, drain water issues, topography; and so the two-story building, the statement that they want to make from I-77, the fact that in concept they believe the

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landscape features on the Rockside Woods North area would make a statement for the neighbors. He stated that this would raise the bar in terms of what they could expect the neighborhood to morph into over time. He stated that the building design would become more of like a marketing tool, so that could be something that would make a statement from I-77. He stated that the elevated landscape features from Rockside Woods. He stated that the tower if necessary could be blended in with some type of a marker, identifier, lighting, etc. They would have to look at that in more detail.

He stated that in terms of the use, he thinks the Commission members have addressed the specifics, whether it be safety, aesthetics, building design, size, parking. The Engineer will talk about drain water management and some of the amenities along Rockside Road. He stated that it will be an exciting opportunity. He stated that the leadership has been extremely, just for the Commission's benefit, Matt and his team have been extremely receptive to working with the City leadership. He stated that is why he would support moving the project forward in an expedited manner so that they can show in good faith the City's support for him. He stated that Mr. Moran was demonstrating that for Gray.

Chairman Vice Mayor Grendel stated that he was confident that the City's different departments, he is sure they will be accommodating to working efficiently and in concert with Mr. Moran's company to make this a reality. He stated that like the Mayor had mentioned to expedite it, that Mr. Moran was not having government slow them down, but they will be with Mr. Moran every step of the way to make sure it's a success. He stated that he was excited with every facet of this project and what it brings. He stated that he didn't know if they could start their news program saying live from Independence Ohio.

Several people began speaking at once again.

Chairman Vice Mayor Grendel stated that he thought it could possibly spur, they have the area there that they were excavating, and it would make perfect sense. He stated that he wished them all the success. He stated that he will be watching Channel 19 all the time then.

He stated that he doesn't see any problem. He stated that the City Engineer was in attendance along with the Building Official. He stated that the Law Director and Finance Director were also in attendance. He stated that they had their strong support personnel in attendance, and he believes they all agree that this will be a project that will be exciting. He stated that Saucy Brew Works was disappointing with all the work that they

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put into that, but now if this is the result, he was quite pleased. He stated that as the Mayor mentioned with payroll, it will be a big boost there.

Several people began speaking at once again.

Chairman Vice Mayor Grendel stated that for him that was the last piece of the puzzle for that street from Rockside to Brecksville Road. He stated that is going to complete the whole thing. He asked if anyone had any questions.

Mr. Gutermuth stated that for the record, the venue would not host events. He stated that there might be some people who might want to make a commercial, and they would come to the venue for a brief session. He asked if they would be bringing in customers on a frequent basis?

Mr. Moran stated that it would not be frequently. Obviously, there would be a couple events in the future that they would have there. He stated that it was a place of business.

Mr. Gutermuth stated that Mr. Moran's market was virtual. He stated that he just wanted to confirm that because they did have some issues with parking, and for the record, this would not be apples-to-apples in terms of the previous applicant that they had on the site.

Chairman Vice Mayor Grendel stated that for those events, there would be a public parking lot, so there will be overflow parking available.

Mr. Moran stated that there events that we will want to celebrate, and it will be beautiful and want people; but they would not be a retail business, so they would not expect to have those situations occur often.

Mr. Gutermuth stated that from his perspective, and the Commission as well, it would be a dramatic difference from the previous applicant, so in terms of parking variances, why we may not grant it; but he would be inclined to grant a variance on the parking because of the type of business. He just wanted that to be on the record.

Chairman Vice Mayor Grendel stated that they would probably set the standard for the broadcasting companies in town as far as facilities go. He asked if there were any other questions. There were none.

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The Chairman stated that the Planning Commission will take up the application during the meeting which will follow right after the closing of the Public Hearing. He asked if there was a motion to close the Public Hearing.

A motion was made by William Gutermuth, seconded by Cheryl Chase, to close the Public Hearing.

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

There being no further business, the Public Hearing was closed at 5:56 p.m.

Chairman Vice Mayor Dave Grendel

Debi Beal, Planning Commission Clerk
Minutes Unapproved at Time of Release 0803/22