

**KENT PLANNING COMMISSION
BUSINESS MEETING
APRIL 6, 2021**

MEMBERS PRESENT: **Chris Clevenger-Morris
Jeff Clapper
Nick Bellas
Michael Bruder**

STAFF PRESENT: **Eric Fink, Asst. Law Director
Bridget Susel, Community Development Director
Tim Sahr, Development Engineer**

I. Call to Order

Mr. Morris called the meeting to order at 7:00 p.m.

II. Roll Call:

Mr. Morris, Mr. Bellas, Mr. Bruder, and Mr. Clapper were present. Ms. Edwards was absent.

III. Reading of Preamble

Mr. Morris 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

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

PC21-004: Email from B. Foreman
PC21-005: Email from William Howell

The Commissioners confirmed that they have all had time to review the additional correspondence. They also confirmed that they have all received an updated agenda, which listed all of the necessary steps for the meeting.

VI. Old Business

- A. **PC20-009 Bell Tower Properties, Inc.
 310 Park Avenue
 Amended Site Plan Review & Initial Comprehensive Sign Plan Review**

The applicant is requesting an amended Site Plan Review and an initial Comprehensive Sign Plan Review. The subject property is zoned N-C: Neighborhood - Commercial zoning district.

Ms. Susel introduced the project as outlined in the staff report. She stated that the applicant has returned today with an amended site plan that includes the following changes: expansion of the patio to the east, addition of a decorative fence around the new patio, addition of a trellis at the main entrance, addition of an arbor over the walkway from the parking lot to the building, relocation of the dumpster to the drive off of Gougler Avenue, and the addition of a wood fence dumpster enclosure at the new dumpster location. She stated that the business anticipates having 11 full-time employees at the facility and the operating hours will be Monday through Thursday 4pm to 10pm, Friday and Saturday 11am to midnight, and Sunday 11am to 9pm. Ms. Susel explained that the property is located in the N-C: Neighborhood Commercial District and the business is a conditionally permitted use for which all of the conditions have been met. She further explained that there is a requirement that a parking plan be provided in the N-C and C-D: Commercial Downtown districts. She stated that the plan includes 19 on-site parking spaces, 34 on-street parking spaces, and public parking at the adjacent West River Medical and West River Place parking lots, as well as the municipal public parking lot to the north, which are available after 5pm weekdays and weekends. Ms. Susel stated that a bicycle rack to accommodate 2 bicycles will be provided. She stated that utilities are existing. She stated that deliveries will take place between 8am and 4pm at the garage door off of Gougler Avenue. She stated that the patio lights will be turned off at closing time and when all customers have safely left the premises but the existing exterior lighting will remain on the current schedule for security reasons. She stated that changes to the landscape plan will include expansion of the patio area to the east of the main building including landscape areas and a decorative fence surrounding the patio and the addition of a decorative trellis at the main entrance off of Park Avenue. She stated that the proposed relocated dumpster area to the east of the building will have access off of Gougler Avenue. Ms. Susel stated that the Commissioners are also reviewing the Comprehensive Sign Plan for which staff has reviewed the submission and found that it meets the requirements. She stated that the Architectural Review Board recommended approval for both the updated site plan as presented and the comprehensive sign plan with the option to use a wood element as an alternative to the metal monument sign on Gougler Avenue.

Ms. Tipton, co-owner, reviewed the site plan proposed changes as submitted referring to the architectural site plan drawings and other drawings that show the detail of items such as the hog fencing. She explained the proposed changes of the site plan stating that the starting point of the patio has been moved to the east in addition to the proposed patio addition. She stated that the new dumpster location was changed as a function of the interior workflow and to make the interior trash removal path more efficient. Ms. Tipton stated that the dumpster enclosure has an apparent prominence in its proposed location but she feels that due to the landscaping, mass of the structure, and the one way street, as you move past the building it is a lot less prominent in experience. She stated that they have also upgraded the material of the enclosure to a solid wood fence. Ms. Tipton stated

that she feels that the materials, overall composition, and shape of the signs are complementary to the architecture of the structure. She stated that the monument sign base will be reused. She presented drawings of small arbor and trellis.

Mr. Bellas stated that his questions were already answered as the details were presented well.

Mr. Bruder questioned the seating counts on the patio as compared to the original site plan.

Ms. Tipton stated that due to the effects of COVID requirements, the patio increased by 500 usable square feet to allow more distance between seating groups. She stated that this increase is extremely important to the success of the business.

Mr. Bruder asked for confirmation that the reason for not taking the trash through the brewery area is because it is considered a food production area.

Ms. Tipton confirmed that that is the case and stated that it also has to do with the nature of the food production and safety considerations due to the cleaning agents in the brewery.

Public Comment

Ron Musselman, 1018 Roy Marsh Ave., stated that the proposal looks wonderful but he is concerned about the on-street parking and how it affects the residents of Park Avenue and could permits be issued for Park Ave. residents.

Ms. Susel stated that the City does not designate on-street public parking for residents or businesses city-wide with the exception of a small area on North Water for overnight parking permits, which need to be purchased. She stated that she is unsure if overnight parking is allowed on Park Avenue.

Ms. Tipton stated that their parking plan did not include any of the on-street parking on Park Avenue in acknowledgement of the residents.

Mr. Musselman questioned the lighting placement and if it is directed at the homes.

Ms. Susel stated that the photometric light plan that is a part of the applicant's submittal is required to show zero light illumination at the lot lines.

Planning Commission Discussion

Mr. Bellas questioned where the on-street parking totals came from.

Ms. Susel stated that the 34 on-street parking spaces are from spaces on Gougler.

Mr. Bruder stated that he feels that both proposals will be good moves for the project and the city and he is in support of the changes. He stated that he is in favor of the dumpster location and agrees that it will be more screened from the street experience than its original location. He stated that he is also in favor of a larger patio and it being located closer to the busier street because it brings a nice vibrancy to that section of Gougler Avenue.

Mr. Clapper stated that he feels that the changes were very well thought out and will make the site very nice. He stated that initially he was opposed to the project based on the location but now feels that they have done a fantastic job. He stated that he would like to see more bicycle racks based on his experiences around town. He likes the EC chargers that will be installed. He complimented the applicant on her presentation.

Mr. Morris stated that he echoes everyone's comments that it is a very well thought out design and really likes the changes that have been made. He stated that he is a fan of the dumpster location and fencing and the overall design surrounding that area. He feels that it will be a great addition.

MOTION: *In the case of PC20-009, Bell Tower Properties, Mr. Bruder moved to approve the amended site plan review subject to the following condition:*

1. Technical Plan Review.

Mr. Clapper seconded the motion. The motion carried 4-0.

Ms. Tipton reviewed the comprehensive sign plan as presented. She explained the materials used and stated that the ARB approved a wood alternate, for the Corten Steel material on the monument sign mostly for budget reasons. She stated that the individual letters will be applied to the brick over the main entrance. She added that the side door will really be the main entrance and where the address is required; it will be lit from the ground. She stated that they are also requesting a sign for the garage door as it will be the primary delivery location as well as a few vinyl signs on the doors to designate between the restaurant/brewery and the tenant spaces on the west side of the building.

Mr. Bruder stated that he feels that the signs are thoughtfully executed and he is in support of them.

Mr. Morris stated he is excited about the sign package and likes the metal signs but understands possible financial constraints.

Mr. Bellas stated that he feels that the signs are well thought out and attractive.

MOTION: *In the case of PC20-009, Bell Tower Properties, Mr. Bruder moved to approve the comprehensive sign plan subject to the following conditions:*

- 1. Apply for the appropriate sign permits.***
- 2. Technical plan review.***

Mr. Clapper seconded the motion. The motion carried 4-0.

VII. New Business

- A. PC21-004 Random Ohio LLC
107 Lake Street
Zoning Map Amendment**

The applicant is requesting a zoning map amendment to the parcel from its current I: Industrial classification to the C-D: Commercial-Downtown zoning district.

Mr. Fink introduced the project as outlined in the staff report as a case to modify the city zoning map with regards to 107 Lake Street, parcel #17-031-21-00-001-000. He stated that presently the property is zoned Industrial but it is contiguous to the Commercial-Downtown District (C-D) and would not be spot zoning. He stated that staff reviewed the project and has found that it meets the statutory obligations of Chapter 1111.03. He stated that the applicant is the owner of the property. Mr. Fink stated that the amendment would extend the Commercial-Downtown District by one parcel to the north. He stated that the application claims that the proposed amendment is consistent with the Kent Bicentennial and Comprehensive Sustainability Plan specifically as it promotes the City's objective by improving the Mill District as part of the planned arts and entertainment area/district and further diversifying the local economy. He stated that the Planning Commission will need to determine if the application is in the City's best interest. He stated that the appropriate adjacent property owners have been notified. He stated that the other application requirements listed in 1111.03 do not apply to a zoning map amendment. Mr. Fink stated that prior to making a recommendation to Council, the Commissioners need to consider all of the uses of the currently zoned Industrial parcel versus all of the uses of the proposed Downtown District; not just the proposed uses for this applicant. Mr. Fink stated that all the uses for the Commercial-Downtown District are listed in the staff report for their review. He stated that the Commission can make either a positive or negative recommendation to Council, and City Council will hold its own hearing and eventually vote on this issue.

Don Schjeldahl, owner and founder of North Water Brewing, 122 N. Mantua Street, stated that he believes that good land use planning leads to good outcomes and that this zoning change is a logical move and now is the time to proceed given all of the downtown and North Water Street/Mill District improvements that have already taken place. He stated that the neighborhood has shown them great support. He explained that the Downtown designation will go a long way to give them the flexibility to provide the services that will continue to support a transitioning neighborhood. He stated that currently they are not permitted to prepare food on site but they have provisions to install a catering kitchen in anticipation of this change. He stated that patrons will frequent a tap room more often if they can have food. He stated that they see the intersection as being able to support other retail activities. He added that they own the feed store next door as well. He concluded that they need the zoning change to move to the next level.

Public Comment

Bryce Foreman, 152 Lake St., stated that the Crain Street Model was created in such a way to calm traffic due to residents' complaints and feels that the intersection of Crain Ave. and Water Street has progressively gotten worse. He stated that many people stop in the middle of the intersection to turn into North Water Street Brewing. He stated that it is a very busy and dangerous intersection.

Planning Commission Discussion

Mr. Bellas questioned whether a traffic study or analysis has been completed to see if the zoning change would create an impact on the traffic.

Mr. Schjeldahl stated that none has been completed. He also agreed with Mr. Foreman that the intersection is dangerous as the line of sight is limited. He continued that he doesn't feel that their business has added many more cars to the intersection and feels that it has more traffic than West Main St. auto zone area. He stated that they have made some improvements to the landscaping between their business and the bike shop and will install a sign to make the driveway more pronounced and to encourage patrons to use the second entrance onto the site. He stated that they are open to other solutions.

Mr. Morris questioned if the City has a traffic study.

Ms. Susel stated that a traffic study was not done for the map amendment request.

Mr. Bruder stated that per his previous conversations with Mr. Bowling, City Engineer, the traffic down Crain Avenue has significantly reduced with the relocation of the bridge. He questioned whether or not the structure is over the west property line and will that cause an issue with the proposed change.

Mr. Fink stated that a formal survey has not been done at this point in time to his knowledge but that is not a factor in the Kent Codified Ordinances for the Commission to consider for a map amendment.

Ms. Susel suggested that language should be added that if there was a change to the building and it is on someone else's property, that it be handled as a civil matter with the private owner.

Mr. Bruder questioned if the City Engineer had any objections.

Ms. Susel stated that as part of the review process, notifications go out to all of the City departments for comments and staff did not receive any comments with regards to the map amendment request. She stated that the information that Mr. Bruder mentioned is available through the Engineering Department and if the Commissioners would like to see it, staff can provide it prior to a vote.

Mr. Clapper questioned if the business's liquor permit would be affected by a zoning change.

Ms. Susel stated that liquor control is outside of the zoning matter and managed by the State Liquor Control.

Mr. Clapper agreed that the traffic is bad in this area but he doesn't feel that the change that they are considering would greatly impact the amount of traffic from the established business.

Mr. Morris stated that having lived in that neighborhood, he feels that the traffic has decreased substantially since the reconstruction of the bridge and doesn't need to see the reports from Engineering.

Mr. Bruder stated that he is in support of the zoning amendment and feels that the North Water Street Brewing Company has been a nice addition to that area and it is in the City's best interest long term for the district.

Mr. Clapper stated that he agrees with Mr. Bruder and feels that this adds a good bookend to the North Water Street redevelopment.

Mr. Morris stated that this amendment fits with what has been discussed during the zoning code updates. He stated that he is also in support.

MOTION: In the case of PC21-004, Random Ohio, LLC, Mr. Bruder moved to recommend to the Kent City Council to approve the Zoning Map Amendment to amend the .429 acre parcel 107 Lake Street Parcel #17-031-21-00-001-000, from I: Industrial to C-D: Commercial Downtown District.

Mr. Bellas seconded the motion. The motion carried 3-0-1 with Mr. Clapper abstaining.

- B. PC21-005 a Harvey Home / JKC Land Company LLC
Southeast corner of Harvey Street and Lake Street
Site Plan Review & Conditional Zoning Certificate**

The applicant is requesting a Site Plan Review and Conditional Zoning Certificate. The subject property is zoned R3: High Density Residential zoning district.

Ms. Susel introduced the project as outlined in the staff report. She described the project as being a multi-family development that will consist of eight single family units with two units per building on one parcel. She stated that the dwelling units will be prefabricated industrial units with one bedroom, garage, front porch, and rear patio. She stated that the owner is proposing that it will be designated age restricted housing for persons aged 55 years and older. Ms. Susel stated that multi-family dwellings are conditionally permitted in the R-3 District. She stated that there are also special provisions for group housing. She stated that the proposed project needs to conform to all of the requirements listed in the staff report. She stated that staff has found that the conditions have been met. She stated that each building will have a shared driveway with two driveways exiting on Harvey and two onto Lake Street; the Lake Street driveways will have turnarounds for safety. She stated that city utilities are available off of both streets. She stated that no signage is proposed and lighting will consist of lights on the garages and over the doors. She stated that a landscaping plan has been provided. She stated that each dwelling unit will be responsible for their own trash. She stated that the Architectural Review Board has reviewed the project and has recommended approval with the following considerations: cedar shake siding in the gables, trim around the doors and windows that match the corner trim, utilize two different color schemes to be varied between the structures, an animal barrier for the perimeter of the porches, and no shutters. Ms. Susel stated that the applicant was amenable to incorporating these recommendations. Ms. Susel stated that the Board of Zoning Appeals approved a 5 foot variance from the 30 foot minimum rear yard setback, which allows the structures to be constructed 25 feet from the rear property line. She stated that staff finds that the conditions for a site plan and conditional zoning certificate have been met.

Anna Jurs, CBLH Design, 14506 Garfield Ave, Lakewood, Ohio, stated some changes have been made to the site plan as a result of the previous meeting. She stated that due to visibility concerns, turnarounds have been added to both structures off of Lake Street but as shown in the provided Sight Line Study, turnarounds were not needed for the driveways off of Harvey Street. She stated that they will not add additional landscaping on the tree lawn so that the site line will not be inhibited. She described the unchanged floor plan for the dwelling units. She stated that the roof pitch has been increased to a 6:12 pitch. She described the exterior materials and color schemes.

Jerry Cohen, Owner, 61 Wilford, Hudson stated that his idea for this project came from his father, who lives in a similar structure in Cincinnati.

Mr. Clapper stated that he is pleased that they did the Sight Distance Study and added the turnarounds on Lake St. He questioned turnarounds for the Harvey Street structures, citing school traffic; it would be helpful.

Mr. Bellas agreed that backing onto a roadway is not the preferred and also questioned the possibility.

Ms. Susel stated that adding turnarounds would require a reduction in landscaping.

Ms. Jurs stated that it is possible to add the turnarounds but would need to first determine waterlines, etc.

Ms. Susel stated that there would be other utilities and items that would need to be evaluated before this could be done.

Mr. Cohen stated that he understands that the turnarounds are required on Lake Street but is afraid that turnarounds on Harvey Street would take away from the front porch view unnecessarily.

Mr. Clapper stated that he doesn't feel that the turnarounds are an absolute necessity but wanted to bring it up for discussion.

Mr. Bruder stated that he can see the merit both ways but sees the biggest downside to adding turnarounds will change the character and feel of the houses from the street; turnarounds would take up the entire front yards.

Public Comment

None

Planning Commission Discussion

Mr. Bruder had no further comments.

Mr. Clapper stated that he feels that the improvements recommended by the ARB will make the structures fit into the neighborhood better.

Mr. Bellas stated that he likes the changes as well.

Mr. Morris complimented the applicant on taking the time to listen to the comments and go back to the drawing board to make this a better project.

MOTION: *In the case of PC21-005, a Harvey Homes, JKC Land Company, Mr. Clapper moved to approve the conditionally permitted use and site plan review subject to the following condition:*

- 1. Technical Plan Review*
- 2. Maintain documentation for age restricted designation*
- 3. Adhere to the recommendations of the Architectural Review Board*

Mr. Bellas seconded the motion. The motion carried 4-0.

VIII. Minutes

Minutes will be considered at the next meeting.

IX. Other Business

MOTION: *Mr. Bruder moved to excuse Amanda Edwards from the April 6, 2021 meeting. Mr. Clapper seconded the motion. The vote carried 4-0.*

X. Adjournment

MOTION: *Mr. Clapper moved to adjourn. The motion was seconded by Mr. Bellas. The motion carried 4-0. The meeting adjourned at 8:20 p.m.*