

**MINUTES OF A REGULAR MEETING  
OF THE PLANNING COMMISSION  
CITY OF INDEPENDENCE, OHIO  
September 6, 2022  
Council Caucus Room/Via Zoom**

Chairman Vice Mayor Grendel called the meeting to order at 5:30 p.m. September 6, 2022, and the following responded to Roll Call:

**PRESENT:** Mayor Gregory P. Kurtz  
Vice Mayor Dave Grendel, Chairman  
Cheryl Chase  
William Gutermuth  
Joseph Moeller

**OTHERS**

**PRESENT:** Michael Gero, Building Official  
Gregory J. O'Brien, Law Director  
Jessica Hyser, Economic Development Director  
Don Ramm, City Engineer  
Anne Lynch, City Planner

**Old Business:**

**Approval of Minutes of the Planning Commission meeting held on  
August 8, 2022**

**Approval of Minutes of the Public Hearing meeting held on August 8, 2022**

**New Business:**

- 1. East Pleasant Valley Road, PPN 564-22-007, Indexco Prop, Et Al –**  
Preliminary site plan approval, steep slope setback variance, parking variance,  
and height variance for a proposed 260,000 sq. ft. light industrial building.

Chairman Vice Mayor Grendel welcomed everyone to September 6, 2022 Planning Commission meeting.

The Chairman stated that before we get into the business of the day, we need to have a couple of approvals. He stated that the first was the approval of the Minutes of the Public Hearing that was held on August 2, 2022. He asked if there were any corrections or changes. He asked for a motion to approve.

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**A motion was made by Joseph Moeller, seconded by Mayor Kurtz, to approve the Minutes of the Planning Commission Public Hearing Minutes of August 2, 2022.**

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

Chairman Vice Mayor Grendel stated that now they need to approve the Minutes of the Planning Commission meeting that was held on August 2, 2022, right after the Public hearing.

**A motion was made by Mayor Kurtz, seconded by Joseph Moeller, to approve the Minutes of the Planning Commission Meeting Minutes of August 2, 2022.**

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

**East Pleasant Valley Road, PPN 564-22-007, Indexco Prop, Et Al** – Chairman Vice Mayor Grendel stated that the Planning Commission received the Economic Development department’s report, and he stated that he almost forgot that B.F. Goodrich was down there. He stated that it was interesting reading the history. He stated that before they get into the presentation, the Economic Development Director could review her report to the Planning Commission.

Economic Development Director Hyser stated that she would just give a brief bullet of the property. She stated that as the Vice Mayor indicated, it was the former B.F. Goodrich site up until the late 1990s and early 2000s. The front piece of the property was sub-divided off and became home to Heidelberg. The remaining portion of the property is undeveloped. The site was cleared and graded after demolition of the B.F. Goodrich in the late 1990s. The road that is a Rio Nero, and the aerial shows that it is really more of a driveway back to the original site.

The proposal that the Planning Commission has in front of them, it was a 38 acre site. It was zoned U-5 Light Manufacturing, and so tonight they will be considering the site plan that was submitted which shows an approximately 260,000 square foot multi-tenant industrial building with employee parking, drop off area and landscaping. The preliminary site plan shows space for 321 parking spaces. The site plan as is, there is a possible 50% deficit in the parking code based on the City’s code which was 2 ½ spaces per 1,000 square feet of manufacturing space.

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The building was planned as a multi-tenant building. One potential tenant was identified and would occupy approximately 135,000 square feet, but no users for the rest of the building had been identified. She stated the should the tenant that would occupy that space require additional parking, the applicant designed the detention basin to be underground to allow for additional parking spaces on that area.

The applicant was also requesting a variance to the Steep Slope Ordinance, Ordinance 2017-114 and Chapter 1383 of the code. The project will impact a steep slope. The site was a redevelopment site, and the impact to the steep slope was made many years ago, and it was no longer a naturally occurring slope. The proposed work would include a great deal of grading to the existing superficial manmade slopes. The existing soil will be used on site as clean and hard fill.

She stated that takes care of that. Some other points to note was the building would have 32 foot ceilings which would mean the building height would be 40 feet which would require a variance from the Board of Zoning Appeals.

Chairman Vice Mayor Grendel thanked the Economic Development Director. He asked if City Planner Lynch had anything to add to that.

She replied no.

City Engineer Ramm stated to dovetail into the agreement with Ms. Hyser with regard to the prior modification to the site. He stated that he doesn't believe that the spirit and intent of the ordinance as it was written was meant to address a site such as this. It had previously worked for a period of years in the past, and a lot of commercial properties have needed relief from this code section. He stated that he put a little write up in there about the potential to recommend that the City Council formally address an amendment to the ordinance which would exclude the properties going forward.

Chairman Vice Mayor Grendel stated that maybe the Law Director could get something together. He stated that they have been talking about that quite a bit since it was passed. He stated that he remembered Dr. Asseff making that same argument over and over again that it should not pertain to the commercial property. He stated that what they predicted earlier did seem to come true there.

Mayor Kurtz stated that maybe the City Engineer could put something together for Council to consider removing that portion of the ordinance.

Chairman Vice Mayor Grendel stated that maybe it could be introduced at the October meeting and put it on First Reading and hopefully approve it in November. He stated that going forward it won't be an issue then.

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City Engineer Ramm stated that numbers that he utilized for (inaudible), he missed that on the list.

Chairman Vice Mayor Grendel stated that really it needs to be taken care of so they don't have that in the future. He stated that he knows the Mayor had mentioned that the last time they faced this that they should review it. He stated that if need be it could go to the Utilities Committee, but at least they could get it on First Reading.

City Engineer Ramm stated that very specific to the applicant, they do have a detailed geotechnical report with some recommendations for slope stability treatments to be put into place and utilized at the site. He stated that it would be keeping with the ordinance anyway, and would be to their benefit to construct it that way.

Chairman Vice Mayor Grendel asked City Planner Lynch if she had anything. She did not.

The Chairman stated that they will get to the applicant. He stated that Matthew Montecalvo was in attendance along with Todd Sorg.

Mr. Montecalvo stated that he appreciated everyone hearing this matter. He stated that he thought that the staff did a fantastic job of summarizing. He stated that the objective for them was to take this property which was vacant for about the last 20 years and turn it back into productive use. He stated that it was noted that the 260,000 square foot building, at the moment they do have a tenant, or at least a prospective tenant for the building. Faber Castell has chosen the site as their next home here in Independence, and they were very excited about that. He stated that part of the process to get them fully under roof and get the process moving obviously would be to ensure that the project would keep moving forward. So, again he really appreciated everyone's help because it has been a very quick process for them in trying to get this done.

Chairman Vice Mayor Grendel stated that he believed there was legislation for the Council meeting with regard to an incentive package for them also. He stated that they could work together to make this happen.

Mr. Montecalvo stated that was great. He stated that he thought realistically that the plans in front of the Planning Commission would pretty much show the extent of the work to the site. He stated that he was not going to go through those in any great detail. He stated that everyone could ask questions, and he should be able to answer most anything.

He stated that they talked about the steep slopes. They do have a geotechnical engineer on board. He stated that in fact they were working through the process of updating the report to include a little bit more information. He stated that they initially met with the

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City staff and their teams, and they didn't have everything laid out. He stated that it would be getting taken care of, and by the time they would submit for any permitting, that will all be taken care of and they will be able to evaluate that.

Mr. Montecalvo stated that as far as the information in the packet, there was also information on wetlands. He stated that there were wetlands on the site. He stated that they have information back from the Corps of Engineers that they were not jurisdictional. They were not considered waters of the United States. He stated that they are however the jurisdiction of the Ohio EPA. He stated that they were in the process of permitting disturbance to the wetlands. He stated that process was moving forward. He stated that they expect a permit. They don't have one at this point. They were engaged in permitting.

He stated that another aspect of this, and again they talked about the parking. Over the years as the buildings had sort of changed and seen uses kind of hybridize and change, the parking that would be needed would be, and they find in a lot of communities, not just Independence, the parking requirements tend to be on the lighter side. He stated that tenants don't necessarily need a lot of parking for what they are doing. He stated that having said that, in this particular case they were very lucky. He stated that right now they have 321 planned parking spaces. He stated that they have room to add more without touching anything on the site other than just eliminating some grass. He stated that if there would be tenants that would come forward, and they would need additional parking, they would have the option as he thinks the staff report mentioned, they have the option of taking that stormwater detention underground. He stated that would give them a significant amount of additional parking, and all that would be available to them. It would all be within the area that was currently planned to be disturbed and developed. He stated that they feel like they have the ability to expand that if they need to.

Mr. Montecalvo stated that finally was the height requirement. He stated that it would go back to really just the modernization of how these buildings would be used, and that interior height would have everything to do with storage and being able to store materials and goods at an efficient rate and realistically the standard was just to continue to grow, and while they have nothing larger planned (inaudible).

He was ready to mention the elevations that the Planning Commission should have received in the packet as well. He stated that he thought it was a pretty good representation of what the building would be planned out. As of now they don't have any more detailed plans. They were still working through the details with a potential tenant. He stated that would be an example of the base. He stated that he hated to use car analogies, but it would be a base model, and then they would go up from there, depending on what the future tenant would want.

Mr. Montecalvo stated that he thought that would cover everything, but he didn't want to short circuit any opportunities the Commission might have to ask questions, or if he

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missed anything they should feel free to point it out, and he would be happy to answer any questions.

Economic Development Director Hyser stated just to echo what Matt stated, they have seen a lot of hard push for ask with regard to the higher ceilings. She stated that it was not an unreasonable ask.

Chairman Vice Mayor Grendel asked if there was any feedback from Heidelberg with regard to this project. He stated that they had to know that something would come back sooner or later.

Mayor Kurtz stated that he would suggest a conversation. He stated that he needs to abstain from participating with regard to any decision on this because of family participation. He wanted to go on record.

Chairman Vice Mayor Grendel stated that the company has been developing a number of projects like this as far as in Twinsburg.

Mr. Montecalvo agreed. He stated that he did bring with him renderings to give to the Commission. He stated that the Twinsburg Cornerstone Business Park was the most recent part of theirs to be completed, and it was formally the Chrysler Stamping Plant. They redeveloped it. He stated that he didn't think the buildout was done yet, but they just finished the last building in that park. He stated that he had some examples of what that looked like just as another comparison to understand a little bit what maybe the architecture or the greenspace might look like as part of this if the Commission was interested.

Chairman Vice Mayor Grendel stated that he noticed on the turnpike that there was a Home Goods near Lordstown. He asked if Mr. Montecalvo's company was involved with that. He stated that it was similar.

Mr. Montecalvo stated that they did a very large distribution center which was different from this, but they did a distribution center for T.J. Maxx down in that direction. He stated that the more recent examples of what they were working on, they have a building going up on the former Ford Engine Plant in Brookpark. They were building 365,000 square feet for flex industrial space. He stated that was very similar, and they have used very similar methods as they were proposing here. It was 32 foot clear ceiling, and he thinks their building height was a little different, 43 feet there. He stated that it was very long building, specifically made as a spec building to attract multiple tenants. He stated that with the addition of the tenant they were talking about, they expect this to have two or three tenants eventually.

Chairman Vice Mayor Grendel asked if there were any questions for Mr. Montecalvo.

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Mr. Moeller asked as it would relate to parking, he appreciated the details on the volume and the thought process behind it, and even being pro-active and being able to have different solutions to benefit that so it wouldn't become a challenge. He asked if that was something that they have a rough idea of the quantity of the first potential tenant, what they would require. He asked if he knew what that was already.

Mr. Montecalvo stated that right now they were planning on something less than 150 spaces for that tenant, so they would be a little less than half and a little less than half of the building. He stated that it seemed like everything would line up pretty well. He stated that it would be quite a bit more per square foot than Heidelberg has, and they were not talking strictly about distribution; they were talking about something that has office space associated with it and other activities other than just distributor goods. He stated that they understand that they need more spaces than that.

Mr. Moeller stated that obviously there were a lot of plans in motion and going through and still kind of be solidified and finalized before the full development of the plot. He asked if they would want to make a decision on if they want to move that retention basin down or put parking there now, or would that be a later adaptation as a potential five years down the road if they need more space. Would it be something they would do later, or would it be something they would plan to do one way now?

Mr. Montecalvo stated that the way that they plan to do it now would be as they have, that would be the current. He stated that the interesting thing about this particular issue was that there would very little that would have to be done to convert. He stated that if they would think about it, they would have to dig a hole in the ground, put pipe for the underground detention anyways, but there would be a hole in the ground there ready to go. They would have to put new paving over top of it, new asphalt. He stated that there was very little extra that they would have to do. So, their preference would be to leave it as designed, construct it as is and then have that be an opportunity for another tenant for whatever reason they would need some very large number of additional parking spaces.

Chairman Vice Mayor Grendel stated that he thought Faber Castell had 81 employees currently. He stated that he didn't know if there were plans of growing that.

Economic Development Director Hyser stated that they hope to grow, but they were not committing.

Chairman Vice Mayor Grendel stated that the parking should be ample as far as what they would require.

Ms. Chase stated that first of all, he was just thinking in terms of a resident, mitigating steps to lower any kind of noise pollution. She asked if there were any ideas or thoughts.

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Mr. Montecalvo stated that he would say that after the construction was done, those noise levels would be very similar or the same as anywhere else in that commercial corridor. He stated that during construction, it was very interesting to him as over the years things have progressed. Even the crushing operation for example where they would take the concrete and crush it into gravel, that was exceptionally quiet. He stated that the objective would always be staying to a point where they were not making any disturbances, but they also don't have any reason at this point and time to imagine that they would have to work outside the work hours. They would intend to follow the code at this point, and obviously any time they would need relief from that, they would come back and have to go through that process.

Ms. Chase stated that the second one was where would the trucks be? Where would the bays be?

Mr. Montecalvo stated that Ms. Chase was talking about the loading docks. He stated that those would be on the north side of the building. He stated that they would effectively be in the back.

Chairman Vice Mayor Grendel stated it would be like what Heidelberg has now.

Ms. Chase stated that they could go around the back basically.

Mr. Montecalvo agreed.

Ms. Chase asked what size would the parking spaces be.

Mr. Montecalvo stated that he was going to say that they would be 9' x 19', but they shouldn't quote him on that. He stated that he wasn't 100% sure. He stated to the City Engineer that they had a discussion about it. He asked if the City Engineer remembered what was said.

City Engineer Ramm stated that they were 9' x 20'.

Ms. Chase stated that made sense. She asked if there were any concerns from the safety forces.

Someone replied no.

Ms. Chase stated those were her questions.



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Chairman Vice Mayor Grendel stated that there was some material behind the cul-de-sac. He asked if that was all going to be part of the fill. He stated that he noticed that they stated that there would be some fill.

Mr. Montecalvo stated that they intend to use everything that was on the site, and part of the earthwork process will be to take that material, the clean fill that was stockpiled there, reuse that; but then also there will be some cutting that they will have to do. So, some of the earth will be removed from the west side and placed on the east side as fill.

Chairman Vice Mayor Grendel asked if they anticipate, once they get all the approvals, they would be able to start the project this year.

Mr. Montecalvo replied yes, very much so. He stated that even if they have other things that might delay them for example, they have wetland permitting that they have to get through, they would still very much like to do some work this year and get the site moving so that they can meet some deadlines.

Chairman Vice Mayor Grendel asked what would be the construction time once they have started.

Mr. Montecalvo stated that if everything would go smoothly, from start to finish it would be 11 months. That was what they targeted. He stated that they could faster, or sometimes it would take longer, but that was sort of where their objective was.

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

Mr. Gutermuth asked about signage. He stated that they wouldn't be able to probably see anything from the end of their drive from Pleasant Valley. He asked if there was any indication that they were going to do something with Heidelberg or would they do anything with signage at the end of the drive there even though it was off of the street? He asked what would that look like as far as their name as owner of the building? He asked if they would have space for individual tenants to have their name listed on that out of curiosity?

Mr. Montecalvo stated that unfortunately he didn't have any good answers for that at this point. He stated that they haven't really gone through that process with the prospective tenants; so at this point there was no signage shown on the plans. He stated that was the way they were going to go with it until such time as they come back and say they have a plan for signage and would like the City to evaluate it.

Mr. Gutermuth stated that if it was a warehouse, he could understand that it would not necessarily need to be advertised if they have a main site somewhere else. He stated that he was struggling offhand to picture what it would look like from the street as far as

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landscaping and lighting. He stated that it was not for the Commission, but was there plans to do anything with the front to make that view from Pleasant Valley look good?

Mr. Montecalvo stated that as far as the view from Pleasant Valley, you really could only see about three-quarters the way up the hill. He stated that you wouldn't actually be able to see the property itself until you would get onto Rio Nero, and as far as that would go, yes there was a landscape plan, and at this point and time, he believes it made it into the packet, but it was pretty basic. He stated that it was as much about making sure that this would be an opportunity for the future tenant to customize it. He stated that they have had conversations with Faber, and there would be some additions to that landscaping. He stated that what they were, he didn't know; but they were definitely asking for more, specifically some outdoor space for themselves.

Mr. Gutermuth stated that it would be for the employees in other words, the outdoor space. He stated that he was just being mindful that they will be abutting to Heidelberg which had been there for a long time. He stated that he didn't think you could see too much of the building from the road, but as they continue to develop Pleasant Valley as an industrial site for the City, he would want them to be mindful the aesthetics. So, whether they would need blockage or anything between themselves and Heidelberg, he would not want to disrupt either party's business activities. He stated that there were not a lot of details in the plans in that regard, but he does think it would be important to note and make sure they have approval from the City Planner.

Chairman Vice Mayor Grendel stated with the wayfinding, he didn't know if they were going to do it on Pleasant Valley.

Several people began speaking at once.

Chairman Vice Mayor Grendel stated that he noticed in Parma Heights there were different signs, some were companies.

He asked if there were any other questions.

Law Director O'Brien stated that he had a couple. He stated that Mr. Montecalvo mentioned the landscaping area and parking spaces addressing the detention basin. He asked how many additional spaces could he get in that area?

Mr. Montecalvo stated that it was not a tremendous amount. He stated that he thought the last time he looked it was going to be 25 additional spaces.

Law Director O'Brien asked if they had to go to the detention basin and retrofit that underground for water storage, how many spaces could he create in that area?

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Mr. Montecalvo stated that he didn't know how many spaces they could create, but what he could state that it still wouldn't meet the code requirement. There was not enough space to do that.

Law Director O'Brien stated that he would agree. Mr. Montecalvo was the applicant's representative. He stated that they were going to build the building. He stated that they would understand that per the City's code, if they were going to get the variance, they were going to be, at least according to the ordinance, they would be under-parked. They would assume that risk. He stated Mr. Montecalvo didn't have an idea of the other part of the building, what use that would be at this point.

Mr. Montecalvo stated that it was a pretty flexible design, so as much as they would like to say they know; unfortunately because they do not have any prospective tenants at this point for that portion of the building, it would not do him to try and guess.

Law Director O'Brien asked if it would be an open space in there.

Mr. Montecalvo asked if it was until it was occupied? Most certainly, it would be. He stated that there would be a demising wall that will be erected inside the building so that the tenant would only use the part of the building that they were under contract for. He stated that the balance for that would be essentially white box. It will be an empty space that will just be white and bright, and it will have the fire suppression and that kind of thing, but there wouldn't be anything built out in it.

Law Director O'Brien stated that he agreed with whoever stated that it would an improvement to what it was now, he was just the Law Director, but he would encourage any development. He stated that whatever they would do would be great, but the current use that they have for the current tenant, how many spaces? He asked if that would be office or commercial, what use would that be?

Mr. Montecalvo stated that there was some office. There was some assembly or re-packaging, and there would be some distribution. He stated that this point they have less than 100 employees. They were planning on somewhere about 100 to 150 spaces specific for them.

Law Director O'Brien stated that he was just trying to figure out since he has not been faced with this in his tenure. The Commission will ask him for a motion for a variance eventually. He stated that he didn't know how he would craft that because he wouldn't know what the other use will be. He stated that he was sure based upon the questions, that they don't have an issue with this project, he was just telling the Commission that they may want to approve this use and then have the applicant come back because it would seem like more than ample parking for the current tenant. He stated that it would just be any additional tenant, and try to do that in the record and get some information on

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the record so that if they come back and say they don't have enough parking, it would be on the applicant.

Mr. Gutermuth stated that he would like to do a follow-up question to that which would be if he could remind him what the amount of space out of the total building that the tenant would be taking up? He asked if they were looking at a quarter or half of the building?

Mr. Montecalvo stated that it would be approximately half.

Mr. Gutermuth replied thank you.

Chairman Vice Mayor Grendel asked if this would be in competition with Kichler, that space? Were they talking similar uses?

Mayor Kurtz stated that the high ceilings, they have 20 foot, and they are half a million square feet.

Economic Development Director Hyser stated that Kicher was about 600,000 square foot building. They have varying heights throughout the building. She stated that there was an area that has a 42 foot clear height. She stated that this was 32 feet for the entire building. She stated that they need to remember that when the Kichler building was built, it was built over several expansions, and it was built as a production facility; so creating the height wasn't as necessary at that point and time. She stated that this was something that has come to fruition in the last 20 years, having buildings converted to clear height ceilings.

Chairman Vice Mayor Grendel stated that it would be nice to promote that facility if there are users that come looking in that area, it would be something for any of these companies to be able to grab ahold of. He asked if there were any other questions from the panel.

Mr. Gutermuth stated that he would just note that he was inclined to agree with the Law Director regarding the approval and being a partial approval for the current applicant's use with given the unanswered questions of who is going to be there, how many parking spaces. He stated that he thought they were looking at half of the building looking at 150 spaces; so if it would be an equivalent for the other half, they would not have enough spaces, or be cutting it really close. He stated that he would be inclined to take that approach, but he was open to options.

Law Director O'Brien stated that if he could, he knows what the applicant would need, and he knows what the potential tenant would need, approval of current site plan would get them where they need to be. He stated that they were showing more than twice the

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amount of parking they need, and when they would come in with the final site plan, it might be a little farther down as far as the other use, then they could finalize. He stated that he has been sitting here for over 20 years, and he was not sensing any apprehension whatever to the project. He stated that it would be that the variance follows, so if their company which was an excellent company, a great corporate company in the City, if they vacate it, that variance will follow the land. He stated that he knows the future tenant may not like the future use of it, and they may be able to go in there (inaudible). He would like to look at it and get them what they need.

Mr. Montecalvo stated that he appreciated that, and the other thing that to the City's advantage was that if only half of the site was being built out, or half of the building was being built out, there was still a building permit that would have to come for the balance for that at some point and time in the future, and that may be another mechanism that the City could use to monitor that usage against that variance.

Chairman Vice Mayor Grendel asked if there was anything from the audience. There was nothing.

City Engineer Ramm stated that he had a question. He wanted Mr. Montecalvo to expand a little bit on the wetland permit. He asked if he knew the category of the wetlands. He asked if those had been determined?

Mr. Montecalvo stated that they actually have not yet. He stated that they will do that during the permitting process, the application process. He stated that the category of wetland was calculated using the Ohio Rapid Assessment Method, the ORAM method which was anything but rapid. He stated that until they know that they are going to permit those, typically they don't ask their consultants to do the ORAMs. So, at this point and time they will do that as part of, he stated that he has been through the wetlands himself; and he would take a guess that they were no higher than Category 2, but they will know that for sure, and then they will follow the appropriate permitting process through Ohio EPA.

City Engineer Ramm stated that he brings it up because they have a riparian setback ordinance. He stated that obviously there was no option to not impact the wetlands. They have to be developed, they have to be (inaudible), and it was a foregone conclusion that ultimately that would happen, he thinks they should entertain a variance request for full relief to the wetland setback code which would be required for Category 2 and 3 wetlands, to not only protect them but to have setback around them. He stated that would be an approval here. So, he stated that he thinks they are here granting variances, and they ought to assume that they would be Category 2 or 3, so they could have full relief to those so that they don't have to drag the applicant back once this vetting would take place. They could catch it now and put it in the record as a wetland setback variance.

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Law Director O'Brien asked if those were given by the Board of Zoning Appeals as opposed to Planning.

City Engineer Ramm stated he thought they were part and parcel with the Planning Commission because it was a Planning endeavor. He stated that he didn't know that for a fact. He stated it was 1354 which was the code section. He stated that it was more of a wetland issue.

Law Director O'Brien stated that it would be the Board of Zoning Appeals.

Several people began speaking at once.

The Law Director stated that they would have to go to the Board of Zoning Appeals. He stated that there were two or three items that they would need to get a variance. He stated that to that point, he did not see it on the application, and they should add it for their meeting in a couple of weeks.

Mr. Montecalvo stated that was fine.

Law Director O'Brien stated that he didn't want to steal the Building Official's thunder, so when they would come back, what they would want to ask for would be a temporary conditional permit, and that would affect the City. That would be 1181.06 (1) which the Planning Commission could give them for the second portion of the building, and so they will entertain a reduction of the requirement. He stated that once they would be done with that use, they would have to come back to the Planning Commission, and the temporary permit reduction was wiped out. He stated that would be how they would tackle the second part of the project, and they have an ordinance specifically for their type of use.

Chairman Vice Mayor Grendel stated that for the record, this would not affect any residential areas in town at all as far as some of the areas of Pleasant Valley could affect some people on Brookside. He stated that he does know that they talked about the shooting range. He stated that would be wiped out as far as this project would go.

Economic Development Director Hyser stated that Mr. Montecalvo might want to address that.

Mr. Montecalvo stated that there was a rifle club that operates on the property under a lease. He stated that the first order of business for them, they haven't done this yet, but the first order of business for them would be to work with them to make sure that their use doesn't conflict at all with this use, and when they use the property and things of that nature. They will have to go through that with them and make sure that it will be strictly adhered to. He stated that if at some point and time those two uses cannot co-exist, then

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they have the opportunity to essentially eliminate that use. He stated that at this point there was no plan to completely eliminate it.

Economic Development Director Hyser stated that if you pull in over here, and you go around the gas well and down a little path, and then over a bridge, the rifle range is right in that area. She showed on the screen.

Chairman Vice Mayor Grendel stated it was the northwest corner.

Economic Development Director Hyser stated that there was a hill and then there was a shanty, for a lack of better terms, with targets on the top of it, and that was the direction of the (inaudible).

Chairman Vice Mayor Grendel asked is that once a week that they do that?

Mayor Kurtz stated it was Sunday mornings.

Ms. Chase asked who do they lease from?

Mr. Montecalvo stated it was the current property owner. He stated that the important thing about this. He stated that obviously they have access through the property, but the important thing about this in their minds was that the activity all occurs on the west side of the creek. He stated that they would not be doing any work on the west side of the creek. He stated that their work will stop, even before they get to the creek. He stated that he will add that there was about a 60 foot elevation difference between the creek bottom, which is where they are, and their building.

Chairman Vice Mayor Grendel stated that they need to make that clear because it was brought up at the last Council meeting. He stated that just so people will allay their fears that it will not affect anybody who will be working at the new project, or affect the people on Hillside. He stated that potentially bullets could go there, and they need to make that clear from a safety standpoint. He stated that they need to make sure that people's fears were taken care of and everything.

He asked if there were any other questions. He asked the Law Director what they would need to get the approval they were seeking.

Law Director O'Brien stated that the parking lot that they would have drawn up, it would be in front of the building.

Mr. Montecalvo agreed.

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The Law Director asked the City Engineer if he would agree that the preliminary site plan substantially would comply with Codified Ordinance 1383 and does not adversely impact the site or any adjacent property owner.

City Engineer Ramm stated that he agreed.

Law Director O'Brien stated that was taken care of. He stated that it would be a motion to approve the preliminary site plan as submitted, subject to approval of the Board of Zoning Appeals as to the height variance request and riparian wetland setback variance.

Chairman Vice Mayor Grendel stated and the steep slope variance.

Law Director O'Brien stated it would be a variance to 1383 Steep Slope Ordinance. That would be the motion for the Planning Commission, and then they will tackle the front of the building separately.

Chairman Vice Mayor Grendel asked for a motion to that effect.

**A motion was made by Joseph Moeller, seconded by Cheryl Chase, to approve the preliminary site plan as submitted, approving a variance to Chapter 1383 of the Steep Slope Ordinance, subject to approval of the Board of Zoning Appeals as to the height variance and also approval by the Board of Zoning Appeals for the riparian wetland setback variance.**

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

**A motion was made by Vice Mayor Grendel, seconded by Cheryl Chase, to approve a variance to 1181.09 to allow off street parking in front of the building and as presented by the preliminary plan.**

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

Chairman Vice Mayor Grendel stated that he believed that was all they needed. He stated that Mr. Montecalvo had brought some pictures of the Twinsburg building. He then proceeded to give them to the Planning Commission members.



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The Chairman thanked Mr. Montecalvo. He stated that hopefully the project will get off the ground soon. He asked the Mayor if there was anything else.

Economic Development Director Hyser stated that there were a couple of things that they wanted to talk to the Planning Commission about, and one was McDonald's. She stated that this will be more of a preliminary discussion. She stated that they were up against a timeframe, so they wanted to have an initial discussion about some modifications that they wanted to do with their drive-thru and get the Planning Commission's opinion prior to the October meeting. She stated that one of the time commitments was they have a special program with some of their franchisees to upgrade their drive-thrus. She stated that the project would need to be completed by the end of the year, which was why they were trying to expedite the process for them.

She stated that they have some folks from McDonalds here, Todd Sorg is here. She stated that he was from the corporate office, and she wanted to give him an opportunity to explain what they were trying to do and get the Commission's opinion on the modification so that some recommendations can be made before the October meeting.

Mr. Sorg, Real Estate Portfolio Manager for McDonalds Corporation stated that he was in charge of this region which would encompass all of Ohio and a few other states. He stated that the Economic Development Director gave a pretty good synopsis, and he met with the team last week, and pretty much their goal was because of some internal and external deadlines that they were up against, they have agreed to cooperate and help us out to try to expedite the process. So, that was one of the reasons for coming to the meeting today to show the Commission some of the preliminary plans, some of the things that they already commented on and that they have changed from what their as-built condition currently was to the side-by-side drive-thru that we want to add to the program.

Mr. Sorg stated that there were basically three areas that he would comment on. One was the Rockside Road entrance and curb cut. He stated that they would like to have that softened. He stated that the other was parking. He stated that with the side by side drive-thru that they were going to put up, they would need to adjust some parking and ask for a site variance, and then also there was a question about some landscaping. He stated that the other members he has with him here today are pretty much their experts in some of those areas. They can talk about the daily operational use with the parking lot, how many spaces were normally being used on a daily basis, and the safety aspect with what they were proposing to eliminate some parking spots. He stated that there was a safety issue not only with the on site employees taking orders out to people's cars that were pulling in spots; but also if there is an emergency vehicle that need to come by, they need to have a bypass lane around the building for fire or an ambulance. He stated that was why they were needing to eliminate certain parking spots, but with the way they designed it, if you would look at from the as-built right now to their side by side, they were only asking for a variance of 7 parking spots. So, 6 of them would be in the back of the building and one

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was actually up front at the curb cut where the City would like them to soften that landscape island a bit.

He stated that they have been working with the City, with their comments that were given so far. He stated that the one he would like to address was the Rockside entrance that he knows that Don has talked with Bob. He stated that the City had given Bob a width of 30 feet to widen and soften it, and the last few years they did a remodel project there, and they adjusted the curb, moving the parking lot lights, and now with the 30 feet that the City was asking them to move it, what they were trying to do, he had Tim Miracle who was their civil engineer, he asked if there was any way they could soften that curb enough to where they could get what the City would want to accomplish by doing that, but not have to move that parking lot pole again. He stated that they came up with the submitted design, and it was 28 feet across rather than 30 feet. So, they were hoping that they would consider that 2 feet if it would work for them so that they do not have to move the light pole that they just moved.

Mayor Kurtz asked if Mr. Sorg was talking about Rockside Road? He stated that it would be the northeast corner, and that was where you were changing the radius of the turns to make it soft. He stated that it was a sharp 90 when someone was trying to get out that way, and they end up stopping and being very careful about getting in and out. He stated that the thought was that if they would soften that turn, the radius, and make it a little more flexible for people coming in, they will be able to get in faster and more safely. He stated that what Mr. Sorg was saying was that the City requested 30 feet.

Several people began speaking at once again.

Mr. Sorg stated that the actual softening would be more important than the actual width.

Several people began speaking at once again.

Mr. Sorg stated that the other thing they wanted to address. He asked if someone could zoom in on that Rockside portion. He stated that you can see the dash line which was the existing radius, and the other was the new proposed radius. He stated that it would encompass one parking spot to help soften that up.

He stated that right now with the 30 feet, it would be that curb for that landscape aisle would be right on the right.

Mayor Kurtz stated that he mentioned to the City Engineer, and he stated that he relies on the professionals. He stated that they have to get their customers in and get them satisfied and get them out. He stated that they just have to deal with the fallout from this problem. He stated that the thought was to get people in more safely, more quickly, and

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it looks to him like they have accomplished a great deal, and it would satisfy their experience. He asked if it would work.

Several people began speaking at once again.

One of the McDonalds representatives stated that doing that you will eliminate any backup on the road. He stated that originally when you came in and someone was coming out, you can't make that turn, so it would be tight. He stated that the way it was drawn out, there was so much room where a car could wrap around. So, there should be no issue with the cars coming in, and they will not have the backup on the road because that would be dangerous. He stated that he thought that would be a world of difference.

Mayor Kurtz replied good.

Mr. Sorg stated that was the one main issue he thought from the City's standpoint that needed to be address. He stated that the other two issues were, one the landscaping along the Brecksville Road side. He stated that there were a lot of mature trees, and with them adding the side by side drive-thru that they also have to push their parking spaces out into the landscape area. He stated that they gave that to their civil engineer and what they did on the print there, they put contours on showing that a retaining wall would not be necessary. You would be able to slope and grade that landscaping area without having to remove any trees, without having to go through the expense of putting a retaining wall in and being able to pretty much keep it as is other than moving the parking spaces out.

He stated that the last point was the parking lot itself and the number of spaces. Right now per code, the requirement was 95 spaces, and with the proposals to eliminate the spaces up front, create that additional bypass lane and then the elimination of the spaces in the back to add onto that outside drive-thru lane, it would basically be a total of 88 spaces that they were looking at. He stated that it would be a variance of 7 parking spaces.

Building Official Gero stated that he didn't want to contradict or challenge Mr. Sorg, but he stated that as far as the parking goes, he stated that he had something from the 1970s or 1989 when it was originally built, and that time the calculations for the required parking was 118 spaces, and an 11 space variance was granted at that time by the Planning Commission. He stated that the most recent drawing that he saw, there were 88 spaces on there, which would require an additional variance of 19 spaces.

Mr. Sorg asked what the calculations of the old one was because he took the square footage of the building minus the 20% of storage that you could take off, that was where he got the 95 from.

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Building Official Gero stated that he didn't have the square footage numbers, but the original site plan had 107 spaces on it, and there was an 11 space variance granted. So, that 118 spaces, he didn't know if they figured the full 20% or not.

Several people began speaking at once again.

Building Official Gero stated that there was some calculation for that, but he didn't know if it was the full 20% or not.

Mr. Sorg stated that they could double check it, but both he and civil engineer both got 95. He stated that he was basing it off the building, and Mr. Sorg was basing it off the actual plans. He stated that he was pretty confident with the 95.

Building Official Gero stated that he had to go on what was approved, what was granted, what was presented and approved at the time of the presentation. He stated that right now today, anything less than the 107 which was originally provided, he would have to say that they were deficient based upon the information that he has. He stated that he was not faulting Mr. Sorg or challenging him or anything like that. He was just saying that Mr. Sorg needed to ask for a little higher variance.

Mr. Sorg asked if that was something that would be feasible because if not (inaudible).

Building Official Gero stated that he looked at that, he was not on the Planning Commission, he only provides information to them to make their decision, but based upon what he saw and what was actually working, he doesn't see that there really would be an issue. He stated that it was just a technicality.

Mr. Sorg stated that was why he wanted to double check.

Chairman Vice Mayor Grendel stated that since post-pandemic, it would seem like the people who go into the restaurant, there are very few of them.

The representative stated that they were seeing a lot more drive-thru, and also he has been working there since 1998 or so, they never had an issue where they were fully staffed so much so where they would need every seat and every parking space. He stated that he has not seen that.

Chairman Vice Mayor Grendel stated that was the same here.

The representative stated that when they do the double drive-thru, the drive-thru will increase, and there will be even less of a need for the parking because more people will be able to get in and get through in a faster and safer way. He stated that he believed the

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usage would even diminish the people coming in, and they wouldn't need as many as they have now. He stated that as was mentioned, the (inaudible) on Rockside would be really crucial because when that line would back up, you could still get emergency vehicles in. He stated that was really a safety precaution and really makes a difference. He stated that also in front of the building there were the two spots that would make it when you have to take an order out, you don't have to cross lane traffic which would make it safer for the employees.

He stated that he also understands that based on the actual square footage with 20% allowed, they know there was more than 20%. He stated it might be a little high, but he has never seen that they needed all the spots. He could tell them that from experience, and he does know post-pandemic it would be more drive-thru. He stated that their drive-thru percent has currently gone to 80%, and you also have to factor in delivery and things which would be all off-site.

Mayor Kurtz asked if there was a lot of delivery?

The representative stated that he would have thought it would have been a much higher delivery area, and it was not one of their highest restaurants; but it was slowly gaining momentum. He stated that he thought with the hotels and everything it would be a lot more, but it was gradually increasing for all of their stores and expected to be even a bigger portion of the business.

Mr. Gutermuth stated that he thought everyone would want to see the beauty of the location of the City's legendary White House McDonalds, and that was why everyone was going there.

The representative stated that they appreciate that.

Chairman Vice Mayor Grendel stated that people come from out of town, Canada and everything and are taking pictures.

Several people began speaking at once again.

Ms. Chase stated that one of the biggest reasons that she avoids that location was people cut in line as they pull in off of (inaudible). She stated that they do not zip around. She asked if there was a way to build that in so people could not just pull in and go right.

Several people began speaking at once again.

Mr. Sorg stated that they would try that. He referred to the rendering showing how they were going to try to eliminate that.

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Ms. Chase stated that to their point regarding the drive-thru, she stated that she purposely parks and go in because she believes that she would be quicker if she would go in versus if the lines were shorter.

Several people began speaking at once again.

Chairman Vice Mayor Grendel stated that he remembered he was at the grand opening, and they had the biggest shrimp. He stated that the food they had was gourmet food. He stated that it was one of the grandest openings that he had ever gone to.

Mayor Kurtz stated that he thought they would have another when they open this.

Several people began speaking at once again.

Chairman Vice Mayor Grendel asked if you could still dine upstairs because every time he has gone there, it was closed.

The representative stated that they had plans to re-open it soon.

Several people began speaking at once again.

Mayor Kurtz asked how was it getting employees.

The representative stated that it was a challenge, and it was not even getting them, but getting them to show up.

Mayor Kurtz asked if he could ask one more question. He stated that whenever he was at Rockside and 21, his phone, he asked if anyone else's phone would adapt to McDonalds wifi?

Several people began speaking at once again.

Economic Development Director Hyser stated that one of the things they asked them to look at was the intersection of Brecksville Road and the drive that had access to the other side of Brecksville Road. She stated that there was a left turn and a straight and a right turn. To improve traffic flow in that area, they were looking to see if they could get a left turn, straight and a separate right turn only, and that would have to mirror what was on the other side of the road. She stated that they have asked McDonalds if they would be willing to partner and participate financially in making that a reality. She stated that they were still working with the partners on the other side to see if they could get them to participate in that project. She stated that from the discussions that they had with Engineer Ramm, it looks like there would be more impact on the western side of

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Brecksville Road than on the eastern side. She did want to make sure that they brought that up as one of the discussion items that they discussed with them.

Chairman Vice Mayor Grendel asked were you talking about having four lanes?

Mayor Kurtz stated that it would have to be four lanes, that was the only way he could support that. He stated that he didn't want to throw a damper on everyone.

Several people began speaking at once again.

Mayor Kurtz stated that it would create more of a chaos there.

The representative stated that he was running into the exact same issue in Cincinnati with the same thing. It was a straight right, and you get one person who wants to go across, and everybody else wants to turn right to get back out onto I-71. He stated that it backs the whole drive up.

Chairman Vice Mayor Grendel stated that you see more and more cars going straight.

Mayor Kurtz stated that was why they ask if they could seriously consider working with the City through this process. He stated that he knows that it would be a lot to ask, but realistically it was a lot to ask when they got approved in 1988. The City approved it, and they came through with a lot of architectural design, and he thinks it has made a statement. They want to continue that same relationship with McDonalds, but they also want to make it flow as best as they can for traffic.

Mr. Sorg stated that they agree. He stated that in their discussions at their meeting the other day, he thinks that McDonalds would be willing once they get the plans and costs and things like that. He stated that the only concern he had and that he voiced was, you could see where their property line ends which would be to the left right there.

Mayor Kurtz stated that he was sure there were cross easements, and he was sure there was cross responsibilities in terms of this.

Mr. Sorg stated that they have an access easement across, but they can't tell. He stated that they can't tell them what McDonalds has agreed to, you have to agree to. He stated that was basically their property.

Mayor Kurtz stated that he thought it was the bank's.

Mr. Sorg stated that he thought it was the daycare.

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The representative stated that on the other side their property would come in about 20 or 30 feet, so they own the Rockside entrance.

Mayor Kurtz asked if it would be PNC's responsibility?

Building Official Gero stated that he wasn't sure. He stated that they must have some easements.

Mayor Kurtz asked the representative of McDonalds if he could provide them with copies of the easements because the matter will not get traction unless they can work that out. He stated that the City wants to work with everyone. He stated that was a critical component of success for both McDonalds and the community.

The representative stated that he agreed, and like he stated, if it was opposite and they owned that entrance and the daycare owned this one, they would have a little more control over it, but since they were kind of outside that area, and they can participate and work with the City on that; but they can't tell the daycare what they can or can't do with their property.

Mayor Kurtz stated that the City was there to support them on that one, and they will also find out what role PNC has to play because they contribute to the issue.

The representative stated that he could find the easements that they have in their file, and he will send them over.

Mayor Kurtz stated that would be fantastic. He stated that they will try and get this expedited.

The representative stated that was the main point for tonight to try to answer and eliminate all the questions because we want to get the application deadline on the 23<sup>rd</sup> to be able to come to the Commission meeting and have it voted on in and approved so that then they could get their plans submitted and get them approved before the asphalt plants close.

Economic Development Director Hyser stated that was why they came in to talk to the Planning Commission tonight to make sure if there were any questions that they could be answered.

Mayor Kurtz stated thank you for taking the time and for adapting and being willing to participate because they see it as an opportunity, not only for McDonalds to grow and continue to be a great corporate citizen, but also for the City to participate and make sure that they could leverage the situation in terms of traffic management to support their needs as well as the neighbors and everyone else in the neighborhood.



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The representative stated that he wanted to be clear in talking with the Building Official on the variance. He asked if he wanted them to apply for a larger variance, or look at what the current code says based upon.

Building Official Gero stated that what he would be looking at was the approval when it was built, and the variance that was granted then. He stated that the building hasn't changed, the lot lines haven't changed; so it would be a matter of getting the additional variance to grant the spaces on top of the other one. He stated that this way they could be legally conforming. He stated that they deal with it all the time with zoning request letters, they were short three parking spaces, were they legal or not, and all that stuff.

He stated that 107 was originally provided on the site plan that he has.

Mr. Sorg asked if that was with the variance for 11?

Building Official Gero stated it was a variance of 11.

The representative stated that it would be a total of 30 right. He stated that the total variance would be 30.

The Building Official replied yes.

Mayor Kurtz asked if they knew what the size of the spaces were.

Mr. Sorg stated that they were 9' x 20' on the one side. He stated that the ones on Brecksville were 9' x 18' but they were angled stalls, but it has to do with where the car tire hits versus the curbing. He stated that if you look at the rendering, right below the entrance coming off of Rockside, you could see where it would be 20 feet to the back of curb, so that is where the tire rolls up and goes over; but they could skinny up the curb on Brecksville so it was 9' x 18' on Brecksville, and that was with the angled parking. It was actually a little more than that when you talk about the actual square footage of the parking stall.

Economic Development Director Hyser stated that they measured them when they were out there last week, and she believed they were 9' x 21'.

Several people began speaking at once again.

Mr. Sorg stated that the new ones would be shorter. He asked if the measurement she took was to curb?

Economic Development Director Hyser stated that it was to the curb.

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Building Official Gero stated that was on the back side, south of the lot.

Mr. Sorg stated that the only ones that were coming in were the ones on Brecksville where they have them at 9' x 18' to the base of curb. So, that was not the overhang.

Mayor Kurtz stated that he understood about going over. He stated that they would be asking for a variance from that too.

City Engineer Ramm stated the code was 9'x 20'.

Mr. Sorg asked if it was base of curb.

Several people began speaking at once again.

Mr. Sorg stated that they have a floating curb, and it was open end, and that would come into the parking stall actually a couple of feet, but the stall itself was actually bigger, so the measurement could go to the front of that or to the full striped area because the car itself was not 20'.

Mayor Kurtz stated that they were talking about the ones along Brecksville Road where they were trying to save the trees.

Mr. Sorg stated that he wanted to make sure if that was specifically how it was worded, then they would need to ask for a variance on that. He stated that he didn't think there was any way they could really get around, they can't go out to Brecksville.

Mr. Gutermuth stated that he thought the good section is a square foot, they have had that discussion before. He stated that he thought it was 180 or something, correct him if he was wrong. He stated that he thinks they have had that discussion before at past meetings with other applicants.

Mr. Sorg stated that then they would probably need to ask for a variance as well. All the ones (inaudible) will remain. He stated that he has not seen an existing survey, but that is what it said on the rendering, and they were existing and permitted so he would have to assume they were within code.

Mayor Kurtz stated that distance between the lanes for service and the parking spaces, would that mirror what they have today? Would it be 21 feet? He asked if the existing was 21 feet?

Mr. Sorg stated that he didn't know if the existing was.

Mayor Kurtz stated that he thinks that would be an important factor.

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Ms. Chase stated that was a good question.

Mayor Kurtz stated that there were all kind of different size vehicles going through there.

Mr. Sorg stated that he agreed with that.

Several people began speaking at once again.

Mr. Sorg stated that most of them were 20'.

Mayor Kurtz asked if they could just check and confirm that they were not shrinking that.

Mr. Sorg asked if there was any concern if that was lower than 20'. He stated that in terms of their delivery trucks they should have no issue, but in terms of fire trucks, usually they were 20', and that would account for fire trucks. He didn't know.

City Engineer Ramm stated that usually it was 21' with the 18' space.

Economic Development Director Hyser stated that the problem was right now, one of the things with Planning Commission, was use see a lot of wider vehicles, trucks for example, that were extra long; and then it would stick out in the aisle.

The representative stated that you have to back out of those spaces.

Mr. Sorg stated typically the bigger vehicles would go horizontally across the parking spaces, so they would pull straight out instead of pulling into a space. He stated that nobody really parks in the corner near the Brecksville Road exit, so big vehicles would just pull up perpendicular to the parking space.

Mayor Kurtz stated that he just mentions it (inaudible).

He thanked the Chairman and the representatives for taking their time.

Mr. Sorg asked if there any other questions or concerns the Commission might have before they make the matter into an application to submit.

Mayor Kurtz stated that again the only reservation he would have would be the access. He stated that they did a nice job listening to the concerns relative to access onto Rockside Road. He stated that they were working through some of them in terms of the parking. He stated that he didn't see a problem with the variance for parking. He stated that it has not been an issue in all the years.

Building Official Gero stated that it was a technicality.

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Mayor Kurtz stated that he appreciated the fact that he did his due diligence.

Mr. Sorg stated that they would have that updated on their submitted.

Mayor Kurtz stated that his biggest concern was the access onto Brecksville Road. He stated that it seemed to be a concern of McDonalds too. He stated that they will do what they have to do to support the modification. He stated that if it would mean bringing everybody to the table to expedite that, it will be critical. He stated that they will get on that tomorrow morning.

Mr. Sorg stated that it sounds great.

Several people began speaking at once again.

Mayor Kurtz stated that he appreciated the entire team coming, and he is sure everyone appreciates that.

The representative stated that he had been there 42 years.

Several people began speaking at once again.

Mayor Kurtz stated that it was the McDonalds that was heard around the world.

Chairman Vice Mayor Grendel stated that was the first fast food restaurant in town.

Mayor Kurtz stated that it took a monumental effort. The previous owner was a good friend of his. He stated that he has a big picture of the McDonalds. He stated that they presented it to him. He stated that he still has it and looks at it every day. It was in his house.

Several people began speaking at once again.

Chairman Vice Mayor Grendel stated that it was holy grail of McDonalds. He stated that they look forward to next month.

Mr. Sorg stated that they will submit the application for next month.

Chairman Vice Mayor Grendel stated that hopefully they can meet with the other owners across the street and work everything out.

He asked if there was anything else for the good of the Commission.

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Economic Development Director Hyser stated that they have something else. She stated that one of the things they wanted to talk about and get the Commission's opinion about was they keep talking about parking space stalls and the size of those stalls. She stated that they have been looking at other communities and what they do with their parking spaces.

She stated that right now the City code was 9' x 20' for parking spaces, but they were wondering if the Planning Commission would be interested in changing those sizes that there are a little bit more room. She stated that the reason again was that they were seeing a lot of larger vehicles on the roads, the Ford 150s, and they were the most popular vehicles that were being sold. She stated that she wondered how the Commission felt about the moving the parking stall size from 9' x 20' to 10' x 20' to give a little extra room. She stated that the concern of course, as they work on some of the projects with limited area; so if they do increase the size, it might be a Planning Commission decision that they could grant a variance for those smaller parking sizes; but it would be more difficult to ask for them to increase that size. She stated that she wanted to get the Commission's opinion on whether or not if that was something they were interested in doing. She stated that they would talk to the Law Department about making those changes.

Chairman Vice Mayor Grendel stated that the Economic Development Director stated that in other communities that seems to be the trend.

Economic Development Director Hyser stated that they looked at some of them. Green would be 10' x 20'. Hudson was 9' x 20'. Beachwood's would be 120 square feet, which is the same as they have here in Independence.

Mr. Gutermuth asked if they would also want to reduce the number of spots per square foot at the same time that they would increase the spaces because they were already having so many people come through asking for a variance on size in order to try to comply with the number of spaces. He asked if that would be something else they could consider?

Economic Development Director Hyser replied yes. She stated that she thought they were trying to make some incremental changes, and then perhaps they can look at an overall review of the Zoning Code which they would make obviously more substantial changes such as reducing or adjusting the number of spaces required per square foot along with many other changes.

Ms. Chase stated that she thought they would go hand-in-hand because to Bill's point, she has been on the Commission a little over a year, and it seemed like most of the meetings they were talking about allowing fewer spaces, and the feedback that they hear

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a lot of times is Independence requires a lot relative to other communities. She asked if they had any sense of that data?

Economic Development Director Hyser stated that they didn't look at that in this exercise; again, because she thinks the bigger issue is spending some significant time updating the entire Zoning Code which would adjust for that. She stated that she thought they needed some expert advice in terms of best practices around the State of Ohio and the country that they don't have. She stated that they weren't prepared for that right now.

Mayor Kurtz stated that what he heard her saying was it would be easier for them if they had 10' x 20' like some of the other communities, and then they would be in the position of granting variances and supporting those that they feel that are legitimate.

Economic Development Director Hyser stated that have a hardship in that area.

Mayor Kurtz stated that like the one developer, 9' x 20', 9' x 18'. He stated that 9' compared to 10', he thinks it is huge himself.

Economic Development Director Hyser stated that she has gone through the baby carrier phase, and even at the Civic Center; you cannot open a car door and get a kid out in an infant carrier. She stated that she wasn't talking about driving ridiculously sized vehicles. They were talking about SUVs.

Mayor Kurtz asked what was the thought of the Commission? She stated that she was asking the Commission if they would consider on a first phase, first step.

Economic Development Director Hyser stated that the first step would be widening the parking stall.

Mayor Kurtz stated from 9' to 10'.

Economic Development Director Hyser replied correct.

Chairman Vice Mayor Grendel stated that like Mr. Gutermuth stated about the requirement of how many spaces, that would be a little bit out of touch, depending.

Mr. Gutermuth stated that he would like to make them bigger, and then they could come and get the Commission's approval, but he knows that he is a little bit of a biased party he thinks on that one.

Mayor Kurtz stated that she agreed with him.

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Chairman Vice Mayor Grendel stated that things were different now, when they first built the McDonalds a lot of people went in to eat, and now they don't really go in.

Mayor Kurtz stated that if they do 10' x 20', they could see what the hardship is, see what the dynamic is in terms of the intended use and how it adapts to the community, rather than like the one said, they were 9' x 20'. They would want 10' x 20', but the code stated something different. He stated that if they would be unanimous, they would need to go to Council. He stated that also.

Mr. Moeller stated that he thought it made a lot of sense.

Ms. Chase stated that the other thing it would give them would be the luxury of (inaudible) for moderate size cars only, but one of the attractive features of Independence; and she has said this before. She lives in Independence, but she lives right near Brecksville. She stated that she goes there a lot to the Heinen's parking lot. She always asks who designed it? You go to Marc's or Heinen's, and you can't even open the car door. She stated that there are moments that she says she will just go north because it was a much more luxurious convenient experience, and she doesn't think her car will get banged up.

Chairman Vice Mayor Grendel stated that at his office, sometimes she has to call Dr. Skuza because he can't get out the door because of someone parking there, or can't get in.

Mayor Kurtz stated that the Economic Development Director was asking the Planning Commission if they could recommend in the form of a motion, and then the Law Director could put that together in some legislation.

Chairman Vice Mayor Grendel stated that if they would attack both issues, the parking requirement and the space requirement, maybe do both at the same time.

Law Director O'Brien stated that he was sure they have somebody in mind, an expert with regard to parking. He stated that he was sure there were some engineering books, recommended parking spaces. He stated that it was such a small chapter, he thinks they could hit them both at the same time.

Ms. Chase stated it would be the space size and ratio.

Several people began speaking at once again.

Mayor Kurtz stated that the Planning Commission would support the 10' x 20', so he wanted to get that going. He stated that if they could blend the other one in, great, get some data.

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Economic Development Director Hyser stated that they were trying to do it so that as projects continue to come, they have this on the books already versus waiting to get some of the other information.

Mayor Kurtz asked if there was a Public Hearing required to pass the 10' x 20'?

Law Director O'Brien replied yes.

The Mayor stated that they have to set a Public Hearing. He asked if they could have it on First Reading next week, set the Public Hearing and then pass it in October?

Law Director O'Brien replied yes.

The Mayor stated that the Planning Commission should make a recommendation to Council.

Law Director O'Brien replied yes because that would require less Council members to be supportive.

Chairman Vice Mayor Grendel asked can we do both at the same time?

Law Director O'Brien stated that other was a more robust investigation. They would like to make this change now for any future development that may or may not be coming.

Several people began speaking at once.

Mayor Kurtz stated that the Planning Commission is in sync on that, and they could have a piece of legislation drawn up, it would be simple. He stated that they could put it on First Reading and also set a Public Hearing so that Council could pass that in October.

Economic Development Director Hyser stated that would be great.

Mayor Kurtz stated that then they continue to research the other one, the ratio.

Chairman Vice Mayor Grendel agreed.

Mayor Kurtz stated that he thinks the narrative will reflect.

Law Director O'Brien stated that it would be a recommendation to City Council recommending the change to 1181 to amend the parking spaces to 10' x 20'.

**A motion was made by Chairman Vice Mayor Grendel, seconded by Cheryl Chase, to make that recommendation to City Council.**



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

Chairman Vice Mayor Grendel asked if there was anything else.

Economic Development Director Hyser stated that they talked about the steep slope stuff.

Mayor Kurtz stated that they will get that one going.

Several people began speaking at once again.

Mayor Kurtz asked if there was anything else. There was nothing else.

Chairman Vice Mayor Grendel stated that he thought they were ready to entertain a motion to adjourn.

**A motion was made by Joseph Moeller, seconded by Chairman Vice Mayor Grendel, to adjourn the September 6, 2022, Planning Commission meeting.**

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

**There being no further business, the Planning Commission meeting of September 6, 2022 was adjourned at 7:06 p.m.**

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**Chairman Vice Mayor Dave Grendel**

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**Debi Beal, Planning Commission Clerk**  
Minutes Unapproved at Time of Release 09/08/22