

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

Chairman Ray Wiecek called the meeting to order at 5:48 p.m. December 3, 2019 and the following responded to Roll Call:

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

**OTHERS**

**PRESENT:** Don Ramm, City Engineer  
Jeffrey Markley, City Planner  
Gregory J. O'Brien, Law Director

**Old Business:**

**Approval of Minutes of the Planning Commission meeting held on November 11, 2019.**

**Approval of Minutes of the Public Hearing meeting with regard to Starbucks held on November 11, 2019.**

**Approval of Minutes of Public Hearing meeting with regard to America's Best Value Inn on November 11, 2019.**

- 1. 5555 Brecksville Road, Former America's Best Value Inn** – Represented by Kautilya Group for a change in use from U-6 to U-6A to change zoning to permit the renovation and updating of the former hotel.
- 2. 6050 Oak Tree Blvd., Park Center Plaza, LP, Orbis Education, Xavier University & Cleveland Clinic** – Requesting a change of zoning from U-5 district and requesting a Special U-3 Permit to allow a hybrid online nursing program for Xavier University & Cleveland Clinic.

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The Chairman asked if all of the Planning Commission members have received the Minutes from the November 11, 2019 Public Hearing in reference to Starbucks. He asked if there were any additions or corrections to those Minutes.

**A motion was made by Dale Lytkowski, seconded by Vice Mayor Grendel, to approve the Minutes of the November 11, 2019 Public Hearing with regard to Starbucks.**

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

Chairman Wiecek stated that the Planning Commission members received the Minutes from the November 11, 2019 Public Hearing with reference to America’s Best Value Inn. He asked if there were any additions or corrections to those Minutes.

**A motion was made by Vice Mayor Grendel, seconded by William Gutermuth, to approve the Minutes of the November 11, 2019 Public Hearing with regard to America’s Best Value Inn.**

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

Chairman Wiecek stated that they have one item on the agenda for this evening.

**6050 Oak Tree Blvd., Park Center Plaza, LP, Orbis Education, Xavier University & Cleveland Clinic** – Law Director O’Brien stated that he would like to make a recommendation that if the applicant would be amenable; and if so, they could give their consent in the record that the Planning Commission would accept and restate the presentation by Orbis Education and Xavier University and Park Center Plaza as if restated in the meeting and adopt that as the meeting Minutes. Therefore, they would not have to re-hash the presentation. He asked if the applicant was okay with that.

Mr. Merino and Mr. Colvin both replied yes.

Mr. Lytkowski asked if they needed a motion.

**A motion was made by Dale Lytkowski, seconded by William Gutermuth, to incorporate the Minutes of the Public Hearing of December 3, 2019 with regard to Orbis Education, into the Minutes of the Regular Planning Commission meeting.**

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

Chairman Wiecek asked if there were any questions. There were none.

Law Director O'Brien stated that as the Planning Commission knows, Council only has the sole authority to grant Special Use U-3 Permits; so the motion would be a recommendation by the Planning Commission to City Council to approve the request for a Special U-3 Permit to Orbis Education for a hybrid online nursing program for Xavier University and the Cleveland Clinic to be located at 6050 Oak Tree Blvd.

**A motion was made by Vice Mayor Grendel, seconded by Dale Lytkowski, to recommend to City Council approval of the request for a Special U-3 Permit to Orbis Education for a hybrid online nursing program for Xavier University and the Cleveland Clinic to be located at 6050 Oak Tree Blvd., subject to the Special U-3 Permit terminating within 30 days upon the cessation of business or operation by Orbis Education and Xavier University.**

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

Law Director O'Brien stated just for the property owner, just for the record, it would be conditioned upon the Special U-3 Permit terminating within 30 days upon the cessation of business or operation by Orbis Education. He asked the applicant if they were okay with that.

Mr. Merino replied yes.

Law Director O'Brien asked Mayor Togliatti if he wanted the Special U-3 Permit on the Council agenda for December 10<sup>th</sup>.

Mayor Togliatti agreed.

Law Director O'Brien stated that the Mayor and the Vice Mayor has requested that they go on the agenda for the December 10<sup>th</sup> Council meeting. They would not have to wait a month for a vote from Council.

Chairman Wiecek stated that if there were no comments or new business, he would entertain a motion to close the Regular Planning Commission meeting.

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A motion was made by Vice Mayor Grendel, seconded by Dale Lytkowski, to close the Regular Planning Commission meeting of December 3, 2019.

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

There being no further business, the Planning Commission meeting of December 3, 2019 was adjourned at 5:51 p.m.

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**Chairman Ray Wiecek**

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**Debi Beal, Planning Commission Clerk**  
Minutes Unapproved at Time of Release 12/04/19