

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

7:00 P.M., SEPTEMBER 2, 2008

Chairman Dale Lytkowski called the meeting to order at 7:00 p.m., September 2, 2008 and the following responded to Roll Call:

PRESENT: Dale Lytkowski, Chairman
Gregory Kurtz, Mayor
Dave Grendel, Councilman
Jack Shallcross
Jerry Skuhrovec

OTHERS

PRESENT: Gregory J. O'Brien, Law Director
Don Elewski, City Engineer
Jeffrey Markley, City Planner
Donald Ramm, Engineer/Public Service Coordinator

ABSENT: Ron White, Economic Development

AGENDA:

Old Business:

Approval of Minutes of Regular Planning Commission Meeting held on August 5, 2008.

Old Business:

- 1. 6550 Brecksville Road, Independence Dog Depot** – Proposed dog grooming facility.
- 2. The Meadows, Phase 2, Mackenzie Drive** – Proposed revisions to the 7 lot subdivision and extension of Mackenzie Drive (final approval granted on June 3, 2008).

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Chairman Lytkowski asked if there were any corrections or additions to the Minutes of the Regular Planning Commission Meeting held on August 5, 2008. There were no corrections or additions to the Minutes.

A motion was made by Jack Shallcross, seconded by Councilman Grendel, to approve the Minutes of the Regular Planning Commission Meeting of August 5, 2008 as written.

**ROLL CALL: Yeas: Shallcross, Grendel, Kurtz, Lytkowski
 Nays: None
 Abstain: Skuhrovec
 MOTION CARRIED**

6550 Brecksville Road, Independence Dog Depot – Barb Caspio and Denise Mindzora were in attendance. Chairman Lytkowski asked the applicants if they had done their homework with respect to the building and the cleaning up. Mrs. Caspio stated that she had talked to Mrs. Broski, and she stated that Mr. Broski has painted the doors and cleaned up the back. Mayor Kurtz stated that the Building Commissioner was out to inspect the building as if they would for a new occupant; and there are extensive repairs that need to be done. Councilman Grendel stated that there was a memo done by Carl Opatrny on August 13, 2008, and he read from that memo: “the minimum corrections that must be made are as follows: provide 1 cubic foot per minute square foot of outdoor ventilation, provide exit sign at rear door, correct the electrical violations, repair damaged drywall, repair water damage and correct leaks, repair the rear door, correct drainage at rear of building to prevent water infiltration, repair and re-paint trim at rear of building, remove trash and overgrown weeds at rear of building, and remove vines inside of building”. Councilman Grendel stated that there are number of things that need to be repaired. City Planner Markley asked the applicants if they were going to be doing the work as tenants or is the landlord going to do the work. Mrs. Caspio stated that they planned on doing the renovations inside the building. The Mayor stated that there are a lot of extensive repairs and upgrades that need to be done.

Mrs. Caspio stated that these things didn’t happen overnight. There was another tenant in the building. Mayor Kurtz stated that once a tenant is in a building, the City doesn’t go around checking up, unless there is an issue of an upgrade. Mayor Kurtz stated that if the repairs aren’t made, it is going to be difficult for the City to grant an occupancy for that building. The applicants need to speak with the landlord to determine who is paying for what because that could be an extensive amount of work.

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Mayor Kurtz asked the applicants if they were looking for something with regard to immediate occupancy. The Chairman suggested that the applicants look at the space next to Dollar General. Mrs. Caspio stated that the rent was a little high. Discussion was had with regard to the rent and options that the space afforded.

Law Director O'Brien stated that there is a substantial issue with regard to parking. Mayor Kurtz stated that there is a delinquency in parking at 6550 Brecksville Road. There are only a few spots available.

Mayor Kurtz stated that the applicants should talk to Mr. Broski about the space and the repairs that need to be made. The applicants should see if the landlord wants to make the investment in the building. There is a possibility that the City will want to upgrade that entire area.

Mrs. Caspio stated that she will call Mr. Broski in the morning and also call about the other space next to Dollar General. Chairman Lytkowski stated that this parcel has been vacant for some time.

A motion was made by Councilman Grendel, seconded by Chairman Lytkowski, to table this matter.

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

The Meadows, Phase 2, Mackenzie Drive – Lenny Doubrava was in attendance with regard to this matter. Mr. Doubrava stated that he is before the Commission for the approval of the revised plans for the second phase of The Meadows. Mr. Doubrava stated that he has shifted everything to the west. Everything else has stayed the same. Mr. Doubrava will be going before the Board of Zoning Appeals for the setbacks of the properties that are needed.

Mr. Massey came up to see the revised drawings that Mr. Doubrava submitted. The other neighbors also came up to see the drawings. Mr. Doubrava stated the properties were just shifted over. He acquired another piece of property to make everything pretty even. Mayor Kurtz asked Mr. Doubrava if he was going to acquire any additional property. Mr. Doubrava stated that he was not going to do that. Mr. Doubrava is not going to take any of Mr. Massey's property. Mr. Massey asked if the creek will be built up. Mr. Doubrava stated that there is not going to be more water going into the creek. The water will be controlled in the pond. City Planner Markley stated that there is no additional

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water, it's just that when you do a development the speed of the water from Point "A" to Point "B" increases. What the basin does is slow the water back down as if it wasn't paved. That is the intent. There is some landscape treatment that the City Planner knows works. Mr. Doubrava stated that if you get a rain similar to what happened two years ago, there is no controlling nothing. Mr. Doubrava stated that the detention pond will control it.

Mayor Kurtz stated that the water will sheet flow across the property onto the back of Mr. Doubrava's property, onto Massey's property and into the creek. Mr. Doubrava will be taking that sheet flow and collecting it into a pond. The property should dry up. City Planner Markley stated that there is also a landscape plan that needs to happen. Without Mr. Massey's property, it hugs very tightly to the corners of the property line of the applicant. There may be an opportunity to still supplement that on the one side if Mr. Massey is agreeable. Mr. Massey stated that he was. Mr. Doubrava has saved some room to be able to do some decent landscape as a buffer.

A motion was made Councilman Grendel, seconded by Jack Shallcross, to modify the June 3, 2008 final plat approval amending the site plan only as set forth on Exhibit "1", with all conditions and agreements set forth and agreed to on June 3, 2008 to remain unchanged and unmodified, and subject to the approval of the Board of Zoning Appeals with regard to any setback variances.

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

There being no further comments or business, a motion was made by Chairman Lytkowski to close the meeting at 7:21 p.m.

Dale Lytkowski, Chairman

Debi Beal, Planning Commission Clerk
Minutes Unapproved at Time Released 09/05/08

