

**KENT PLANNING COMMISSION
BUSINESS MEETING
SEPTEMBER 3, 2019**

MEMBERS PRESENT:

**Chris Clevenger-Morris
Jeff Clapper
Amanda Edwards
Peter Paino
Michael Bruder**

STAFF PRESENT:

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

I. CALL TO ORDER

Ms. Edwards called the meeting to order at 7:00 p.m.

II. ROLL CALL:

Ms. Edwards, Mr. Clapper, Mr. Paino, Mr. Bruder, and Mr. Morris 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

None

VII. NEW BUSINESS

- A. PC19-011 MAC LTT, LLC
1400 Fairchild Avenue
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 parking. The subject property is zoned I: Industrial and R-2: Medium Density Residential Zoning Districts.

Ms. Barone reviewed the staff report as presented.

Mr. Fink read 1168.11, which stated that the Planning Commission has the authority to deviate buffering on the landscape plan.

Neil Luketic, 3119 Liberty Ledges Dr., Twinsburg, is the representative for the applicant. Mr. Neil Luketic reviewed the site plan for the 100 parking spaces. He stated that the plan shows 16 trees that satisfy the 30% shading requirement. He stated that they would like to move some of the trees to the perimeter to satisfy the buffering concerns of some of the neighbors and also for ease of maintenance. He stated that they are installing 3 foot tall mounds along Fairchild and Silver Meadows and asked for guidance as to whether or not it is required along Silver Meadow. He stated that the vacant church will remain and they are currently using it for office material storage. He clarified that they are not increasing the number of employees as previously stated but rather organizing the ones they have; the parking is only for employee parking. He asked the Commissioners for their thoughts on moving the trees.

Mr. Bruder asked if the curb cuts to the houses that were demolished were going to be removed or just abandoned.

Ms. Barone stated that the curb and tree lawn will need to be restored, but the driveway to the remaining building, which was shared with one of the demolished houses will remain.

Mr. Paino asked about how the sliding gate is operated.

Tony Luketic 4535 New Milford Rd., Rootstown, stated that it is manual; someone will open it in the morning and close it at the end of the day.

Mr. Paino stated that his concern was if it was operated with a key card that there could be the possibility of cars backing up on the street.

Mr. Tony Luketic stated that while it is a good concern, he doubts that it will be card controlled. He explained that there are 3 lanes: 1 in and 2 out.

Mr. Paino stated that there is a turn lane that is not shown on the drawings and asked if this affects their site plan.

Ms. Barone will discuss with the Traffic Engineer.

Mr. Paino asked if they considered moving the entrance to Silver Meadows.

Mr. Fink stated that ordinance does not allow for this since this is a residential street as opposed to a main thoroughfare street.

Mr. Morris stated that he is also concerned about the traffic from Fairchild.

Ms. Susel stated that a traffic study isn't warranted because there are no new employees and they are far enough away from the intersection.

Mr. Bruder stated that 100 cars on a road this size isn't a big impact.

Public Comment

Pat Oster, 1259 Windward Lane, Homeowners Association President, asked if the gate to the parking lot can be moved to the west. She stated that they do have issues in the morning with traffic. She stated that she was pleased with the proposed landscaping but asked if they would consider evergreens for better screening. She stated that safety and screening are the main issues.

Scott Orlando, 1300 Sunset Way, stated that his two-story house is directly across Fairchild from this project and his bedroom faces Fairchild. His concerns are for safety, noise, and lighting; noise starts around 6 a.m. currently but he is concerned about the future if they add a third shift. He asked for details about the proposed parking lot lighting and what prevents truck equipment from being parked in the lot. He stated that he would like to see their landscape buffer match those of the neighborhood. He stated that he would like to see chain link fence without slats.

Jim Oster, 1259 Windward Lane, suggested using the current drive to access the new parking lot.

Ms. Oster asked if the new fence has wire at the top.

Ms. Edwards closed Public Comment.

Planning Commission Discussion

Ms. Edwards asked the applicant if they have explored any alternative driveway locations.

Mr. Neil Luketic stated that the owner wanted a lot that was more separated from the operations for more control and security.

Ms. Edwards asked the applicant if there was wire at the top of the new fence.

Mr. Neil Luketic stated that the blue line on the site drawing indicate a 6 foot chain link fence without wire to match an existing portion at Fairchild.

Ms. Edwards asked Ms. Barone about the photometric plan for this project.

Ms. Barone stated that the zoning code required that the measured light be 0 at the property line. She explained that the site plan shows a dashed line, which indicates where the light goes to 0 and they are not close to the property line.

Mr. Paino asked about turning the lights off when the parking lot is not in use.

The Commissioners discussed lighting and possible timers.

Ms. Barone stated that they could set a specific lights out time as a condition of their permit. She added that if they need to change the time, they would need to come back to the Planning Commission.

Mr. Bruder stated that the photometric plans show how the lights effect the parking lot, however, it doesn't show the lighting from Fairchild Avenue, which is permitted to cross onto private property. He feels that the neighbors lighting concerns come from the street lighting rather than the MAC LTT lighting.

Ms. Edwards asked about the concern for using the parking lot for storage.

Mr. Fink stated that if they approved the lot for employee parking they would need to come back to use it for anything else.

Mr. Morris stated that he likes the plan that they have submitted but still has concerns about the types of trees and their ability to screen the property.

Ms. Susel read Section 1168.06(b)(4), which states the requirements for landscape screening.

Mr. Morris stated that he has concerns about the landscaping and its ability to block out the lighting and hiding the fence.

Ms. Susel stated that the trees are in place to satisfy the shading requirement and is different from the buffering. She reminded the Commissioners that they can also have the case continued and ask that plans be resubmitted to show the buffering and more specificity regarding the type and size of the landscaping.

Mr. Tony Luketic stated that on Silver Meadows Blvd. there is a vacant lot that he doesn't believe will ever be developed residentially although it is zoned as such and across the street from that is a small convenient store that is open all night. He stated that he doesn't see the need to buffer that side of the project the same as the Fairchild side. He feels that the trees that are shown in the middle of the parking lot would better serve the neighborhood if they are placed on the outside of the fence; the interior trees are a barrier to the snow plows and are difficult to maintain. He stated that the solid buffering and a transparent fence is a concern. He feels that instead of a barrier it would be more appealing to open it up and have it look a little more natural. He stated that they are willing to come back to the Commissioners with an updated plans but need to understand what they want.

Mr. Paino stated that he would like to see some relief from lighting when it is not in use. He stated that he is good with the gate if it is manual but if it is some type of card system, he feels that it needs to be looked at further in technical plan review. He stated that he looked at other egress options but feels that the turning lane is probably okay. He feels that the Fairchild frontage has to be landscaped with an evergreen of some sort and done to the minimum standard of the zoning code. He is open to discussing what the Silver Meadows frontage needs although he feels that he would like to see it brought back at least 120-150 feet around the corner, which is approximately the middle of the old church.

Mr. Bruder stated that he feels that they should provide what is shown on the plan for Silver Meadows.

Mr. Clapper agreed that the residential streets should be treated the same.

Mr. Morris stated that he agrees with Mr. Paino on most of the items.

Mr. Paino stated that the landscape mounds as depicted will all be landscaped as well as the berms if shown.

Mr. Bruder stated that he feels that at this point, the landscaping is too speculative. He feels that they need another drawing.

Ms. Barone stated that they could review the new plan at the first meeting in October.

Ms. Edwards stated that they would like a complete plan similar to the one presented tonight showing the trees in the parking lot and the mounds. She added that they would also like to see evergreens to mirror the evergreen mounds across Fairchild. She asked if staff would work with the applicant regarding species

Ms. Susel stated that it would be reviewed and cautioned the Commissioners that the species on the other side of the street may not work in this application.

Ms. Barone stated that she has had conversations with arborists who have stated that a tree in a small area will not grow big and may not survive.

Mr. Morris stated he again agrees with Mr. Paino.

Mr. Clapper asked the other commissioners if they had an opinion on removing the trees on the inside of the lot. He stated that he doesn't feel that it makes much sense to move them outside of the lot because it doesn't help buffer the visibility and understands the difficulty with maintenance.

Ms. Edwards stated that they have required interior parking lot trees on smaller lots.

Mr. Bruder suggested combining some of the landscaping to create 3 small curb inlets so that it is 30 feet wide and 10 feet deep and the tree has a place for its roots. He feels that moving some of the trees to the outside would generally make the landscape more appealing; interior trees are helpful although they won't grow well.

Mr. Paino agreed with Mr. Bruder.

Mr. Neil Luketic asked if the Commissioners would give them a count of how many trees would be acceptable inside the parking area.

Mr. Bruder stated that he would like to see some of the trees moved from the inside of the parking area and planted on the outside. He also noted that there aren't any tree lawn trees in that area.

Ms. Barone asked if he would be open to some of the required trees being planted in the tree lawn if it is possible.

Mr. Bruder responded that given the amount of asphalt with this change in an R-2 zoning district, planting trees that would have room to grow and mature would be good rather than having a wide open lawn. Mr. Bruder stated that he likes the idea of planting them in the tree lawn because if the parcel ever gets developed, the trees will remain.

Mr. Clapper cautioned them to be careful where they plant the tree lawn trees so that it doesn't block the line of site for the semi-trucks.

After the Commissioners discussion, Ms. Edwards stated that of the 16 trees, 8-10 trees could remain in the lot with the balance going along either the tree lawn or down the Silver Meadows side. They would also like to see evergreens on the mounds to mirror the neighborhood across Fairchild. She asked that they also have clarification about the operation of the gate and lighting.

Mr. Bruder suggested moving the south fence line 12-15 off of the asphalt so that they have a place to push the snow.

Mr. Neil Luketic requested to have this matter continued until the next meeting, September 17, 2019

VIII. MINUTES

June 4, 2019 and June 18, 2019

MOTION: *Mr. Morris moved to approve the June 4, 2019 Meeting Minutes with correction noted. The motion was seconded by Mr. Clapper.*

The motion carried 3 – 0 – 2. Ms. Edwards and Mr. Bruder abstained.

MOTION: *Mr. Clapper moved to approve the June 18, 2019 Meeting Minutes as presented. The motion was seconded by Mr. Paino.*

The motion carried 3 – 0 – 2. Mr. Morris and Mr. Bruder abstained.

IX. OTHER BUSINESS

None

X. ADJOURNMENT

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

The motion carried 5 – 0.

Meeting adjourned at 8:20 p.m.