

**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., OCTOBER 7, 2008

Chairman Dale Lytkowski called the meeting to order at 7:06 p.m., October 7, 2008 and the following responded to Roll Call:

PRESENT: Dale Lytkowski, Chairman
Gregory P. 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
Ron White, Economic Development

AGENDA:

Old Business:

Approval of Minutes of Regular Planning Commission Meeting held on September 2, 2008.

Old Business:

- 1. Rockside Woods Blvd., PPN 561-25-009** – Represented by Dalad Group to split a parcel of land that is divided by Rockside Woods Blvd.
- 2. 6000 Rockside Woods Blvd., Ohio College of Podiatric Medicine** – Addition of a 4,000 sq. ft. lecture hall at north end of main building.
- 3. 6350 Selig Drive, City of Independence Service Department** – Removal of 9 antennas currently on tower and replacing them with 12 antennas by Verizon Wireless along with 3 lines for 3 additional antennas.

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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 September 2, 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 September 2, 2008 as written.

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

Rockside Woods Blvd., PPN 561-25-009 – This matter was tabled until next month.

6000 Rockside Woods Blvd., Ohio College of Podiatric Medicine – Architect Matt Janiak was in attendance with regard to this matter. Mr. Janiak stated that they were before the Commission approximately a year and a half ago, and they presented an addition to the OCPM building. Mr. Janiak stated that the first addition was approximately 7,500 square feet which included two lecture halls. The concern now is scheduling, and they want to add this additional lecture hall.

Mr. Janiak referred to the site plan of where the addition would be located. It will be on the northwest corner of the site. Currently, it is part of a grassy area that was landscaped when the original addition was done. Mr. Janiak stated that they will be using the same details, the same brick and the same windows.

Mr. Janiak referred to the elevation drawings. The addition is a little more diminutive than the original addition. Mr. Janiak stated that they just did a hip roof system. Chairman Lytkowski asked why that was. Mr. Janiak stated that if he wanted to make it symmetrical, he would have to put a chimney volume on each side. It is costly to start adding that level of detail to the addition.

Mayor Kurtz asked Mr. Janiak if he had an elevation drawing of the entire existing front. Mr. Janiak referred to his drawing. The addition will be located in the corner of the property, and it will not be easy to be seen from I-77. The Chairman asked if the addition would cheapen the facility. Mr. Janiak stated that there are many volumes of chimneys that are around the area on the building. Mr. Janiak stated that they have met with the Architectural Board of Review, and they agreed with the direction that Mr. Janiak took this addition and approved the same. Mayor Kurtz stated that he would

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concede that the addition is located in the most drawn away corner. If it was on the other side, the Mayor stated then it would have to be accented differently. He is not sure that anyone sees that from the freeway. Chairman Lytkowski asked if the addition could be located elsewhere on the property. Mr. Janiak stated that the best location for the addition is in the corner where it is being proposed. Chairman Lytkowski asked if the addition could be moved slightly south. Mr. Janiak stated that it would not make sense from a delivery standpoint. The existing building on site has a delivery drive which is the only delivery point into the building for the kitchen servicing. Chairman Lytkowski asked about putting the addition on the east side of the building. Mr. Janiak stated that it would start to encroach on the parking and circulation. There is also a plaza area that has been developed there.

Chairman Lytkowski asked the members if they had any problems with the addition. No one had any problems.

A motion was made by Councilman Grendel, seconded by Jack Shallcross, to approve the addition.

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

6350 Selig Drive, Verizon Wireless – Mr. Matt Newsome of Verizon Wireless was in attendance. Chairman Lytkowski stated that the Commission will not take a vote on this matter tonight, but Matt can give a quick overview of the proposed project. The Chairman stated that the Law Director needs to do some legal work with regard to this matter.

Mr. Newsome stated that Verizon is a tenant on the Crown Castle tower. There are two other tenants on the tower as well. What he is proposing to do is to replace the nine antennas that are up there right now; to take them down and replace them with 12 antennas that would actually be lighter than what is up there right now. The antennas that are up there now are older and heavier; and the technology is a bit outdated.

Mayor Kurtz asked why all the antennas were being replaced if Mr. Newsome is only responsible for one. Mr. Newsome stated that he is only replacing the Verizon antennas. There are 9 panel antennas. There are actually a total of three carriers up there now on the tower; Verizon, AT & T and Sprint. Chairman Lytkowski asked if the City had their antennas on the tower. Mayor Kurtz stated that Verizon would put the City antennas on the top of the tower. The Mayor stated that the City has the top space on the tower

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reserved for their safety force antennas. Mr. Newsome asked if a structural analysis has been run on the tower. Law Director O'Brien stated that this may have been one of the stumbling blocks. He has not gotten a chance to look over the structural analysis that was provided by Mr. Newsome. This is the reason for the proposed tabling; along with the Law Director needing to look at the lease as well. The Law Director asked Mr. Newsome if his structural analysis could support additional weight. Couldn't we take that analysis instead of the City going out and spending \$3,000 to confirm what Verizon's structural analysis (inaudible)? The Law Director stated that what he is thinking is to have Verizon's engineer, during this 30 day hiatus, just look at it; and the City would give him the weight of their antennas. This should not be a problem for the engineer to determine if the tower can support the weight of the City's antennas. Mr. Newsome stated that when they run the structural analysis, they run it based on whatever they are proposing and whatever is existing. Law Director O'Brien stated that he knows, but let's give the engineer the weight, since this analysis is fresh, and incorporate it in.

Mr. Newsome thought that perhaps Crown Castle, the owner of the tower, would be responsible. Law Director O'Brien stated that is not the way it was negotiated 15 years ago. Mayor Kurtz stated that the antennas would be for the City safety forces. What they thought was that whoever comes to the City next to do it, if the timing is right, the City could have them put up their antennas. Mr. Newsome stated that it does make sense; but he doesn't have the authority to agree. Mayor Kurtz asked how time sensitive this issue was to Mr. Newsome. Mr. Newsome stated that it was very time sensitive.

Mr. Skuhrovec stated that Mr. Newsome said he is taking down 9 and putting up 12 lighter antennas. Mr. Newsome stated that is what he was doing, but with the coaxial it is almost like it is a wash with the weight. Law Director O'Brien stated that if Crown ran the analysis, and it is just an equation based upon the structural integrity; if they know the weight of the City's antennas, they can update that report. Mr. Newsome stated that you do have to give them all of the specs on the antennas. Mr. Newsome stated that he is just showing up for the Verizon antennas. Law Director O'Brien stated that the Commission isn't tabling Mr. Newsome because of the Crown Castle antenna; they are tabling him because the Law Director needs to review these reports. It's just coincidentally that the City will need to talk to Crown Castle; and this will afford the City 30 days to talk to them. The legal reason why Mr. Newsome is getting tabled, is that the Law Director has not had a chance to look at these reports. The Commission is looking for the Law Director's advice. If the Commission wants to do something subject to Mr. Newsome agreeing to put those other antennas on, the Law Director can put someone on it right away; but otherwise it will take 30 days.

Mr. Newsome asked if he can get an approval, subject to Verizon agreeing to put the City antennas up on the tower. Mayor Kurtz stated that they have a legal right to put up those antennas, they just don't have the mechanism and means to put the antennas up.

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Mr. Skuhrovec asked Mr. Newsome if the 12 antennas would give better coverage in the area. Mr. Newsome stated that it is just so the subscribers in the area can do things with their phones that the technology is allowing. Mr. Newsome does not know if it would be better coverage or just increased services. Mr. Skuhrovec asked about the size of the new antennas. Mr. Newsome stated that they are actually a bit smaller. The width and depth is a little smaller. The wind load would basically be the same. Everyone began speaking at once.

Mr. Newsome stated that his next step, if he was to get an approval, would be to apply for the building permit. Chairman Lytkowski stated that this matter will be tabled until next Tuesday, and Planning Commission will have a special meeting then to get this approved.

Mr. Newsome asked if there was a chance that they would put these antennas up for the City and run a structural analysis and it would fail. Law Director O'Brien stated "no". The Law Director stated that is why it is important for the City to look at this; if the City were to approve it, and then Verizon would say that the City can't put their antennas on because they can't be supported. Mr. Newsome stated that the lease can then be cancelled. Law Director O'Brien stated that the City is looking for a way to get this done quickly and efficiently. Law Director O'Brien stated that the City has a real safety issue; and the City has been trying to get the safety antennas up there for months.

Mayor Kurtz stated that there would be two antennas, 20 pounds a piece and the coaxial cable to run down; it would be heavier than what Verizon is using because the frequency is different. That is all it is. Mr. Newsome asked if he was being tabled. Mayor Kurtz stated that Mr. Newsome is being asked to provide more information that is going to be supplied. Next Tuesday the Commission will convene a special meeting. Law Director O'Brien stated that the Commission could probably take care of the matter without Mr. Newsome having to attend the meeting.

Mayor Kurtz stated that so Mr. Newsome understands the basic parameters of what the City is trying to get accomplished – two 20 pound antennas with a larger coaxial cable going down. Mr. Newsome stated that they would do a structural analysis and all that good stuff. Mr. Newsome asked if the City was going to pay for the analysis. The Mayor stated that Mr. Newsome would pay for it. Law Director O'Brien stated that he would like to see what Crown Castle wants to do with the analysis. Everyone began speaking at once. The Mayor stated that they are asking Mr. Newsome to help them. The Mayor stated that he wants to work with Verizon because there are a couple of voids in the City that antennas could help. The Mayor stated that he appreciates Mr. Newsome's attitude about this matter. Mr. Newsome stated that he wants to do whatever he can to help. This matter was tabled.

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There being no further comments or business, a motion was made by Chairman Lytkowski to close the meeting at 7:39 p.m.

Dale Lytkowski, Chairman

Debi Beal, Planning Commission Clerk
Minutes Unapproved at Time Released 10/10/08