

**KENT PLANNING COMMISSION
BUSINESS MEETING
DECEMBER 6, 2016**

MEMBERS PRESENT:

**Anthony Catalano
Doria Daniels
Amanda Edwards
Peter Paino
John Gargan**

STAFF PRESENT:

**Jennifer Barone, Development Engineer
Bridget Susel, Community Development Director
Eric Fink, Assistant 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. Paino Mr. Gargan, Ms. Daniels and Mr. Catalano 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

Several different correspondences were received regarding the cases on the agenda.

VI. Old Business

**A. PC14-012 KLABEN USED VEHICLE DISPLAY LOT
1181 West Main Street
Conditional Zoning Certificate and Site Plan Review**

The applicant is requesting a time extension to comply with the previously approved Conditional Zoning Certificate and Site Plan Approval regarding the landscape plan for the used car vehicle display lot. The subject property is zoned IC-R: Intensive Commercial – Residential District.

Mr. Catalano asked the applicant to present his request.

Al Klaben (1250 West Main Street, Kent, OH) stated they were asking for a time extension. He showed pictures to the Planning Commission members.

Ms. Barone stated that the commissioners did not have the site plan for the parking lot expansion, which is a new case. They have the 2014 site plan when the site plan was approved with the landscape condition.

Mr. Fink stated that the approval of the site plan in 2014 gave the applicant two years to complete the conditions.

Mr. Paino stated that there are two different cases regarding the Klaben properties.

Mr. Klaben stated that he did landscaping as well as some extra paving. He said they would have included trees on the next door parcel.

Mr. Paino stated he would like to see a more pleasant appearance for green along the West Main corridor.

Ms. Barone stated the applicant is asking for an extension because there are other variables involved.

Mr. Klaben stated that the 2014 plan has been slightly modified.

Ms. Susel stated the commissioners have not seen the new site plan so they are just reviewing the 2014 site plan.

Mr. Paino said the applicant has not done the landscaping plan so he is in violation of the code. He said he knew nothing about the second proposal.

Mr. Klaben stated that the original plan stated that he was to return within 24 months with a revised landscape plan.

Mr. Paino stated the Planning Commission was trying to bring the City of Kent up to a more peasant appearance with more green along the West Main Street corridor.

Mr. Klaben stated that the lot was mainly used to display cars.

Ms. Edwards asked if the Planning Commission had to approve a two year extension until December 2018.

Ms. Susel stated a condition could be incorporated into the motion that a more expedited installation of the landscaping be done.

Mr. Klaben stated the sooner it was done, the better.

PUBLIC COMMENTS

None

PLANNING COMMISSION DISCUSSION

Ms. Barone stated the applicant was asking for a time extension to comply with the previously approved Conditional Zoning Certificate and Site Plan Approval regarding the landscape plan for the used vehicle display lot.

Mr. Gargan said he wanted to see the site plan for expanded pavement.

Ms. Edwards wants to see the expanded pavement plan and wanted to see a time frame for the installation of the landscape.

Ms. Daniels stated she wanted to set a date for the landscape installation.

Mr. Catalano agreed with Ms. Daniels comments.

Mr. Paino wanted to set a time frame for the 2014 plan with the 2016 site plan.

There were no other comments or questions. Mr. Catalano asked for a motion.

MOTION: *Mr. Paino moved that in Case PC14-012, Klaben Used Vehicle Display Lot, located at 1181 West Main Street, that the Planning Commission extends the deadline for approving the landscape plan attached to the site plan to February 7, 2017. The motion was seconded by Ms. Edwards. The motion carried 5 –0.*

**B. PC15-017 UNIVERSITY OAKS
5914 Horning Road
Conditional Zoning Certificate & Site Plan Review**

The applicant is requesting a Conditional Certificate and Site Plan Review and Approval in order to construct townhomes with rooming house designation. The subject property is zoned R-: Multi-Family Residential District.

Ms. Susel stated that the City of Kent is seeking an injunction. She said legal action will be taken to court.

Mr. Catalano asked for a motion to table this case.

MOTION: *Ms. Daniels moved to table Case PC15-017, University Oaks, property located at 5914 Horning Road, until the December 20, 2016 Planning Commission meeting. The motion was seconded by Ms. Edwards. The motion carried 5 –0.*

**C. PC15-021 EAST MAIN STREET LOFTS
1700 Holly Drive
Conditional Zoning Certificate & Site Plan Review**

The applicant is seeking a Conditional Zoning Certificate and Site Plan Review and Approval in order to construct a multi-family residential complex. The subject property is zoned R-4: Multi-Family Residential and C-R: Commercial-High Density Residential Districts.

Ms. Barone stated that the applicant requested a continuance until February 7, 2017.

Ms. Susel stated that a detailed traffic study has been submitted which is 130 pages. She said Jim Bowling, Engineer for the City of Kent, was at the meeting to discuss comments made in that report. She said this would be an open format to discuss issues mentioned in the traffic report.

Mr. Bowling said he would address the significant comments in the report that included vehicular, pedestrian and general issues. The study included the development of four intersections and Horning Road and Loop Road need to be added. He said there would be a significant increase in the east to west bound traffic. He said trip distribution predicts where cars go. The design criteria includes mitigation of any adverse conditions from this development when it opens. Mr. Bowling said they also looked at twenty years down the road just for informational purposes to determine the future traffic flow.

The Level of Service (LOS) was also looked at to determine the average delay to get through an intersection at peak hours. He said the scale is A to F. A is less than ten seconds. D is acceptable in the City of Kent overall for the intersection while ODOT (Ohio Department of Transportation) recommends C but D is acceptable. He said standard assumptions cannot be used because the number of pedestrians needs to be counted during the peak hour. He said no right turn on red from Horning Road onto East Main Street was considered. He said the report did not include the light timing and phasing on East Main Street. The City of Kent provided this information. He said the average delay shown in the report is wrong for west bound traffic on East Main Street.

Keith Benjamin (6706 4th Avenue, Franklin Township, OH) stated that the delay is sometimes 0.2 seconds. He asked if the studies were done when Kent State University was in session.

Mr. Bowling replied yes. He said that the Institution of Transportation Engineers (ITE) Manual does not have a category for the number of trips that are made in and out of this type of site. He said the number of trips generated from Kent State University is another important factor. There are other facilities similar to this one, and the City of Kent did a traffic count at the University Edge development. This information was provided today to the developer. He said the AMATS data that was provided was used for traffic projection. He said 1.04 was used which is a four percent increase which is high but conservative and is alright to use. Other studies have shown a 0.5 percent increase.

Mr. Bowling said the traffic study recommended a dual left turn, but pedestrian traffic is an issue because visibility for pedestrians for one lane may be blocked so that pedestrians in the cross walk might not be seen. Pedestrians need their own phase of the signal to cross. This situation needs to be analyzed for congestion. Dual left turn is not acceptable to the City of Kent. He said multi-model which would include pedestrians and bicyclers need to be considered at the Horning Road and Holly Drive intersection. Mr. Bowling said there is a bus stop there, but it is not on the PARTA website. He said they were evaluating if the bus pad was going to remain. He said the average speed on Horning Road has increased and that intersection upgrades such as pedestrian crossings might help slow the speed down.

Cathleen Rhodes (5890 Horning Road, Kent, OH) stated that a street light is needed at the crossing.

Mr. Bowling replied that it is already in the works, and there will be signs installed in the spring.

Mr. Bowling said the developer's plan to get pedestrians safely through the site needs to be explained. There are several issues. Further, the access agreement with Holly Park also needs to be fully examined.

Mick Rogers (5885 Horning Road, Kent, OH) asked about the amount of pedestrian traffic.

Mr. Bowling said the traffic study states that the site is designed to promote walking, but does not explain how this will be accomplished. He said other issues include people having to walk past a trash compactor; there is 6-foot sidewalk but people are told not to walk within 2 feet of the street or close to the grass.

Ms. Barone stated there is a sidewalk on Holly Drive.

Dennis Krupa (5882 Horning Road, Kent, OH) asked if the traffic study indicated the 85% increase in speed that should dictate a sign or if a raised crosswalk was considered. Also, if the City of Kent would think about this, if the developer did not proceed with the development.

Mr. Bowling stated the City of Kent needs to see what is proposed and to try to incorporate traffic slowing elements. He said a sign and street light will be going up. The City of Kent just found out about the 85% data so staff knows there is a need and will add this to the list to prioritize it.

Mick Rogers (5885 Horning Road, Kent, OH) asked if the traffic study was adequate and what it meant.

Ms. Barone replied that the Planning Commission can have the developer install the measures recommended in the Traffic Study.

PUBLIC COMMENTS

Mr. Fink stated only comments directly related to Mr. Bowling's comments will be allowed.

Mary Organ (5876 Horning Road, Kent, OH) thanked Mr. Bowling for his comments. She said there is a huge difference between theory and actually what is out there. She asked that the Planning Commission and City staff review with caution issues dealing with pedestrians and bicyclers. She said traffic has increased in the area.

Mr. Catalano encouraged the public to contact the City staff to forward any comments to the Planning Commissioners.

Maureen Gartland (5835 Horning Road, Kent, OH), stated that Horning Road has a lot of pedestrians, bicyclers, and people walking their dogs. She said it was a rural road that people liked to use, but it is not safe now.

Mr. Krupa stated there have been cars travelling at 98 mph and the data from AMATS stated that cars have driven over 85% of the speed limit. Also, he has seen motorcycles passing cars going 50 mph. He said the speeding issue needs to be addressed.

There were no other comments or questions. Mr. Catalano asked for a motion.

MOTION: *Mr. Catalano moved to continue PC15-021, East Main Street Lofts, property located at 1700 Holly Drive, until the February 7, 2017 Planning Commission meeting. The motion was seconded by Mr. Gargan. The motion carried 5 –0.*

VII. New Business
None

VIII. Meeting Minutes: *Special Joint Meeting - September 28, 2016*
Regular Meeting - October 4, 2016
Regular Meeting - November 1, 2016

MOTION: *Mr. Paino moved to approve the special minutes of September 28, 2016 as submitted. The motion was seconded by Ms. Edwards. The motion carried 4 – 0. (Mr. Gargan abstained)*

MOTION: *Ms. Edwards moved to approve the minutes of October 4, 2016 as submitted. The motion was seconded by Ms. Daniels. The motion carried 4 – 0. (Mr. Gargan abstained)*

MOTION: *Ms. Daniels moved to approve the minutes of November 1, 2016 as submitted. The motion was seconded by Ms. Edwards. The motion carried 5 – 0.*

IX. OTHER BUSINESS

Eric Fink stated that the City filed with the Common Pleas Court concerning the Chapter 1122 parking issue. Once a decision has been made, a full report will be provided to the Planning Commission. A temporary order for an injunction for Case PC15-017 is being requested until the parking matter has been resolved.

X. ADJOURNMENT

Motion: *Ms. Daniels moved to adjourn. The motion was seconded by Mr. Paino.
The motion carried 5 – 0.*

The meeting adjourned at 8:30 p.m.