

**KENT PLANNING COMMISSION
BUSINESS MEETING
July 3, 2018**

MEMBERS PRESENT: Amanda Edwards
 Jeff Clapper
 Peter Paino
 Michel Bruder

MOTION: *Mr. Paino moved to excuse the absence of John Gargan at the July 3, 2018 Planning Commission meeting.*

The motion was seconded by Mr. Clapper.

The motion passed 4 – 0.

STAFF PRESENT: Jennifer Barone, Development Engineer
 Bridget Susel, Community Development Director
 Eric Fink, Asst. Law Director
 Sheila Uzl, Transcriptionist

I. Call To Order

The meeting was called to order at 7:00 p.m.

II. Roll Call:

Ms. Edwards, Mr. Clapper, Mr. Paino and Mr. Bruder were present.

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

**A. PC18-008 Kent Investors, LLC
1005 East Main Street
Comprehensive Sign Plan**

The applicant is requesting review and approval of the Comprehensive Sign Plan for a multi-tenant development. The subject property is zoned C-R: Commercial -High Density Multifamily Residential Zoning District

Ms. Edwards asked staff to introduce the project and review the Staff Report.

Ms. Barone stated the applicant was asking for a Comprehensive Sign Plan approval for a multi-tenant development located at 1005 East Main Street. They have a monument sign with panels for four tenants. The monument sign is going to be 8'4" wide and 8'8" tall. The monument sign has changed from the original submittal. There will also be building mounted signs for the tenants either a box sign or individual letters. The criteria for each sign type is in the plan. They will be internally lit signs. Box signs will either be black or bronze and individual letters will be on black raceways. Fluorescent and neon colors are not allowed. The applicants have to get the owners' approval before they are installed and they will have to get a city sign permit. Box signs are 20" wide by 3' in height. There will be more signs on the front where they have more tenants. There will be one sign on each side of the building and no signs on the back of the building. There will be no monument signs other than the one facing Main Street. With the Comprehensive Sign Plan, the applicants do not have to meet what is required by the zoning code so they can have more signs. She said the Comprehensive Sign Plan purposes and standards are listed in the Staff Report. Two conditions are recommended by Staff. Directional signs are included in the plan. The applicants did see the Architectural Review Board this afternoon and they recommended approval as submitted.

Mr. Fink said that the Commissioners have to consider whether or not to grant the Comprehensive Sign Plan. At the Architectural Review Board, there were questions raised whether or not it is required to grant it to a commercial development or a planned commercial development. He

referred to Hungry Howie's that is in the same district and is in one building with three businesses and they have a Comprehensive Sign Package. There are other businesses in the district with Comprehensive Sign Plans.

Gary O'Nesti, LRC Realty, stated they were at the meeting to answer any questions.

Mr. Paino asked about the elevation of the monument sign in relation to the sidewalk and the parking lot in relation to the site.

Mr. O'Nesti replied it is shown on the plan. He drew a sketch for Mr. Paino that showed the monument sign about 8 feet from the sidewalk. The sign is on a plateau.

Mr. Paino asked what the 8-foot height was in relation to.

Ms. Barone replied that according to the drawing, the 8-foot is from the base to the top of the sign.

Mr. Paino asked if it was from the north side of the sign or the south side.

Ms. Barone replied the south side.

Mr. Paino asked what the maximum height of the sign is allowed.

Ms. Barone replied it was up to the Planning Commission to determine what they think is reasonable.

There was further discussion about the sign height.

Mr. Paino asked if the exit signs will have an arrow.

Mr. O'Nesti replied the exit and entrance signs will have an arrow.

Mr. Paino asked if the menu board would be loud.

Mr. O'Nesti replied it will not be loud.

There was continued discussion on noise.

Ms. Barone stated noise was discussed with the site plan. It has a volume control.

Mr. Fink stated that the City of Kent has an ordinance that sound cannot cross over the property line.

Mr. Bruder asked if there would be three or four tenants.

Mr. O'Nesti replied there are three now. He said they will put their name and address on the monument sign. He said they planned for the possibility of four tenants.

Ms. Susel stated that the Comprehensive Sign Plan includes any future tenant.

Mr. Bruder stated the rendering does not show that.

Ms. Susel replied what is probably being said is the maximum of four.

Ms. Susel stated that a Comprehensive Sign Plan is not limited to Section 1165.

Mr. Bruder asked if the two end tenants have side signs and frontage signs.

Ms. Barone replied yes.

Mr. O’Nesti stated that the dimensions are on the plan and the tenant’s sizes vary.

Mr. Paino asked how many signs if there are three tenants.

Ms. Barone replied one per tenant.

Mr. Paino confirmed that there will be one sign on the front per tenant and the corner businesses will get two signs.

Mr. Clapper asked if there was “no left” at the exit.

Ms. Barone stated that “no left” turns were approved with the site plan.

PUBLIC COMMENTS

Randall Smith, 301 Oakwood Drive, Kent, Ohio, thought the plan was for a three unit building. He asked if the applicant had to return to the Planning Commission if it was changed in the future for four tenants.

Mary Jacoby, 220 Elmwood, Kent, Ohio stated the developer referred to other businesses on Main, but there are no others that are surrounded by residential property on three sides. She said the sign should show uniformity.

James Mullen, 212 Elmwood, Kent, Ohio, asked where the signs for the two corner businesses will be. He asked where their second sign will be.

Ms. Edwards stated there will be none on the back. The second signs will be on the side towards Main Street.

Mr. Paino showed Mr. Mullen the drawing showing the signs.

Mr. Mullen asked about street signs.

Mr. Fink stated that signs are controlled through the City, not zoning.

Terry Kuhns, 496 Overlook Drive, Kent, Ohio, stated he was concerned about the safety of where the sign will be located. He wanted a simulated sign placed to verify the sight line and see if oncoming traffic could be seen; especially the one going off Luther Avenue going onto RT. 59.

Public Comments were closed.

Ms. Edwards asked if the Planning Commission had to do anything if a fourth tenant came into the building.

Mr. Fink replied that if the building owner decides to change the interior of the building such as creating a vestibule or add more tenants, the City of Kent does not have the right to regulate that as long as the exterior is not changed. Each time additional tenants go into the building, sufficient parking has to be verified. If there is insufficient parking, the owner would have to come back before the Planning Commission.

Ms. Edwards asked if the City of Kent looks at anything regarding the exits.

Ms. Barone replied yes, it looks at the line of sight. She added that it is a controlled intersection.

Mr. Paino asked if the signs will be of uniform nature of the corporation.

Ms. O’Nesti replied they will be national trade mark signs within the size permitted for the tenants.

There were no other questions or comments so Ms. Edwards asked for a motion.

MOTION: ***Mr. Paino moved in case PC18-008, Kent Investors, LLC, property located at 1005 East Main Street, that the Planning Commission approves the Comprehensive Sign Plan for a multi-tenant development.***

Subject to the following conditions:

- 1. Obtain a zoning permit within two years of Planning Commission approval.***
- 2. Obtain a sign permit and submit the performance guarantee prior to installation of the signs.***
- 3. One sign on the south façade per tenant.***
- 4. One sign on the east elevation and one sign on the west elevation***
- 5. The height of the monument sign is limited to 8’8” above the public sidewalk.***
- 6. The sound system for ordering food shall be designed such that the sound does not cross the property line.***

The motion was seconded by Mr. Bruder.

Mr. Bruder Aye
Mr. Clapper Aye

Mr. Paino Aye
Ms. Edwards Aye

The motion passed 4 – 0.

VII. New Business

None

**VIII. Minutes *May 1, 2018*
 *May 15, 2018***

No action taken on the May 1, 2018 because there was no quorum.

MOTION: *Mr. Paino moved to approve the May 15, 2018 minutes as submitted.*

The motion was seconded by Mr. Clapper.

The motion passed 3 – 0.

1 Abstention

IX. Other Business

None

AT&T will return in two weeks.

X. Adjournment

Motion: *Mr. Bruder moved to adjourn.*
 The motion was seconded by Mr. Clapper

The motion carried 4 – 0.

Meeting adjourned at 8:00 p.m.