City Of Kirtland
Planning and Zoning Commission
Minutes of the Meeting
June 8, 2026, 7:00 PM

Roll Call

The meeting was called to order by Chairperson Denk at 7:00 p.m. Present: Richard DeMarco, Lita Laven, Frank Lyon, and Michael Denk Absent: Jason Bridges.

Also, present were Assistant Law Director Mark Marong, City Engineer Doug Courtney, Mayor Kevin Potter, and City Council member Joseph Smolic.

Minutes:

May 11, 2026 Work Session
Richard DeMarco moved to approve the Minutes, with the second by Lita Laven. Upon roll call vote, the motion passed 4-0 (Ayes – DeMarco, Laven, Lyon, and Denk; Nays: None)

May 11, 2026 Planning & Zoning Commission Meeting
Richard DeMarco moved to approve Minutes, with the second by Lita Laven. Upon roll call vote, the motion passed 4-0 (Ayes – DeMarco, Laven, Lyon, and Denk; Nays: None)

Tabled Requests

None

Public Session

Public Requests

1. 7621 Euclid Chardon Road, Unit A – Riley Cakes, Inc. – Change of Use

A representative of Riley Cakes, Inc. appeared before the Commission to request a Change of Use approval for Unit A at 7621 Euclid Chardon Road. Staff explained that under Zoning Code §1262.04, all permitted main and accessory uses in business and industrial districts require Planning and Zoning Commission approval and noted that the property is located within the retail business district.

The representative explained that Riley Cakes, Inc. is a bakery operation making custom cakes on-site for retail sale, primarily on a made-to-order basis. Regarding hours of operation, the representative indicated that nothing was yet finalized, but noted that, consistent with typical bakery operations, the business could open as early as 4:00 AM to ensure orders are ready for customers. The baker herself was not present at the meeting due to illness.

The Commission also briefly addressed signage. The representative noted an existing sign on the premises but acknowledged that the business hoped to make improvements to it. The Commission advised that any new signage must be reviewed and approved through the zoning office prior to installation. The representative confirmed they would coordinate with staff accordingly.

> **Richard DeMarco moved to approve the Change of Use for Riley Cakes, Inc. at 7621 Euclid Chardon Road, Unit A, with the second by Frank Lyon. Upon roll call vote, the motion passed 4-0 (Ayes – DeMarco, Laven, Lyon and Denk; Nays – None).**

2. **9550 Sperry Road – Holden Arboretum – Conditional Use Permit for Riparian Crossing, Grading Permit, and Final Development Plan Review**

A principal from OHM Advisors appeared on behalf of the Holden Arboretum to present a multi-part application involving the replacement of a failing culvert at 9550 Sperry Road. The representative described the existing culvert as critically deteriorated, noting an active sinkhole condition currently covered by a log, and stated that the structure was already failing to adequately handle storm events as small as a 5- to 10-year storm. The proposed replacement culvert is designed to handle flows exceeding a 100-year storm event, and the applicant conveyed urgency in completing the project before a significant rain event creates a hazardous condition.

The applicant also provided broader context about the Arboretum's long-term environmental planning for the site. A bathymetric survey of the Arboretum's ponds has recently been completed, providing topographic data on the pond bottoms to support both a future dredging program and the potential removal of Foster Pond, which has a steep dam and significantly affects site hydrology. The representative noted that these future improvements would alter the site's floodplain conditions, as portions of the property currently lie within the FEMA-designated floodplain and floodway despite sitting atop an approximately 80-foot Pearson Creek valley—a mapping condition the applicant characterized as puzzling.

Discussion touched on the regulatory framework governing work within the floodplain. Staff and the applicant's representative explained that any work within the floodplain requires coordination with the local floodplain administrator and that changes to the FEMA floodway or floodplain mapping must be supported by existing Army Corps hydrologic and hydraulic models. A Commission member inquired whether future dredging work would also require

> **Lita Laven moved to approve the Conditional Use for Riparian Crossing at 9550 Sperry Road, with a second by Richard DeMarco. Upon roll call vote, the motion passed 4-0 (Ayes – DeMarco, Laven, Lyon and Denk; Nays – None).**
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> **Lita Laven moved to approve the grading permit and Final Development Plan at 9550 Sperry Road, with a second by Frank Lyon. Upon roll call vote, the motion passed 4-0 (Ayes – DeMarco, Laven, Lyon and Denk; Nays – None).**

Public Comments on Items Not on the Agenda

No public comments

Work Session

The Commission reviewed the following items of communication:

1. BZA Meeting Minutes March 31, 2026
2. Zoning Permits Report – May 1, 2026 – May 31, 2026

Old Business

Short Term Rental Discussion/Legislation- Chapter 1267 Short Term Rentals
Staff reported that the Short-Term Rental legislation under Chapter 1267 remains pending with no new updates to present at this time.

New Business

A brief discussion arose regarding the Commission's July meeting date, as a scheduled City Council meeting on the 13th creates a potential conflict with the Commission's regular meeting

room. Members discussed options including using the Caucus Room or the City Hall atrium. Staff clarified that by City Charter the Commission is required to hold a meeting every month, even if only to open and close, and that any change of venue requires proper public notice sent to the local newspaper.

The Commission agreed to keep the July meeting on its current date and to revisit venue logistics closer to the time, with the Caucus Room identified as the most practical alternative if the main chamber is unavailable.

Adjournment

There was no further business before the Commission and Richard DeMarco moved to adjourn Lita Laven provided the second, and the motion passed upon unanimous vote. The meeting adjourned at 7:26 p.m.

Chairperson

Secretary