

CITY OF KIRTLAND
PLANNING AND ZONING COMMISSION

MINUTES OF THE MEETING
February 10, 2025

Roll Call

The meeting was called to order by Chairperson Denk at 7:10 p.m. Present were Commission members Jason Bridges, Richard DeMarco, Lita Laven, and Michael Denk. Absent: Daniel Laux.

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

Minutes of the January 13, 2025 Work Session

Ms. Laven moved to approve the Work Session Minutes as presented, with the second by Mr. Bridges. Upon roll call vote, the motion passed 3-0 (Ayes – Bridges, Laven, and Denk. Abstain – DeMarco. Nays – None.)

Minutes of the January 13, 2025 Meeting

Ms. Laven moved to approve the Work Session Minutes as presented, with the second by Mr. Bridges. Upon roll call vote, the motion passed 3-0 (Ayes – Bridges, Laven, and Denk. Abstain – DeMarco. Nays – None.)

Public Session

Public Requests

9183 Chillicothe Road, Suite B – Sign Permit

Cristina Soriano, 7644 Euclid Chardon Road, Kirtland, addressed the Commission regarding the installation of a wall mounted sign on the building located at 9177 Chillicothe Road. Ms. Soriano stated the lettering will be the same size and color as all of the other signs on the building. Further stating the lettering will read Maggie's Doughnuts & Café.

Mr. Bruce Carter, 9559 Chillicothe Road, Kirtland, addressed the Commission and asked if Ms. Soriano had the sign available to view. Responding to Mr. Carter the Commission stated that she is not required to bring the actual sign to the meeting for approval.

Commission Member Jason Bridges moved to approve the sign at 9183 Chillicothe Road, Suite B, as submitted. Commission member Lita Laven seconded the motion. Upon roll call vote, the motion passed 4-0 (Ayes – Bridges, DeMarco, Laven and Denk; Nays – None).

8520 Euclid Chardon Road Preliminary/Final Development Plans

Angelo Fappiano of 8520 Euclid Chardon Road and David Nulick of BuildQuote Pro addressed the Commission.

Chairperson Denk provided an overview of the applicant's request noting that this is a storage facility on the LI zoned side of the property. Noting that the Commission is in receipt of the re-submitted plans.

Mr. Marong brought to the attention of the Commission the items that the applicant was asked to consider and look into at the last P&Z meeting. Items included: the C.W. Courtney Company checklist – which will be addressed directly by Doug Courtney, trash management plan, landscape and tree plan, sanitary and septic plan, hours of operation, screening on the east property wall side, and signs (if any). It will need to be determined this evening if all items have been sufficiently addressed to approve the Preliminary Development Plan and if so can move the application forward to Final Development Plan approval.

Discussion regarding dumpster location on residential zoned portion of the property was held.

Mr. Courtney referred to the Memorandum January 30, 2025, which included review comments. Noting that he received an updated plan on Friday, February 7, 2025, that addressed all of the items on page three of the Memo. Mr. Courtney confirmed with applicant that the 4'6" fence was on architect's plan. He noted that on the previous plan there were parallel parking spaces along front of the building. He also asked the Commission to confirm that the Landscape Plan as presented is satisfactory.

Mr. Denk posed questions to the applicants regarding the use of the units. He asked if it is the intention of the applicants that all units be used strictly for storage. Noting that the allotted parking spaces is based on the building being used strictly as storage units.

Mr. Marong stated the main use is storage units as proposed in site plan and based on proposed parking. Noting that if businesses rent the unit and conduct business out of the unit the permitted main use of storage would be changed. Further stating that this type of use would have to come back to P&Z for approval and possibly may have to endure site modifications based on the new use.

Discussion regarding the dumpster location and trash management plan was held. Mr. Denk asked if it is possible to locate out this outside of the residential zoned area. Mr. Fappiano suggested the pick-up be limited to normal business hours between 8:00 a.m. – 5:00 p.m. Questions regarding hours of operation were asked. Responding Mr. Fappiano stated the hours would be 7:00 a.m. – 9:00 p.m. in accordance with the city's noise ordinance. Questions regarding the bathrooms was held. Mr. Fappiano confirmed that the first unit would have a bathroom and there will be one bathroom in the rear for all tenants, noting that the rest of the units will only have roughed in plumbing for bathrooms.

Commission Member Lita Laven moved to approve the Preliminary Development Plan approval for 8520 Euclid Chardon Road. Commission member Richard DeMarco seconded the motion. Upon roll call vote, the motion passed 4-0 (Ayes – Bridges, DeMarco, Laven and Denk; Nays – None).

Public Comments:

Bruce Carter, 9559 Chillicothe Road, asked what kind of waste facilities are being installed. Responding, Mr. Marong stated based on the submitted development plan a septic system will be installed also noting that this been reviewed by the City Engineer.

Ben Palazzo 8248 Euclid Chardon inquired if the doors on the units will be overhead garage doors, man doors, and if the units are intended to be cold storage only or heated units. Responding Mr. Denk stated all units have an overhead door and a man-door. A PTAC will be installed, and no other heating element will be installed in the space, also noting that no sprinkler system is required.

Commission Member Lita Laven moved to approve the Final Development Plan for 8520 Euclid Chardon Road with the following conditions: (1) Trash pickup will only occur between the hours of 8:00 a.m. - 5:00 p.m. (2) The hours of operation will be 7:00 a.m. - 9:00 p.m. daily in accordance with the City of Kirtland noise ordinance, and (3) If it is determined that any individual unit has a change in use, the property owner must apply to the Planning & Zoning Commission for a Change In Use Permit. Commission member Richard DeMarco seconded the motion. Upon roll call vote, the motion passed 4-0 (Ayes – Bridges, DeMarco, Laven and Denk; Nays – None).

Dominion/Enbridge – 8909 Euclid Chardon Road – Conditional Use & Preliminary Development Plan

Shane Kuhn, Project Engineer Enbridge Gas Ohio, 320 Springside Drive, Akron, Ohio.

Mr. Kuhn read a prepared narrative. A printed copy of Mr. Kuhn’s narrative is attached to the Minutes.

Mr. Marong welcomed Mr. Kuhn back to the P&Z Commission Board and provided an overview of what occurred last year before the Commission. Noting that a conceptual plan review and a preliminary plan request were submitted. Based on a suggestion to have the Rocking Horse Farm HOA meet to discuss the matter; Dominion’s plan was tabled to allow time for the meeting. Stating that after meeting and discussions Dominion is once again seeking preliminary site plan approval. Mr. Marong also noted that based on Mr. Kuhn’s statement a variance will be required for the 8’ requested fence height.

Mr. Courtney referenced his January 22, 2025, letter to the P&Z Commission. Noting that the area met the setback requirements. However, the above ground pipes as shown on the plan are considered a structure. Noting that a side yard setback variance will be needed if the pipes stay as presented.

Mr. Courtney stated that based on the contents that are missing from the final development plan this will not be considered for final development plan approval this evening and will remain at preliminary development plan stage. Further noting that a storm water management plan needs to be prepared as required by code. And noting that currently there are two parcels that comprise the site, and if the building is rebuilt as presented the parcels will need to be consolidated.

Mr. Marong noted that currently the building is considered legal preexisting nonconforming. Also noting that Codified Ordinance 1261.04 provides the definition of structures, noting that fixed to the ground piping are considered structures.

Mr. Kuhn stated there is certain criteria that must be followed regarding the pipe size, noting that they will try to work around it but, if necessary, will apply for a variance.

Mr. Denk asked Mr. Kuhn to explain the compressed air that is being used. Mr. Kuhn provided a detailed explanation including options they will be looking at for the new building.

A brief discussion regarding architectural design and the color of the exterior of the building was had. Followed by discussion regarding lighting. Mr. Denk asked if the lights will be on 24/7. Responding Mr. Kuhn said no, just standard lighting. The only time the additional lights would be needed are for callouts only. Mr. Denk asked how often he anticipates a call-out. Responding Mr. Kuhn stated rarely in a new facility, and also noted that there are three sources of power backup.

Mr. Marong inquired if there is a consensus with the neighbors. Mr. Kuhn noted that the request for an 8' feet fence and additions to the number of trees from 131 to 311 were made, noting that they compromised where we could and will continue to do so and stated it is their desire to have a good relationship with the neighbors.

Mr. Denk noted that there will be ten emergency exits around the perimeter, and asked if this is an OSHA code requirement. Mr. Kuhn stated these are panic style doors that are locked from the inside and does not have outside access. Mr. Denk asked that the old building code cited 2017 be updated to read "2024."

Mr. Kuhn asked if the city has anything in mind for the exterior design. Mr. Denk provided suggestions as to color and some additions that can be considered.

Mr. Marong suggested that procedurally they continue to work on the development plan as well as begin the process of variance requests to the BZA.

Mr. Kuhn stated that the work will be done in phases, based on the fact that it is such a tight work area. Noting that there will be some underground and some aboveground work. He anticipates start to finish approximately six months, not including end clean up and restoration. Noting that it may go into the spring for touch up work.

Ms. Laven asked how many phases the construction would be. Mr. Kuhn stated at least three phases. Noting that the building is prefabricated and done in pieces.

PUBLIC COMMENTS

Dan Smith, 10660 Bayshire Trail, shared his concerns regarding the facility. Mr. Smith stated he has observed on several occasions loud noises coming from the building. He also stated he often smells gas when he is in his backyard. He provided specific examples of times he had to remove his children from playing outside or using the outdoor hot tub because of the strong odor of gas.

He stated that conversations with Mr. Kuhn and the attorney went well. He is in support of the 8' feet fence. He suggested making the building look more like a house. Stating feels it will decrease his property value significantly if the design stays as presented. He also stated he strongly feels there is something going on with the gas and does not feel safe.

He added that his neighbor John DeGreen 10665 Bayshire Trail was unable to be in attendance this evening and asked that he please share his concerns regarding the drainage going straight to his property.

Mr. Denk asked Mr. Kuhn if he had any comments. Mr. Kuhn stated that different safety strategies will be in place with the new building. Mr. Denk also inquired about the esthetics of the structure. Mr. Kuhn stated he will have to research if the esthetics can be altered in any way.

Bruce Carter, 9559 Chillicothe Road, asked what the purpose of this request is, what is the conditional permit for and what safety valves are they using.

Responding Mr. Denk stated that they are replacing a station that is approximately 60 years old. Mr. Kuhn added that the Department of Transportation regulates all safety standards. Mr. Kuhn provided additional information regarding safety standards and added that by code they are required to have PSVs.

Mr. Marong clarified that the P&Z Commission can adjudicate the fence height increase request and that it will not be necessary to go before BZA for the fence.

Bruce Carter 9559 Chillicothe Road asked if this is a pressure station. Responding Mr. Kuhn stated no.

Mark Bailey, 10650 Bayshire Trail addressed the Commission. Mr. Bailey stated the parties had met last year but received no follow up communication until several days ago. Mr. Kuhn provided the residents with images of similar stations that Enbridge felt could be used as comparisons. Mr. Bailey asked if the parcels are combined would they consider moving large building closer to the center of the property. Mr. Bailey also asked if the light poles would be considered structures. Responding Mr. Marong referred to City Ordinance 1261.94 (n) and stated that poles meet the definition of a structure. Mr. Bailey shared that he feels the uniqueness of the development and surrounding area creates a need to enhance the look of the structure to better fit in with the surrounding homes.

Gianni DiFranco, 10680 Bayshire Trail addressed the Commission. Mr. DiFranco stated his concerns about what impact this will have on the neighbors' views and individual property values. He referred to images that Mr. Kuhn sent a few hours ago of comparable buildings in terms of being in a residential setting. He asked if there are other examples. Mr. DiFranco stated he did some additional research of other buildings designed by Enbridge. Noting the details are much higher end.

David Freeburg, 8867 Shetland Court addressed the Commission. He stated that 2/3 of the board-on-board fence is in his yard. Further stating that the meeting held last year was on his deck. He stated that there is a vast improvement in the preliminary plans presented this year versus the plans submitted last year. Speaking as a real estate attorney and owner of a title company, Mr. Freeburg commented on the effect a new station will have on property values, stating that he feels this will add a significant increase in value to the houses and that overall, what is best for the neighborhood is to approve this plan.

Mr. Marong suggested that the preliminary plan may need additional tweaks before it can be determined if there is a need to submit variance request(s) to BZA.

Commission Member Richard DeMarco, moved to table the Conditional Use Permit and Proposed Preliminary Development Plan at 8909 Euclid Chardon Road as submitted by Enbridge/Dominion Energy with the consent of representative for the Applicant, Shane Kuhn. Commission Member Jason Bridges seconded the motion. Upon roll call vote, the motion passed 4-0 (Ayes – Bridges, Laven, DeMarco and Denk; Nays – None)

Biltmore Healthcare, LLC – Conditional Use and Preliminary Plan (Nursing Home) NW corner of Rt. 6 & 306.

Mr. David Mitchell of Brenner Kaprosy Mitchell, L.L.P. addressed the Commission on behalf of Applicant, Biltmore Healthcare, LLC, noting that he is also a Member of Applicant Biltmore Healthcare LLC. Also, in attendance on behalf of Biltmore Healthcare LLC was Project Architect, Todd Hutchinson and Civil Engineer, Mike Wohlwend of the Wohlwend Engineering Group.

Mr. Mitchell stated he has been before the P&Z Commission previously and provided a general overview of the proposed 99-bed nursing home to be construction on approximately 22-acre parcel of land at the corner of Rt. 6 & Rt. 306. Also stating that since the last meeting the Applicant has finalized the development plan and enlarged the building footprint to 76,204 square feet. Further stating this was done to encompass a larger kitchen preparation area and adds additional square footage to the resident rooms.

He stated this evening they are here to discuss three primary factors including if the proposed nursing home constitutes a similar use as provided in 1277.03 (d) in the Retail Business District, followed by if the proposed use meets the applicable criteria for uses for a conditional use according to Codified Ordinance Section 1285, and lastly to review the proposed development plans for preliminary approval.

He noted that Section §1261.09 (ii) of the Zoning Code contains the definition of “Nursing Home.” Stating that they feel what they are proposing is an acceptable use based on the definition.

Further noting that there are some time constraints regarding the purchase agreement with the seller of the property. Noting that they would feel comfortable moving forward with the purchase of the property with a Conditional Use Permit approval and Preliminary Development Plan approval. Noting that they will not be seeking Final Development Plan approval at this point because construction will not likely begin within the one-year time frame and also without the addition of sanitary sewers to the area.

Mr. Mitchell referenced City Engineer, Doug Courtney’s Memorandum dated February 4, 2025, stating that with some clarification on a few of the items they are prepared to meet most if not all of Mr. Courtney’s suggestions.

Mr. Mitchell stated the property is located in the Retail Business district and the proposed use is a nursing home, which is not permitted under 1277.03(a). A hospital use is permitted under 1277.03(b) via 1273.03(c). Therefore, the nursing home use will require a similar use declaration to determine that it is similar to a hospital. Per 1277.03(b) , a declaration of similar use will require conditional use permit approved.

Mr. Mitchell stated that from a physical plant standpoint a nursing home and hospital are virtually identical. Further stating that the I-2 construction group states that **I-2 is an occupancy classification for buildings that provide medical care 24 hours a day for more than five people who not capable of self-preservation. Further stating that from a functionality standpoint medical care to patients both long-term and short-term. Pointing out one big difference between a nursing home and a hospital is the direction of the ambulance runs. Noting that a nursing home takes a patient vs. a hospital that brings the patients in.**

Mr. Mitchell noted that the City of Kirtland Codified Ordinances has no zoning district that permits nursing homes by right and therefore a nursing home is considered a conditional use in all zoning districts throughout the city. Again, referring to the need for a similar use determination.

Mr. Mitchell directed attention to the City's Comprehensive Plan noting that a number of the concepts outlined in the conceptual plan are consistent with the need to address the aging population in Kirtland and the concept of aging in place. Further identifying that the Comprehensive Plan recognizes Rt. 306 & Rt. 6 is prime for development. Stating that the facility would bring approximately 120-130 fulltime jobs in addition to possible other ancillary businesses. Noting the Comprehensive Plan recognizes a need for sanitary sewer extension for this intersection. Stating that the development of a nursing home facility will require sanitary sewers prior to development.

He further indicated the Comprehensive Plan states the need for the city to generate revenue. Stating that both the real estate owner and tenant operator are for-profit tax paying entities. He expects payroll at stabilization to be somewhere in the range of \$7.5 million – \$8 million annually.

Mr. Mitchell directed the attention of the Commission to § 1285.01 CONDITIONAL USE PERMITS of the Code and read 1285.01 (a) in its entirety.

Mr. Mitchell stated that they are not seeking a variance. Further stating they are asking for a determination of a similar use with conditional use approval.

Mr. Mitchell reviewed the contents of the supplement provided in a narrative format and reviewed Section 1285.03 – Basis of Determination and Section (a) through (g) and Section 1285.05 Standards for Evaluating Conditional Use Permits (b) Business and Industrial Districts (1) through (6).

In Summary, Mr. Mitchell stated that they feel both the Preliminary Plan and Final Plan address the items in 1285.03 and 1285.05. Noting that at this time they are only asking for Preliminary Development Plan approval.

Mr. Mitchell stated there is not a need for a full traffic study based on ODOT requirements. He provided a trip generation report dated February 3, 2025, prepared by TMS Engineers, Inc.

Mr. Mitchell asked Mr. Courtney's to clarify his comments regarding Section 1222 Overlay District. Mr. Courtney stated that Section 1222 opens the Commission to impress additional conditions and does not preclude from building, further stating that this will not impact building the nursing home as proposed.

Public Comment Hospital vs. Nursing Home Similar Use

Bruce Carter, 9559 Chillicothe Road stated he has no problem with the nursing home his only concern is how will the sewers to be paid for.

Scott Haymer 8110 Forestdale Drive stated he does not see how the two are similar. Mr. Haymer requested clarification on what is being voted on this evening. He stated he thinks this is too much information to process and suggested Mr. Mitchell provide a copy of his notes for distribution so they can have a chance to review also suggesting the matter be tabled at this time.

Mr. Marong inquired to Mr. Mitchell about the timing of the project. Noting that the next meeting is March 10, 2025. Stating that this evening they will discuss and comment on the Preliminary Development Plan.

Mr. Mitchell stated he is happy to address the comments this evening. Mr. Courtney stated the Preliminary Development Plan is sufficient as submitted.

Patrick Cronin 8060 Springer Drive shared his concerns regarding increased ambulance activity that would generate noise and effect the residents around the area. Mr. Mitchell confirmed there will be potential ambulance activity to the facility.

Ben Palazzo, 8248 Euclid Chardon Road questioned the sewers. Mr. Denk deferred that discussion regarding sewers will be at a later point in the meeting.

Bruce Carter, 9559 Chillicothe Road doesn't understand why this should be a problem we already have a nursing home in the City.

Mr. Marong stated he believes the Kirtland Nursing Home is considered *legal preexisting nonconforming* based on the year it was built.

Matt Schulz 10664 Chillicothe Road stated he forwarded an email to Mr. Denk sometime this afternoon that he received from resident Bruce Borthwick regarding concerns about the nursing home. Mr. Schulz requested the email be read aloud.

Ron Fenstermaker 8851 Billings Road stated he thought it would be beneficial to read the email into the minutes. Mayor Potter concurred with Mr. Fenstermaker.

Scott Haymer 8110 Forestdale requested clarification as to what skilled nursing is. He inquired what the average ambulance run would be. Mr. Mitchell provided statistics from a nursing home located in Mentor, Ohio. Responding to a question about who would be running the operations of the nursing home Mr. Mitchell stated that Foundations Health Solutions is the anticipated operator. Noting that Foundations Health Solutions is locally owned, and the main business of Foundations Health Solutions is nursing home operation. Also noting that their business currently is only in the state of Ohio and that the principles are here in Cleveland.

Mr. Denk read in its entirety the email from R. Bruce Borthwick sent to Matt Schulz at 2:19 p.m. Monday February 10, 2025, and then forwarded to Mr. Denk. A copy of the email language in its entirety is attached to the Minutes.

Mr. Denk asked Mr. Mitchell what the intention for the SE corner of the property is. Responding Mr. Mitchell stated they will be purchasing that area as well for development in the future. It will be a separate parcel.

Mark Marong noted that stated that the RB district a hospital is a permitted use. A motion will need to be made to determine if a nursing home is a similar use. If it is determined that a nursing home is a similar use, then a conditional use procedure will proceed. He noted that the city would not be able to stop another hospital from building on the site.

Commission Member Lita Laven, moved to declare the Biltmore Healthcare LLC nursing home plan as a similar use to a hospital. Commission Member Richard Demarco seconded the motion. Upon roll call vote, the motion passed 4-0 (Ayes – Bridges, Laven, DeMarco and Denk; Nays – None)

Mr. Denk asked Mr. Courtney to provide a review of the Preliminary Development Plan. Mr. Courtney stated the landscape plan appears efficient for both parts however the parking area adjacent to 306 needs to be screened. Noting that the majority of the comments are pertaining to final development and stating that he is satisfied with the Preliminary Development Plan.

Mr. Denk asked Mayor Potter to please comment on the sanitary sewer issued.

Mayor Potter stated that over the past 1.5-2 years himself, Mr. Courtney and Mr. Fornaro have had meetings with Lake County Utilities regarding capacity. Further stating that there are several options to consider regarding financing of the project. Mayor Potter stated that the city has retained a law firm that specializing in tax incremental financing (TIF.) He provided an overview of how TIF financing works and stated he has had conversations with the Kirtland City Schools as well.

Mr. Marong asked Mr. Mitchell if there are any time constraints. Responding Mr. Mitchell stated that they need to have conditional use approval and preliminary site plan approval by March 10, 2025.

Ms. Laven asked Mr. Courtney if there were any issues with the environmental overlay district. Responding Mr. Courtney stated there are no issues.

PUBLIC INPUT PRELIMINARY SITE PLAN

Patrick Cronin 8060 Springer Drive asked about a retention basin for water flow. Mr. Courtney responded. Mr. Cronin, requested to view the calculations. He also inquired if ODNR has been contacted. Responding Mr. Courtney stated that they will be involved with final development.

Kimerly Cox 8010 Euclid Chardon Road shared her concerns regarding increased traffic to the area. Noting there is a lot of traffic generated by events at the Farmpark. She questioned if a single lane road is enough to support the area. She also has concerns regarding increased noise from heating and cooling units and commercial trash pickup; concerns regarding odors from cooking, and concerns regarding disruption to local wildlife

Ms. Cox also shared concerns regarding sewer water pressure and fire hydrant pressure. Noting additional concerns regarding the impact on the city fire department. Additionally, she inquired about the project timeline asking what roads would be closed and how it will affect other local businesses throughout the construction period.

Matt Schulz 10664 Chillicothe Road asked the anticipated cost of sanitary sewer and asked Mr. Mitchell if his organization will be contributing to the sewer cost. He also stated he would like to see an economic impact study as both a Council member and taxpayer. Responding Mr. Courtney stated \$7 million and Mr. Mitchell stated he did not know at this time if they will be contributing.

Josh Hayes 8056 Springer Drive asked if there a financing option that does not require approval from the school district. Responding Mayor Potter said yes and that this would be a discussion before City Council.

Mark Marong provided a brief explanation of what a TIF is; stating that a TIF diverts and redirects where tax dollars go. Redirecting where the tax dollars go.

Mr. Denk stated that what has been presented so far is very well done and asked the Commission for a vote on the Preliminary Development Plan.

Commission Member Richard DeMarco, moved to declare the approval of the Biltmore Healthcare LLC Preliminary Development Plan for a nursing home located at 8107 Chillicothe Road. Commission Member Lita Laven seconded

the motion. Upon roll call vote, the motion passed 4-0 (Ayes – Bridges, Laven, DeMarco and Denk; Nays – None)

Mark Marong Conditions on conditional use permit on the use of the facility. Asked commission if they are ready

Next meeting conditional use permit.

Mr. Mitchell Proposed conditions before next meeting.

Commission Member Jason Bridges, moved to table the Conditional Use Permit at 8107 Chillicothe Road as submitted by Biltmore Healthcare LLC with consent of representative for the Applicant, David Mitchell. Commission Member Lita Laven seconded the motion. Upon roll call vote, the motion passed 4-0 (Ayes – Bridges, Laven, DeMarco and Denk; Nays – None)

Public Comments on Items Not on the Agenda

Mr. Patrick Cloonan, 8269 Emerald Glen Court, Kirtland, addressed the Commission regarding 11030 Chillicothe Road. Mr. Cloonan presented two conceptual drawings depicting potential lot splits on the property. After discussion with the Commission members and Mr. Courtney it was determined that Mr. Clooney will have discussions with Mr. Marong and Mr. Courtney regarding engineering and legal input and be placed on the March 10, 2025, Agenda for conceptual review.

Begins 23:35
Work Session

Communications and Bills

1. Council Meeting Minutes January 6, 2025
2. Council Meeting Minutes January 13, 2025
3. Zoning Permits Report – January 1, 2025 – January 31, 2025

New Business

Mr. Marong stated based on the length of time of the meeting the items of news business will remain as New Business for the March 10, 2025, meeting.

Adjournment

There was no further business before the Commission, and Mr. Bridges moved to adjourn. Mr. Laux provided the second, and the motion passed upon unanimous vote. The meeting adjourned at 10:57 p.m.



SECRETARY



CHAIRPERSON

Narrative for the 2/10/25 City of Kirtland Planning and Zoning Commission Meeting

Good evening members of the Planning and Zoning Commission.

My name is Shane Kuhn. I am an Engineer with Enbridge Gas Ohio. I am responsible for the planning and construction of the project that is before you.

Our project, which has been submitted to the City via, a Site Plan Review Application, and a Conditional Use Application is a natural gas facility, off SR6.

This facility serves the City of Kirtland and surrounding areas.

The purpose of this project is to replace the existing facility, in which has been in operation since 1961. By doing so it will bring state of the art equipment and mitigate any current issues that the surrounding residence are having.

Those issues from meeting with the residence are the smell of gas, noise, safety and visual appearance.

To mitigate the smell of gas this station will run off a compressed air system, instead of using natural gas.

Secondly, noise mitigation strategies are currently implemented in the design of the facility. Some examples include housing the noise making equipment inside a structure which includes noise attenuation material, the engineered equipment itself is designed with sound attenuation internals and the sizing of the piping systems, to lower the velocity, in which, will reduce the noise.

Furthermore, Enbridge designs and constructs facilities like this to DOT Title 49 CFR Part 192 – a federal code of standards dictating the design and operation of natural gas pipelines and facilities. The code also spells out how companies like Enbridge must inspect and test the facilities on recurring bases to ensure safe and reliable operation. These standards ensure natural gas pipelines and facilities are built, operated, and maintained to the highest levels of safety.

Lastly, we have worked with a consultant to provide a professional landscaping plan to screen the facility as well as have plans to replace the existing fence structures to conceal the site even more. Enbridge would like to install an 8ft tall fence instead of the standard 6ft based on the request from the Home Owners Association.

Furthermore, we have received the City's engineer comments and agree with his basis of determination on the conditional use review that we have met all standards and requirements.

We also met to discuss the comments on the final development plan review and are working to correct and provide the required documentation and will submit those to the city, when available.

In closing, I would add that Enbridge, and its predecessor companies, have a long history of providing safe and reliable natural gas service. We currently serve more than 1.2 million customers in hundreds of communities in more than 27 Ohio counties.

We seek your approval so that we may move forward with the replacement of this facility, to continue to provide safe, reliable energy to the city of Kirtland and the surrounding areas.

Thank you. I am pleased to answer any questions you may have.

Hello and good day.

I was reading the local gazette newspaper today and noticed a Planning and Zoning meeting regarding a possible nursing home facility for the 6 and 306 corridor.

Unfortunately, I will be unable to attend the meeting on Monday, February 10 due to work restrictions, however I feel compelled to inform of some concerns.

I understand fully the desire and need for the city to increase its tax base and fully support development that is good for the city and its residents. I feel the desperate desire for development and tax dollars can entice many into a shiny penny scenario- a short term positive and a long-term negative which many will regret at a later time.

I have had experience as an emergency responder, public employee for the past 35 years. Within in that time i have seen the development and growth of nursing facilities in the city in which I am employed and many others. I have heard the promises of developers and have seen the reality: they are quite different.

Often the promises revolve around a beautiful facility with a increased tax base to the city and the schools. With elderly grandparents being kindly cared for by a compassionate staff . Promises of corporate and managerial staff with high incomes. Promises of the seed to spurring future development

Many times the hidden plan is to build the facility and sell it out to a private equity firm several years later, and then the process just continues every several years.

With his all the promises and agreements are often lost to the original owner,-developer.

The reality however is unfortunately a stark contrast.

- Emergency crews will be tied up for hours each day transporting multiple patients out of the city to emergency departments, waiting in the hallway for a bed- at times 1-2 hours.

This will reduce staff available to take emergency calls within the city. It will reduce the city staff training, availability, and it will impact recruitment and retention.

- Increase in crime withing the city by staff and even patients
- Skeleton crew of low paid staff with high turnover.
- Minimal managerial positions on site
- State department of health investigators on site to review multiple frequent complaints
- Sale of property every several years to private equity investors, leaving promises empty and held by previous owners.
- Tax revenue overpromised and marginalized by increase of staff needed in city to maintain an adequate level of service to its residents.

I ask that you take these points under full consideration and ask surrounding cities about their experiences. I also ask that you question; is the best we can do? Consider that this could lock up, and impact the only significant commercial intersection in the city.

Please feel free to share with others.

Thanks

Bruce Borthwick
9129 Prelog
R. Bruce Borthwick
440-477-8040
Borthwickrb@hotmail.com

From: R. Bruce Borthwick <borthwickrb@hotmail.com>
Sent: Monday, February 10, 2025 2:19 PM
To: mschulz@kirtlandohio.com <mschulz@kirtlandohio.com>; R. Bruce Borthwick <Borthwickrb@hotmail.com>
Subject: Zoning and Nursing Home.

Hello and good day.

I was reading the local gazette newspaper today and noticed a Planning and Zoning meeting regarding a possible nursing home facility for the 6 and 306 corridor.

Unfortunately, I will be unable to attend the meeting on Monday, February 10 due to work restrictions, however I feel compelled to inform of some concerns.

I understand fully the desire and need for the city to increase its tax base and fully support development that is good for the city and its residents. I feel the desperate desire for development and tax dollars can entice many into a shiny penny scenario- a short term positive and a long-term negative which many will regret at a later time.

I have had experience as an emergency responder, public employee for the past 35 years. Within in that time i have seen the development and growth of nursing facilities in the city in which I am employed and many others. I have heard the promises of developers and have seen the reality: they are quite different.

Often the promises revolve around a beautiful facility with a increased tax base to the city and the schools. With elderly grandparents being kindly cared for by a compassionate staff . Promises of corporate and managerial staff with high incomes. Promises of the seed to spurring future development

Many times the hidden plan is to build the facility and sell it out to a private equity firm several years later, and then the process just continues every several years.

With his all the promises and agreements are often lost to the original owner,-developer.

The reality however is unfortunately a stark contrast.

- Emergency crews will be tied up for hours each day transporting multiple patients out of the city to emergency departments, waiting in the hallway for a bed- at times 1-2 hours.

This will reduce staff available to take emergency calls within the city. It will reduce the city staff training, availability, and it will impact recruitment and retention.

- Increase in crime withing the city by staff and even patients
- Skeleton crew of low paid staff with high turnover.
- Minimal managerial positions on site

- State department of health investigators on site to review multiple frequent complaints
- Sale of property every several years to private equity investors, leaving promises empty and held by previous owners.
- Tax revenue overpromised and marginalized by increase of staff needed in city to maintain an adequate level of service to its residents.

I ask that you take these points under full consideration and ask surrounding cities about their experiences. I also ask that you question; is the best we can do? Consider that this could lock up, and impact the only significant commercial intersection in the city.

Please feel free to share with others.

Thanks

Bruce Borthwick

9129 Prelog

R. Bruce Borthwick

440-477-8040

Borthwickrb@hotmail.com

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.