

**MINUTES OF A REGULAR MEETING
OF THE PLANNING COMMISSION
CITY OF INDEPENDENCE, OHIO
October 5, 2021
Held Virtually Via Zoom**

Chairman Lytkowski called the meeting to order at 5:35 p.m. October 5, 2021 and the following responded to Roll Call:

PRESENT: Chairman Dale Lytkowski
Mayor Gregory P. Kurtz
Vice Mayor David Grendel
Cheryl Chase
William Gutermuth

OTHERS

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

Old Business:

Approval of Minutes of the Planning Commission meeting held on September 7, 2021.

New Business:

- 1. Rockside Woods Blvd., PPN 561-24-023, Saucy Brew Works** – Requesting preliminary plan approval of site plan and all necessary variances.
- 2. Rockside Woods Blvd., PPN 561-25-017, Project Visibility, CBIZ** – Approval of site plan, parking and multi-tenant office building.

Chairman Lytkowski stated that they also had the Regular Meeting of the Planning Commission meeting held on September 5, 2021. He asked if there were any additions or corrections to those Minutes. If not, he would entertain a motion.

A motion was made by Vice Mayor Grendel, seconded by William Gutermuth, to approve the Minutes of the Regular Meeting of the Planning Commission meeting held on September 5, 2021.

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

Rockside Woods Blvd., PPN 561-24-023, Saucy Brew Works – Eric Anderson, Brent Zimmerman, David Maison and Todd Sciano were all in attendance on behalf of Saucy Brew Works.

Chairman Lytkowski asked the applicants to give an update on the project.

Mr. Zimmerman stated that they revised the plans. They made the building smaller, and it also reduced their parking loads slightly and gave them significantly more area to work with.

He stated that the second thing they did is that they made improvements to the site plan in general, including more landscaping, including some area for above ground retention and they have established more clearly defined pedestrian movement from the parking to the building. They have added an outdoor space outside of the main brewery hall and included a stage for some outdoor acoustic performances to occur. He stated that they have improved the expanse of the outdoor area and improved the site plan. Simultaneously they have been working to negotiate an off-site shared parking arrangement; and again, in modifications and developments of the site plan, provided better access for folks parking across the street and coming onto the property.

He stated that those were the big differences. He stated that the drive-thru function will still remain; and it was being proposed as it was before.

Chairman Lytkowski asked what about the playground for the children.

Mr. Zimmerman stated that was along the northeastern corner. That would wrap around the corner of the outdoor area.

The Chairman asked Mr. Zimmerman if they took away 10,000 square feet of production, could they still operate it with less than 10,000 feet taken away?

Mr. Zimmerman stated that it was going to be a different kind of function. He stated that they were going to do some interesting and innovative sour beers. He stated that if he would like a little bit of a description of that, Eric Anderson could describe it to the Planning Commission. He stated that it would not require as much square footage to do this kind of unique process and provide this unique product. He stated that they have been able to do that in about 3,000 square feet as opposed to the 13,000 square feet that they had before. He stated that the manufacturing was getting added to their building downtown, and then they will be soured in barrels of different sorts, and Eric could get as

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geeky as they would want on the different sorts.

He stated that you could almost think of it as a winery. You would have big wooden (inaudible) and stuff like that displaying beer that would be being aged.

Mr. Anderson stated that they took the 10,000 square feet and kind of condensed it down to 3,000. What was really cool about it for him was really like more of a passion project. He stated that they should picture like a California or more of an Italian winery, big, open and natural warm, inviting feel; and it would have this very wooden natural feel. He stated that they would be doing big wood tanks that would sour beer over a long period of time. He stated that they kind of nicknamed it the “waiting room” because this beer will take a lot of time. It will be a much more calm, cozy and inviting feel to it rather than kind of more abrupt sharp stainless, more of a warm wooden feel. They changed the idea, and it will add a different product line to their beer that they don’t have now. They don’t have room for it now; so it would be a really cool use for the space. He thinks that they are all excited about this. It will be really cool.

Mr. Anderson wanted to add one last thing. He stated that he knows that there were four breweries in the country doing this, it was not something that everybody could do, and it was something he always wanted to do; and they decided to do it in Independence where he just moved last year. He stated that was his parting shot.

Chairman Lytkowski stated that he had a couple of more questions before he would turn it over. He stated that they will take the 10,000 foot (inaudible).

The Chairman stated out of curiosity.

Mr. Zimmerman asked if the Chairman asked what capacity would be.

The Chairman agreed. He stated that they were taking the 10,000 feet, and they were moving it to the other warehouse, the facility on Detroit. He asked if that was correct.

Mr. Zimmerman stated it wouldn’t be the square footage but the brewing capacity would be used to use the 50% capacity at the brew house that they already have. He stated that they were only turning on the brew house in Ohio City about 50% of the time. He stated that it would make sense to use that.

He stated that the shift was because they didn’t have the opportunity, they separately own the building, but they had a tenant in the remainder of the building that since the project started came to them and asked if they would take over their square footage. He stated that it worked perfectly for them. He stated that in the meantime they saved probably \$8,000,000 between building and equipment, and it would be right next door that they could hook in and get all the capacity of their original brew house. He stated that it

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would make for a really beautiful space in the Independence location.

Chairman Lytkowski asked if they had entered into an agreement with the City on the overflow parking at this point.

Mr. Zimmerman stated that they were waiting to see an agreement. He stated that they had verbally talked about an agreement, but they have not seen a physical document. They have talked about an agreement.

Economic Development Director Hyser stated that the Law Department will be drafting that.

Chairman Lytkowski replied thank you.

Mayor Kurtz asked Economic Development Director Hyser if they have reached an agreement in principle.

Economic Development Director Hyser stated that they had.

Chairman Lytkowski stated that was good to hear.

He asked if the Architectural Board looked at the revised plans.

Mr. Maison stated that the process was explained to them that they should come before the Planning Commission first and then they would go work with the ARB once they were approved.

Chairman Lytkowski stated that they agree on that.

The Chairman asked Ms. Chase if she had any questions.

Ms. Chase stated that she had two. She stated that she was new to the Planning Commission so she wasn't there for the prior presentations. She asked whoever was in charge of the screen share, she thought one of the first screens she saw was where this would fall on the road, on Rockside Woods. She asked if it was possible to pull that back up again? She stated that she was oriented, and she did not have any questions. She was just trying to get a sense of where the property was and who the neighbors were.

Vice Mayor Grendel stated that he had some questions. He asked how many additional parking spots were created with the smaller size footprint?

Mr. Maison stated that it would be approximately 50. He stated that they went from about 156 and they were right around 200 now. He stated that Mr. Sciano showed a

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handful few than he did, but they were right around 195 to 205. He stated that they would be somewhere in that range. He stated that he was comfortable with going with Mr. Sciano's lower estimate at this point, but they picked up about 45 to 50 spaces.

Vice Mayor Grendel asked if they would still have the event center.

Mr. Maison stated that they were, and they have included that capacity in their calculations.

Vice Mayor Grendel stated that they may have some entertainment outside on some summer evenings. He asked if that would be north or northeast of the building?

Mr. Maison stated that was right.

Vice Mayor Grendel stated that he was excited with the amenities that they brought in. He stated that he thought bocce ball courts and pickle ball courts, and there would be room for the kids and everything. He stated that people will go there for a number of different kinds of things besides their food and beer. He stated that they will have entertainment and everything. He stated that it was exciting, and the building was beautiful.

Mr. Maison replied thank you. He stated that it should be a very fun place for folks to hang out.

Vice Mayor Grendel stated that he was sure, and with the project that would be right across the street, there will be plenty of people who will enjoy it. It will be right there close by after work to come over. He stated that it will be fantastic. He stated that he had a number of residents who have been asking about this project. He stated that their project has been the one that they have been excited about for years.

Mr. Maison stated that was good.

Ms. Chase stated that her 22 year-old came home the other day, and he had just moved out; and he stated that he found this place it was called Saucy Brew Works. She told him that he would be happy to know that they will be coming to Independence. He was very pleased.

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

Mr. Maison stated that they would be 9' x 18'.

Vice Mayor Grendel asked if there would be any office here or had it gone by the wayside.

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Mr. Zimmerman stated that there still was an office component, it will be a little smaller; but they have 2 spaces that will accommodate 6 to 8 employees.

Vice Mayor Grendel asked if they would be shipping their product from here, the new product that they mentioned that will be created, would it be shipped from here for other locations.

Mr. Anderson stated that the process was a little bit different so they will have to bring the beer to Independence, sour it there between 6 and 18 months, package it there, and then it will be shipped to all their different locations. He stated that it will be a hands-on craftsman project for them. He stated that they will be able to view all the different processes within the facility. It will be very, very hands on. He thinks they will be pleased with it.

Vice Mayor Grendel replied very good, thank you.

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

Mr. Gutermuth stated going back to the offices again, he stated that at one point they talked about a second story office space potentially having tours and things. He stated that he was curious for them to speak to more of the second level and some of the tours that they talked about before, obviously less equipment. He asked if it was safe to say that they were not really intending on doing that anymore as well?

Mr. Zimmerman stated that from a tour standpoint, there will still be tours. He stated that it will be a little bit different. They won't be seeing stainless and brewing operations so to speak; but they will be seeing oak barrels, foudres which were really big oak tanks, puncheons which are kind of oversized oak tanks, and then they will also be bringing in concrete to age their beer. He stated that if they could picture a 15 foot tall concrete black egg. They will have a lot of different tanks to age the sour beers in. People will be seeing all of those on the tour, and they will have a hot room to age the beer in, to condition it to carbonate; and then a beautiful handmade glass and kind of copper and steel cooler to age the sour beer in. He stated that the tour will be kind of a little bit different, kind of all kind of cool interesting stuff. He stated that there will be tours, but they will be a little bit different.

Mr. Gutermuth stated that he liked the sour beers.

He asked what about the office space. He asked what the second story would look like. He stated it was in the drawings, but he wanted a better idea of what they would have going on with the second floor. He stated that they mentioned 2 office spaces with a handful of employees. He asked if that was the only thing they envision?

Mr. Zimmerman stated that other than the event space that was on the second floor, the

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balance would be office. He stated that there was a small upper level bar that would be to the north; but to the south of the building, where the offices were before, but it was a very different shaped building, at least the balance out side of the brew hall space will be different. He stated that they would be to the south above retail and above some of the entry space that would be off the part there facing Rockside. He stated that looking in the upper right, the 2 long rectangles would be office space.

Mr. Gutermuth asked if they were considering it to be the Saucy headquarters? He asked if it would be administrative staff or who would be occupying the office space?

Mr. Zimmerman stated that it would not be Saucy headquarters. They will remain downtown in Ohio City. He stated that the General Managers and the staff there. He stated that he may be there from time to time.

Mr. Zimmerman stated that they would have their own capability to come back and forth; so their marketing folks travel all the time. Their graphics people travel all the time to all the locations from a content creation perspective. He stated that if Matt from an operations perspective has to spend a day there to do inventory and things like that. He stated that if any of them would want to spend time there, they will have an open type bull pit where they can all walk in, do some work and so on and so forth. It would be a home away from home so to speak.

Mr. Gutermuth stated that he wanted them to talk to him about the estimated employees that they will have working there. He was thinking the weekend would be the highest number. He asked what they were thinking in terms of estimate number.

Mr. Zimmerman stated that across both spaces with restaurant events, it would be likely 50 full-time employees.

Mr. Gutermuth stated that he thinks he is pretty happy with it. He stated that it has taken them a long time to get to this point, longer than he would have liked; but he thinks that all the work was worthwhile. He stated that he thinks it will be a good project, and he thanked them for coming to the City. He stated that he thinks he will be able to enjoy this too and have a nice short commute to work. He stated that he was good.

Mr. Zimmerman stated to everyone thanks for being patient. He stated that they have a beautiful building that David took a long time to redesign; and he stated that he thought it was really gorgeous. He stated that they need to get Mr. Maison off their payroll.

He stated that they were happy with it, and it gave them more time to find the sour project. He stated that they were happy with it as well.

Chairman Lytkowski stated that he had a question before he asked the Mayor to speak.

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He stated that tonight they were looking for preliminary plan approval, site plan approval and all the variances. He asked what variances did they need.

Mr. Zimmerman stated that parking was the only variance that they think they know of. He stated that they have a solution to solve that. They were just waiting for the City's legal team. He stated that he didn't know of any other variances they would need.

Law Director O'Brien stated to clarify. He stated that the parking variance that they were speaking about was that they were reducing the City's standard parking space which as they know was 180 square feet, 9' x 20'; and throughout the entire site they were reducing it to 9' x 19'.

Mr. Maison stated that he misspoke. They were 9' x 20' on the spaces with a 24' drive aisle.

Law Director O'Brien stated that on the preliminary plan the parking was 9' x 19'. He was looking at it right now.

Mr. Sciano stated that it was 9' x 19'.

Mr. Maison stated to forgive him for the interruption.

Law Director O'Brien stated that there were no worries. It was an interactive process.

He stated that Number 2 was the number, and albeit there was a verbal agreement as to the lease; but without that leased area, and Saucy entering into the lease agreement, the applicant was showing approximately 191 spaces and depending on a conservative or liberal calculation. He just wanted to go very conservative, based upon their use, they would need 247 parking spaces. He stated that Mr. Anderson was the principal.

Mr. Anderson stated that he was just the one who started the meeting.

Law Director O'Brien asked who in the room will speak for the ownership of Saucy Brew Works.

Mr. Zimmerman stated that he or any of them could.

Law Director O'Brien stated that they will agree that the leased parking lot with the City would be integral to the use of the property. He asked if that was correct.

Mr. Zimmerman stated that was a loaded question.

Law Director O'Brien stated that it was intended to be because they were asking for a

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substantial variance.

Mr. Zimmerman stated that they have agreed with Jessica and the Mayor to enter into a lease for whatever they would be deficient for.

Law Director O'Brien stated that he was not trying to be tricky, but he was just trying to get it into the record so it would be clear so that they would follow through. He stated that it would obviously be different if there was a signed agreement in place. He stated that he just asked Economic Development Director Hyser for the terms of their agreement; so once he gets those, they will turn it around as quickly as possible. He stated that he wanted to make sure that Mr. Zimmerman would understand that without that ability overflow parking that they will have under the lease agreement, that they would be substantially deficient in parking to the tune of approximately 50 to 60 spaces based upon the City's code.

Mr. Zimmerman agreed. He stated that they have talked about it for months and months now. He stated that they completely get it.

Law Director O'Brien stated that the only other variance if the City Engineer was on the meeting; and he didn't know if a variance would be needed. He stated that it came up in the last meeting, the steep slope ordinance.

City Engineer Ramm stated that he was off line with the Building Official on that. He stated that they received the steep slope setback, and subsequent to that, they cut the trees down on the lot; so he believes that the impact has been made to the site relative to the steep slope setback variance that was approved originally. He stated that he didn't know if it would mean much anymore.

Law Director O'Brien stated that he was looking at the last approval. He asked the City Engineer if he was talking about the last approval because it wasn't in the ordinance.

City Engineer Ramm stated it was the one from a couple years back when they received the original approval and went forward with the clearing of the lot. He stated that he didn't think it would be wrong to put it into the record and to grant it.

Law Director O'Brien stated that he thought just for the applicant's sake more so not for the City, just for the applicant, possibly any lenders who might see that and want to see and true it up. It might be something that the Planning Commission would put in there to help the applicant so that if there was any lending institution, they will look at the ordinances and might be a little confused on where the approval was for the steep slope.

City Engineer Ramm stated that he didn't have it queued up for this evening, but per the record of the last meeting it was approved, there were good detailed maps on the site plan

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that were very specific to the setback variance that was approved.

Law Director O'Brien stated that it might be something just to clean up the record for when they would come in for final approval that they have it ready and just approve it there. Again, from the City's standpoint, it would be a non-issue; but from the applicant's standpoint, it might hold up any lending because their lender will want to see that variance approval.

Ms. Chase wanted to go back to the parking. She asked if the City's code was 9' x 20' and they were putting in 9' x 19'? She asked if that needed to be approved?

Law Director O'Brien stated that to Ms. Chase's point, there were 2 variances that they were requesting that the Planning Commission will have to approve; one would be the square footage per parking space and the other was the number of parking spaces, a reduction in parking spaces. He stated that they should probably be specific as close as they can as to the use; and then they could make it subject to the condition that Saucy Brew Works enters into an agreement with the City as far as the lease agreement. He stated to everyone, they will want to make sure that the City will be protected. He stated that he realizes that it will probably be a special purpose entity there that would own the building, but they will want to talk about making sure that they have assurances that Saucy Brew Works organization if you will, not this particular site, would be in agreement with the lease. He stated it was just an fyi.

Mr. Zimmerman stated that he will be the owner of the building too. He stated that he would agree with himself, yes.

Law Director O'Brien replied okay.

Chairman Lytkowski stated that he had another question for the City Engineer. He stated that if they changed the site a little bit, would there be any difference with the water flow, water runoff or anything of that nature.

City Engineer Ramm stated that he thought the preliminary plan wasn't to that level of detail, but he stated that for sure they will be much like they were before, that they would be required to adhere to all the stormwater management ordinances. That will be the case on this lot.

Chairman Lytkowski stated that he didn't know if the City Planner was on the meeting.

City Planner Markley stated that he was on the meeting.

Chairman Lytkowski stated that they moved the building around and would it affect the landscaping from last time. He asked what changes have they done with the landscaping

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which they had previously outlined.

City Planner Markley stated that given that there was a significant change in the building configuration; he stated that there will be required changes. He stated that it appeared that they have delivered a preliminary plan for the landscape; and he will need to spend a little time to go through it. He stated that if the Chairman would like him to go through it and compare it and contrast it against the previous plan, he could do that. He stated that he thought the biggest situation there was the removal of the dock area from the front of the elevation, and hence the screening has changed to reflect that. He stated that he could give the Chairman a better assessment when he compares the 2 drawings side-by-side.

Chairman Lytkowski stated that as long as they were aware.

The Chairman stated that he thought they had a problem with Embassy Suites screening.

Mr. Zimmerman stated that they never heard that before.

City Planner Markley stated that he never had heard that. He stated that if there was an issue, they could certainly address it.

Chairman Lytkowski asked Mayor Kurtz if he had any comments or questions.

Mayor Kurtz stated that there were a couple of things just to either complement what everybody else has said, but he thinks that the aesthetics obviously look really nice relative to their expectation. He stated that he thinks that the Architectural Board would need to still review it to sign off, but that was just a prerequisite based on the code.

The Mayor stated that he thinks they have addressed the parking in principle with an understanding, he thinks that they will do the same subject to make sure they firm everything up.

He stated that with respect to security and safety, the Police Officer and making sure that there will be a safe access and security.

He stated that the landscaping will be approved by the City landscape architect and planner which will be collaborated with the applicant's group to do that.

Mayor Kurtz stated that he didn't know if there were any other concerns or issues other than the hours; he thinks that they already agreed that the coffee bar will be closed when the restaurant would be open. He stated that with their agreement across the street, it should facilitate their needs in an efficient manner, and he thinks that it is an exciting project. He stated that it will fit right into the neighborhood. It will be something that will be sustainable. He stated that it was exciting.

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Vice Mayor Grendel stated that he had one last question. He stated that as far as the signage form I-77, what will be visible? He asked if the logo would be visible from the freeway? What will people see as they go up and down?

Mr. Zimmerman stated that they were handcuffed by what the City will allow them from a signage standpoint with placement, etc. He stated that they will make it as large as they possibly could within the guidelines that the City will allow them to make it.

Vice Mayor Grendel replied very good. He stated that will get taken care of by probably the Architectural Board.

Mayor Kurtz stated that he thought there would be something tasteful that will fit into the landscape, and something that would exhibit a presence. He stated that it could be something that could be really tastefully done. There will be a lot of cars going back and forth on that road so that would be something would need to be approved; but he thinks that the City should give them a flavor of something that would be tasteful, aesthetically pleasing, soft to the eyes. He stated that it shouldn't be so striking or so contrast.

He stated that in what he saw earlier, in one of the earlier renderings, there was some identification. He stated that it might have been the previous original rendering. He stated that there was some very subtle articulate way of identifying. He stated that there was an opportunity he sees to make it work.

Mr. Zimmerman stated that they agree with that.

Chairman Lytkowski asked if there were any other comments.

He stated that he would like to entertain a motion. He asked Law Director O'Brien to draft the motion.

Law Director O'Brien stated that there would be 3 motions. He stated that they would address the approval of the preliminary site plan, subject to the various conditions that were talked about, and then they would do the other 2 variances for the applicant.

Chairman Lytkowski stated that he also wanted to make sure that they get in there the landscaping as well.

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

A motion was made by Vice Mayor Grendel, seconded by William Gutermuth, to recommend to City Council for approval of a Special Conditional Use Permit for accessory uses submitted by the applicant, subject to and conditioned upon the following:

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Final landscaping design for the property approved by the City Planner;

Design on-site drainage and stormwater detention management for the property, subject to the approval of the City Engineer in compliance with local, state and federal laws and regulation;

Retention of or contracting with a Peace Officer as determined and defined in the Ohio Revised Code who possesses jurisdiction and arrest authority within the boundaries of the City to be present on the property from 9:00 p.m. until closing of Saucy Brew Works’ operations on Fridays, Saturdays, national holidays and the day before all national holidays and special events.

The cessation of all drive-thru sales of the kiosk located on the property immediately prior to the opening of Saucy Brew Works’ restaurant to the public; and

Saucy Brew Works execution of a mutually agreeable parking lease agreement with the City of Independence for off-site parking to be located on City-owned property to remedy the parking deficiency on the property per the Codified Ordinances under terms and conditions as mutually agreed to between Saucy Brew Works and the City.

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

A motion was made by Vice Mayor Grendel, seconded by William Gutermuth, granting a variance allowing for 9’ x 19’ parking space areas on the property for on-site parking.

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

A motion was made by Vice Mayor Grendel, seconded by William Gutermuth, for approval of a variance to Chapter 1181 allowing for a reduction of on-site parking spaces in the total amount of 191, subject to and conditioned upon the lease agreement between Saucy Brew Works and the City and subject to that it would be in effect and valid.

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

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Rockside Woods Blvd., PPN 561-25-017, Project Visibility, CBIZ – Denver Brooker, Jason Burick and Michael Christoff were all in attendance.

Chairman Lytkowski asked the Law Director if it was preliminary approval or final approval.

Law Director O'Brien stated it was preliminary.

Chairman Lytkowski stated that it didn't say that on the agenda.

The Law Director stated that it might be on the application.

Chairman Lytkowski asked the applicants to explain the project.

Mr. Denver Brooker with Vocon introduced everyone on line. They were all part of the design team.

He stated that they were before the Planning Commission to simply update from the previous time they were before the Commission in July. He stated that one big change has happened, and there were a couple little ripple effects because of that change. He stated at the last meeting they indicated that there was a chance that the development team would want to add a sixth floor. He stated that they have since then determined that adding a sixth floor would be appropriate. He stated that they were before the Planning Commission to review that with the Commission and basically ask for a height variance increase from the previously approved 75 feet to 88 feet.

Mr. Brooker stated that they will see in the drawing how that would work out. He stated that they requested 88 feet, the City's Zoning Code was set up such that there would be 3 feet allowed for a variance above and beyond an approved height; so the overall building height would be 91 feet. They were asking for 88 feet with the assumption of the 3 foot parapet being above and beyond.

He stated that with the sixth floor addition, they also modified the site plan, and that was back a few pages. He stated that they added the northwest parking lot called the lower lot with 65 spaces, bringing that into the property. He stated that the overall parking count would be compliant with the previously approved 4 spaces per 1,000 square feet of office area. He stated that they have 7 spaces over the minimum to meet that 4 per 1,000, which was the previously approved variance parking ratio.

He stated that at the latter part of the submission there were a series of renderings that show how they maintained the original building architecture and simply modified it for the proportional changes of adding a sixth floor. He stated that particularly on the north side of the building there will be a two-story expression to the face which will work well

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to balance the overall building aesthetics.

Mr. Brooker stated that was what they were in front of the Planning Commission this evening for. He asked if there were any questions.

Law Director O'Brien asked Mr. Brooker if he was just before the Commission looking for the height variance.

Mr. Brooker stated that was correct.

Building Official Gero stated that he believed height variances would be a Board of Zoning issue.

Law Director O'Brien stated that he would agree unless someone could point him to the right code section. He stated that they thought the applicant was coming in for preliminary plan approval.

Mr. Brooker stated that it was a modified preliminary plan as well.

Building Official Gero stated that they were not specifically coming for the variance for the height at this point. They were coming in for the project being a six-story office building.

Chairman Lytkowski stated that the additional story didn't bother him. He asked Mr. Brooker why the need for an additional floor.

Mr. Brooker stated that with the announcement of the building, the development team had sufficient additional interest in the building that they felt it was appropriate to optimize the property more and believed that the additional floor made development sense.

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

Mr. Gutermuth stated that there was nothing for him. He was good.

Chairman Lytkowski asked Ms. Chase if she had any questions.

Ms. Chase stated she had no questions.

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

Vice Mayor Grendel stated that he had no questions.

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Chairman Lytkowski asked Mayor Kurtz if he had any questions.

Mayor Kurtz stated that he thought the sixth story expansion, along with the parking that has been identified in the exhibit which will allow for the sixth story expansion, molding those together into a single project would be the goal of the City and the developer. He stated that they have reached a consensus, common ground which would be articulated in our development agreement with the terms similar to what they had in terms of the responsibility of the City to own the property and lease the property to Welty Development. He stated that the terms and conditions were not finalized, but in concept they were agreed upon.

He stated that he thought the City's property leasing it to Welty allowed for the larger footprint, larger expansion and even a bigger project. He stated that it was an exciting opportunity for the City and the developer as well as our captive client CBIZ. He stated that he thought they were pretty much on board trying to dot the i's and cross the t's. He stated that they were coming down the home stretch.

Vice Mayor Grendel stated that he has a question. The extra parking places that Saucy would need, would they be using that lower lot that was on the diagram there for the parking they need?

Mayor Kurtz stated it was a good question. He stated that part of the agreement would allow for that parking off campus on off business hours so it would not interfere with the primary purpose which was for the clients of the building. He stated that it was agreed to in principle; it was being refined in the final agreement. He stated to answer the question, yes.

Vice Mayor Grendel replied thank you.

Chairman Lytkowski asked if there were any other questions or comments. There were none.

The Chairman stated if not, he asked the Law Director if there was a need to craft an approval for this applicant?

Law Director O'Brien stated to approve the revised site plan would probably be what the applicant would be looking for; but Denver and team as was mentioned at the start of the meeting; at some point they will need to get on the Board of Zoning Appeals to get the height variance approved. He stated that they will give the Zoning Board the Minutes; he would not anticipate an issue. He stated that eventually they will have to do that.

Chairman Lytkowski asked if the Law Director wanted to craft the motion.

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A motion was made by Vice Mayor Grendel, seconded by William Gutermuth, to approve the revised preliminary site plan as presented.

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

Chairman Lytkowski thanked the applicants. He stated that the Planning Commission appreciated them coming down and look forward to working with them in the future.

Mayor Kurtz stated that the applicants should let them know how fast they would need the Zoning Board to get on the agenda.

Mr. Brooker stated that they would be ready to meet at 6:30 p.m. today if they would be meeting.

Mayor Kurtz asked Building Official Gero when was the next Zoning meeting.

Building Official Gero stated that he believed that the applicants were planning to be put on the agenda for the next meeting which was in two weeks, October 21st.

Mayor Kurtz stated that by then they will have a lot of the other items wrapped up; so it should be good to go then.

Mayor Kurtz thanked the applicants.

Chairman Lytkowski asked if there were any other items on the agenda.

Mayor Kurtz stated that there were a lot of things going on right now, and at some point they may need, if Planning would be accessible, if they would need to call a Special meeting. He just wanted to make sure that the majority of Planning would be available. He stated ideally it would be everyone. It would be sometime in the near future, but if not at the next meeting for sure.

The Mayor stated that the next meeting, he wanted to make sure there was no conflict.

Vice Mayor Grendel stated it was on Election Day, November 2nd.

Mayor Kurtz asked if anyone would have an objection if the meeting was moved to Monday, November 8th rather than Election Day.

Ms. Chase stated that there would be no objection from her.

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Mayor Kurtz stated that the team will talk about, look at the agenda.

Vice Mayor Grendel stated that November 8th would be fine with him.

Mayor Kurtz stated that they will see what will be on the agenda before they do that. He stated that now that they know there is flexibility, they can call a Special meeting. He stated that they could see what would be on the agenda.

The Chairman stated that it sounded good.

A motion was made by William Gutermuth, seconded by Vice Mayor Grendel, to adjourn the meeting. Voice Vote: 5 yes/0 no; motion carried.

There being no further business, the Planning Commission meeting of October 5, 2021 was adjourned at 6:21 p.m.

Chairman Dale Lytkowski

Debi Beal, Planning Commission Clerk
Minutes Unapproved at Time of Release 10/06/21