

CITY OF KIRTLAND
PLANNING AND ZONING COMMISSION

MINUTES OF THE MEETING
APRIL 10, 2023

The meeting was called to order by Chairman Denk at 7:06 p.m. Present were Commission members Richard Blum, Richard DeMarco, Michael Denk, Daniel Laux and Joseph Vinciguerra.

Also present were Mayor Kevin Potter, City Engineer Douglas Courtney, Service Director Joseph Fornaro, Zoning Inspector Rick Loconti, Councilman Ronald Fenstermaker, Councilman Scott Haymer, Councilman Richard Lowery and Councilman Joseph Smolic.

MINUTES OF THE MARCH 13, 2023 WORK SESSION

Mr. Vinciguerra moved to approve the minutes as presented, with the second by Mr. Laux. Upon roll call vote, the motion passed 4-0-1 (Ayes – Blum, Laux, Vinciguerra and Denk; Nays – None; Abstaining - DeMarco).

MINUTES OF THE MARCH 13, 2023 MEETING

Mr. Vinciguerra moved to approve the minutes as presented, with the second by Mr. Blum. Upon roll call vote, the motion passed 4-0-1 (Ayes – Blum, Laux, Vinciguerra and Denk; Nays – None; Abstaining - DeMarco).

PUBLIC SESSION:

PUBLIC REQUESTS

FastSigns – Proposed New Ground Sign at 8323 Eagle Rd. (Eagle Mobile Home Park)

The applicant was not present in this regard. The Commission reviewed the application and drawings submitted. Chairman Denk noted that the plans indicate the sign will have two faces and will be placed in the existing planter box on the property; it appears to be non-illuminated. The plans show that the new sign will replace an existing, somewhat dilapidated sign that sits outside the planter, parallel to the road; the existing sign will be removed.

There were no comments or questions from the public. Mr. DeMarco moved to approve the proposed ground sign for Eagle Mobile Home Park at 8323 Eagle Road as submitted. Mr. Blum provided the second. Upon roll call vote, the motion passed 5-0 (Ayes – Blum, DeMarco, Laux, Vinciguerra and Denk; Nays – None).

Tavern Six – Proposed New Pavilion at 7592 Euclid Chardon Rd.

Jim Tekavec and Tiana Vitantonio were present for Tavern Six. Mr. Tekavec advised that there was previously a pavilion that was blown down, and they are looking to construct a new pavilion in the same location. He said it will be built on the existing concrete pad. Mr. Tekavec noted there will be no seating added. He advised there will be interior lighting on the ceiling fans; it will be an open-air pavilion with a metal roof. Mr. Tekavec said it will be pitched toward the drains in the parking lot. He

confirmed there would not be heat or water in the pavilion, noting that the patio is open from May through October. With regard to color, he said it will match the building. The pavilion dimensions are 25 ft. x 50 ft.

There were no comments or questions from the public. Mr. Laux moved to approve the proposed pavilion on the existing concrete pad, as presented. Mr. DeMarco provided the second. Upon roll call vote, the motion passed 5-0 (Ayes – Blum, DeMarco, Laux, Vinciguerra and Denk; Nays – None).

Valarie Keck Boughman – Parcel No. 20-A-002-0-00-002-0 Proposed Rezoning - Informal Discussion

Valarie Boughman was present in this regard, along with her realtor, Dennis Falvey. Ms. Boughman advised that she now resides in North Carolina. She stated that she would like to rezone this property from Institutional/Office to R-3 residential zoning. She said this property is a buffer between the assisted living facility and retirement community being constructed and the Kingwood Estates. She believes it would be a good buffer, and the plans are to have just one house on this 8 acre property. She said that the 8 acre parcel has similar terrain to the land behind Kingwood Estates, including a large ravine; it has approximately 3.5 to 4 acres of flat land.

Ms. Boughman said that one of the conditions of the sale of the Mentor portion of the property to the assisted living facility is that they are to provide all utilities, as well as an entrance to the flat portion of land on this parcel.

Ms. Boughman said this parcel is the remaining property in the 52 acres that her mother purchased in 1982. She said she wanted to attend the meeting in person, but going forward Dennis Falvey of Remax will be helping her with the application.

Mr. Falvey provided the Commission with a map, indicating the yellow highlighted area is the only buildable land on the 8.25 acre parcel due to the terrain. He said there is a gravel driveway already in place. Mr. Falvey said the parcel is on the southern border of Mentor and the western border of Kirtland Hills. He noted the adjacent property on Kingwood is residential, and there is one lot on Hunting Hills Drive that backs up to this property. Mr. Falvey said with the consideration of the surrounding usage, transitioning from congregate living to residential single-family homes and the terrain, the desire is to have the zoning changed to facilitate one nice home.

Chairman Denk advised that the Charter requires the rezoning of land to be placed on the ballot, and the Commission will need to have a public hearing before making a recommendation to Council. Ms. Boughman advised that her application will be forthcoming.

Casa Rossa Cucina – Landscape Plan (9350 Chillicothe Rd.)

Frank Wagner was present for Casa Rossa Cucina, along with David Maison of Maison Architecture & Design. Mr. Maison noted there will be arborvitae type plantings along the parking areas, ground cover and flowering plants around the base of the sign, tall grasses along a portion of the building, and some landscape containers with shrubs against the building near the entry.

Responding to Mr. Denk, Mr. Wagner said the existing drive is on the north side of the building; it is currently a gravel drive and it will be paved. In discussion, Mr. Maison said the site plan note No. 1 incorrectly states “new gravel parking lot” and note No. 7 incorrectly states “existing drive.” He

advised that the parking lot will be paved, and there will be a new paved driveway. Mr. Maison advised that he can revise the plan to show correct information. Responding to Mr. Wagner, Mr. Courtney advised that either concrete or asphalt is acceptable.

Mr. Blum inquired about the trees indicated for removal in the demolition plan. Mr. Wagner said they are the trees in front of the home.

Answering Mr. Denk, Mr. Courtney confirmed that updated plans have been submitted in addition to the landscape plan; they came in last week but he has not had a chance to review them yet. He noted that there were some site plan comments in his review that needed to be addressed. Mr. Courtney said that once those items are met, he will approve the site plan so the zoning permit can be issued.

Mr. Blum inquired about the depth of the front stormwater retention basin. Mr. Maison replied it is about 3 feet. Mr. Wagner noted there will be one in the front and one in the back.

There were no comments or questions from the public. Mr. Vinciguerra moved to approve the landscape plan for Casa Rossa Cucina at 9350 Chillicothe Road, with the condition that the following Site Plan Keyed Notes be corrected as follows: No. 1 should be corrected from “new gravel parking lot” to “new paved parking lot”; and No. 7 should be corrected from “existing drive” to “new paved drive.” Mr. DeMarco provided the second. Upon roll call vote, the motion passed 5-0 (Ayes – Blum, DeMarco, Laux, Vinciguerra and Denk; Nays – None).

Valley Hardwoods LLC- Application for Conditional Use Permit for Stream Crossing at 9501 Chillicothe Rd (conceptual drawing)

Chairman Denk advised that the representative for Valley Hardwoods contacted the Zoning Office earlier today and said he will not be going forward with the application.

TABLED REQUEST

Proposed Accessory Building for Thomas Schroeder at 8700 Singlefoot Trail

Mr. Blum moved to remove the matter from the table, with the second by Mr. Vinciguerra. Upon roll call vote, the motion passed 5-0 (Ayes – Blum, DeMarco, Laux, Vinciguerra and Denk; Nays – None).

Attorney Erik Walter of Dworken & Bernstein was present in this regard, along with Karin Schroeder. He advised that Mr. Lallo got back to him on March 24. Noting that there were issues with the buffer zone, Mr. Walter showed the Commission members a plan for some mature arborvitae type trees that will cover the entire side of the building facing Eagle Road. He noted the plan shows a prior structure rendering that has been changed; he said to disregard the building.

Mr. Walter noted there was also a concern with the size. Mr. Walter said that after the last meeting, he submitted a Sunshine Law request to Mr. Lallo for permits for accessory buildings greater than 3000 sq. ft. since the year 2000. He referenced a 4800 sq. ft. building in 2004; a 3395 sq. ft. building in 2017; a 6480 sq. ft. building in 2016; a 5859 sq. ft. building in 2015; a 4800 sq. ft. building (original request 3288) in 2014; a 9888 sq. ft. building in 2013. He said the size of this proposed building, including the awnings, is 4861 sq. ft.; if the awnings were removed it would be 3000 sq. ft.

Mr. Walter said the other issues raised by Mr. Lallo have all been approved or taken care of; Mr. Keeney of Polaris has worked with Mr. Courtney to address all the other issues. He said his clients are willing to work with the City to get this approved.

Noting that the Commission had indicated the property owner had not addressed them, Mr. Walter said Karin Schroeder is here to answer any questions from the Commission.

Mr. DeMarco noted that the list of accessory building sizes referenced by Mr. Walter does not include the lot sizes of the properties. Mr. Walter noted that his request was limited to the square footage.

Mr. Vinciguerra asked about the driveway in relation to the proposed new trees. Ms. Schroeder said the trees will cover most of the front of the building for the benefit of the houses across the street. She said there will be a dual layer of trees and that they will be staggered.

Noting that they were asked to make the building smaller, Ms. Schroeder said they removed one of the overhangs along the entire side and they made one overhang smaller. She said they did make it much smaller than it was originally. Chairman Denk advised that the Commission has not received any amended plans for the building since the application was submitted in October 2022. Ms. Schroeder confirmed that the plans the Commission has on record is the current set of plans.

Mr. Denk noted there is concern about the size of the structure on a lot that is just over two acres. Mr. DeMarco said that the volume and height of the proposed barn as an accessory building is very large in comparison to the size of the house.

Answering Mr. Denk, Ms. Schroeder said the existing building will remain. She said there is nothing wrong with it and they can use it for storage; they will make this building look just like the larger building. They will be putting on new siding and a cupola.

Noting that there was a concern about use of the building by a future owner, Mr. Walter said that no one can operate a business out of that building; they would have to come to the Commission first.

Mr. Denk noted that the manure was another concern on this small property. Ms. Schroeder said the manure has always been composted on the property since 1980.

With regard to the nature space, Ms. Schroeder said there are other trees along Eagle Road, along with a fence. She said the nature trail was to allow equine access down Eagle Road.

Mr. Denk inquired if there will be buffers on the east and west side. Ms. Schroeder said the neighbors on one side are fine with the building and believe it will add value to their property. She said the other neighbors won't see it because they have trees and woods. She said the main people that would be affected are those on Eagle, and that is why they are proposing the screening.

Mr. DeMarco said the building is a very large mass, and he inquired if there is any way the building height can be reduced. Ms. Schroeder said she needs the height so she can pull a dump truck into the barn and dump hay or other materials. She said they need the height, noting they are softening it with

cupolas. Mr. DeMarco noted that the door is 14 ft. in height, which would clear a semi-truck. Mr. Denk noted that the size and height of the building do not fit the character of the neighborhood.

Mr. Denk noted that this building is one of the larger buildings that has been considered by the Commission. The Commission members reviewed the list of large accessory buildings presented by Mr. Walter. Referring to the 4800 sq. ft. building from 2004 on Russellhurst, Mr. Vinciguerra noted the lot is of similar size, but it abuts a lot of trees and only one neighbor can see the building. Mr. Vinciguerra noted that the 6480 sq. ft. horse arena included a plan for many horse stalls and an inside riding arena; the entire building was dedicated to the horses and the lot was larger. It was noted that some were for agricultural use on larger parcels. Mr. Denk noted that the 5859 sq. ft. building at 9100 Billings is on 59 acres. It was noted that the 9888 sq. ft. building was on a large parcel on Blair Lane, which is a remote area. Mr. Denk noted that Lake Metroparks and the Holden Arboretum have built accessory structures on this scale.

Mr. Laux inquired how many horses she plans to have going forward. Ms. Schroeder said she has always had one to three horses, and they are very large horses.

With regard to the 12' x 12' horse stall that has been discussed, Ms. Schroeder said that was put in the plans by the builder to represent that there would be horse stalls in the building. She said she is getting modular horse stalls, and she can make 12' x 12' horse stalls or any other size horse stalls, and they can be all along that side of the barn. She said they are modular systems and they are easy to change to whatever is needed.

Mr. Vinciguerra asked about the appropriateness of the thick concrete. Ms. Schroeder said she always has her horses on concrete, with a rubber flooring, and then sawdust on top. She confirmed that some people do not use concrete in a horse barn but others do; it is personal preference. Ms. Schroeder said that her horse that passed away was 2000 lbs. She said a horse that size in an area without concrete will result in a hole. Ms. Schroeder said the existing small barn has a 4-inch slab, and it has a huge crack down the middle; she wants a 6-inch slab, with 4 inches on the side.

Mr. Laux inquired if a 3000 sq. ft. building is oversized for three horses. Ms. Schroeder said it is normal to have to put everything in the barn, so a lot of space is needed. She said she does not believe less space would be sufficient for three draft horses, the hay, sawdust and anything else she might need. Ms. Schroeder said she has a large draft horse trailer that is currently outside.

Going back to the scale of the building, Mr. DeMarco said that aesthetically the barn looks nice, but it is a very large mass of building. He noted that many property owners will have this large building in their view that was not there when they purchased their property. He noted it may negatively affect the neighbors' property values. Mr. DeMarco said the sheer size of the structure concerns him, and inquired if there is anything she can do to pare it down some.

Ms. Schroeder said their neighbor has looked at the plans and said it will positively affect their property value. She said the price of the barn is not something that would negatively affect anyone's property value. Mr. DeMarco noted concern that it may deter potential future buyers for neighboring properties.

Answering Mr. Denk, Ms. Schroeder said her previous horse lived in the existing barn and had a paddock in the back. He inquired if the intent is for a horse to roam around the grounds or stay inside the building at all times. Ms. Schroeder said they usually roam.

Chairman Denk opened the meeting to public comment.

Robert Ruggeri of 8690 Eagle Road said that his front yard looks directly at the barn. He said that he and his wife have been opposed to the application since the beginning. He said he has several issues, but the biggest issue is that it seems the story keeps changing – they were told there was one horse, and the plans clearly call for one 12' x 12' stable; the rest is 6 inches of concrete with heated coils. He said it is not known if the Schroeder's have purchased a new horse. In the past, two horses – Superman and Pepsi – were both living in the existing barn. He said it appears they are using the horses to try and build a larger building for a different purpose than what they are proposing.

Mr. Ruggeri said the proposed driveway would come out onto Eagle across from his driveway. He said he has two young children and he is concerned with safety based on some issues in the past. He questioned the way supplies would be brought in based on how it is done by people he knows that have horses. Mr. Ruggeri said the beautiful area near Penitentiary Glen will be affected by the 3500 sq. ft. structure that is bigger than their house.

Holly Welsh of 8670 Eagle Road said that Mr. DeMarco already spoke about her concerns. She said the sheer size of the building certainly changes the feel of the neighborhood. Ms. Welsh said the City approved that subdivision with that nature trail and she believes the driveway is in opposition to the purpose of the nature trail. She said the residents have not had an opportunity to see what landscaping and trees are being contemplated. Ms. Welsh said another concern is the existing barn, which has trash around it visible from the street.

Julia Sandy of 8710 Singlefoot Trail said her property is directly adjacent to 8700 Singlefoot Trail. She said they had a 3D model printed to show the sheer size of the building in proportion to the other structures in the area. She said she will have a direct backyard view of the building. She pointed out a neighbor's (Granito's) horse barn. Ms. Sandy said that she requested examples of other barns that were over 3000 sq. ft. She noted that those other buildings cannot be seen from the road and the neighbors did not seem too impacted; they fit the area. She noted this is a pass-through lot that is completely open because of the horse pasture. She said the building will be in direct sight of everyone that lives around it. Even with the wooded area, she noted that it will still be visible from her property, especially in the winter.

Ms. Sandy read Section 1260.01 of the Kirtland Ordinances, relating to purpose and intent. She said this is a very small subdivision, with approximately 10 homes on the cul-de-sac street; it is not similar to other locations mentioned where large buildings were approved. She said the lots are small and were not necessarily intended to become farms. Ms. Sandy said they might not have chosen their property to build a home if the large barn had already been there. She said they have a vested interest, because the neighbor's property can have an impact of 15 to 20 percent on their property value.

With regard to overcrowding of the land mentioned in the section she read, Ms. Sandy said it has been confirmed that the existing building will stay and the area of the horse pasture is pretty much gone.

She said that the proportion of the barn in relation to the surrounding buildings is a concern. She said there is not enough landscaping that could shield the view of this building.

Ms. Sandy said the nature trail is a path to Penitentiary Glen that is used by people, including children, to get to the park. She noted that 8700 Singlefoot is only one house away from the park, so it would be a public concern for anyone east of the property on Eagle or Singlefoot that chooses to use that trail. She said that putting arborvitae or trees there will make it difficult for someone exiting the property in a huge dump truck to see children walking on that trail. She said that the deed restrictions (previously sent to the Commission) state the intended use for the trail is for pedestrian and bridle traffic only; it is not intended for vehicular traffic. Noting that has been respected since the path was installed, she asked that it be maintained.

Ms. Sandy noted they have mentioned their concern about water drainage, and adding a new building without taking care of the existing problem will cause issues. She said water is coming onto the street now, and if multiple horses are added, there may be waste or contamination in that water.

Ms. Sandy referenced Section 1268.01 of the Kirtland Ordinances relating to purpose of residential districts. She read paragraph (d) and said there is concern regarding the capacity of sewage for such a large structure, both current use and potential change of ownership in the future. Ms. Sandy read paragraph (f) and said another concern is the disposal of manure; she said that composting manure on the property has been a concern. She said that large dump trucks coming in and out will disturb the community feel. She read paragraph (g) and said that a building of this size does not have desirable characteristics on this pass-through lot of just over two acres in a very small subdivision and quiet cul-de-sac street.

Ms. Sandy said there were no issues in the past for the horses with the existing barn. She noted that the Commission has asked for considerations for the building to be smaller but it remains at the size proposed.

Ms. Sandy said there has been a lot of comment from neighbors in opposition to the building; the neighbors have been asked to come and provide public comment. She said at least nine other neighbors have submitted letters or spoken in person against the building; there have been no comments in support of the building from any neighbors.

Ms. Sandy said the view of the previous horse was appealing, but they started adding landscaping due to the dilapidated boat and other trash on the property.

Referring to Sections 1260.01 and 1268.01, Mr. Denk said there is responsibility of the Commission pertaining to the planning aspect as addressed in these sections.

Chairman Denk acknowledged that the Commission received email correspondence today from Jayme and Julia Sandy as the adjoining neighbor.

Sarah DiFranco of 9263 Regency Woods Drive said she has been a real estate agent for the past 19 years. She said one of the things that allured her to her home is access to Penitentiary Glen. She said that making the access to Penitentiary Glen either not as easy or unsafe would diminish the property

values. She said that adding a building as large as this dwarfs the home. She said seeing this type of building on 20 or 30 acres would be completely acceptable. She said when someone turns onto the street, the accessory building will be visible and will be an eyesore for any potential buyer, and it will be a deterrent to the value and the potential sale of a home.

Jayne Sandy of 8710 Singlefoot Trail said this matter started with the variance request for an extension on the existing horse barn in 2020. He said the addition was denied on May 12, 2020. Mr. Denk clarified that the variance request went before the Board of Zoning Appeals; there was no application submitted to the Planning and Zoning Commission at that time. Mr. Sandy said that the parcel referenced on Blair Lane was 38.75 acres. He noted that the accessory building on Chillicothe Rd. that was mentioned was not in a planned development.

Mr. Sandy said he did some research and found that the majority of the homes in the area do not exceed 3,000 sq. ft.; therefore, the proposed building is larger than most of the houses in this neighborhood.

Mr. Sandy said that a number of neighbors have had an objection to the proposed building, but he has not heard of any neighbors in support of it. He listed the addresses of the residents in opposition: 9801 Partridge Trail, 8670 Eagle Rd., 8690 Eagle Rd., 8710 Eagle Rd., 8720 Singlefoot, 8730 Singlefoot, 8735 Singlefoot, 8721 Singlefoot, 8707 Singlefoot, and 8710 Singlefoot. He noted that he and his wife are one of the ten property owners that have opposed this building. He said major concerns have been the sale of the property to a future owner, water concerns, manure, trucks exiting the new driveway onto Eagle Road, and the septic system; if the septic system fails there would not be sufficient space on the property for a replacement system if this building is constructed.

Mr. Sandy said he trusts that the Commission will make the best decision for the neighborhood, to keep it beautiful and to keep it safe.

Responding to Chairman Denk's inquiry regarding the septic system and the duplication area, Mr. Courtney said it does need to be considered. He noted the site plan shows the assumed location of the septic field; the applicant knows where the tank is located but does not know the exact location of the leach field. Mr. Courtney said if the septic system fails, there needs to be room for a duplication area; there is no duplication area indicated on the plans. Mr. Courtney said the site plan should be reviewed and approved by the Lake County Department of Health; he has not seen a letter of approval from them.

With regard to stormwater, Mr. Courtney said that before his tenure with the City, the previous engineer had reviewed the site plan and his comment was to install storm sewers to collect the drainage and take it to Singlefoot, which the current site plan does. He said there are yard drains and swales that direct water into a storm sewer system and take it to a catch basin on Singlefoot. This would keep more stormwater off the property and discharge it to a public storm sewer.

There were no further comments from the public, and Chairman Denk closed the public comment portion of the meeting.

Chairman Denk noted that the Commission has reviewed Sections 1260.01 and 1268.01, noting that there are some planning issues. Mr. Denk asked for comment from the Commission members.

Mr. DeMarco stated that the scale and size of the building is a concern. He said he believes it is an aesthetically pleasing building, and he would have no concerns if it was to be located on 20 acres of farmland. He said if the building is constructed at the size currently proposed, it will have a large impact on the feel of that residential neighborhood.

Mr. Denk noted that Section 1260.01(e) states the objective to regulate and control the location and spacing of buildings on the lot and in relation to the surrounding property; 1260.01(c) states the objective to prevent overcrowding of the land; and 1260.01(a) states the objective to protect the character and values of residential uses and insure their orderly and beneficial development.

Mr. Vinciguerra noted that he enjoyed hearing from Ms. Schroeder tonight, noting that she answered some questions about the concrete and the drawing showing only one horse stall in the corner of the building. Mr. Vinciguerra referred to Section 1268.01(f) relating to providing protection from noxious fumes, odors, dust, excessive noises, invasion of abnormal traffic and other objectionable influences. He noted that there is an entire neighborhood that finds the building objectionable. With regard to the nature trail, Mr. Vinciguerra noted he sees many children walking on that side of the road, where there would be a driveway across that nature trail. Mr. Vinciguerra also noted that it would be helpful if the size of the building could be reduced.

Mr. Denk questioned whether the existing driveway for the house could be used, as opposed to constructing a new driveway on Eagle Road across the nature trail.

Mr. Laux stated that looking at the plat, there are ten lots, with seven lots less than two acres in area; this lot is barely over two acres. He said he does not believe the proposed building conforms to the intent of the original development plan. He noted that the lot coverage would be over 15 percent with the third building, but the building would be limited to two percent if the lot were slightly smaller. Mr. Laux said he believes the large amount of building coverage would affect property values, noting it would not be a concern if the applicant had ten more acres of property.

Mr. Blum referred to Section 1260.01(c) stating the objective to prevent overcrowding of the land and Section 1260.01(a) relating to protecting the character and values of the residential properties. Noting that the size of the building is a concern, Mr. Blum said it is compounded by the applicant's plan to allow the existing 1,000 sq. ft. building to remain. Mr. Blum said he does not believe this meets the intent of Section 1260.01 relating to regulating the use of buildings, other structures and land for residences.

Noting there was a comment from a resident about the gravel, Mr. Walters said the Zoning Board required gravel for the driveway.

Mr. Walter noted that there are residents in favor of the building, but his office is investigating some threats. He noted the people in favor of the building did not want to attend the meeting. He also noted that the Granito's barn is a two-story barn.

Mr. Denk noted that looking at the other horse barns in this area, they are much lower profile and much less square footage.

Mr. Denk asked Mr. Walter if, after hearing the Commission's concerns, there is any thought to reduce the size of the building. After conferring with his client, Mr. Walter said the answer is no.

Chairman Denk stated that he would entertain a motion to approve the application for the proposed accessory building at 8700 Singlefoot Trail as presented. Mr. DeMarco so moved, and Mr. Vinciguerra provided the second. Upon roll call vote, Mr. Blum said he is voting no because of the Commission's comments noted regarding Section 1260.01; Mr. DeMarco said he is voting no based on the scale of the building and the discussions the Commission has had; Mr. Laux said he is voting no based on Section 1260.01; Mr. Vinciguerra said he is voting no based on Section 1268.01(f), the size of the structure and Section 1260.01(c); Mr. Denk said he is voting no based on discussion this evening. The motion failed 5-0 (Ayes – None; Nays – Blum, DeMarco, Laux, Vinciguerra and Denk).

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

None.

WORK SESSION:

Communications and Bills

1. City Council Meeting Minutes – March 6, 2023 Finance Committee Meeting and Council Meeting; and March 20, 2023 Finance Committee Meeting/Work Session and Council Meeting.
2. Board of Zoning Appeals Minutes of February 9, 2023 Meeting.
3. Board of Zoning Appeals Notice of Decision – No. 23-2.
4. Zoning Permits Report – March 1, 2023 to March 31, 2023.

Old Business

Review of Zoning Ordinances

Chairman Denk noted this will be addressed at the next meeting.

New Business

Conceptual Review – Potential Development of 9301 Chillicothe Rd.

Mayor Potter noted that the City has been approached in regard to development of 9301 Chillicothe Road (City Hall property) and a proposal has been provided for conceptual review. Referring to the 2022 comprehensive plan, which was done in 2012, some of the highlights of that plan related to creating more economic development in the downtown area, with more opportunities for residential

and senior living. As the 2032 comprehensive plan discussion began last summer, the Mayor noted that the connection of those themes was made. He noted that strategic planning sessions were held five years ago, where the City heard more economic activity in downtown Kirtland was desired, including restaurants, shops, senior living, and residential living opportunities. He noted that those same themes were repeated when the City conducted a community survey after he took office as Mayor. Noting that the City attracts many visitors to the Church of Latter-day Saints, the Metroparks, and the Holden Arboretum, Mayor Potter said there has been discussion about keeping those visitors in Kirtland with more dining and shopping opportunities, and entertaining more development in the downtown area.

Noting that the downtown area consists of many smaller lots, Mayor Potter said the City needs to take a look at something of the magnitude of the conceptual plan being presented. He said that the renderings show the potential development for 9301 Chillicothe Road, including a scaled-down version of a relocated City Hall building; he noted that a building the size of the current City Hall is not needed. The Mayor said the concept plan places a model of a City Hall building in front of the Kirtland Library. Mayor Potter said he has had conversations with Director Jane Carle of the Kirtland Library, noting this is something that could be entertained by the City and the Library Board.

Mayor Potter introduced Ray Sankovich, noting that he grew up in Kirtland and currently owns property in Kirtland and is a partner in development and retail and commercial leasing. He also introduced Chip Marous of Marous Brothers Construction, noting that he currently has children in the Kirtland schools. The Mayor said that for this type of effort, it is important to have people involved who have Kirtland's best interests in mind.

Chip Marous of Marous Development and Marous Brothers Construction said they typically develop in northeast Ohio. He noted that his business is in Willoughby, and he lives in Waite Hill; he knows the area very well. He said he believes the City Hall property is underutilized and this provides a great opportunity for Kirtland now and in the future. Mr. Marous said they are also looking at property to the south owned by the Cocca's for potential future development. Looking at the conceptual plan for the City Hall property, Mr. Marous said it is a great opportunity to expand the Kirtland downtown area. He said it would be mixed use, with retail, offices, residential for rent, and residential for sale.

Ray Sankovich said that he grew up in Kirtland and graduated from Kirtland High School. He said his background is in retail leasing and brokerage, noting he would be working on the retail leasing portion and the medical and office portion of the project. Mr. Sankovich said he has been in business for 30 years in commercial capacity and has worked across the country. He noted that growing up in Kirtland, he realized the needs, noting that he went elsewhere for retail and restaurants. He said this project will make the area a town center with more restaurants and retail that everyone will be able to enjoy.

Mayor Potter introduced Eddy Eckart, the City's Economic Development coordinator, noting that he has been working with the team over the last couple months. The Mayor thanked them for all they have done to develop this conceptual presentation.

Jeff Foster of Payto Architects said the plan would develop a level of density that helps slow down the traffic on Route 306. He noted that a key item is to get the buildings closer to Route 306. Mr. Foster said the density keeps the lot coverage under 20 percent, but it allows different uses that provide

opportunity to live and have an office in the space. He said the concept is to provide retail space and revitalize this area of Kirtland; he noted it will enhance the current uses along Route 306. Mr. Foster said it will provide a true streetscape. Noting that Kirtland is primarily a single-family residential community, Mr. Foster said they are proposing a combination of townhomes for sale, along with some units for rent, taking advantage of the walkability of the site. He stressed the importance of keeping the character of Kirtland, with a density that fits with the community and provides a town square feel.

Mr. Foster reviewed the concept drawing, noting that it shows the scale of the buildings and provides connectivity to the park property in the rear. He noted that the scale of the City Hall model is smaller than the current building, but it fits with the character and scale of the community and provides for the needs.

Responding to Mr. Denk, Mr. Foster confirmed that the parking is driven by the City's code requirements. He said there are different uses – residential, commercial and institutional. Mr. Foster said the key with any mixed-use development is sharing of parking, noting that parking for an office will be used at a different time of day than a restaurant that is open in the evening.

Mr. Laux inquired about water detention facilities. Mr. Foster stated that with the topography and the positioning on the site, their goal would be to integrate it in an organic and natural way.

Mr. Blum inquired about the Veterans' Memorial. Mr. Foster said it is an important asset, noting that it will be integrated in the town square.

Mr. Denk inquired about the property to the south, owned by the Cocca's. Mr. Marous said they are considering an extension of this plan or something similar. He said the hope is that this plan will spur development to the surrounding properties.

Mr. Blum noted that retirement living was a high priority in the survey data. Mr. Foster said the option of apartment living and townhouse living in walking distance of retail and other amenities will provide benefit for older residents. It was noted that apartments would range from 650 to 1100 sq. ft., and townhomes would range from 1700 to 2100 sq. ft.; it would be similar to River Walk in downtown Willoughby. Mr. Foster noted that the current market is approximately 70 percent one-bedroom units and 30 percent two-bedroom units. He noted the average monthly rent ranges from \$1250 to \$3000 in River Walk, with average income of \$85,000; there is currently a waiting list.

Mayor Potter mentioned some of the current and proposed restaurants in the downtown area, noting this is an opportunity to complement those restaurants and other businesses.

Discussion ensued regarding the benefits this proposed development would bring to the City and the downtown area. There was discussion regarding the sewers and capacity.

Mayor Potter addressed the economic development aspect, noting the City has struggled over the years to pave roads and keep equipment updated. He noted this would ease the burden on the taxpayers.

Mr. Blum inquired about the impact on the schools if there are many school-aged children added to the enrollment. Mayor Potter noted that he has spoken to the Superintendent. Mr. Marous noted that in River Walk, approximately three percent are children living in those apartments.

Thomas Buchter of 8735 Singlefoot Trail asked about the presenters. Mr. Marous said he is a developer and Mr. Foster is an architect; Mr. Sankovich is a retail broker. Mr. Marous said the others in attendance work for him. Mr. Buchter inquired about a dollar figure for the project. Mayor Potter said there will be a dollar figure, noting that conversations will continue following this first conceptual discussion tonight. He noted that Council will be involved, and the Law Director has been and will continue to be involved in the discussion.

Sarah DiFranco of 9263 Regency Woods Drive noted that it has been mentioned that seniors want to stay in the community, but three-story townhomes is not what seniors want. With regard to the impact on the schools, Ms. DiFranco asked how many children live in the apartments across the street from the schools. As a realtor, she noted she has several clients waiting for affordable housing in Kirtland, and they currently live in those apartments so their children can attend Kirtland schools. She believes it is higher than three percent children in those apartments. She also noted that the cost of rent may price the seniors out of living in those apartments. Ms. DiFranco also questioned whether it is known that there is a demand for these proposed spaces, noting that it would be horrible for the community if they sit empty.

Mr. Sankovich said they designed the retail to have exposure on Route 306. He said there is enough retail for what they are proposing; they are envisioning a full-service restaurant, a coffee shop, retail stores and services. He noted that it creates a center of town and will spark other development in the surrounding area; it will complement the stores that are already here.

Mr. Denk inquired whether there will be national or local retailers. Mr. Sankovich said it is not known at this time, but they will look for local retailers and a full-service restaurant. They plan to have outdoor seating and green space. He noted the office and medical will complement the development; it is a nice mix of the different uses.

Mr. Denk inquired about a plan to market the development to the community. Mayor Potter said he and Mr. Eckart are working on a press release and will put the renderings on the City website. He noted there will be Council meetings and Zoning meetings to obtain feedback from the community.

Jerry Seimon of 7725 Russellhurst Drive inquired if the property in the rendering is just the City property and whether they have reached out to property owners on either side. Mr. Marous confirmed that it is the City property only, noting they have reached out to the property owners to the south.

Andy Pisorn of 3774 Judy Drive, Syracuse, New York, asked if the City retains ownership of the property. Mayor Potter said it is more likely that the City would not retain ownership, noting it would be up for discussion in negotiations.

Susie Shafer of 7992 Barristers Court said that she is president of the soccer league, and looking at the rendering she questioned if the soccer field will be impacted. Mr. Marous said it will not be impacted and that the parking behind the library will remain. Ms. Shafer said that as a league, they were told to

not park at the library, so they have been parking in the shared space. Mr. Foster said they would be coming to the town center and would use the town center parking.

Frank Wagner of 8257 Sherman Road inquired about the parking in front along the road. Mr. Foster said it will be parallel parking; he noted the width of the lanes will be reduced but pavement will be added for parking.

Catherine Levy of 8335 Sanctuary Drive, Kirtland Hills, inquired if the relocation of the City Hall in front of the Library would include the Police Department and how it would be accessed. Mayor Potter said that no matter where the City Hall is relocated, it must include the Police Department being maintained in the downtown area. He noted that parking and access would have to be worked out.

Mr. Denk noted that all of the proposed uses fit within the Historic Town Center zoning. Mr. Denk thanked the presenters, noting the Commission looks forward to further discussion on the proposal.

* * * *

Before adjourning the meeting, Chairman Denk said he would like to recognize Rick Blum, noting this is Mr. Blum's last meeting on the Planning and Zoning Commission. Mr. Denk said that Mr. Blum has done a great job serving on the Commission, and his contributions have been greatly appreciated. Mr. Blum received the applause and appreciation of all those present. Mayor Potter thanked Mr. Blum for all he has done as a member of the Commission and in the community.

Adjournment

There was no further business before the Commission, and Mr. DeMarco moved to adjourn. Mr. Vinciguerra provided the second, and the motion passed upon unanimous vote. The meeting adjourned at 10:17 p.m.

CHAIRMAN

SECRETARY