

**KENT PLANNING COMMISSION
BUSINESS MEETING
OCTOBER 15, 2024**

MEMBERS PRESENT:

**Amanda Edwards
Naser Matar
Derek Salustro
Ken Crookston
Earl Clausson (arrived at 7:04)**

STAFF PRESENT:

**Bridget Susel, Community Development Director
Tim Sahr, Development Engineer**

I. Call to Order

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

II. Roll Call:

Amanda Edwards, Naser Matar, Derek Salustro, and Ken Crookston were present.

MOTION: Mr. Crookston moved to excuse Earl Clausson from the October 15, 2024 meeting. Mr. Matar seconded the motion. The motion carried 4-0.

Note: Mr. Clausson arrived a few minutes later at 7:04.

III. Reading of Preamble

Ms. Edwards read the Preamble, which describes the purpose and procedures of the Planning Commission as well as the applicant's right to an appeal.

IV. Administration of Oath

Ms. Susel instructed those members of the audience wishing to be heard on the case to be presented at this meeting to raise their right hand. Ms. Susel administered the Oath, "Do you solemnly swear or affirm that the testimony that you are about to give is the truth, the whole truth, and nothing but the truth, if yes, please say "I do." The participants responded, "I do."

V. Correspondence

None.

VI. Old Business

**A. PC24-010 FRANK HORNYAK
1604 E. MAIN ST.**

The applicant is seeking a Conditional Zoning Use Certificate and Site Plan approval to allow a multifamily dwelling to be located at 1604 E. Main Street. This property is located within the C-R: Commercial High Density Residential Zoning District.

Mr. Sahr presented the project as submitted and presented the staff report to the Commission. He stated that the site is accessed from E. Main St. and is bordered by commercial uses to the north, east and west and residential uses to the south. He stated that the subject parcel has three buildings: two of which contain two rental units each, and the third building contains three rental units. He stated all units are limited to no more than two unrelated residents. He stated that Thomas Court is a private drive. He stated that through the rental licensing process a discrepancy was discovered regarding the number of units in the third building. He stated that in order to comply with the City of Kent Codified Ordinance and correct land use category, the landowner is requesting the property be granted the conditional zoning use of Multifamily Dwellings. Mr. Sahr review the potential concerns, conditions, general conditions, and setbacks as listed in the Zoning Code. He noted that all structures are single story above grade. He stated that 9 parking spaces are required and 14 have been provided. He stated that the lot is heavily wooded with mature trees and shrubbery and no additional landscaping is proposed. He stated that no new exterior lighting or signage is proposed. He stated that this project is not required to be reviewed by the Architectural Review Board and no variances are being requested. He stated that staff finds the request for a Conditional Zoning Use Certificate and Site Plan approval, as presented, to be in accordance with the applicable sections of the City of Kent Zoning Code.

Ms. Susel stated that the applicant is allowing staff to present on his behalf as this is an issue where staff discovered that the property had not been categorized correctly in 2012. She explained that in 2012 Zoning Use Certificates were issued for each separate building rather than one certificate for the entire parcel, which would have made it a multi-family conditionally permitted use at that time. She explained that this is a corrective action so that the file accurately reflects the land use as it exists currently on the site. She stated that this is a land-locked parcel, so it does not have front, side, or rear yards, and therefore the property owner cannot be required to comply with the setback or landscaping requirements. She added that under today's Zoning Code, this project would not be allowed to be constructed but these buildings have been in place for a long time in this configuration with access granted through an easement agreement across another private property. She stated that the parcel is heavily treed and landscaped and has been well maintained considering the age of it. She stated that the conditional zoning use certificate process typically looks through conditions, but because this is an unbuildable lot, some of the conditions may not be able to be applied.

Mr. Crookston questioned the building configurations.

Ms. Susel explained that in 2012 it was erroneously noted on the Zoning Use Certificates that all three buildings were two-unit structures, when one of the three buildings contains three units. She explained that this type of multi-family property should be inspected for rental licensing by the Health Department rather than Community Development, but because they were noted as two-unit structures, that has not been the case to this point. She stated that once the zoning

use has been clarified that this is a multi-family complex with seven single-family units in three separate buildings on one parcel, the Health Department will be the ones to inspect.

Mr. Sahr stated that the building closest to E. Main St. has three units although the addresses on the map provided doesn't clearly mark it that way.

Mr. Crookston questioned the owner's ability to change the configuration of the buildings.

Ms. Susel stated that the total number of units cannot be increased, and each unit is limited to no more than two unrelated residents.

Mr. Sahr noted that this case was initiated by staff due to an error and Mr. Hornyak immediately complied in order to get the record straight; the applicant does not have any other plans for the property.

Mr. Crookston questioned the easement.

Ms. Susel stated that these are perpetual easements that are recorded.

Mr. Clausson questioned where the trash is taken to as the property doesn't have frontage.

Mr. Sahr stated that there is a dumpster on site rather than curb cans as noted in the staff report.

Mr. Salustro questioned if the dumpster is required to have an enclosure.

Ms. Susel stated that this is a pre-existing non-conforming use so it is not.

Public Comment

None.

Planning Commission Discussion

Mr. Clausson stated that he had no further questions as the units are single family.

Mr. Crookston stated that he drove by the property, and it appears to be well maintained.

Ms. Edwards stated that she appreciates Mr. Hornyak for cooperating to get the issue straightened for a property that he purchased 12 years ago.

MOTION: *In the case of PC24-010, Frank Hornyak, 1604 Thomas Ct./E. Main St., Mr. Clausson moved that the Planning Commission approve the Conditional Zoning Use Certificate and Site Plan with the following conditions:*

1. Technical Plan Review.

Mr. Matar seconded the motion. The motion carried 5-0.

VII. New Business

**A. PC24-003 GEORGE ISTOCKI AND SONYA ISTOCKA
265 West Main Street**

The applicant is seeking a Conditional Zoning Certificate and Site Plan approval to allow a Mixed Use at the subject property. This property is located within the N-C: Neighborhood Commercial Zoning District.

Mr. Sahr presented the project as submitted and presented the staff report to the Commission. He stated that the property is bordered by commercial uses to the east, west, and south, and a mix of commercial and residential uses to the north. He stated that the applicant is proposing to add a restaurant and bar on the lower level with leased office space to various businesses on the main floor and the upper floors. He explained that in order for one building to contain two separate uses, the property needs to be granted the Conditionally Permitted use of "Mixed Use". Mr. Sahr read the Concerns, Conditions, and setbacks for the proposed project. He stated that the existing building has a mixture of zero lot line and other setback distances, and the proposed addition and patio meet or exceed all setbacks. Mr. Sahr stated that currently the property has a parking lot with 20 spaces as well as agreements with several other area businesses for tenant parking. He stated that these provisions meet the KCO requirements for parking in this zoning district, which only requires a parking plan. He stated that the site currently has a dumpster and if approved, a new enclosure will be constructed. Mr. Sahr stated that no new landscaping is proposed for this project due to the zero lot line setbacks along the west and south property/building lines where no landscaping is possible. He added that a landscape buffer/bed does exist along the west property line of the parking lot. He stated that no landscaping exists along the north property line and the east property line is heavily wooded where the property adjoins the Cuyahoga River. He stated that a photometric plan for the proposed new lighting has been submitted. He stated that no new signage is proposed. He stated that review by the Architectural Review Board is for recommendation only and Kent City Council recommended approval of the proposed façade changes at its meeting on 10/2/24. No variances have been requested for this project. He concluded that staff finds the request for a Conditional Zoning Use Certificate and Site Plan approval, as presented, to be in accordance with the applicable sections of the City of Kent Zoning Code.

Applicant Presentation

Sonya Istocka, 265 W. Main St., stated that they would like to construct a speak-easy style bar on the river level of the building as well as office spaces. She stated that their projected clientele are professionals rather than the college populations. She stated that her husband has done several pop-up speak-easys but not in Kent. She added that they do very well.

Mr. Claussen questioned the parking agreements.

Ms. Susel stated that the parking agreements are in place with the City for public parking and as ancillary parking for the project in addition to what is on the site.

Mr. Crookston questioned how many potential employees would be working in the building.

Ms. Susel stated that the proposed project is a mixed-use project where the new addition of the speak-easy would be parked in the evening, which is after the other primary use of office space will be parked. Ms. Susel enumerated the parking leases in the area that the city maintains and

noted that the parking lot on Gougler Ave. near N. Mantua St. is almost never full although it is in walking distance from the other restaurants in the area.

Mr. Crookston asked about the entrance to the speak-easy.

Kevin Robinetta, Architect, 2091 S. Bellbiro Blvd, South Euclid, OH, stated that there will be two access points. He stated that the primary access is the main entrance at street level off of the parking lot where customers can use the stairs or the elevator to get to the lower level and the secondary access is the stairs that are on the east side of the building next to the West Main Street bridge.

Public Comment

None

Planning Commission Discussion

Mr. Salustro questioned the mixed-use category.

Ms. Susel stated that the mixed use is due to both office space and a restaurant and that mixed-use has its own parking regulations. She stated that if they wanted to revert to a single use, they would need to come back to the Planning Commission due to a change in zoning land use.

Mr. Salustro noted that there is a sign shown on the drawings.

Ms. Susel stated that the sign didn't meet code, so it is not a part of this discussion. She stated that they will need to resubmit the sign or come back with a comprehensive sign plan.

Mr. Clausson stated that the project looks fine to him and questioned if the DORA district would extend to this location.

Ms. Susel stated that the DORA does extend across the bridge and down to Bell Tower, but because alcohol is not permitted on the Hike and Bike Trail Park it is not permitted to go down the stairs that is the secondary access point. She stated that they can, however, use the main entrance and use the inside stairs or elevator with drinks if the DORA is approved for the property. Ms. Susel stated that the DORA is on Gougler and the West Main Street but not allowed for the areas below the bridge.

Mr. Crookston stated that he feels that the project looks awesome. He suggested that they may want to consider a higher fence on the bridge due to an increase in foot traffic.

Ms. Edwards stated that she also feels that the project and plans look great.

MOTION: *In the case of PC24-003, George Istocki and Sonya Istocka, 265 W. Main St., Mr. Matar moved that the Planning Commission approve the Conditional Zoning Use Certificate and Site Plan with the following conditions:*

1. Technical Plan Review.

Mr. Salustro seconded the motion. The motion carried 5-0.

**PC24-012 CLERAC, LLC / ENTERPRISE HOLDINGS, INC.
1225 West Main Street**

The applicants are seeking a Conditional Zoning Use Certificate and Site Plan approval to allow an Automotive Temporary Storage (Including Rentals) to be located at 1225 West Main Street. This property is located within the IC-R: Intensive Commercial Residential Zoning District

Mr. Sahr presented the project as submitted and presented the staff report to the Commission. He stated that the property is accessed from W. Main St. and Spaulding Dr. He stated that the property is bordered by commercial uses to the east, west, and south, and a residential use to the north. He stated that the property is currently unoccupied, and that the applicant is planning to repurpose the site as a car rental facility. Mr. Sahr read the Concerns and Conditions, and setbacks. He stated that the existing building meets these setbacks, and no new buildings are proposed. He stated that 23 standard parking spaces are required and 42 are provided. He stated that the parking provided for storage is 13 lanes that are 106'4" long and provide parking for 5-6 cars per lane for a total of 65-78 stored vehicles. He stated that a new dumpster is to be constructed at the northeast corner of the property. He stated that a landscape plan has been provided, which meets or exceeds the KCO requirements after applying the variances that were granted on 8/19/24 by the Board of Zoning Appeals. He stated that a photometric plan has been submitted. He stated that one building and one monument sign are proposed, which meets the KCO sign requirements. The Architectural Review Board is not required. He stated that staff finds the request for a Conditional Zoning Use Certificate and Site Plan approval, as presented, to be in accordance with the applicable sections of the City of Kent Zoning Code.

Applicant Presentation

Ms. Susel explained the variances that were granted and how they relate to the property having two front yards due to fronting two streets as well as that a portion of the right of way along West Main Street actually extends into the property more than it does on the abutting properties. She stated that the building configuration and site layout is staying the same, but the applicants were able to incorporate the landscaping. She stated that the applicants notified staff that they were unable to attend and is allowing staff to present the project on their behalf. She stated that if there are questions that staff is not able to answer, the case can be continued until they are able to be present.

Mr. Crookston stated that he feels that the landscaping on the side will make it nice. He questioned if the asphalt will be redone.

Ms. Susel stated that the parking lot will be resurfaced and striped.

Mr. Sahr stated that they are going to resurface the back lot and clean up, but they are not altering the size of the site.

Mr. Crookston stated that he is aware of the signs on the building and W. Main St. side but questioned if there was any signage on the Spaulding St. side.

Ms. Susel responded no. She added that the Enterprise Rental that is across the street will be relocating to this location.

Ms. Edwards questioned if there are currently garage doors on the back of the building and if they were then going to be doing renovations.

Ms. Susel stated that there are not currently doors.

Mr. Sahr stated that they are going to be remodeling the building so that they can move cars into the building for the purpose of cleaning and preparing them for rent, but the footprint of the building isn't changing. He stated that they will be adding garage doors to the front and rear façade.

Ms. Edwards stated that the plans indicate that there will be white vinyl siding and taupe doors.

Mr. Matar questioned the signs.

Mr. Sahr directed the Commission to the document that details the signs: size, location, and artwork.

Public Comment

None

Planning Commission Discussion

Mr. Salustro stated that he is in favor as the building has been vacant for a few years.

Mr. Clausson stated that he doesn't have any concerns. He stated he feels that it looks good.

Ms. Edwards stated that she appreciates them cleaning up that side of town and feels that the landscaping and other improvements will be beneficial to the building.

MOTION: *In the case of PC24-012, Clerac, LLC / Enterprise Holdings, Inc., 1225 W. Main St., Mr. Matar moved that the Planning Commission approve the Conditional Zoning Use Certificate and Site Plan with the following conditions:*

1. Technical Plan Review.

Mr. Salustro seconded the motion. The motion carried 5-0.

**B. PC24-014 LAAD SIGN AND LIGHTING
 174 Currie Hall Parkway**

The applicants are seeking a Comprehensive Sign Plan approval to allow the attached sign package to be located at 174 Currie Hall Parkway. This property is located within the C: Commercial Zoning District.

Applicant Presentation

Mr. Sahr presented the project as submitted and presented the staff report to the Commission. He stated that the property is accessed from Currie Hall Parkway. He stated that the property is bordered by residential uses on the north and south, commercial uses to the east, and industrial uses to the west. He stated that the property contains several different businesses, where each would like to advertise their presence, however the KCO limits the number of signs per property. He explained that the provision for multiple signs at one address as outlined in the Comprehensive Sign Plan. Mr. Sahr read the Standards for a Comprehensive Sign Plan. He stated that the Architectural Review Board review is not required, and no variances were

sought. He stated that staff finds the request for a Comprehensive Sign Plan approval, as presented, to be in accordance with the applicable sections of the City of Kent Zoning Code.

Ms. Susel stated that this property has issued several warnings for prohibited feather signs, which was the impetus to get a Comprehensive Sign Plan request submitted.

Linda Nichols, Laad Signs, 3097 St. Rt. 59, Ravenna stated that they are the sign company for the project and can answer any questions they may have.

Dr. Michael Pryce, owner of 174 Currie Hall Pkwy, stated that he received request to change the signage and while he didn't care about signs, he didn't realize it needed to go through Planning Commission. He stated that even though there are signs there, they would like to add signs so that they can be seen from both sides.

Ms. Susel received confirmation from Mrs. Pryce, who was also present, that they, the owners, have given permission for the applicant to proceed with the request for the sign plan.

Mr. Crookston questioned the configuration of the signs.

Mr. Sahr stated that per the plans, there will be one building sign on both the east and north elevations for two businesses and a monument sign that will represent each business.

Ms. Nichols stated that the sign on the north elevation for Community Health will be a quarter inch aluminum with a vinyl graphic over it. She stated that the sign on the north elevation for Brightside will be basically the same material. She stated that both names will be on the double-sided monument sign.

Mr. Crookston noted that the building signs are different dimensions.

Ms. Nichols stated that due to the layout and logos of the signs, one sign is 3 feet tall while the other is 4 feet tall; both signs are 8 feet wide.

Mr. Crookston questioned the monument sign.

Ms. Susel stated that the monument sign is existing, but it is included in the sign plan because all signs need to be included in the sign plan. She stated that they are changing the panels in the monument sign, which normally doesn't require permission.

Mr. Crookston questioned if they could request to repair the brick facing on the sign as well.

Ms. Susel stated that they can.

Public Comment

Mrs. Pryce, owner, stated that they will make the improvements to the damaged exterior faux brick base of the sign as necessary.

Planning Commission Discussion

Mr. Clauson stated that he feels that the project looks fine. He stated that he doesn't see any damage to the bricks in the provided pictures.

Mr. Crookston stated that he took some pictures and stated that he wouldn't call it disrepair but rather just needs cleaned up.

Ms. Edwards stated that she also doesn't have any issues with the project.

MOTION: *In the case of PC24-014, Laad Sign and Lighting, Mr. Matar moved that the Planning Commission approve the Comprehensive Sign Plan with the following conditions:*

- 1. Technical Plan Review*
- 2. Repair the brick base*

Mr. Crookston seconded the motion. The motion carried 5-0.

**C. PC24-015 BINION INC, / R&T FENCE CO.
 1374 Middlebury Road**

The applicants are seeking permission to erect an eight foot (8') tall fence on the property located at 1374 Middlebury Road. This property is located within the I: Industrial Zoning District.

Applicant Presentation

Ms. Susel stated that this case is before them due to an omission from the last Zoning Code update. She stated that this property is in the Industrial District and will have equipment stored on site and given that there have been issues in the past in this area with trespass, the applicants are asking for an 8-foot fence. She stated that the intent when they updated the zoning code in 2021 was to allow the Community Development Department to provide for up to 8 feet for a fence in the Industrial District only. She stated that currently they are requesting approval from the Planning Commission and in the future, they will update the Zoning Cde so that this can be done administratively.

Public Comment

None

Planning Commission Discussion

Mr. Salustro noted that other properties in that area have let their fences fall into disrepair.

Ms. Edwards stated that she also doesn't have any issues with the project.

MOTION: *In the case of PC24-013, City of Kent, Mr. Matar moved that the Planning Commission recommend that Kent City Council approve the eight-foot-tall fence with the following conditions:*

- 1. Technical Plan Review*

Mr. Clausson seconded the motion. The motion carried 5-0.

VIII. Meeting Minutes

The meeting minutes have been moved to the next meeting because they were not included in the packet.

IX. Other Business

None

X. Adjournment

MOTION: *Mr. Matar moved to adjourn. The motion was seconded by Mr. Salustro. The motion carried 5-0. The meeting adjourned at 8:18 p.m.*