

**KENT PLANNING COMMISSION
BUSINESS MEETING
JUNE 7, 2016**

MEMBERS PRESENT: **Anthony Catalano
Peter Paino
John Gargan
Doria Daniels
Amanda Edwards**

STAFF PRESENT: **Jennifer Barone, Development Engineer
Eric Fink, Assistant Law Director**

I. Call To Order

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

II. Roll Call:

Mr. Gargan, Ms. Daniels, Mr. Paino, Ms. Edwards 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

A letter from Jeff and Camille Fauser was received regarding the Coleman TAY apartment project planned for 732 and 738 West Main Street in the City of Kent.

An email was received from John Idone regarding the park fee for the Coleman projection.

Ms. Barone asked the Planning Commission to revise the agenda order and said a motion would be needed to do that.

MOTION: *Ms. Daniels moved to revise the order of the agenda to hear the New Business case first. The motion was seconded by Mr. Paino. The motion carried 5 – 0.*

VI. New Business

**A. PC16-006 COLEMAN TAY APARTMENTS
736 West Main Street
Site Plan Review**

The applicant is requesting Site Plan Review and Approval in order to construct a two-story apartment building consisting of eleven (11) one bedroom units. This subject property is zoned R-4: Multifamily Residential District.

Mr. Catalano asked the applicant to present the project.

Alan Ambuske (1355 Lake, Kent, OH) stated he is with Perspectus Architecture located in Shaker Square, Cleveland, Ohio and is the architect for the owner of the property. The two properties currently have single family dwellings that will be razed for the project.

The two existing properties will be combined into one parcel and a two-story building will be constructed. There will be eleven (11) one bedroom units that will be similar to the Coleman Apartments (Walter Capling Apartments) just east of Sheetz. There will be five (5) units on the first floor and six (6) units on the second floor. He discussed the drawings and elevations of the site. He said the Architectural Review Board recommended approval of the site plan with conditions which are: 1) Relocate the meters to inside the hallway 2) Add four (4) windows to the north and south elevations 3) Place columns under balcony on the west façade to match the east façade 4) Add gable on north façade with a jog or extension 5) Move recycling bins into the storage room. He said they did receive a variance form the Board of Zoning Appeals for lot coverage. There will be a Coleman employee on site 24/7 to monitor the tenants.

PUBLIC COMMENTS

Annette Petraie (5892 Rhodes Road, Kent, OH) from the Coleman Center, stated this is the first transitional housing in Portage County and the apartments will be for 18 to 26 year old people who were Coleman clients. The tenants in the apartments by Sheetz do not have to be Coleman clients.

Jeff Fauser (730 West Main Street, Kent, OH) stated they have lived at this address which is adjacent to the site for 26 years. There is nothing that separates the properties so they would like a privacy barrier because the landscaping is insufficient. He said his existing 6-foot high fence that borders 732 West Street does not run the full north/south length of his property. He asked that Coleman provide a substantial buffer between the TAY apartment property and their home so that the tenants will not use their property as a thoroughfare. He felt the sloping on the apartment side will also need to be addressed.

Susan McGann (733 Grove, Kent, OH) confirmed that the setback will be 45 feet. She asked if the green space would be used for anything else.

Mr. Ambuske replied the open space will have no other use.

Ms. McGann asked if the slope will be filled in.

Mr. Ambuske replied yes and that a grading plan has been submitted.

PLANNING COMMISSION DISCUSSION

Ms. Barone reviewed the Staff Report. The applicant will demolish two (2) houses and to construct a two (2) story, eleven (11) one bedroom units apartment building. She said the site can be accessed from West Main Street and that one (1) parking space per unit is required and eleven (11) are being provided. She said the code also requires a minimum of two (2) bicycle storage racks.

The applicant proposes extending a 6 inch water main from Forest Drive because the water main along this section of West Main Street is inadequate for the needs of the project. No signage is proposed. The lighting consists of parking lot lights, door entry lights and wall mounted lights. The landscaping requirements are five (5) trees and ten (10) high shrubs or fifteen (15) low shrubs which the applicant's plan shows that they are being provided. The dumpster will be located at the south end of the parking area and will be screened with a fence. The applicant did get a variance from the Board of Zoning Appeals for the lot coverage. The park fee was not included in the staff report because she was waiting for information from Mr. Idone. She received a memo from Mr. Idone who recommended that the Park Fee should be \$3,300.00 based on one (1) person per bedroom. The Architectural Review Board recommended approval with the conditions listed in the staff report. She said staff recommends approval with conditions.

Ms. Edwards asked where guests would park since there will be one parking space per unit

Mr. Ambuske replied there will be no parking issue because most of the residents do not have cars.

Ms. Edwards asked about the water main. She also raised the issue of landscaping.

Mr. Ambuske replied they propose extending a 6 inch water main from Forest Drive.

Mr. Gargan asked if there would be both front and rear doors to the apartments.

Mr. Ambuske replied that the rear doors are for maintenance to have access to the HVAC units.

Mr. Gargan asked how many trees will be coming down.

Mr. Ambuske replied they can replace and replicate what is on West Main Street. He said they will add a privacy fences on both sides.

Mr. Paino asked if the parking would be against the building.

Mr. Ambuske replied yes.

Mr. Paino asked how the topography would be changed and what would be on the rear slope.

Mr. Ambuske replied they would bring in fill and that grass would be on the rear slope. In response to a question from Mr. Paino, he said they can terrace the slope.

Mr. Paino asked about the topographical change and the 7 feet of fill.

Mr. Ambuske said they could move the building forward.

Mr. Paino asked how long are the buildings.

Mr. Ambuske replied they are 160 feet. He added that there will be an elevator to the second floor.

Mr. Paino stated that the building looked nice but he was concerned about the sighting.

Ms. Daniels asked if there was a concern about loitering in the front.

Mr. Ambuske replied they want to install a 6-foot high privacy fence on the site so this should not present a problem.

Mr. Fink stated that the fence cannot extend beyond the building front.

Mr. Fauser asked if there would be an asbestos abatement.

Mr. Ambuske replied yes. They will report to the City of Kent before razing the buildings.

Mr. Fauser asked if it will be the same height as the white house.

Mr. Ambuske replied it will be two stories and similar to the existing structures.

Mr. Catalano stated he was in favor of the park fee. He said it is reasonable to have a fence on both the east and west sides. He felt Coleman had done a good job with their plans for the project.

Mr. Fink provided the language for the motion.

Ms. Edwards asked about size of the retaining wall height and depth.

Mr. Ambuske replied it would be 60' to 80' long and 4' wide.

A discussion was held regarding the fence and landscaping. The commissioners felt that additional landscaping should be added and that a 6' high privacy fence should also be installed on the east and west sides of the property.

There were no further comments. Mr. Catalano asked for a motion.

MOTION: *Ms. Edwards moved in Case PC16-006, Coleman TAY Apartments that the Planning Commission approves the Site Plan for construction of an apartment building at 736 West Street. Subject to the following conditions:*

- 1) Review and approval of the technical plans.*
- 2) Install bicycle racks to accommodate two (2) bicycles.*
- 3) Install additional landscaping to be harmonious with the neighborhood.*
- 4) Provide a 6' high privacy fence on the east and west sides of the property in addition to the fence already depicted on the south side.*
- 5) Density shall be one (1) person per unit.*

The motion was seconded by Ms. Daniels. The motion carried 5 –0.

MOTION: *Ms. Daniels moved in Case PC16-006, the Planning Commission approve the \$3,300.00 Park Fee for an apartment building at 736 West Main Street. Subject to the following to the following conditions:*

- 1) Approval of the Parks and Recreation Board.*
- 2) Density shall be one (1) person per unit.*

The motion was seconded by Mr. Gargan. The motion carried 5 –0.

**B. PC16-010 FIRST ENERGY SUBSTATION
1010 West Main Street
Site Plan Review**

The applicant is requesting Site Plan Review and Approval in order to install prefabricated industrial building and expand the graveled and fenced area to accommodate a ring bus. The subject property is zoned IC-R: Intensive Commercial – Residential.

Mr. Catalano asked the applicant to present the project.

Dayna Heffner (2600 Erie Street South, Massillon, OH) stated she is from First Energy and Brandon Cole (76 South Main Street, Akron, OH) introduced himself.

Mr. Cole stated that the existing system is at capacity so the applicant wants to install a prefabricated industrial building to house equipment. The applicant also wants to expand

the graveled and fenced area to accommodate a ring bus at the substation at the corner of West Main Street and Longmere Drive behind the United Disability Services on West Main Street. The applicant wants to install underground storage of storm water that will have a controlled discharge.

PUBLIC COMMENTS

Karen Smith (418 Longmere Drive, Kent, OH) stated she objected to the project because it will have a negative impact on property values as much as 6 to 3% according to the Internet. The 10' chain link fence by Ohio Edison encroaches by 10 feet. She wanted mitigation for the negative impacts. The fence should be moved. She then went on to discuss the landscaping and asked what plants would be used. She gave pictures of the site to the commissioners.

Mr. Gargan asked if there was an easement for the fence.

Mr. Cole replied he did not think so.

Mr. Gargan stated that it was quite a steep grade from the house to their parking lot. He suggested extending the retaining wall.

Marjorie Wachourak (424 Longmere Drive, Kent, OH) stated she would like to see the fence moved. She agreed with statements made by Ms. Smith.

Mr. Cole stated that the retaining wall does not block the view. It has to be visible to prevent vandalism. He said they cannot get a 3:1 slope so a retaining wall is needed. There is no impact on the neighbor. He said they were not removing any vegetation. He was not sure if the chain link fence is the applicant's.

Mr. Paino stated that most of the yard is for United Disability Service not First Energy's.

Mr. Cole stated that they did not do a survey. He said the new building is 10.5 feet and will be a little taller than the existing one. He said they will work with the neighbor.

Ms. Smith stated that Ohio Edison owned the United Disability Service site and the fence was not installed.

PLANNING COMMISSION DISCUSSION

Ms. Barone reviewed the staff report. She said the applicant wants to install a prefabricated industrial building to house equipment and to expand the graveled and fenced area to accommodate a ring bus. The site can be accessed from West Main Street

through the United Disability property. An easement is in place for ingress/egress. No parking spaces are required. No water or sanitary services are proposed. The applicant will install underground storage of storm water that will have a controlled discharge. No water quality requirements apply because the site is less than one (1) acre. No signage is proposed. The additional lighting proposed is the standard lighting provided on the prefabricated building. The Architectural Review Board did not review this proposal and no variances are required. Staff recommends approval with conditions.

Mr. Catalano asked if they could find out who owns the fence.

Mr. Fink stated the commissioners can require a special study up to \$1,000.

Mr. Paino stated that most of the site is adjacent to the United Disability Services property so they need to be contacted.

Mr. Garner asked if there would be a voltage increase.

Mr. Cole replied it would be the same. This is just a case of archaic protection. The ring bus was being installed to segment areas if there is a flow issue. It can be at full power and limited damage.

Mr. Gargan asked if it reduces danger.

Mr. Cole replied yes. He said they will add landscape.

Ms. Edward asked if there were any outages and if there would be any negative impacts.

Mr. Cole stated that grading would have to be done first and they want to do that in late July or early August and the fence. He said a line outages will not affect customers because there is a backup transformer. There would be no load loss or interruption. He said they have an ingress/egress easement. He said the control house is the biggest part of the project. They anticipate the project will be completed by the end of the year. There will be normal business hours for construction.

Ms. Daniels stated that there seemed to be a drainage and runoff factor. She asked that the areas that will be impacted during construction be identified.

Mr. Cole replied that they will use erosion control techniques to protect downslope property. Ultimately there will be zero impact because it will be directed towards the property.

Ms. Daniels asked how the Planning Commission would know if there were changes.

Mr. Cole replied that there would be no changes.

Mr. Paino stated that access questions had been answered. He asked who owned the shed.

Mr. Cole replied it was the neighbors and they will try to avoid it.

Mr. Catalano stated that the neighbors that are at the meeting were concerned with the fence issue. He said the project will not impact these neighbors. He said the Planning Commission can ask for a visual barrier. He asked the neighbors if they were okay with that.

Ms. Heffner stated they have to maintain the height requirement which is not the standard policy. He asked if there was something the applicant could do for the neighbors.

Mr. Cole stated they will look into it. The adjacent lot is raised.

Ms. Smith showed where she wanted trees. She said 27 feet might be too high

Ms. Heffner stated the Forestry Department will have to review the plantings. He said they need to keep the trees away so that they do not cause outages.

Ms. Smith asked if the trees could be placed further from the site, not by the fence.

Mr. Cole said they can have the vegetation management look at this.

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

MOTION: *Mr. Gargan moved in Case PC16-010, the Planning Commission approve the Site Plan for installation of a prefabricated industrial building and expansion of the graveled and fenced area to accommodate a ring bus at First Energy substation located behind 1010 West Main Street. Subject to the following to the following conditions:*

- 1) Review and approval of the technical plans.*
- 2) First Energy is to make a reasonable effort to buffer the site with landscaping to the east bordering Longmere Drive.*

The motion was seconded by Ms. Daniels. The motion carried 5 –0.

VII. Old Business

**A. PC16-002 City of Kent
Zoning Code Text Amendment
Chapters 1127 – 1155 and Chapter 1171**

**The applicant is seeking input for the proposed code language amendments to the following Chapters: Chapter 1137 RC: High Density Multifamily – Commercial
Chapter 1139 N-C: Neighborhood Commercial**

Ms. Barone reviewed the changes and additions made to Chapter 1137, R-C: High Density Multifamily-Commercial and Chapter 1139: N-C: Neighborhood Commercial. These changes and/or additions were shown on the printouts that the Planning Commission had received. She said there were more changes in Chapter 1137 than the previous Chapter discussed. There were also items added to Chapter 1139 such as establishments engaged in sale, rental or repair of sporting goods such as bicycles, canoes, kayaks, scooters, skate boards and hover boards. It was suggested that the open spaces needs should be changed and perhaps increase the maximum. It was also suggested that the commission meet with the Board of Zoning Appeals to discuss the zoning code and determine the vision for the City of Kent. The open space for rooming houses also should be discussed. It was determined that it would not be a bad idea for the Architectural Review Board to review projects for the whole city.

**VIII. Meeting Minutes - Regular Meeting Minutes – March 15, 2016
Regular Meeting Minutes – April 5, 2016**

The wrong meeting minutes dates was inadvertently listed. There was no vote on the minutes because of the incorrect dates.

**IX. Other Business
None**

X. Adjournment

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

The meeting adjourned at 9:10 p.m.