

**KENT PLANNING COMMISSION
BUSINESS MEETING
JUNE 4, 2019**

MEMBERS PRESENT:

**Chris Clevenger-Morris
Jeff Clapper
Peter Paino**

STAFF PRESENT:

**Jennifer Barone, Development Engineer
Bridget Susel, Community Development Director
Eric Fink, Asst. Law Director**

I. Call To Order

Mr. Paino called the meeting to order at 7:00 p.m.

II. Roll Call:

Mr. Clapper, Mr. Paino, and Mr. Morris were present. Michael Bruder and Amanda Edwards were absent.

MOTION: *Mr. Morris moved to excuse Mr. Bruder and Ms. Edwards. Mr. Clapper seconded the motion. The motion carried 3-0.*

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

None

VI. Old Business

None

VII. New Business

- A. **PC18-007 NOH6047 Kent State West/AT&T Mobility Telecommunication Site
1127 West Main Street
Conditional Zoning Certificate and Site Plan Review & Approval**

The applicants are seeking a Conditional Zoning Certificate and Site Plan Review and Approval to construct a telecommunication site. The subject property is zoned ICR: Intensive Commercial - Residential Zoning District.

Ms. Barone reviewed the Staff Report as presented.

Ed Block, GPD Group, 520 S. Main St., Suite 2531, Akron, stated that the current proposed location is the northwest corner of the Mazda dealership parking lot and is less intrusive than the site they proposed a year ago. The area is already black topped. The adjacent wooded area is owned by the City and has Fish Creek and wetlands running through it. It is very unlikely that anything would be constructed in this area thereby creating a nice buffer on two sides between the pole and the residents. The site will have a 195 foot monopole with AT&T equipment and designed to have the capacity to support additional 2-3 carriers. It will also have a back-up generator and require telephone fiber and electricity. Because of the location, barbed wire is not needed. The pole has climbing pegs for the technicians but a ladder will be required to reach the lowest peg. The tower will take some of the load off of other existing towers in the area.

PUBLIC COMMENTS

None

PLANNING COMMISSION DISCUSSION

Mr. Morris asked how many towers are in Kent.

Ms. Barone stated that she is aware of two.

Mr. Morris asked how bright the lights on the tower will be.

Mr. Block stated that no lights are planned for the tower because they are under the height limit of 200 feet and are not close enough to an airport to require them. Mr. Block stated that they will get an FAA ruling if they don't already have one. Should FAA require lights, they would be a white light during the day and a medium intensity red light.

Mr. Paino asked if this tower is affiliated with Kent State.

Mr. Block responded no.

Mr. Paino asked for clarification if it is just the AT&T towers that are overloaded or towers in general.

Mr. Block stated it was just AT&T.

Mr. Paino asked if landscaping is required on all four sides of the site.

Ms. Barone stated that it is not required but reminded the Commission that they can require it if they wish.

Mr. Paino asked if they are leasing the property, and if so, from whom. He also asked about access to the site.

Mr. Block stated that they are leasing the site from the Mazda dealership. He added that there is an access utility easement from Francis Street or you can access through the Mazda parking lot.

Mr. Paino informed the applicant that because they only have 3 members present tonight and a unanimous vote is required to pass, they can table the meeting for another night when more members are present.

Mr. Paino asked how often they have a tower that is not in use.

Mr. Block stated that it is pretty rare; because towers can be used by multiple carriers it is very unlikely that it will not be occupied with a carrier.

Mr. Morris asked if the lease was no longer in place.

Mr. Block stated that they have a lease contract with Mazda, which contains language regarding removing the site.

MOTION: *Mr. Morris moved that in case PC18-007, the Planning Commission approve the conditional zoning certificate and site plan submitted to construct a telecommunication site with a 195 foot tower at 1127 W. Main St. subject to the following conditions:*

- 1. The applicant will complete Technical Plan Review**
- 2. The 195' tower will be dismantled and removed from the site within six months at such a period of time in which the tower has not been used for twelve consecutive months.**

Mr. Clapper seconded the motion. The motion carried 3-0.

**B. PC19-006 Southwest Sanitary Pump Station
1296 Middlebury Rd
Conditional Zoning Certificate and Site Plan Review & Approval**

The applicants are seeking a Conditional Zoning Certificate and Site Plan Review and Approval to construct a sanitary pump station. The subject property is zoned R-1: Low Density Residential Zoning District.

Ms. Barone reviewed the staff report as presented.

Ms. Baker, City Service Director, further explained the project. The proposed project is to replace the existing Middlebury Road pump station and complete remove the Yacavona Drive pump station upon completion of the new. There will be a new building used to house the pump and generator, which will be better aesthetics for the neighbors and better working conditions for the work crews. It will be a split face block building with a metal standing seam roof. The current station was built in 1968 and needs to be upgraded. The location is necessary due to the existing service area, topography, and its proximity to the Water Reclamation Facility. They are working with the property owner and have provided a landscape plan and have agreed to add additional landscaping if desired. The lights are small wall packs, which will be down-lit. Access is off of Middlebury Road and they will comply with the hard surface restrictions.

Mr. Morris asked about a fence.

Ms. Baker stated that a fence is no longer needed because all of the equipment will be stored inside.

Mr. Morris asked what will happen with the Yacavona space once the pump station is removed.

Ms. Baker stated that there is a pocket park in that area so this will become part of that park.

PUBLIC COMMENTS

None

PLANNING COMMISSION DISCUSSION

Mr. Paino informed the applicant that due to only three Commissioners being present tonight, they have the option to table the case until more are present; a unanimous vote will be required for approval.

Ms. Baker stated that they will continue.

MOTION: *Mr. Clapper moved that in case PC19-006, the Planning Commission approve the Conditional Zoning Certificate and Site Plan submitted to construct a sanitary pump station at 1296 Middlebury Road subject to the following conditions:*

1. Technical Plan Review
2. Removal of the Yacavona Pump Station
3. Document that the impervious surface area for the new pump station will not exceed the current impervious square footage to ensure compliance with KCO 1201.02(b)(1).

Mr. Morris seconded the motion. The motion carried 3-0.

VIII. Minutes

May 7, 2019

MOTION: *Mr. Morris moved to approve the May 7, 2019 Minutes. The motion was seconded by Mr. Clapper. The motion carried 3-0.*

IX. Other Business

None

X. Adjournment

MOTION: *Mr. Morris moved to adjourn. The motion was seconded by Mr. Clapper.*

The motion carried 3 – 0.

Meeting adjourned at 7:33 p.m.