

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

Chairman Lytkowski called the meeting to order at 5:30 p.m. August 4, 2020 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
Gregory J. O'Brien, Law Director
Jeff Markley, City Planner
Jessica Hyser, Economic Development Director

Old Business:

**Approval of Minutes of the Planning Commission meeting held on
July 7, 2020.**

1. **7064 Brecksville Road, Fortuna Funeral Home, Inc.** – Requesting a U-3 Special Conditional Use Permit to allow the conversion of the existing dwelling into arrangement offices and casket selection area.

New Business:

2. **6360 Mackenzie Drive, Margaret & Timothy Trombetta** – Proposed lot split and consolidation.
3. **6865 Grandview Drive, Joseph Rivera** – Proposed lot split and consolidation.
4. **Acorn Drive, PPN 562-32-020, The Goddard School** – Proposed 8,824 sq. ft. building to accommodate an Early Childhood development facility and requesting a U-3 Special Conditional Use Permit for the facility.

Chairman Lytkowski stated that Planning Commission members had received the Minutes of the July 7, 2020 Planning Commission meeting. The Chairman asked if there were any additions or corrections.

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A motion was made by Vice Mayor Grendel, seconded by William Gutermuth, to approve the Minutes of July 7, 2020.

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

7064 Brecksville Road, Fortuna Funeral Home, Inc. – Chairman Lytkowski stated that this item was the first one on the agenda. He asked the Law Director if the Planning Commission would have to recite what they just talked about or could it be incorporated into the regular meeting.

Law Director O'Brien stated that he could give the Chairman a motion right now, and Fortuna would have to consent to it. Then the only thing he would like on the record would be just for the Chairman to asked if there were any interested residents or attendees because he knows that they started the meeting with that, but he wanted to make sure the record was clear with that.

Chairman Lytkowski asked the Law Director if he wanted to put anything in about the easements.

Law Director O'Brien stated that once they incorporate the discussions, then he will give them a motion of what to approve.

Chairman Lytkowski asked the Secretary if there were any residents that had any questions or objections.

The Secretary stated that she didn't see any residents raising their hand or asking to speak on the project.

A motion was made by Vice Mayor Grendel, seconded by William Gutermuth, to incorporate in its entirety the presentation by the applicant, Fortuna Funeral Home, and all questions and answers submitted by the Planning members and Fortuna respectfully.

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

Chairman Lytkowski stated that now they need a motion to incorporate for the City Council for the easement of the project. He asked if that was correct.

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Law Director O'Brien stated that you could put the easement into the approval with City Council.

A motion was made by Vice Mayor Grendel, seconded by William Gutermuth, to approve and recommend to City Council to approve a Special U-3 Permit for 7064 Brecksville Road, Fortuna Funeral Home, to consist of an arrangement office and burial selection area, subject to the City granting and executing an easement over the paper street, Florian, subject to the City Architect's implementation of the City Architect's recommendations, including but not limited to, installation of a fence on the west side of the house, restricted ingress and egress to the south side of the building only and the design and installation of accent lighting so as not to interfere with residential neighbor, subject to the incorporation of the recommendations of the City Planner as to landscaping and design.

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

Mr. Joe Fortuna, John's son, asked in what they had just read, it stated that the egress and entrance to the house would be restricted to the south side of the building only.

Mayor Kurtz stated that was where the driveway was.

Mr. Fortuna stated that in their initial talking and walking through and looking at things, what they had talked initially about was possibly putting an entrance on the west of the house, which would be the back of the house. He asked if it was possible to leave that up and open for discussion. He asked if what was passed now was set in stone that the entrance would have to be on the south side of the house.

Mr. John Fortuna stated that it was just because the way the house was laid out, when you walk in, the driveway entranceway, you go directly down to the basement and off to the left would be a small bathroom and into an old kitchen. He stated that logistically to be able to redo the house the way they have it in mind, they felt putting a nice entranceway on the back of the house would be the best setup to be able to setup the house for what they were hoping to do.

Mayor Kurtz stated that he thought that the Architectural Board would absolutely accommodate them and take that into consideration.

Mr. John Fortuna stated that he appreciated that. He stated that they were feeling that way because they feel it would take a lot more restructuring of the inside of the house to use the side entrance.

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Mayor Kurtz stated that the southwest corner, that whole corner over there, anywhere over there would seem appropriate.

Mr. John Fortuna thanked the Mayor.

Mayor Kurtz stated that he will alert Norm Casini that Mr. Fortuna will be calling him.

Law Director O'Brien stated that if he could, it would be a motion by the Planning Commission to amend the motion to include south side or west side of the building.

A motion was made by William Gutermuth, seconded by Mayor Kurtz, to amend the motion to include the south side or west side of the building.

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

Mayor Kurtz stated that now it was clarified.

6360 Mackenzie Drive, Margaret & Timothy Trombetta – Homeowner Margaret Trombetta was in attendance.

Chairman Lytkowski asked Mrs. Trombetta to explain to the Planning Commission what she was trying to accomplish.

Mrs. Trombetta stated that they were purchasing 75' x 30' of property from the owner to the north of them. She stated that was it.

Chairman Lytkowski asked if the neighbors had been notified in this matter.

The Secretary stated that the residents had been notified.

Vice Mayor Grendel stated that it was very similar to what the Planning Commission approved a few months ago for the gentleman up at Lake Charles. He was also on a cul-de-sac.

Mrs. Trombetta stated that the cul-de-sac lots were very skewed, and it would make it hard to do anything meaningful back there. She stated that they needed to purchase that to do some projects they would like to do back there.

Chairman Lytkowski asked Mrs. Trombetta that by expanding their lot, would that give them the ability to put an additional home on that space.

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Law Director O'Brien stated that his answer would be no. He asked if it was the yellow shaded area shown what was being purchased.

Mrs. Trombetta stated that it was just the little purple piece. She stated that it was 75' by 30'. It was very small.

Law Director O'Brien stated that the answer would be no.

Chairman Lytkowski asked City Engineer Ramm if there were any water issues with respect to the lot split and/or consolidation.

City Engineer Ramm stated that there was a small swale that drains through the back portion that would need to be accommodated with the future project. He stated that they will handle that administratively in their review.

Mayor Kurtz asked if the City Engineer had no objection then.

City Engineer Ramm replied correct, no objection.

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

Mr. Gutermuth did not have any questions. He stated that he thought it looked pretty straightforward.

The Chairman asked if Vice Mayor Grendel had any questions.

Vice Mayor Grendel stated that they wouldn't be able to square off the back property. He stated that he sees on the neighbor's property there was a detention pond in the back there. He stated that like the gentleman on Lake Charles, he was able to buy property from 2 of his neighbors on Sprague and able to square that off. He stated that would be hard here because there was a part of pond back there.

Mrs. Trombetta stated that they actually entertained and talked to that neighbor as well, but the surveyor that they had do the project told them it would be kind of meaningless because only about a fourth of it could be usable because of the easement.

Vice Mayor Grendel stated that he saw that.

Mrs. Trombetta stated that it did not seem worth it for them to do that.

Vice Mayor Grendel stated that he didn't blame them.

Chairman Lytkowski asked Mayor Kurtz if he had any questions.

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Mayor Kurtz stated that he thought it was a great opportunity to let them utilize the property more effectively and not affect the current property owner.

Chairman Lytkowski stated that he had no comments.

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

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

6865 Grandview Drive, Joseph Rivera – Homeowner Cindy Rivera was in attendance.

Chairman Lytkowski asked Mrs. Rivera what she was trying to accomplish.

Mrs. Rivera stated that they were trying to consolidate their back lot. She stated that they were 2 separate parcels.

The Chairman asked Mrs. Rivera why she was consolidating the two parcels.

Mrs. Rivera stated that they just put up a garage, and they also have a shed. They were told they couldn't have 2 existing garages in use so they will shut down the one that was attached the house and make it a mudroom because they need the garage. She stated that they could not even park their cars in it because it was so small, the existing garage. She stated that they also have a shed that they keep their lawnmowers and equipment in. She stated that she also has beehives. She stated that they do not have nearly enough room; so their stuff was basically all over the yard. She stated that they need to move the shed back, and they were told that they could not have any existing buildings on that.

Chairman Lytkowski stated that he did have a question. He asked the City Engineer if there were any water issues.

City Engineer Ramm stated that there was nothing that would affect the consolidation.

Chairman Lytkowski asked the Secretary if the neighbors were notified. The Secretary stated that the neighbors were notified. The Chairman asked if there were any complaints. The Secretary stated that she did not hear any complaints.

The Chairman asked Mr. Gutermuth if he had any questions.

Mr. Gutermuth stated that he did not have any questions.

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

Vice Mayor Grendel stated that he didn't have any questions.

The Chairman asked Mayor Kurtz if he had any questions.

Mayor Kurtz stated that the only point that he wanted to make was that when they go to put the shed or utilize that back parcel that they were consolidating, they need to be sensitive to the impact on any of the neighbors since there were 3 different neighbors who were impacted directly by that.

Mrs. Rivera stated that she was not sure what the Mayor meant.

Mayor Kurtz stated that he was just stating that at the appropriate time they should be sensitive to the location of any landscaping, etc.

Mrs. Rivera stated that she understood what the Mayor was saying. She stated that they were way inside the property line. She stated that it was a nice shed.

Mayor Kurtz stated that if they ever want to do something on that, they would need to be mindful of the size of what they want to do and the landscaping effect on the neighbors. That would be important.

Mrs. Rivera stated that she understood. She stated that it was existing, and the neighbor's fence was on their property too. She stated that she had talked to them.

Chairman Lytkowski stated that he had no other questions. He asked if anyone on the Planning Commission had any other comments or questions. There were none.

A motion was made by Vice Mayor Grendel, seconded by Mayor Kurtz, to approve the lot consolidation.

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

Acorn Drive, PPN 562-32-020, The Goddard School – Robert and Paula Beverage, Jay Romer and Paul Beegan were all in attendance.

Chairman Lytkowski asked them to explain what they were trying to accomplish.

The Chairman wanted to ask a question before they began. He asked what year was the Goddard School constructed.

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Attorney Romer stated that the Beverages had been operating the school since 2011.

The Chairman asked when was the school built.

Mr. Beverage stated that he thought it might have been 2008.

The Chairman stated that he thought the Mayor was on the Planning Commission with him at that time. He asked if they were talking about a two or three-story building at one point.

Attorney Romer stated that he didn't know. He stated that the reason why the Beverages were before the Planning Commission was that they were leasing that particular location at 5701 Lombardo; and their lease was up next year. He stated that they were looking to buy that property, but the current owners were not willing to sell. He stated that their plan was to relocate and invest in a new building on the Acorn location at 4849 Acorn Drive.

Chairman Lytkowski asked if they would retain the Goddard School were it was locating now or move everything.

Attorney Romer stated that they would be relocating.

Chairman Lytkowski stated that the project will have to have a Public Hearing next month. He asked if they were aware of that.

Attorney Romer agreed.

The Chairman asked the Law Director if he was correct on that.

Law Director O'Brien stated that the Chairman was correct.

Chairman Lytkowski asked the applicants to go ahead and explain the project.

Architect Paul Beegan stated that they want to move the school entirely over to the new location. He stated that instead of being on the north side of Rockside, they would be on the south side on Acorn Drive. He stated that the building will be very similar. He wanted to share his presentation.

Mr. Beegan shared his screen showing what the proposed building would look like. He stated that it was very similar to the building that they were utilizing right now. He stated that the project location would be on the south side of Rockside, at the end of Acorn Drive. He stated that it was highlighted on the screen. Mr. Beegan shared some pictures

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of what the site looked like right now. He stated that the upper left photo was looking where the entry drive would be across the site to where the building would be located.

Mr. Beegan shared the proposed site plan. He stated that where the entry drive was off of the cul-de-sac at the end of Acorn. He stated that the parking lot would be in the front with the building to the back. He stated that the site was sloped on the east and north sides of the site. He stated that the only buildable portion would be down on the west side of the lot there.

Mr. Beegan stated that the way that the parking and building was situated, it would be a very similar use to how they did it right now. He stated that it was not a drop off; so parents would have to come in and sign in their students. He stated that was what the parking was mostly set up for. He stated that there would be parking for the teachers and the administration who was there. He stated that the majority of the parking was set up for the inflow and outflow of parents dropping off their children at this building.

Mr. Beegan stated that surrounding the building on 3 of their sides was their playground areas which would be fenced off areas. They will have an open grass area and some hardscaped play areas for some equipment.

Mr. Beegan stated that they have some elevations to show what the planned building would be to look like. He showed the materials that they were planning. He stated that it would be very similar to their building they have right now in the Western Reserve type of architectural style.

He stated that the floor plan just for reference, there were the number of classrooms that they plan to have. He stated that they will be serving children 0 to 5 or 6 years of age in the facility.

Chairman Lytkowski asked how many children would that be.

Mr. Beegan stated that he didn't know if he had the total. He would have to go back and do a calculation.

Mr. Beverage stated that there would be approximately 130 children.

Vice Mayor Grendel asked if this would be comparable in size to their present facility.

Mr. Beegan replied yes.

Economic Development Director Hyser stated that she had a question. She wanted to know if they include semi trucks to do drop offs.

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Mrs. Beverage stated that they do not use semis for food.

Mr. Beverage stated that there will be no commercial deliveries to the site.

Chairman Lytkowski asked on that cul-de-sac there, wasn't that at one time there was discussion about making a road from that point to 21. He asked if that was the cul-de-sac.

Mayor Kurtz stated that it was. He stated that the point he was making earlier, he would like to make sure that whatever the Planning Commission would approve would be sensitive to that potential road going further east.

The Chairman stated that was what he thought.

Mayor Kurtz stated that he just wanted to make sure that Goddard was aware of that, and that they would grant the City whatever they would need to make sure they can move forward if that opportunity would present itself. He asked if the applicant saw a problem with that.

Mr. Beegan stated that he didn't. He stated that on the site plan there was a right-of-way that they got as part of the survey that showed that road extension and where it would go. He stated that the parcel was already broken off, assuming the right-of-way was going to be there. He stated that if the road would go in, how it would present to the street, they would have the retention pond on the street side there. It would be a buffer from the street to the parking lot.

Chairman Lytkowski stated to the City Engineer that he thought they had the correct number of parking spaces at this point and time. There would be no parking variances that would be needed.

City Engineer Ramm stated that they were providing 47 spaces, and he looked at their current site and counted approximately 30 spaces. So, there would be more.

Chairman Lytkowski asked if they had ample space for safety forces to turn around in the parking lot.

City Engineer Ramm stated that they would have to look at a turn type overlay to see that.

The Chairman stated that was one thing they should look at. He stated that was always a question, especially with the young children in that building to make sure they have ample access for the safety and emergency vehicles.

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Mayor Kurtz stated that the entrance road might be a little bit wider to soften that turn in case they would have to get a large piece of equipment in there.

Mr. Beegan stated that they could accommodate that as well. He stated that the main reason they were presenting to the Planning Commission was really because of the use of the parcel, and the use being in the area that was zoned. He stated that they have a design to put together; but by no means was it set in stone that they could not accommodate if they would need to make modifications.

Chairman Lytkowski asked the City Engineer to look at that for the Planning Commission for the Public Hearing.

City Engineer Ramm stated that he could coordinate that with their architect and engineer as well.

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

Mr. Gutermuth stated that he didn't know what the existing traffic was on Acorn Drive, and whether or not Acorn would be a main road in there. He stated that he assumed that the road was built large enough to handle traffic for additional property.

Vice Mayor Grendel stated that there was the dialysis facility there, and All Erection has their corporate office there. He stated that it seems to him that the traffic was very light on that road.

Mr. Gutermuth asked what was the main road that came into Acorn.

Vice Mayor Grendel stated it was Oak Tree.

Mr. Gutermuth stated that was a four lane road.

Vice Mayor Grendel agreed.

Mr. Gutermuth stated that they should be fine there. He stated that everything else had been pretty much covered. He stated that when they were talking about the last daycare going in a couple of months back; they had some concerns about the traffic and needing traffic studies. He stated that he thought that this was a different situation. The Clinic area got really clogged up there during rush hour. He stated that he didn't think that was an issue here, but that was his only concern.

Vice Mayor Grendel stated that he thought this was a superior location to the other one. He stated it was even better than the one they had existing on Lombardo. He stated that

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about 3 years ago the Planning Commission approved a party center for this particular lot.

Several people began speaking at once.

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

Vice Mayor Grendel stated that he thought that the Engineer will answer some of the questions with regard to the safety equipment. He stated that he had no problem at all. He stated that it would be an ideal location for the school.

Chairman Lytkowski asked the Mayor if he had any final comments before the Planning Commission would set a Public Hearing date.

Mayor Kurtz stated that the only thing he would be sensitive to, he doesn't know if this would qualify as a school in the strict sense of the word in that they have any restrictions if the property to the north. The Mayor's connection was then lost.

Vice Mayor Grendel stated that as far as for security, it looked like the terrain was such that it would drop off, north and east.

Chairman Lytkowski stated that he would think they would have to have a fence of some sort there.

Vice Mayor Grendel said the piece of property was more ideal what they examined a few months back there off of West Creek.

The Chairman stated that West Creek was a bad location, and he stated that he felt sorry for that applicant.

The Chairman stated that he was sure the Mayor was trying to get back into the meeting.

Law Director O'Brien stated that he had the Mayor on the phone.

Mayor Kurtz stated that he just wanted to make sure that the vacant property further north would have not have any restrictions as a result of a school being there. He doesn't believe it would, but they should make sure.

Chairman Lytkowski asked the Law Director to check it out for the Mayor.

The Chairman asked if there were any other comments. There were no other comments.

The Chairman asked the Secretary for the Public Hearing date.

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The Secretary stated it could be set on Tuesday, September 1st at 5:00 p.m.

A motion was made by Vice Mayor Grendel, seconded by William Gutermuth, to set the Public Hearing for the Special U-3 Permit for Tuesday, September 1, 2020 at 5:00 p.m.

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

City Engineer Ramm stated that he wanted to bring up one point that he wanted to make. He stated that on the site, back when the event center was approved, they had noticed, and there was a proposed likely required steep slope setback due to the steep topography greater than 3 or 4 to 1. He just wanted to bring that to the Planning Commission's attention. They will probably need to maintain a setback. There could be some conflict there with some fencing, and the parking lot might be impacted. He stated that it might need to come up relative to either modifying the proposed work or seeking some relief to the setback requirements. It could be considered at the next meeting.

Vice Mayor Grendel stated that was a good point.

Chairman Lytkowski stated that his initial comment would be he would like to make sure they can keep the setback because of the children. He stated that he didn't think he would want to compromise that setback. That was his initial comment. He stated that he would rather give variances on the parking to keep the children safe.

There being no further business, the Planning Commission meeting of August 4, 2020 was adjourned at 6:04 p.m.

Chairman Dale Lytkowski

Debi Beal, Planning Commission Clerk
Minutes Unapproved at Time of Release 08/05/20

