

**KENT PLANNING COMMISSION
BUSINESS MEETING
AUGUST 15, 2017**

MEMBERS PRESENT: **Jeffrey Clapper
John Gargan
Amanda Edwards**

ABSENT: **Peter Paino**

STAFF PRESENT: **Jennifer Barone, Development Engineer
Bridget Susel, Community Development Director
Eric Fink, Assistant Law Director**

I. Call To Order

The meeting was called to order at 7:03 p.m.

II. Roll Call: Mr. Clapper, Mr. Gargan and Ms. Edwards were present.

MOTION: *Mr. Gargan moved to excuse the absence of Peter Paino from this meeting. The motion was seconded by Mr. Clapper. The motion was approved 3 – 0.*

Ms. Susel stated that an email has been sent to the mayor to expedite the process of filling the vacant position on the Planning Commission. She said that the Joint Meeting with the Board of Zoning Appeals has been postponed until November so the new member of the Planning Commission can participate. There will also be a new member of the Board of Zoning Appeals. There are no meetings in September.

III. Reading of the Preamble

The Planning Commission operates in accordance with the provisions of the Kent City Charter, the Kent Zoning Code and Subdivision Regulations, all of which establish the powers and duties of the Commission. Members of the Planning Commission are appointed by Kent City Council and serve without compensation. Certain cases such as Conditional Zoning Certificates, Special Zoning Permits, Overlay District Projects and Zoning Amendment require Public Hearings before the Planning Commission. During the Public Hearing, any person wishing to address their concerns to the Commission will be provided the opportunity. Once the Public Hearing is closed, it shall be the discretion of the Chair whether to allow any additional public comment. Cases such as Site Plan Reviews and Subdivision Projects do not require a Public Hearing. However, the Chair will allow public comment on each case as it is taken on the agenda. In each instance where the Commission receives public comments or conducts a Public Hearing, those persons wishing to address their concerns to the Commission will be required to do so under oath or positive affirmation. The oath or affirmation shall be administered to all who wish to speak at the beginning of the Planning

Commission Meeting. Once a decision has been made by the Planning Commission on a case, the Case is closed for the commission, as there is no provision to reopen a case. With the exception of cases falling under the Subdivision Code, any decision of the Planning Commission may be appealed to the City's Board of Zoning Appeals in accordance with the Chapter 1109 of the Zoning Code. Anyone interested in appealing a decision of the Planning Commission is advised to seek private legal counsel.

IV. Administration of Oath

Mr. Fink instructed those members of the audience wishing to be heard on any of the cases presented at this meeting to rise and raise their right hand. Mr. Fink administered the Oath, "Do you solemnly swear or affirm that the testimony that you are about to give this evening is the truth, the whole truth, and nothing but the truth, so help you God? Please say "I do." The participants responded, "I do."

V. Correspondence

The commissioners received correspondence from Mr. Scott Flynn regarding PC15-013, Trans Ohio Properties.

VI. Old Business

None

VII. New Business

**A. PC17-008 RIVERWOOD COMMUNITY CHAPEL
 1407 Fairchild Avenue
 Conditional Zoning Certificate & Site Plan**

The applicant is requesting a Conditional Zoning Certificate and Site Plan Review and Approval in order to construct a 10,400 SF addition to expand Riverwood Community Chapel. The property is located in an O-R: Open Space Recreation District.

Ms. Barone stated that the applicants are asking for a continuance because they are reevaluating the size of the addition.

MOTION: *Mr. Gargan moved to continue PC 17-008, Riverwood Community Chapel. The motion was seconded by Mr. Clapper. The motion was approved 3 – 0.*

**B. PC17-011 345 FLATS
345 S. Depeyster Street
Comprehensive Sign Plan**

The applicant is requesting a Comprehensive Sign Plan for a multi-family development for 345 Flats. The property is located in a C-D: Commercial Downtown District.

Ms. Edwards asked the applicant to present the project. She advised the applicant that there are only three commissioners present at this meeting and that all three commissioners would have to cast a yes vote for the approval of this case. She advise the applicant that he does have the right to table the case until the next meeting. She asked the applicant if he would like to proceed.

The applicant replied he would like to proceed.

Michael Nilsen (9714 Brecksville Road, Brecksville, OH) stated they are proposing signage, banners and street level (awnings) to the building. The proposed additions include two building signs. One will be located on the northwest corner of the building facing north and the second sign is north of the primary building entrance off South Depeyster Street. The signs are dimensional formed aluminum that will be painted white with a depth of 4" and mounted to the face of the building. They will be non-illuminated and are positioned high on the building to provide brand recognition and readability from a distance. The two signs will be a total 158 square feet. He said they are proposing three (3) banners with custom graphics. The banners will be located on the southwest, southeast and northeast corners of the building and will be made of an exterior grade vinyl banner material and are printed double sided. The custom graphic printed to the banners includes a gray color printed to match the proposed awning color/material (Sunbrella Slate). The banners are 10'0" x 2'6" with a total of 75 square feet. The banners will be mounted to the corner of the buildings projecting at a 45 degree angle. All banner supports, plates and mounting hardware will be painted black. He said there will be a total of twelve (12) awnings located above the first floor windows of the common spaces. The proposed awnings are of the same design as depicted in the original project's documents. Ten (10) of the awnings are 80' wide, one (1) is 144' wide and one (1) is 108' wide.

PUBLIC COMMENTS

None

PLANNING COMMISSION DISCUSSION

Ms. Barone stated that the applicant is asking for a Comprehensive Sign Plan approval. She said this takes away some of the zoning code criteria regarding the number and size of the signs.

The other option would be to go before the Board of Zoning Appeals to get variances. She said the applicant has explained the number and size of signs they would like to have. She said the Planning Commission is tasked with looking at the standards for a Comprehensive Sign Plan and they are listed in the Staff Report. The Architectural Advisory Board reviewed this on August 1, 2017 and issued a Certificate of Appropriateness as presented. Should the commission wish to approve the Comprehensive Sign Plan, variances from the Board of Zoning Appeals would not be required. If the Planning should make a motion for approval, staff recommends adding conditions to the motion.

Mr. Fink stated that the purpose of a Comprehensive Sign Plan is because staff recognizes that larger and/ or multi-tenant projects have different needs than standard businesses. The Planning Commission has the authority to determine the number, size and nature of the plan that is otherwise different than what is in the sign code. The Planning Commission is being asked at this meeting if the Comprehensive Sign Plan that is being proposed makes sense for this project.

Mr. Gargan asked what the criteria would be if this was not part of a Comprehensive Sign Plan.

Ms. Susel replied one sign is permitted. Two signs are permitted if it is on a corner and 50 square feet are permitted. She said there has been encouragement from the City Manager and council members to add some signage and depth to the building. She said staff was pleased that the applicant came forward to add some signage. It is hard to see the one single sign with the mass of the building.

Mr. Nielsen stated the first sign is 50', the second is 32' and 60' for banner signs.

Ms. Susel stated that Ms. Barone looked up some previous Comprehensive Sign Plans package so she can speak about them. The signs besides the square footage are lined up with what the others ones that have been installed downtown.

Ms. Barone stated that the Police Station has two monument signs; one is 8' x 3' and the other is 8' x 2'. The vertical sign along the edge of the building is 29' x 4'. There is another sign that is almost 13' x 4'.

Mr. Gargan asked if the signs for this project are larger.

Ms. Barone replied these signs are 13'2" x 6'.

Mr. Nilsen stated that overall the signs for this project will be less than the Police Station signs in size and number.

Ms. Edwards stated that when she added up the square footage for the Police Station signs she came up with 208' square footage where as the signage square footage for this project come to 233' square footage which includes the two (2) signs and the three (3) banners.

Mr. Nilsen agreed if the banners were included.

Mr. Clapper stated that the square footage is double what is permitted.

Ms. Edwards stated that the size and nature of the signage can be determined by the type of business. The Police Station is the nature of emergency so she would expect bigger signs and more signage. She asked Ms. Barone if she had similar type measurements for a multi-family type building in the City of Kent in the downtown area.

Ms. Barone replied the only multi-family downtown is the Landmark and she did not bring that information to the meeting

Mr. Gargan stated those signs were very small in contrast to the building.

Ms. Barone stated that CVS has a number of signs and UH has a lot of signs.

Mr. Gargan stated that UH was another emergency type operation.

Ms. Barone discussed the type of signs, the size of the signs and the size of the letters on the signs at CVS.

Mr. Totino (617 Charles Place, Highland Heights, OH) stated they evaluated all their properties every year and are very sensitive to the communities where their properties are located. He said that the people they have spoken with felt that the mass of the façade of this building was too stark. They came up with some ideas for signage to break up the façade, especially on Depeyster and Summit. He felt what they have presented is very appropriate. He said this is a very big building and their goal was to soften the mass of the façade. Mr. Totino said this is a much bigger building than the hotel and they deserve the commission's consideration in terms of that context. He said these improvements will be very pleasing to the public.

Ms. Edwards stated she was concerned about the size of the signs, not the number of signs. She was concerned about the size of the wall signs. She has not seen any other signs driving around that looks as large as these signs. She said she is leaning towards the applicant asking for a variance from the Board of Zoning Appeals so they can make that decision. She was not comfortable making a decision that large.

Mr. Clapper agreed with Ms. Edwards. He felt the total signage was too much.

Mr. Nilsen stated that they looked at would be appropriate for the building and also looked at the sizing as well as whether the signs would be illuminated versus non-illuminated in relationship to the scale of the building.

Mr. Gargan mentioned that the Architectural Review Board had reviewed the application and did not have a concern with the Comprehensive Sign Plan as presented. He asked if there was any discussion about any concerns.

Mr. Fink replied there was a discussion but there were no concerns and they issued a Certificate of Appropriateness.

Ms. Edwards asked if the Planning Commission could approve the Comprehensive Sign Plan as presented or not approve it.

Mr. Fink replied yes.

Mr. Clapper asked if the applicant could go to the Board of Zoning Appeals for variances, if the Planning Commission did not approve the Comprehensive Sign Plan as presented.

Mr. Fink replied they would have to get variances for the number of signs as well as the square footage of the signs from the Board of Zoning Appeals.

Ms. Susel stated that the applicant could also come back to the Planning Commission with a revised plan.

Ms. Edwards stated she was not comfortable with the two 345 signs.

Mr. Clapper stated the best course of action is to be as cautious as possible at this point.

Ms. Barone suggested that Ms. Edwards ask the applicants if they wish to continue the case.

Ms. Edwards asked the applicants if they wanted to continue the case or table the case.

Mr. Totino asked what a continuance is for.

Mr. Fink replied that it will allow the applicants to decide if they wanted to make any modifications to the proposal and it would allow them the opportunity to have more than three commissioners at the meeting.

Mr. Totino asked how many votes they would need for approval.

Mr. Fink replied they would need three votes; whether it three out of three or three out of five votes cast.

Mr. Totino asked what are their options.

Mr. Fink stated that they would have to file an application with the Board of Zoning Appeals for a variance for the number and overall size and square footage.

Ms. Susel stated one of the things they have to show is hardship in order for a variance to be approved which might be difficult to do. That is why there is a Comprehensive Sign Package because of these issues. She suggested that they do not go through the variance process.

Mr. Totino stated that the Architectural Review Board reviewed the proposal and had no issues with the plan.

Ms. Edwards stated she was uncomfortable with the size of the signs and it is not harmonious with the rest of the area.

Ms. Susel clarified that in a Comprehensive Sign Plan there is no specific size to meet. What is required in the normal size code is not a part of a Comprehensive Sign Plan. She told the applicants that they should not be considering reducing the size of the signs to meet the sign requirements in the code because the mass of the building and the signs would not be balanced.

Mr. Totino stated that it was a unanimous decision from the Architectural Review Board and staff made recommendations.

Ms. Susel stated that staff does not make recommendations.

Mr. Totino asked if the commission wanted to see similar buildings of this size and its signage.

Mr. Fink replied the applicants can give a presentation as they see fit, and if they think that a picture presentation with this information would help, they can do so. The Chair did not have to answer that question.

Ms. Susel stated that she will ask for a continuance and ask staff for square footage and mass of buildings in a comparative table. The square footage and mass of this building is significantly larger than ones that were used for comparative purposes.

Mr. Fink advised the applicants if they choose to continue, they would have to change the plan.

Ms. Susel stated that if denied, the applicant would have to change the plan if they chose to continue or they could wait a year. She said a continuance would be the best option for the applicants. She said staff does not have the calculations or data to evaluate the situation.

Mr. Clapper stated he would like to have more information. He said he could not vote for it at this point.

Ms. Susel stated that she would include in the Staff Report calculations of other Comprehensive Sign Plans that have been done in relation to the mass of the building which might help clarify the matter.

Mr. Totino requested a continuance to the September 5, 2017 Planning Commission meeting.

No motion was needed.

VIII. Meeting Minutes July 18, 2017

Motion: ***Mr. Gargan moved to approve the minutes of July 18, 2017 as presented. The motion was seconded by Mr. Capper. The motion carried 3 – 0.***

IX. Other Business

There are two open Planning Commission cases that staff is requesting to close.

**A. PC15-013 TransOhio Properties
 Convent Parking Area**

The request for six parking area to service the three apartments located at 227 N. Depeyster Street.

Correspondence was received from Mr. Flynn regarding this case.

Mr. Fink stated he did received correspondence from Mr. Flynn regarding this case. Mr. Flynn asked that that the Planning Commission not close this case at this point in time. He said that they hope that by bringing this case back on the agenda under Other Business this will spur some action for the interested parties who might be able to resolve some issue but if not the Planning Commission can make the decision to close the case.

Ms. Edwards stated that it will stay open for now and no action is required.

**C. PC15-017 Shannon Carcciolo
324 North Mantua Rooming House**

The request to convert a single family residence located at 324 North Mantua Street into a boarding house with up to three tenants.

Ms. Barone stated that the applicant had a continuance and said she would return by December, 2016 and this date has passed. She was notified that this would be on the agenda tonight and nothing was heard from her.

Motion: Mr. Clapper moved to close Case PC16-017 Shannon Carccioio, 324 North Mantua, at the request of City Staff. The motion was seconded by Mr. Gargan. The motion carried 3 – 0.

X. Adjournment

Motion: Mr. Gargan moved to adjourn. The motion was seconded by Mr. Clapper. The motion carried 3 – 0.

The meeting adjourned at 7:50 p.m.