

CITY OF KIRTLAND
PLANNING AND ZONING COMMISSION

MINUTES OF THE MEETING
AUGUST 12, 2024

The meeting was called to order by Chairperson Denk at 7:07 p.m. Present were Commission members Daniel Laux, Lita Laven, Joseph Vinciguerra, and Michael Denk.

Also present were Assistant Law Director Mark Marong, City Engineer Douglas Courtney, and Mayor Kevin Potter.

Minutes of the July 15, 2024 Work Session

Mr. Vinciguerra moved to approve the minutes as presented, with the second by Ms. Laven. Upon roll call vote, the motion passed 4-0 (Ayes – Laux, Laven, Vinciguerra and Denk; Nays – None.)

Minutes of the July 15, 2024 Meeting

Mr. Vinciguerra moved to approve the minutes as presented, with the second by Mr. Laux. Upon roll call vote, the motion passed 5-0 (Ayes – DeMarco, Laux, Laven, Vinciguerra and Denk; Nays – None.)

Public Session

Public Requests

1. **David D. Broadwater– Proposed Auxiliary Building at 11035 Sperry Road**
Mr. David D. Broadwater, 11035 Sperry Road addressed the Commission.

Mr. Denk reviewed the application as submitted by Mr. Broadwater. Law Director, Mark Marong, explained to the Commission Members and Mr. Broadwater that the application will be referred to the Board of Zoning Appeals, as the request being made is for a variance in size. Mr. Marong explained the BZA process and directed Mr. Broadwater to contact the Zoning Office tomorrow to obtain the required application for the BZA Variance Appeal. Noting that there is a BZA meeting scheduled for August 28, 2024, and Mr. Broadwater still has enough time to apply to be included on the August 28, 2024 Agenda.

Commission Member Joseph Vinciguerra, moved to table the Proposed Auxiliary Building at 11035 Sperry Road as submitted by David D. Broadwater, Commission Member Lita Laven seconded the motion. Upon roll call vote, the motion passed 4-0 (Ayes –Laux, Laven, Vinciguerra and Denk; Nays – None)

2. Bonnie R. Makrai – Kirtland Kids Club LLC, CUP Application 9183 Chillicothe Rd.

Bonnie R. Makrai, 8299 Billings Road addressed the Commission. Ms. Makrai reviewed the contents contained in the supplemented information submitted with the Conditional Use Permit Application. Highlighting the proposed business will provide structured play activities for children ages walking to 6 years old; proposed hours of operation would be 8:00 a.m. –3:00 p.m. – separating the day into a morning session and an afternoon session; the ratio of staff to children is 6-1 with a maximum of 12 children during a session.

Ms. Makrai was asked if there would be any outdoor activities; responding she stated everything is indoor. Further questions included if any interior alterations are needed responding Ms. Makrai stated only minor alterations to a counter.

Mr. Marong referred to O.R.C. 5104.02, Section B, Article 3 which was included in information provided. Stating that all licenses if required under 5104.02 will need to be obtained.

Mr. Denk asked if there were any public comments. There were none.

Commission Member Joseph Vinciguerra moved to accept the Application for Conditional Use Permit for the Kirtland Kids Club, LLC 9183 Chillicothe Road, consist with the description of conditional use provided by the applicant and subject to any appropriate licensing if required, Commission Member Daniel Laux seconded the motion. Upon roll call vote, the motion passed 4-0 (Ayes –Laux, Laven, Vinciguerra and Denk; Nays – None)

3. Fred Aherns/Richards Maple – Amendment to Final Development Plan

Mark Marong stated an email dated Monday, August 12, 2024, was sent to Law Director Matt Lallo from Fred Ahrens requesting to be removed from the August 12, 2024 Planning & Zoning Agenda.

Commission member Daniel Laux moved to remove Fred Ahrens/Richards Maple Amendment to Final Development Plan from the Agenda, commission member Lita Laven seconded the Motion. Upon roll call vote, the motion passed 4-0 (Ayes –Laux, Laven, Vinciguerra and Denk; Nays – None)

Tabled Requests:

1. 8560 Billings LLC – Application for Conditional Use Permit for Agricultural for Commercial Purposes at 8560 Billings Road

Commission Member Lita Laven moved to dismiss from the August 12, 2024 Agenda and remove as a Tabled Request 8560 Billings LLC – Application for Conditional Use Permit for Agricultural for Commercial Purposes at 8560 Billings Road, Commission Member Joseph Vinciguerra seconded the motion. Upon roll call vote, the motion passed 4-0 (Ayes –Laux, Laven, Vinciguerra and Denk; Nays – None)

Public Comments on Items Not on the Agenda

Chairperson Denk opened the meeting to the public to comment on matters not on the Agenda.

Mr. Reese VanArnhem addressed the Commission. Mr. VanArnhem stated he wanted to speak on his own behalf regarding his landlord Maple Richard's Products. Mr. VanArnhem provided an overview of his landscaping business which has been in the City of Kirtland for eleven years. He is currently a tenant at the property located at 7955 Euclid Chardon Road. Mr. VanArnhem stated he is working with the City's Zoning Inspector, Lenny Morgano, and the Lake County Building Department to install a fence that is compliant with the requirements set forth in the Final Development Plan. Further stating it is his desire to comply with the requirements and remain a tenant at the property.

Ray Carriero 10170 Chillicothe Road spoke in support of Reese VanArnhem's character. He stated he has been a customer of A Plus Landscaping for the last couple of years and has always found Reese to be very professional and respectful.

Eleni Vosicky 10483 Gaitside Trail addressed the Commission and stated that A Plus Landscaping had recently finished a large project at her property. Further stating that the work was fantastic and she appreciates the fact that we have a locally owned Kirtland business that does such high quality work.

Keith Koprowski 10294 Christina Drive spoke on Reese's character. Mr. Koprowski stated he is a neighbor of the VanArnhem's and has known Reese since he started his business at the age of 14. Stating that he never had an issue when his business was running out of his residence on Christina Drive.

Work Session

Communications and Bills

1. Village Outdoors Phase 2 Doug Courtney Memo July 31, 2024
Doug Courtney reviewed the contents of Memo. Stating that all the conditions have been met and the Final Development Plan was approved.
2. Zoning Permits Report – July 1, 2024 to July 31, 2024

Old Business:

None.

New Business:

Discussion regarding utility trailer parking on residential properties was had in response to Mayor Potter’s request to explore the possibility of implementing an ordinance that would govern the housing of trailer(s) on properties in the City of Kirtland.

Mr. Marong stated it is important a concise definition of “utility trailer” be established before any potential ordinance language is presented to City Council for consideration. Further stating that items to be considered for ordinance language include screening, location, surface of which the utility trailer is parked, size and use of utility trailer.

Mr. Marong referred to the example ordinances from nearby cities including Village of Glenwillow, Hunting Valley, Pepper Pike, Brecksville, Moreland Hills, Gates Mills, Chagrin Falls and Barberton that were provided to the Commission members for review in preparation for this discussion.

Discussion ensued. Mr. Denk requested more examples from nearby cities for discussion at the next P&Z meeting.

Adjournment

There was no further business before the Commission, and Mr. Laux moved to adjourn. Ms. Laven provided the second, and the motion passed upon unanimous vote. The meeting adjourned at 7:52 p.m.

CHAIRPERSON

SECRETARY