

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

Chairman Ray Wiecek called the meeting to order at 5:37 p.m. August 6, 2019 and the following responded to Roll Call:

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

OTHERS

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

ABSENT: Gregory J. O'Brien, Law Director
William Gutermuth

Old Business:

**Approval of Minutes of the Planning Commission meeting held on
July 2, 2019.**

New Business:

- 1. Rockside Woods Blvd., Parcel 2, Saucy Brew Works, PPN 561-24-023, Hub Valley Realty, Ltd.** – Represented by Donald Bohning & Associates to consider the application for an accessory use to operate a brewery and the company's corporate offices on the premises.
- 2. Perrico Property Systems, Phase 6, Chestnut Woods, Section 3** – Final plan/plat approval for construction of 13 sublots.

Chairman Wiecek stated that the Commission was going to forego their Caucus this evening and go right into the Planning Commission meeting of August 6, 2019.

The Chairman asked if all of the Planning Commission members have received the Minutes from the July 2, 2019 regular Planning Commission meeting. He asked if there were any additions or corrections to those Minutes.

**PLANNING COMMISSION MINUTES – CITY OF INDEPENDENCE, OHIO
AUGUST 6, 2019**

A motion was made by Vice Mayor Grendel, seconded by Mayor Togliatti, to approve the Minutes of the Regular Planning Commission meeting of July 2, 2019.

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

Rockside Woods Blvd., Parcel 2, Saucy Brew Works, PPN 561-24-023, Hub Valley Realty, Ltd. – Todd Sciano of Donald Bohning & Associates was in attendance along with Architect David Maison and Sam Messina on behalf of Saucy Brew Works.

Chairman Wiecek stated that this evening they were going to have the representatives come up, explain to the Planning Commission what the project was. The Chairman stated that the project would need to be set for a Public Hearing which will be held on Tuesday, September 3, 2019 at 5:45 p.m.

Todd Sciano of Donald Bohning & Associates stated that they were the Civil Engineer on the project. He also stated that Architect David Maison was in attendance along with the owner/developer Sam Messina.

Mr. Sciano stated that they were before the Commission to talk about the conceptual site plan for Saucy Brew Works. It was commonly referred to as the hotel parcel in the Rockside Woods Blvd. corridor. He stated that it was just south of the Topgolf property and just north or east of the Embassy Suites Hotel. He stated that it was the remaining piece on the north side of the road. He stated that it had a Special Use overlay which was referred to as U-6A. It was pretty broad in the setbacks.

Mr. Sciano stated that they put forth the preliminary footprint of what Maison Architects has proposed for the Saucy Brew Works Independence facility. He stated that he was willing to discuss the overall site plan and answer questions. He stated that the architectural package was attached to the site plan. He stated that there were a couple of pieces to it. There was the restaurant portion. There was a production portion, and there was an outdoor space. He stated that he could field questions. He could offer if the Architect David Maison would like to give a short synopsis of the project.

Chairman Wiecek stated that it would be great.

Mr. Maison stated that as Mr. Sciano mentioned, there were a few different components to the facility. He stated that what they were calling the brewing hall, which would be the dining and bar facility. They have a production area, corporate offices above and an event space to the north. He stated that one of the things they realized as they started looking at the site and spending time walking around the site was that it was a fantastic piece of property, and a fourth component for them became an integral part of the design

**PLANNING COMMISSION MINUTES – CITY OF INDEPENDENCE, OHIO
AUGUST 6, 2019**

was what they were calling the outdoor space. He stated that there were beautiful trees, beautiful land; they wanted to capture and retain and take advantage of what sits on the site today.

Mr. Maison stated that one of the thing they were going to do with the project was they would be milling the wood on the site. He stated that any of the trees that would come off of the site will be milled locally and then put back into the building to make the roof structure, beams for the roof structure, the brewing hall and portions of the decking for not only the production facility, but the brewing hall. He stated that what would be left over would be accents. He stated that it would be nice because the wood that comes off the site would end up inside the building to do whatever they could. He stated that in the outdoor space they would retain as many of the healthy trees that will still sustain themselves when a lot of what was there now would come down. He stated that they would have a natural canopy to the outdoor space that they would preserve.

Mr. Sciano stated that the project, from a facilities standpoint, was thought up by the extension of Rockside Woods Blvd. The land was at a premium, the location was a premium. He stated that the main trunk utilities were in place. The retention will need to be provided underground. He stated that it was too small of a footprint to be able to allow for a pond or open retention because they want to retain the piece as natural. They would lose a chunk of land on the development side of the engineering piece because they want to retain it as natural. He stated that was the background.

Mayor Togliatti asked Mr. Sciano if he had the location of the underground retention identified.

Mr. Sciano stated that it would function well to be to the south end of the lot. He stated that the site naturally drains that way, and the sanitary sewer trunk cuts through the property; so there was a pretty big encumbrance. He stated that chances were they were trying to utilize the center swales and bio-swale and then filter through the retention facility and then dump back into the sewer system. He stated that it was naturally set up for it very well. He stated that they want to try to keep the site with a lot of green infrastructure components, try to marry up against their business philosophy.

Chairman Wiecek asked if it would encompass the whole 3.2 acres.

Mr. Sciano stated that it would. He stated that they held the setbacks in the other districts as it would stand now. He stated that even though the setbacks in that section of the Code were really pretty vague, they followed the setbacks on the other pieces around that area. He stated that if you would take the greenspace out of the component, you would be losing between 6/10 and 7/10 of an acre. He stated that you would be losing 20% of the site of non-development to try to retain those assets. He stated that they were trying to cram everything else in but still retaining the adjacent setbacks to the property.

**PLANNING COMMISSION MINUTES – CITY OF INDEPENDENCE, OHIO
AUGUST 6, 2019**

Mr. Sciano stated that the drive was aligned with the two islands that were poured as part of the first phase of the project. He stated that was fairly well fixed, and they could not remove that without tearing up the new road. He stated that it would sit well with the proximity to the drive for Embassy Suites.

Chairman Wiecek stated that he saw that there were docks on the front. He asked if it was correct. He asked if it was one dock or two docks.

Mr. Sciano stated that there were two docks.

The Chairman asked if there would be a lot of traffic.

Mr. Maison stated that there would not be a lot of traffic. He stated that there was a little delivery and then taking away the kegs from time to time; but there will not be a lot.

Mr. Maison stated that breweries were becoming a thing. He stated that it will be an attraction. He believes that people will come there. He stated that it was equal in size, but a little larger than the facility that they have now. He stated that there will not be that much truck traffic.

Mr. Messina stated that from a business perspective, they were trying to grow the brand today. He stated that it was spread out throughout Ohio, Columbus, Cincinnati and now have distribution in North Carolina and South Carolina. He stated that they were moving pieces and parts components from the Ohio City production side of things for distribution as well. He stated that it would be distribution and canning on site and right out the door.

Chairman Wiecek asked Mr. Messina if they were opening one in Columbus.

Mr. Messina replied correct. He stated that Columbus would not be distribution, it would be a brewery pub.

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

Mr. Lytkowski asked how big was the project in terms of dollars.

Mr. Messina stated that it would be about \$15,000,000.

Mr. Lytkowski stated to Mr. Sciano that what bothers him was he stated that it was a prime piece of land.

Mr. Sciano stated that he thought that the City created that discussion about the area, the road extension. It was something that had been talked about for years. He stated that the

**PLANNING COMMISSION MINUTES – CITY OF INDEPENDENCE, OHIO
AUGUST 6, 2019**

same piece of land was available before the road was extended and accessible. There was zero interest.

Mr. Lytkowski stated that was his concern. He asked how does he know Independence would be getting the best use of that land with the brewery there. He stated that he didn't know that, and that bothers him a lot. He stated that the City made a huge investment in the roadway there; and now they have a prime location. He stated that 40,000 cars a day pass that location on I-480. He stated that in his mind he was trying to ask himself, and they had a big discussion about that piece of land maybe three or four years ago with Dalad to make it a hotel location with anticipation of having that road built. He stated that he was asking himself from a purely mathematical and economical question, would it make sense for Independence to put a brew house there? Or would it make more sense to look for a better development there. He stated that was his concern. He stated that he thought it was a hurdle, and he talked to the Chairman and he suggested to the Chairman today once they set a date for the Public Hearing that perhaps they could have a workshop, that being defined as a get-together and talk about the project. He wanted to try to get it ironed out in his mind specifically that it would make sense for Independence. He wanted them to keep one thing in mind, they have a fiduciary responsibility to the City and to the residents to make the best use of their assets; and that was an asset, even though the City didn't own it, but the asset would be the location. He stated that they have to make sure that they do a good job and that was why they had to vet it thoroughly. He stated that was his concerns.

Mr. Lytkowski stated that what bothered him too was they said distribution. He asked if they would be running trucks out of there for distribution.

Mr. Sciano stated that he would defer to the others in attendance on that side.

Mr. Lytkowski stated that they didn't have to answer that now. He stated that those were the questions. He stated that it was his biggest concern right now, and he was putting it on the table. He stated that the Mayor didn't know his concern, but now he does. The Vice Mayor did not know it. He stated that the Chairman knew it.

Mayor Togliatti said that he could speak to Mr. Lytkowski's concern. He stated that he had been in discussion with the Dalad Group, and they have shopped this parcel to every major hotel brand in the United States; and there is very little interest, particularly due to the fact that there currently are approximately 2,000 hotel rooms in the City of Independence. So, the fact that there is very little interest for a hotel on this site, it is zoned hotel, we have run through the financial modeling of a hotel compared to the economics of the Saucy Brew Works proposal, and they are very comparable.

Mr. Lytkowski stated that with all due respect, and he hears the Mayor, and he may be right; but the Dalad Group at times he questions their end game. He stated that he knows

**PLANNING COMMISSION MINUTES – CITY OF INDEPENDENCE, OHIO
AUGUST 6, 2019**

that they want to sell the land, and they want to dump it as soon as possible, everyone knows that. So, he stated that he understood the Mayor's point, and it was a valid point; but from his perspective, being on the Planning Commission, he would still maintain they should do a thorough vetting of the project to make sure that they were getting the best bang for their dollar which was huge for the City of Independence. He stated that if they don't do that, they don't look at it from that standpoint, they will never change.

Mayor Togliatti said that they have done that financial modeling internally, and it can be shared during the Public Hearing portion next month.

Mr. Lytkowski stated that would be fine. He would love to hear that. He stated that he just thinks they have to look at it very closely because it really bothers him. He stated that he knows when Joe Balog was before Planning Commission, how many years ago was that when he was talking about the land there and wanted to make it a hotel?

The Secretary stated that it was over four or five years.

Mr. Lytkowski asked if the Secretary could get those Minutes. He stated that Mr. Balog made such a big deal that they had to have a hotel. He stated that was all he had to say right now.

Mr. Sciano stated that he thinks they could help get those financials together. He stated that he thought when the zoning overlay legislation was brought, he thinks that the Council probably adopted something at that time that looked at hotel plus; and he believes the U-6A would allow for that. There was probably a reason that the legislation was put together that gave the City some options.

Mr. Lytkowski stated that the other concern that he has was the life expectancy of that type of facility he would question that. He stated that he didn't know the financial whereabouts of his company, how financially strong it was to weather through those type of problems or not. He didn't know. He stated that they didn't have to answer that today. He stated that he has concerns in his mind from the location, the economic standpoint, etc.

Mayor Togliatti stated that he would think it would be beneficial to have Brent Zimmerman give a presentation on business model.

Several people began speaking at once.

Mr. Maison stated that Mr. Zimmerman was an amazing guy. They have a great organization, and they were going to grow. He stated that they were creating new things for people to do.

**PLANNING COMMISSION MINUTES – CITY OF INDEPENDENCE, OHIO
AUGUST 6, 2019**

Mr. Lytkowski stated that the other thing that he wrote down was did they ever do a traffic study. He stated that if they were going to have all those people coming from Topgolf, and all the people coming to the restaurant there, there are going to be traffic problems.

City Engineer Ramm stated that he could speak to that a little bit about the whole study of planning. Extensive traffic studies were performed which really warranted, and was the main reason they extended this roadway and put in a new intersection and widened the pavement, traffic signals. He stated that it was planned for, the full development.

Mr. Lytkowski stated that he was sure it was, but he wanted to make sure, that didn't surprise him. He wanted to make sure.

Mr. Messina stated that they obviously need to bring some financial data as well as some of the investment economics for them to understand a little better what was being brought to the table.

Mr. Lytkowski stated that they will look at them.

Mayor Togliatti asked if the project will be built all at once, there was no phasing of the development.

Mr. Messina stated that was correct.

Mayor Togliatti asked if there was a walking path or trail that would go through the woods and along the frontage of the property there.

Mr. Maison stated that the imagery backed up some of the concept. He stated that in imaging the southwest pace. You could picture a German beer garden where they have left the trees and people could meander through the woods. We will try to accomplish that in the corner of that site.

He stated that the building itself, the brewing hall, will be steel and glass, the reclaimed wood that will be harvested from the site, the steel work and concrete. It will be a very kind of earthy material oriented building including the production facility itself. There will be pre-cast, gabions and stone bases. It would have that nice, rich kind of texture to the facility.

He stated that the path that they looked at was an intention on their part to collect the roof rain water, dump it to the north of the site, let it move through the ground on its way to eventually the underground retention. So, essentially it would be its own first component of the bio-swale, so they will put as much of that water back into the earth as they can before they collect it.

**PLANNING COMMISSION MINUTES – CITY OF INDEPENDENCE, OHIO
AUGUST 6, 2019**

He stated that the building would start to pick up on the images that they showed. The brewing hall would be very, very open looking out to the park, east facing so they don't have that west solar gain. In general, it would be a nice, natural building with glass, wood, stone. Beer is kind of the new winery. He stated that it was a very nice, pleasing facility.

Vice Mayor Grendel asked if the glass would be facing where Topgolf would be.

Mr. Maison stated that it would be overlooking the park and access to the park, looking towards the Topgolf site.

The Vice Mayor asked if that was the restaurant.

Mr. Maison stated that it would be the restaurant and brew hall. So, the bar, the restaurant, two-story space; there was a mezzanine inside. He stated that it would be a very nice, big kind of open space that would open to the outside.

The Vice Mayor asked about the capacity, how many patrons could they have.

Mr. Maison stated that they could fit close to 200 people.

The Vice Mayor asked if there was an event center where you could have parties or things of that nature.

Mr. Maison referred to the drawing showing where the production would be located. He showed the brewery hall, and the kitchen, bathrooms, small event spaces to the north. They will overlook an outdoor garden area. They have the fence, and then the site drops off so they would dress that up and make that a nice space. That was where they would dump out their roof water and start the meandering path. He stated that it would not run water, they will not get enough roof water; but it will be a natural bio-swale.

He stated that upstairs there would be a mezzanine overlooking the brew hall, a little less formal more comfortable dining area at the corner of the site. There would be a patio above, and then they would have a larger event space. So, someone could have a wedding. They could have a larger corporate event. They retained a local planner who is fantastic at these events, and they were helping them to program what needs to be in there to make it top-notch and what people were looking for.

Mayor Togliatti stated that Mr. Maison mentioned the corporate offices were incorporated there as well.

Mr. Maison referred to the drawing showing where the corporate offices would be located, and they were still working out some mezzanine space that would be over the

**PLANNING COMMISSION MINUTES – CITY OF INDEPENDENCE, OHIO
AUGUST 6, 2019**

production. They would have probably 10 to 15 employees, and then there would be the ownership of 5 to 7. He stated that they would be in the production facility. They were still sorting that out.

Mr. Messina stated that it would be the front of the house and the back of the house.

Chairman Wiecek asked if the banquet area would face the freeway?

Mr. Maison stated that it would face the freeway.

Mayor Togliatti asked if there were windows that would overlook the production facility as well on the other side.

Mr. Maison stated that was correct. It will look down into it from the mezzanine and from the event space. He stated that they were working on how they would make it an interactive and pleasing experience for people.

Vice Mayor Grendel stated that it should be a complementary use to Topgolf as far as being next door.

Mr. Messina stated that they should enjoy each other.

Vice Mayor Grendel asked if there would be any performances there as far as musical performers.

Mr. Messina stated that they typically don't. It is not their brand if you will.

Mr. Maison stated that he thought Sam was right, there was nothing on a formal level. If there were a little group playing something in that part, it would be lovely. That was not really an element that they were setting up for.

Chairman Wiecek asked City Planner Markley and City Engineer Ramm if they had anything. He stated that they would have the Public Hearing, but if either of them have any questions.

City Planner Markley stated that he thought they should probably be mindful of, and they probably were. He stated that the front door would also be facing the loading area, and effectively as you would be driving into the entrance, you would be looking right into the loading docks. He told them to be mindful of that as they start working out their landscape plan and the orientation of that.

He stated that the other thing he would state that given the amount of bio-swales and maybe the rain garden type of filtering they were going to be creating, and he wanted

**PLANNING COMMISSION MINUTES – CITY OF INDEPENDENCE, OHIO
AUGUST 6, 2019**

them to pay specific attention to the plant selection and the maintenance schedule because those could turn weedy really quickly without maintenance and then it would become an eyesore. He stated that he wanted them to be particular mindful of that as they would present their landscape plan going forward.

Mr. Sciano stated that it was their next steps. They were still creating those documents, not only for the neighbors, but the entry itself. He stated that they were already in discussion with a full-time maintenance staff for this property. He stated that part of it will be needed to be maintained.

City Planner Markley stated that sometimes they need to understand what it was that was planted too because it all looks the same initially, and a quick shot of Round Up and you could lose everything.

Vice Mayor Grendel asked how many trucks do they expect per day to be loading and everything.

Several people answered that it was not even a per day. Mr. Messina stated that they would bring in their grains, etc., the actual raw materials for the brewing process; but he hopes that distribution didn't raise a red flag. It would not be House of La Rose type traffic out of the place. They would be going to locals only, Heinens, etc. that they have contracts for currently on canning, etc.

Chairman Wiecek asked City Engineer Ramm if he had any questions.

City Engineer Ramm stated that he thought Mr. Sciano did a nice job. He touched upon a lot of the things that he was thinking about; certainly stormwater management was one and brought up the issue of the City's existing sanitary sewer and the easement and a couple of things that were located somewhat close to the easement, the cooler and the trash receptacle. He stated those were things they would want to make sure that they would be in the detailed site plan design. He wanted them to be cognizant of that and not to impact, any negative impact to the sewer or the City's ability to access it in the future.

City Engineer Ramm asked how about the site grading. He stated that there was a significant newly created slope down to Topgolf's parking lot; and he was wondering if that site elevation down that property line at the top of the bank as it would sit today, would it be lowered? Would it be matched so that the slope would not be changed?

Mr. Sciano stated that it would not change. He stated that was something that Brent Zimmerman keyed in on early on was that there were two really great sight lines, north and east. They will sit on a plateau created from the north to the south, and they will have a great exposure out to the east. He stated that the two-story space would look down on that large parking lot that Topgolf would have. He stated that you would hopefully be

**PLANNING COMMISSION MINUTES – CITY OF INDEPENDENCE, OHIO
AUGUST 6, 2019**

able to see over it. That was their intent to use the land to have a sight line to block out that parking lot.

He stated that looking a little bit more northeast, there would be decent traffic and site lines from I-480, and then working their way around to the true north, you would get a decent view of I-77 south as you cross I-480. So, they looked at some of those sight lines and looked at some of the conflicts with ODOT to be able to clean up that scrub brush, very similar to what Topgolf did and open up that curtain a little bit more that exists today.

He stated that he hasn't worked on a significant amount of projects where they try to retain the trees, so as part of their work scope, they asked them to shoot the individual trees similar to what you would do in a subdivision; and they shot at six inches and bigger, and they look to retain somewhere in the eight to ten to twelve and then cut them up and let them stay which was really odd in this day and age. He stated that people don't do that, but that was something they were trying to capture.

Mr. Messina stated that there was a certain sustainability, green piece to the Saucy brand, so they wanted to be cognizant of that. He stated that the other thing was any user would love to just hog down all those trees and get that traffic exposure. He stated that instead they were going to thin it out and be smart about it, but still get their fair share of the exposure from the highways but to be responsible developers on that side of things. He stated that it plays into that back of yard type feel.

City Engineer Ramm stated one more thing relative to when Topgolf came before Planning, they had to address some steep slope setback issues; and then there was some bleed over if you will of the steep slopes on this parcel. He stated that he didn't know how that has been affected to today's condition; but ultimately when you have the existing topography, they can look at that and address any steep slopes that may need some relief.

Mr. Sciano stated that was a great point. He stated to the City Engineer's point, they would actually need relief from the Topgolf property because the slope that they created was too steep according to the ordinance.

City Engineer Ramm stated that he wasn't referring to that particular one, but now that Mr. Sciano brought it up. He was talking about the site itself, the existing.

Mr. Sciano stated that in the northeast corner they will have the same issue also, but with the greenspace, they might be close to being okay. He stated that along the side, they think they might have a little bit of conflict there.

**PLANNING COMMISSION MINUTES – CITY OF INDEPENDENCE, OHIO
AUGUST 6, 2019**

City Engineer Ramm stated that when the City did the sanitary sewer, they did a pretty extensive wetland identification, and one of them was identified at the corner of the proposed parking lot on the parcel, and it seems like it may have been impacted a little bit by some of the current activity; but it will be something they will need to address in some form or fashion.

Mr. Messina stated that they were currently doing their due diligence, soil borings, wetlands studies, etc.

City Engineer Ramm stated that was all he had.

Chairman Wiecek thanked the City Engineer.

The Chairman asked the Vice Mayor if he had anything.

Vice Mayor Grendel stated that he agrees for next month to have more of the financial information that Mr. Lytkowski requested there to put his mind at ease on that aspect of it, maybe comparing the hotel usage to the usage they were proposing, the zoning change and that. The Vice Mayor stated that the Economic Development Director had some figures when they were at that meeting with some of the principals there involved. He stated that he wanted to make sure that all the Planning members would get that information so they could make a good decision on this matter.

Mayor Togliatti stated that if they could also get somewhat of a forecast of the truck traffic deliveries coming and going and schedules.

Mr. Lytkowski stated that it bothered him too because he thinks that the feeling was if they could brew the beer there and distribute to various other restaurants. He asked if he was right on that.

Mr. Messina stated that they do that currently out of the Ohio City facility.

Mr. Lytkowski asked will they bring it into Independence?

Mr. Messina disagreed.

Mr. Lytkowski stated that he thought that was what they stated.

Mr. Messina stated that they would be brewing beer in Independence.

Mr. Lytkowski stated that they would have all that beer there, and he asked if they would sell in there or distribute it.

**PLANNING COMMISSION MINUTES – CITY OF INDEPENDENCE, OHIO
AUGUST 6, 2019**

Mr. Messina stated that it will serve as the brewery to serve the beers at the facility locally.

Mr. Lytkowski asked about the other beer.

Mr. Messina stated that it would be split between three facilities.

Mr. Lytkowski stated that they would distribute it then.

Mr. Messina replied correct.

Mr. Lytkowski stated that was what he thought.

Mr. Messina stated that they will get a truck count.

Mr. Lytkowski stated that he had no other questions.

Chairman Wiecek thanked everyone. He stated that it had been very informative. He stated that the Public Hearing will be set for Tuesday, September 3, 2019 at 5:45 p.m.

Perrico Property Systems, Phase 6, Chestnut Woods, Section 3 – Chairman Wiecek asked if notifications had been sent out to all the affected residents. The Secretary stated that they had been.

Travis Coyne of Donald Bohning was before the Planning Commission requesting final plat approval for Chestnut Woods Phase 6. He stated that he believed that the members were familiar with the past phases of Chestnut Woods. He stated that Phase 6 was the last phase. He stated that it would be an extension of South Great Oaks Parkway. He stated that there would be two new cul-de-sacs for 13 sublots. He stated that there would be one stormwater basin detention pond which would enter all the stormwater into the east to an existing culvert that was under I-77.

Mr. Coyne stated that overall it was a pretty straightforward smaller subdivision. He stated that they were working through approvals right now. He stated that the intent would be to go under construction late fall.

Chairman Wiecek asked if there were any questions from the audience.

Resident Tom Day of 4973 Pine Ridge Oval stated that he had a few comments. He stated that he had a few concerns. He stated that his property at 4973 Pine Ridge Oval has seen some of the stormwater issues in the phase prior to this, and City Engineer Ramm was kind enough to come out. They discussed it and some changes were made. He stated that he has the same concerns on this issue as well.

**PLANNING COMMISSION MINUTES – CITY OF INDEPENDENCE, OHIO
AUGUST 6, 2019**

He stated that there was a creek that runs behind his house and to the west of the area which was known as West Creek Reservation, or he might be stating that a little wrong. He stated that the creek has been affected by the homes going up because of the loss of trees. He stated that his concern was that as this phase moves forward, he sees some water retention that would be taking place on the opposite, away from the creek; but the way the land sets, the water will run off downhill into the creek. He stated that the maintenance of that creek, he was not sure who was supposed to be taking care of it; but there is also a lot of debris that ends up in there. He stated that water backs up to an extreme level in particular behind his residence and his neighbor's, Mr. Horvath. He stated that he has a concern if they were doing everything they need to do to limit the amount of trees that would be removed as they move forward with the project, and he asked if there were any thoughts about how to best maintain that creek and the water coming into it.

Chairman Wiecek asked the City Engineer if he wanted to comment on that.

City Engineer Ramm asked Mr. Coyne if he could address how the stormwater was being managed and the fact that the basin was on the other side, and it seemed like all the sewers were heading towards and outletting to the freeway side, the highway side. He stated that it could be a positive thing in terms of creating a negative impact as a result of the development. He stated that a lot of the water in the rear yards will be intercepted and taken to the storm sewers.

Mr. Coyne stated that in this phase, from Mr. Day's residence, they were at the north end, and all their storm water was getting routed to the east to the stormwater basin which then will discharge. He stated that there was already a current concrete spillway there; and it would be going directly to the ODOT culvert there. He stated that the storm sewers would go around the perimeter of the site. They would have very minimal water going off that site. He stated that it would be routed to the ODOT culvert. He stated that the creeks won't be (inaudible). He stated that they would be meeting all the City stormwater requirements taking the water and discharging it to the culvert.

Mr. Coyne stated that he thinks the area that Mr. Day was referring to, if there was an increase in stormwater from the creek, it had to do with some of the Hillside Road improvements. He stated that when Phase 4 took place, there were a lot of erosion problems. Water was flying down the roadway. So, they put a lot of basins in. They reworked some of the existing basins. He stated that now the stormwater basins on Hillside Road were functioning better. Perhaps more water was actually getting captured and going to the culvert now, where in the past it was eroding the whole road away. That was his initial thought. He stated that it was a couple of years ago.

City Engineer Ramm stated that he thought when they widened the pavement a little bit, so they increased a little bit of the impervious area that would drain directly to that

**PLANNING COMMISSION MINUTES – CITY OF INDEPENDENCE, OHIO
AUGUST 6, 2019**

culvert that crosses and runs through the creek that runs north and east through the backyards.

Mr. Lytkowski stated that Mr. Day's question was who maintains that creek?

City Engineer Ramm stated that it was being placed in that conservation block that ultimately the jurisdiction would be West Creek; but typically there is not a lot of maintenance happening. They were supposed to be in there dredging or changing, but cleaning would be required. Between the City and the HOA and Pulte and the construction debris from house construction; that was something they should be doing a better job of if it was full of debris.

Mr. Day stated that would be one of the concerns as they would move forward with the phase with debris ending up down in that area again; and it was amazing to him how much debris has ended up down there over the last year and a half. Certainly, the water flow has been so much stronger, in particular on that front end of the property of his neighbor's. He stated that the water just comes down from that new development area. He stated that it looked like a river sometimes coming down and filtering into that creek and backing up. So, the concern was the backing up of the creek which then floods those properties, including himself and his neighbors and the area.

City Engineer Ramm stated that he did recall going out there and looking at some of the culverts that were downstream and were blocked full of debris. Once they cleaned those, that seemed to help; but they may have to revisit those culverts. Also, similar to this proposed subdivision, that Phase 4, a lot of that rear yard drainage was supposed to be intercepted right before it goes over the hill and was collecting in basins. He stated that he thought a lot of times the sediment and erosion control practices prevent a lot of the water from getting in, and ultimately it spills down. Those were the challenges that they are facing; but from a design standpoint it seems like it could be a net benefit once all that area that typically might be draining to that creek was now in essence kind of re-routed or likely to be taken elsewhere.

Mr. Day stated that his only concern was that as he stands and looks at that property, and here was the creek and here was the development. That property runs downhill to the creek, you don't hit one point. He stated that he doesn't know if the building of the homes will modify that as they are doing what they need to do.

City Engineer Ramm stated that it was hard to conceptualize when you are looking at the land. You think it would go uphill, but between the changes in the grading and catch basins and the pipes; he could maybe sit with Mr. Day and go over the grading plan to help try to explain it; but he understands where Mr. Day was coming from. He stated that it was a big deep hole in a ravine.

**PLANNING COMMISSION MINUTES – CITY OF INDEPENDENCE, OHIO
AUGUST 6, 2019**

Mr. Day stated that some areas have gotten much deeper and much larger. He stated that was from water. He stated that his concern would be just the ability to try and maintain as many trees as possible instead of just coming in and taking them all down.

City Engineer Ramm stated that unfortunately he believes that it will be clear cut similar to Phase 4 and 5.

Mr. Coyne stated that unfortunately, all Chestnut Woods topography was very difficult; and in the small little site area there's a 30 foot change in elevation. He stated that there was about 2.8 acres to the north that was part of the block that they were splitting off. It would all go to West Creek. He stated that north of the site, there was pretty good land through there. He stated that he knows that the layout was split up years ago when they did the preliminary plan, but all the woods would be part of the West Creek.

City Engineer Ramm stated that it wouldn't be touched.

Mr. Coyne stated that it would not be touched.

Mayor Togliatti stated that there were no elevations on the plan, and he was looking at Sublot 168 and 167 which were to the north of Mr. Day's property. He asked if those would drain towards that creek? Will there be water sheeting across those two parcels down into that creek?

Mr. Coyne stated that in general everything will fall into the north and east. He stated that on the west side of Sublot 168 there's two storm inlets that will catch water. There were four storm inlets along the whole western edge of the project that will then divert water all the way to the east side.

Mr. Coyne stated that the green that was the storm sewer would get routed all the way to the basin, and in the back there are more storm sewers. It will catch water.

Chairman Wiecek asked the City Engineer if he will contact West Creek and talk about the creek for Mr. Day. He stated that if it was getting all jammed up all the time, were they not maintaining it. He stated that he understood what he was saying.

Mr. Day stated that he didn't mind going back and doing some of it. He stated that sometimes there was big stuff in there.

City Engineer Ramm stated that you have to go out of your way to get down there and inspect it; and when you live next to it, it's right out your back door. He stated that they need to do a better job, certainly police it and it would probably be more Pulte than West Creek. They will revisit it.

**PLANNING COMMISSION MINUTES – CITY OF INDEPENDENCE, OHIO
AUGUST 6, 2019**

Chairman Wiecek stated that he appreciated it.

City Planner Markley stated that ultimately it might be the Homeowners Association's responsibility to get down in there.

Assistant Law Director Doyle stated that they will nail down exactly whose responsibility it would be.

Chairman Wiecek asked Mr. Lytkowski if he had any comments. He had none.

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

Vice Mayor Grendel stated that he would like to see if they could do a better job in keeping that creek flowing because that's been a problem. Look at the development between Pleasant Valley and Hillside, it was the same thing coming down from Seven Hills.

Mr. Lytkowski stated that North Royalton is here and Independence sits here.

Vice Mayor Grendel said it just flows from west to east.

Mr. Lytkowski stated that was the problem.

Mayor Togliatti stated that the other question he had was in regards to the cluster gang mailbox. He stated that in the other phases they have accommodated for a roadway pull off so that vehicles could pull off the roads and not blocking traffic, and would allow for plowing through there and just a safer entry to the mailbox area, and he didn't see that.

Mr. Coyne stated that pretty much what they went with in Phase 5, they went with the same exact dimensions here. He stated that it would be right where the pond was, and then back behind the sidewalk would be the mailbox. He stated that there might be an easement shown back behind there.

Several people began speaking at once again.

Mr. Coyne stated that it would be the same dimensions as in Phase 5.

Chairman Wiecek asked if there were any other questions from anyone in the audience.

Resident Christine Gesicki of 7025 South Great Oaks Parkway stated that she was right next to Parcel 177, and she was curious, she would like to know if any of the stormwater would drain her way. She stated that she actually has a stormwater easement under her driveway that comes out to a culvert at the back of her property and drains into the

**PLANNING COMMISSION MINUTES – CITY OF INDEPENDENCE, OHIO
AUGUST 6, 2019**

ODOT property. She stated that it backs up horribly, especially in the spring. She stated that she and her husband have maintained it all these years, and ODOT does not do a good job at cleaning it out, the freeway part along the fence. She was curious if she will get any more water. She stated that they also have a swale on that Parcel 177 that drains into that as well. She just wanted to know if it would get worse.

City Engineer Ramm stated that he didn't believe it should get any worse. It was a completely separate system, but it was a dedicated storm sewer easement, and the City should get back there and inspect it if there needs to be some maintenance.

Mrs. Gesicki stated that ODOT does not do a good job of clearing behind that property where the fence was so it always backs up.

City Engineer Ramm stated that there should be no more water coming through that pipe that outlets into her backyard from the development. All that development goes to new sewer that would go to a new detention basin and outlet to a new outlet to the highway culvert.

Mrs. Gesicki stated that the highway has to even take care of that from their end, right?

City Engineer Ramm agreed, but there again it was probably pretty hidden; and unless it would be called to their attention.

Mrs. Gesicki stated that probably in the last 30 years, they probably did it twice. They were not very good about doing that, and probably the last time they did it was when they put the wall up. Hopefully, they will do it soon.

City Engineer Ramm stated that they would get back there and look at it, maybe the same time they were out there looking at the stream; and if there was need for our City maintenance on the outlet of the culvert and headwall, we will definitely take it up with ODOT.

Mrs. Gesicki thanked the City Engineer and asked they keep the trees to buffer the freeway.

Chairman Wiecek asked the City Engineer if he had anything to put in the motion.

City Engineer Ramm stated that there was one thing to kind of consider as when Phase 4 was approved, and they beefed up the pavement because they knew it was going to be a heavily traveled road. Now the only construction drive to and from this extension would be the street that these folks live on, and that the City maintains. They have been recently doing some concrete curb joints and slab repairs. They are trying to upkeep it. They might need to require a separate bond to ensure the protection of the road and do pre-

**PLANNING COMMISSION MINUTES – CITY OF INDEPENDENCE, OHIO
AUGUST 6, 2019**

construction videos and document conditions to hold everybody accountable if it gets beat up with all the construction traffic to be able to have something to assure that the City will get the road repaired.

Mr. Lytkowski stated that he thought they had the concrete thicker at that area.

City Engineer Ramm stated that they did that for Phase 4, and this was somewhat removed from that. That was the concern, and that was why he was raising the issue. They will get a bond for the subdivision improvements for Phase 6, but a bond that will kind of protect the road might be something to consider.

Mayor Togliatti said absolutely.

Chairman Wiecek asked if there was anything else. There were no other comments.

Assistant Law Director Doyle asked if the mylar came today.

City Engineer Ramm stated that they were acquiring signatures on the mylar, and that was why they didn't get it submitted with the application which was a requirement; and similarly the bond and clear title, he asked if that was being worked on.

Mr. Coyne stated that Gene Troiano was working on that.

City Engineer Ramm stated that there were a couple of things that were being worked on.

Assistant Law Director Doyle stated that it was the statement of clear title, bond, Development Agreement, certification of costs and guarantee of payment. He asked if that was what they were saying for bond.

City Engineer Ramm stated that it would be for the improvements themselves to guarantee their construction, and this bond, a separate road bond for the existing roadway of South Great Oaks.

Assistant Law Director Doyle asked that they hadn't gotten the certification of costs and guarantee of payment yet.

City Engineer Ramm stated that he did submit that he did submit the Engineer's estimate. He stated that he believed it was appropriate to have it subject to, and this was for record purposes only.

Mr. Coyne agreed. It would be for the plat.

**PLANNING COMMISSION MINUTES – CITY OF INDEPENDENCE, OHIO
AUGUST 6, 2019**

City Engineer Ramm stated that was kind of how they had been doing it for record purposes only, and then they post the money, the build the improvements, the City accepts the improvements and then the plat gets recorded for acceptance and dedication at the end. Similar to how they have been doing it in all the phases.

Mr. Lytkowski asked if they quantify that bond?

Mayor Togliatti asked amount and length of time?

City Engineer Ramm stated that typically the maintenance for the whole subdivision is a two year, and I think they wrote something consistent with that. Surely, by the time they would be ready to sell the first house, they will see how it would be holding up or not, but maybe even longer to get through the house building process. They could determine that in the future, and make it subject to the Engineer's recommendation.

A motion was made by Dale Lytkowski, seconded by Vice Mayor Grendel, to approve the final plan and plat for construction of 13 sublots in Phase 6, Chestnut Woods, Section 3, subject to the execution of a Development Agreement, Statement of Clear Title and a separate road bond for a duration and cost subject to the City Engineer's recommendation.

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

There being no further business, the Planning Commission meeting was adjourned at 6:32 p.m.

Chairman Ray Wiecek

Debi Beal, Planning Commission Clerk

Minutes Unapproved at Time of Release 08/07/19