

**PLANNING COMMISSION
CITY OF WILLOUGHBY
REGULAR MEETING
MAY 12, 2016
REGULAR MEETING
MINUTES**

PRESENT: R. Fiala; C. Cox; K. Kary; G. Patt; G. Merhar, Chairman

ABSENT: No One

OTHERS: Michael Germano, Asst. Law Director; John Wiles, Law Director; Stephanie Landgraf, Asst. Law Director; Janice Lipscomb, Econ. Devel. Mgr; Jim Sayles, City Engr.; Darryl Keller; Chief Bldg. & Zoning Inspec.; Jerry Ranally, Ward 5 Councilman; Robert Carr, Ward 4 Councilman; Richard Parker, Board of Bdg Code of Appeals mbr; Betty Nardelli, Sec'y

Chairman Gerald Merhar called the regular meeting to order at 7:14 p.m.

REGULAR MEETING

MINUTES

April 28, 2016

A motion was made by Greg Patt and seconded by Chuck Cox to approve the Public Hearing minutes of April 28, 2016 with the spelling correction of Deanna Rowe's name.

ROLL CALL: Yeas: B. Fiala; C. Cox; G. Patt
Nays: None
Abstain: K. Kary; G. Merhar

Motion Carried: APPROVED

A motion was made by Greg Patt and seconded by Chuck Cox to table the regular minutes of April 28, 2016 to correct the expansion hours of operation for the expansion unit of 4140 Erie St. to the Wild Goose of 4144 Erie St.

ROLL CALL: Yeas: B. Fiala; C. Cox; G. Patt
Nays: None
Abstain: K. Kary; G. Merhar

Motion Carried: TABLED

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OLD BUSINESS

NONE

NEW BUSINESS

ACE WILLOUGHBY LLC

4850 E. 355th St.

CUP - U-Haul truck rental

(Lance Osborne)

C.O.1145.03(c)(3)C
L-I dist.

Lance Osborne, owner, represented this conditional use permit. The hours of operation are:

9:00 a.m. until 5:00 p.m. Monday thru Friday.

9:00 a.m. until 1:00 p.m. Saturday.

Closed on Sunday.

Open by appointment other times.

Mr. Osborne said that they will store trucks in the front portion of the parcel which is east by E. 355th St. as trucks are dropped off and picked up. If storing trucks longer than 12 hours than the trucks will be moved to the west end of the property and parked along the west boundary where there is a chain link fence. The maximum number of trucks are ten. Presently Mr. Osborne said they have one truck. Mr. Osborne said they will never exceed three trucks. Mr. Osborne said that the U-Hauls are both trailers and 20' to 30' box trucks.

Short term storage of trucks that are parked less than 12 hours will be stored at the east side of the building. Long term storage of trucks that are parked more than 12 hours will be stored on the west side of the property.

Darryl Keller wants the trucks dropped off near the side of the building so they won't be used for advertising.

Jim Sayles said that the storage of trucks on the west end will be in a City utility easement. The storing in the easement is no problem but if the City needs to get to the easement everything has to be moved out.

Mr. Osborne said that if a truck is dropped off on a Saturday or Sunday the truck will sit in the front more than 12 hours because

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the manager can't move the truck until the following Monday in the morning.

A motion was made by Ken Kary and seconded by Robert Fiala to approve the conditional use permit with the conditions stated this evening.

ROLL CALL: Yeas: B. Fiala; C. Cox; K. Kary; G. Patt;
G. Merhar
Nays: None

Motion Carried: APPROVED

BISHOP OF CLEVELAND	37924 Euclid Ave.	Lot split - create 2 lots
(Immaculate Conception)	P.P.27A-24-13	"A" split - 0.1181 acres
(Paul Mrozek)	37935 Wright St.	"B" resid. - 0.2488 acres
	P.P.27A-24-9	Consolidate - A" with "C"
		On Wright St.
		LR-B dist.

Paul Mrozek of 7231 Lauren J Dr. Mentor, Ohio 44060 represented this lot split.

The split lot "A" will be consolidated with parcel "C" located on Wright St. The remaining lot "B" which is non-conforming will be left more non conforming with 0.2488 acres. Fifteen thousand sq. ft. or 0.3443 acres is needed for a conforming lot in a business district.

A variance was granted for 0.2488 acres at the April 27, 2016 Board of Zoning Appeals meeting for Parcel "B", the remaining lot.

Mr. Mrozek said that the reason for the lot split is to construct a garage on the split lot after it is consolidated. The garage is for the pastor and a bus.

Jim Sayles said that Planning Commission can't approve a lot split that creates a non conforming lot. The lot was non-conforming to begin with and it will be more non-conforming after the split. A non-conforming lot inhibits developing in the future. Chairman Merhar said that you can't expand a non-conforming use so you can't add to the non-conforming building.

Chuck Cox said that he is struggling to approve a non-conforming lot because it was non-conforming before. Mr. Cox wanted to know if there was any reason the remaining lot can't be merged with the church property.

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Mr. Floyd said that they brought in a sound engineer from Georgia to help design a a skeet shoot facility.

Bill Vergites, Sound Engineer
Georgia

Mr. Vergites said that Planning Commission approved the location of the range to shoot towards the east. The goal is to reduce the audibility of gunfire. To do this the direction has to be changed so the gunfire goes south rather than goes east. The first step is to develop a criteria, allow orientation to change direction, than provide a design solution for construction of a range facility so that the audibility of gunfire is significantly reduced.

Joan Sablar
1038 Pendington Dr.
Chardon, Ohio

Ms. Sablar, an employee of HZW Environmental Consultants, LLC, said that they did initial studies and then more studies to verify noise levels expected VS shooting south VS shooting east.

Fred Kochevar
W. Kirtland, Ohio

Mr. Kochevar said he lives east of the KCC across the SR 306 Valley. Mr. Kochevar said that lawn mowers and leaf blowers noise doesn't bother people but as soon as there's gun fire it's a different story.

Jeff Malish
11280 Beechnut LN
Chardon, Ohio

Mr. Malish said that he supports the skeet shooting range. It is a benefit to the community because KCC draws traffic to Willoughby and that traffic shops and spends money to help our economy. Mr. Malish said that the shooting is in the daytime and not at night, is very restrictive and at restrictive times.

Skip Murphy
Kirtland, Ohio

Mr. Murphy said that he is a member of the KCC and a lifelong skeet shooter. Mr. Murphy said "he hopes through the efforts here this evening that we display that we want to be a good neighbor."

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The following spoke **against** of the seasonal skeet shooting range:

Bob Umholtz

9300 Russellhurst
Kirtland, Ohio

Mr. Umholtz said that he is speaking this evening as a resident of Kirtland and as council president. Mr. Umholtz said that he lives about one mile from the KCC and he has no issues with the KCC. Mr. Umholtz said that he can't describe this activity as neighbor friendly. Mr. Umholtz said when he is in the house with the doors and windows closed in the winter he hears the sound of gun fire. He said that you can't compare the sound to a lawnmower or a leaf blower. The gun fire is annoying because there is no rhythm to it.

Bill Winder

7800 Kirtland Chardon Rd.
Kirtland, Ohio

Mr. Winder said that he is site director for the Historical Kirtland. Mr. Winder said that 80,000 people visit these historic sites. When the skeet shooting is going on people ask what that noise is. Mr. Winder said that there is no passive gun noise. The sound is alarming to us all. Mr. Winder said that instead of buffering the noise they are going to amplify it. The gun fire sound will be directed to the historic site and to the visitors of the site. Mr. Winder said that skeet shooting is inappropriate in this urban environment. Mr. Winder said that if Planning Commission is unwilling to revoke the conditional use permit they should direct the range to Willoughby and see how the residents react. Mr. Winder said that instead of abating the skeet shooting range they should eliminate it.

Olivia Oakly

9347 N. Star Rd.
Kirtland, Ohio

Ms. Oakly said that she is a grandmother with terrified grandchildren because of the gunfire. Ms. Oakly said that the gunfire is the most rudest annoying sound you ever heard. Ms. Oakly said that Willoughby should change their sign from the courtesy city to the inconsiderate city.

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Kevin Potter

7851 Russellhurst
Kirtland, Ohio

Mr. Potter said that he represents Ward 1 of Kirtland. This ward is the closet to the gunfire. Mr. Potter said he received his first call about the gunfire in December, two weeks after he took office as Councilman of Ward 1. Mr. Potter said that the shooting goes on for six hours Saturday and four hours Sunday. Mr. Potter said there is no pattern to the gunfire, it's intermittent. Mr. Potter said that by moving the skeet shooting it will aggravate more people. It won't fix the problem.

Mitchell Luck

9050 Elm St.
Kirtland, Ohio

Mr. Luck said that everyone enjoys shooting but he asks that they do it where there's an established shooting range in the country, not in a residential area.

Thomas Perkins

Kirtland, Ohio

Mr. Perkins said that he heard that the KCC is building a new skeet shooting range. Mr. Perkins said that he asks Mr. Floyd to be a good neighbor and end this.

John Douglas Power

8920 Elm St.
Kirtland, Ohio

Mr. Power said that he has lived at this address for 57 years. He lives the closet to the KCC. Mr. Power said that he goes shooting but he goes to Irvingville or Atwells. Mr. Power said he finds it very irresponsible to disrupt the neighbors.

Pat Lewis

4620 Sherwin Rd.
Willoughby, Ohio

Mrs. Lewis said that she has been fighting this since it first started. Skeet shooting is not an appropriate use. Mrs. Lewis asked to consider discontinuing skeet shooting.

John Lessick

9235 Regency Woods Dr.
Kirtland, Ohio

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Mr. Lessick said that he is a gun owner but he uses his guns in a remote area. Mr. Lessick said that he lives three miles away from the range in a SE direction and he hears the gunfire. Mr. Lessick said that he hopes that KCC reconsiders.

Max Schultz

10664 Chillicothe Rd.
Kirtland, Ohio

Mr. Schultz, Council-man-at-large, said that he lives $\frac{3}{4}$ mile away in the southern end of Kirtland and he hears the gunfire. Mr. Schultz said that all the councilman are here this evening except one. Mr. Schultz said he is against the skeet shooting range and he wants the quietness back.

Scott Homer

Forestwill Dr.
Kirtland, Ohio

Mr. Homer said that he has a petition with 60 signatures and he submitted it to the Chairman. Mr. Homer said that they aren't using game load shells for the skeet shooting. They are using high velocity shells. Mr. Homer said he is asking KCC to rescind the skeet shooting permanently in consideration of the people who live around here.

Joe Posie

Russellhurst Dr.
Kirtland, Ohio

Mr. Posie said that he can't enjoy his own home because of the skeet shooting. Mr. Posie said he drives a mile away when he wants to shoot guns.

Kevin Donovan

7776 Fairridge Dr.
Kirtland, Ohio

Mr. Donovan said that his daughter won't bring his grandchildren over to his house anymore because they are afraid of the gunfire. Mr. Donovan asked that Planning Commission reconsider this permit.

Michael O'Connor

8953 Elm St.
Kirtland, Ohio

Mr. O'Connor said that there are 15 houses on this street with 25 kids, ages 1 year to 15 years of age. Mr. O'Connor said that re-directing the

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gunfire won't work. Mr. O'Connor asked to reconsider and revoke the conditional use permit.

The following spoke **in rebuttal for** of the seasonal skeet shooting range:

Bill Vergitis, Sound Engineer

Georgia

Mr. Vergitis said that the condition of the range is unmitigated. It's in the open air. Mr. Vergitis said that if he is allowed the chance to review this it can be remedied. It's important now to provide the criteria to reduce the audibility of gunfire as it is transmitted out and to provide a design solution at a later date.

Resident

Kirtland, Ohio

This resident is from the far side of Kirtland. His property borders Geauga County. He said that it is legal in Geauga County to shoot fire arms.

Chairman Merhar said that Planning Commission will consider everyone's point of view, Planning Commission's point of view and the City of Willoughby's point of view. Chairman Merhar said that there will be another meeting at a later date.

There being no further business the regular meeting closed at 7:35 p.m.

Gerald Merhar, Chairman

Betty A. Nardelli, Secretary

