



CITY OF KENT, OHIO

DEPARTMENT OF COMMUNITY DEVELOPMENT

DATE: August 14, 2008

TO: Kent City Planning Commission

FROM: Jennifer Barone, PE
Development Engineer

RE: Staff Report for the August 19, 2008 Planning Commission Meeting

The following item appears on the agenda for the August 19, 2008 Planning Commission meeting:

OLD BUSINESS:

At the September 18, 2007 Planning Commission meeting, the Commission requested to table the discussion of the proposed parking lot project so that the applicant could consider additional landscaping. The applicant has modified the plans. The following information is repeated from the September 18, 2007 Planning Commission staff report plus some information about the landscaping requirement in the code.

CASE NO.: PC07-019

APPLICANT: PORTAGE COUNTY COMMISSIONERS

SITE LOCATION: 121 West College Street

STATUS OF APPLICANT: The applicant is the owner of the property.

REQUESTED ACTION: The applicant is seeking Site Plan Review and Approval to permit the construction of additional parking on the property in place of the building that has been demolished.

ZONING: C-D: Commercial – Downtown Zoning District.

TRAFFIC: Access to the property is available from Franklin Avenue and a public alley that runs parallel to Franklin between Franklin and South Water Street.

SURROUNDING LAND USES:

The site is surrounded by other commercial properties.

APPLICABLE CODE SECTION:

Chapter 1119 and Chapter 1146 of the Kent Codified Ordinances (KCO).

ANALYSIS:

This project involves the construction of additional parking on the property which previously was occupied by a building recently demolished. The building housed a number of bars over the years (the Library, Dome, etc). Since this parking lot is being constructed in the C-D Zoning District, it does not have to meet normal setback requirements. A total of 39 parking spaces are being proposed. The existing driveway on Franklin Avenue will be used and there will be two new access points onto the city alley on the east side of the site (this area was previously occupied by the building).

Since the site was previously covered with either parking or building, it was entirely impervious and the proposed use does not alter that situation. As such, there are no specific storm water requirements to be satisfied. The plan before the Planning Commission is a revised plan that was modified to address staff concerns about the original layout and its deficiencies with regard to spacing and aisle width. The revised plan is acceptable to staff.

At the September 18, 2007 Planning Commission meeting, the applicant was instructed to return with an adjusted site plan to include landscaping. According to an e-mail dated August 5, 2008, Commissioner Smeiles worked with Judge Plough to develop the plans currently being proposed. The plans have been revised to add trees which reduced the number of parking spaces to 34.

The zoning code sections that apply are as follows:

Per KCO Section 1146.08 (2) - If an applicant chooses to construct a parking lot, the applicant must comply with the requirements of Section 1167.04 and Section 1167.08. KCO Section 1167.04 deals with site access way design and construction.

1167.08 (e) Screening and Landscaping: To secure adequate screening between on-street parking areas and abutting properties, the Planning Commission shall have the power to determine the need for and amount of: planting/landscaping, materials, walls, fences or any combination of these as deemed necessary.

The code section that governs technical plan review states, KCO Section 1339.05(a)(7), Screening of parking areas and service areas shall be provided through landscaping and/or ornamental walls or fences to promote harmony with adjacent development. Large parking areas (greater than fifty parking spaces) shall be provided visual relief through the use of trees planted and landscaped dividers, islands and walkways.

RECOMMENDATION:

Staff's original recommendation was for approval of the proposed parking lot based on the thought that a parking lot was in "harmony with adjacent development" since the adjacent development was also parking areas. However, some of the Planning Commissioners voiced a different opinion at the September 18, 2007 meeting. Therefore, Staff is deferring to KCO 1167.08(e) to allow the Planning Commissioners to determine the landscaping needs.

Should Planning Commission wish to approve this project, the following language may be used for the motion.

I move that in Case PC07-019 Planning Commission approve the Site Plan for the construction of additional parking on the property in place of the building that has been demolished subject to the following conditions:

1. *Technical Plan Review*

List of Enclosures for this project:

1. *Site Plan and Applicant Cover letter dated September 7, 2007, resubmittal request dated June 10, 2008 and e-mail dated August 5, 2008*
2. *Property Owner Notice and Legal Ad*
3. *Aerial Topo and Zoning Map*

NEW BUSINESS:

CASE NO:	PC08-013
APPLICANT:	Sheetz
SITE LOCATION:	NW corner of Fairchild Ave. & N. Mantua St.
STATUS OF APPLICANT:	The applicant has an Agreement of Sale.
REQUESTED ACTION:	The applicant is seeking Site Plan Review and Approval and Conditional Zoning Certificate to construct a gasoline station and convenience store.
ZONING:	C - R: Commercial - High Density Residential
TRAFFIC:	The site is accessed from North Mantua Street & Fairchild Avenue.

SURROUNDING LAND USES: The property is abutted by residential uses on the west & south and commercial on the north & east.

APPLICABLE CODE SECTIONS: Chapter 1113, 1119, 1145 & 1171 of the Kent Codified Ordinance

ANALYSIS:

This project involves the demolition of existing structures and construction of a new convenience store and gasoline station. The location and construction schedule for this project will require coordination with the City of Kent regarding the Fairchild Avenue Bridge Project.

Adequate parking is provided and the traffic patterns have been reviewed by the engineering division and found to be adequate including consideration of future traffic patterns once the bridge has been relocated. The applicant has agreed to restrict the entrance onto North Mantua Street to 'right in' and 'right out' movements. The site is designed to direct traffic onto Fairchild Avenue and prohibit right turns onto Alley 28 via curbing and signage. Both entrances exceed the maximum curb cut width and a variance from the Service Director will be required. Parking lot lighting will be coordinated with the new bridge lighting to provide the appropriate lumination. Based on the seating, pumps and retail space, a total of 20 parking spaces are required and 33 parking spaces are being provided.

Storm water will be captured and treated in oversized pipes and bioretention areas.

Section 1171.01(5), (7), (23) and (41) are required for the conditionally permitted use. Staff's opinion is that the plan complies with these requirements.

The Architectural Advisory Board overall felt that the project would be an improvement to the site and the neighborhood. They were pleased with the different appearance from other Sheetz facilities in the surrounding communities in regards to the large canopies overhead. No changes to the building were recommended.

The following variances from the Board of Zoning Appeals (BZA) are required.

1. The number and size of signs
2. The landscaping setback requirement
3. The building setback requirement

RECOMMENDATION:

Staff is of the opinion that the project can be approved subject to the following conditions, as well as any conditions that the Commission would want to add (i.e. Architectural Board comments):

1. Consolidation of the lots
2. Approval of the wider curb cut variance from the Service Director
3. Approval of the zoning variances by the Board of Zoning Appeals
4. Technical Plan Review and Approval

The Commission will also need to consider whether it wants to make recommendations to the Board of Zoning Appeals concerning the variances.

Should Planning Commission wish to approve this project, the following language may be used for the motion.

I move that in Case PC08-012 Planning Commission approve the Site Plan and Conditional Zoning to construct a gasoline station and convenience store subject to the following conditions:

1. *Consolidation of the lots*
2. *Granting of the variances for a wider curb cut by the Service Director*
3. *Granting of any required variances by BZA*
4. *Technical Plan Review*

List of Enclosures for This Project:

1. *Cover letter dated July 2, 2008 and Plan stamped August 12, 2008*
2. *Legal Ad and Property Owner Notice*
3. *Aerial Topo and Zoning Map*

cc: Gary Locke, Community Development Director
Eric Fink, Assistant Law Director
Jennifer Barone, Development Engineer
Heather Phile, Development Planner
Applicants
PC Case Files

**KENT CITY PLANNING COMMISSION
REGULAR BUSINESS MEETING
AUGUST 19, 2008**

**COUNCIL CHAMBERS
KENT CITY HALL
325 S. DEPEYSTER STREET
7:00 P.M.**

A G E N D A

- I. CALL TO ORDER
- II. ROLL CALL
- III. READING OF PREAMBLE
- IV. ADMINISTRATION OF OATH BY ASSISTANT LAW DIRECTOR
- V. CORRESPONDENCE
- VII. MEETING MINUTES: June 17, 2008
- VIII. OLD BUSINESS
 - A. PC07-019 PORTAGE COUNTY COMMISSIONERS
121 West College Street
Site Plan Review

The applicant is seeking Site Plan Review and Approval to permit the construction of additional parking on the property in place of the building that has been demolished. The subject property is zoned C-D: Commercial Downtown District.

- 1. Public Comment
- 2. Planning Commission Discussion/Action

IX. NEW BUSINESS

A. PC08-013 SHEETZ

**NW corner of Fairchild Ave. & N. Mantua St.
Site Plan Review & Conditional Zoning Certificate**

The applicant is seeking Site Plan Review and Approval and Conditional Zoning Certificate to construct a gasoline station and convenience store. The subject property is zoned C-R: Commercial- High Density Residential.

- 1. Public Hearing**
- 2. Planning Commission Discussion/Action**

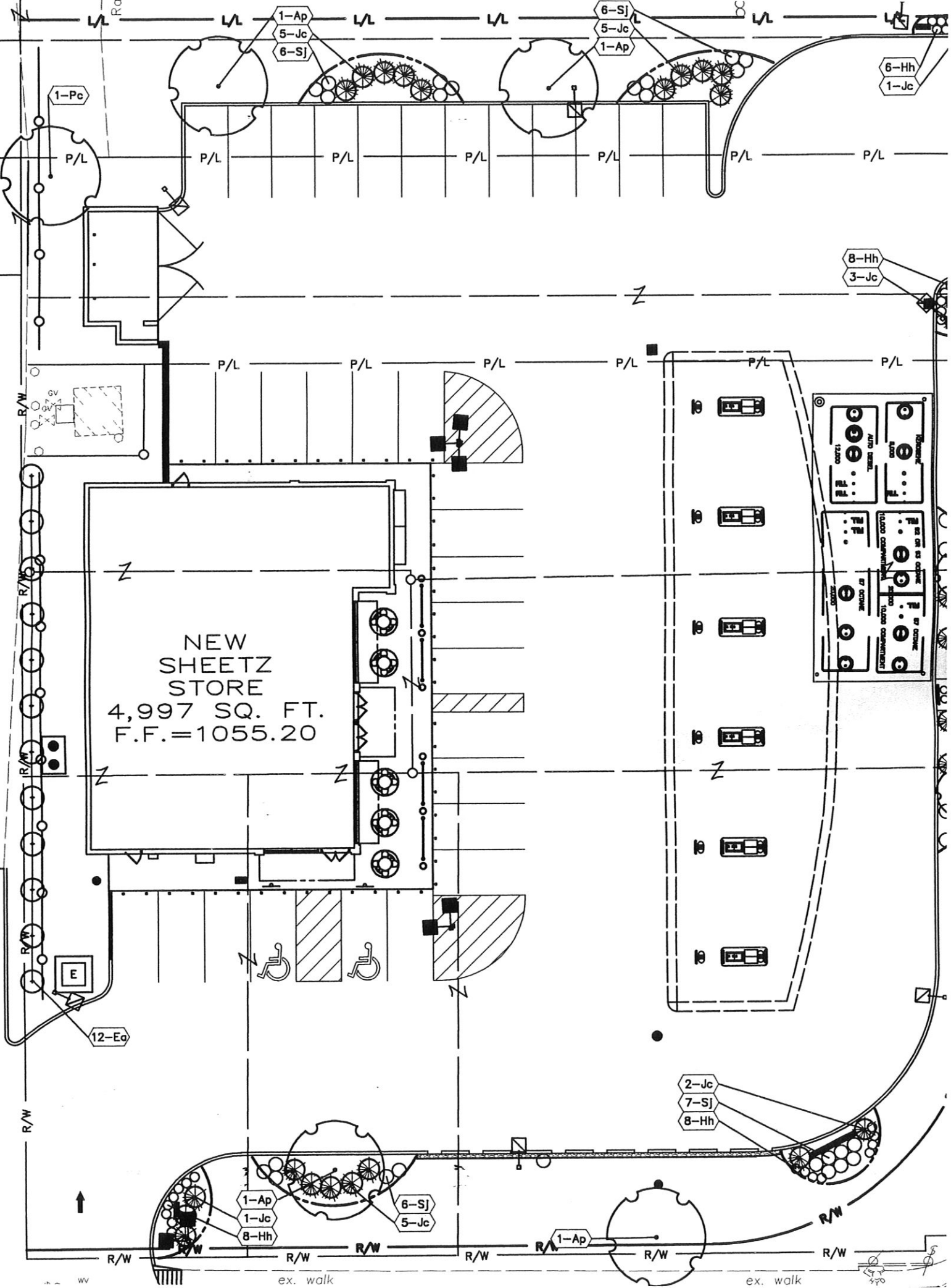
X. OTHER BUSINESS

Status of Kent City Bi-centennial Goals

XI. ADJOURNMENT

ALLEY No. 1 (20')

NEW
SHEETZ
STORE
4,997 SQ. FT.
F.F.=1055.20



Proposed New Sheetz Operation

Corner of Fairchild Avenue @ SR 43

City staff held a number of planning meetings with the Sheetz corporation regarding finding an appropriate fit for their proposed new store in Kent. From the City's perspective we pointed out that any additions to the West River Neighborhood must complement and improve upon the neighborhood character. Early concerns were noted for the standard Sheetz store footprint and building architecture that seemed too big to fit on the site and seemed inconsistent with the neighborhood context.

Standard or Typical Sheetz Store



In response the Sheetz store proposed for Kent would use a modified architecture and a ground mounted small sign.

Modified Store (proposed for Kent)



The site still has some variances required (signs, landscaping and setback) and staff still has some traffic access and egress issues to work on that will likely come up for discussion in Planning Commission on August 19, 2008.





City Of Kent Fire Department

320 S. Depeyster St.
Kent, Ohio 44240
330.676.7393
330.676.7374 Fax

8/11/2008

TO: Dave Ruller, City Manager
Bill Lillich, Safety Director

FROM: Jim Williams, Fire Chief

RE: July 08 Fire Department Monthly Incident Report

Attached you will find a copy of the Fire Department's Monthly Incident Report for July 2008. Given the increased volume of calls that the department has been experiencing over the last two years and given the fact that this information is supposed to be reported to City Council on a monthly basis, I will try to keep this information more current for Council and your usage.

Just to point out a couple of the significant increases; fire incidents, while down by one incident for the same period from 2006 to 2007, have increased 17.4% from 2006 to the end of July 2008. Emergency Medical Incidents increased 6.8% from 2006 to 2007 and 5.4% from 2007 to 2008. Overall the total incident volume is up 12.2% from 2006 to 2008 during the same time period. The increase amounts to an increase of 253 incidents in the last two years.

It is important to note that we expect this trend to continue for the rest of 2008 and will probably respond to approximately 4,000 fire and emergency medical incidents which will set a new record for the department. The last increase in fire department staffing occurred in 1997 when we added three firefighter positions. During 1997 the department responded to approximate 3200 fire and emergency medical incidents.

Based on the predication of responding to 4000 incidents in 2008 and the last staff increase in 1997 when we responded to 3200 incidents, we have seen an increase of 800 incidents or 25% without a corresponding increase in staff. We are doing the most that we can with the current staff. At some point we will have to look at ways to increase staffing or it is my expectation that we will begin to see an increase in the number of personnel and equipment accidents as we place more burden on the current staff.

KENT FIRE DEPARTMENT

JULY 08 MONTHLY INCIDENT REPORT



FIRE RESPONSE INFORMATION

Summary of Fire Incident Alarms

	CURRENT PERIOD			YEAR TO DATE		
	2008	2007	2006	2008	2007	2006
City Of Kent	57	33	67	304	280	299
Kent State						
University	15	13	12	116	114	96
Franklin Township	13	13	20	70	70	83
Sugar Bush Knolls	0	0	0	2	2	0
RESPONSES	85	59	99	492	466	478

Mutual Aid Received by Location

City Of Kent	4	0	1	13	9	4
Kent State						
University	0	0	1	1	1	2
Franklin Township	0	0	2	4	4	2
Sugar Bush Knolls	0	0	0	0	0	2
TOTAL	4	0	4	19	15	10

Mutual Aid Given

	5	12	1	30	37	26
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TOTAL FIRE INCIDENTS

	90	71	100	593	503	504
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EMERGENCY MEDICAL RESPONSE INFORMATION

Summary of Medical Responses

City Of Kent	203	189	197	1272	1258	1216
Franklin Township	41	33	25	236	228	198
Kent State						
University	12	7	7	176	171	156
Sugar Bush Knolls	0	0	0	1	1	1
Mutual Aid Given	2	3	3	14	15	13
TOTAL RESPONSES	258	232	232	1748	1722	1584

Mutual Aid Received by Location

City Of Kent	0	1	6	9	10	14
Franklin Township	1	1	2	4	4	10
Kent State						
University	0	0	0	0	0	0
Sugar Bush Knolls	0	0	0	0	0	0
TOTAL	1	2	8	13	14	24

Total Fire and Emergency Medical Incidents

	348	303	332	2341	2225	2088
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CITY OF KENT, OHIO

DEPARTMENT OF COMMUNITY DEVELOPMENT



DATE: AUGUST 8, 2008
TO: KENT CITY BOARD OF ZONING APPEALS
FROM: HEATHER PHILE, DEVELOPMENT PLANNER *HP*
RE: STAFF REPORT FOR THE AUGUST 18, 2008 BOARD OF ZONING APPEALS MEETING

The following cases appear on the agenda for the August 18, 2008 Board of Zoning Appeals meeting:

NEW BUSINESS

CASE NO.: BZ08-013
APPLICANT: John McBride
SITE LOCATION: 1110 Verona Avenue
STATUS OF APPLICANT: The applicant is the owner of the property.
REQUESTED ACTION: The applicant is requesting a 5-foot variance from the 65-foot minimum lot width at the building line to create a new lot with a 60-foot lot width (Section 1131.03(b)).
ZONING: This property is currently located in a R-2: Medium Density Residential zone district.
TRAFFIC: The property is accessible from Verona Avenue.
SURROUNDING LAND USES: The property is surrounded by other residential properties.
APPLICABLE CODE SECTIONS: 1131.03(b)

ANALYSIS:

This project involves the splitting of an existing 1.42-acre lot into two separate lots. The property is located at 1110 Verona Avenue and is currently zoned R-2: Medium Density Residential. Both properties would remain zoned R-2 and would still remain as single-family residential lots.

The applicant is requesting a 5-foot variance from the minimum lot width at the building line requirement, to allow a new lot to be 60 feet wide at the street and at the front yard minimum

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Staff Report to the Board of Zoning Appeals
August 18, 2008 meeting

setback. The new lot would be 60 feet wide from the street to approximately 300 feet back and then would widen to form the majority of the lot in the rear. The existing house and garage will remain and be on one, smaller lot that would still meet all zoning requirements for the R-2 zone district. The new lot would meet all other zoning requirements and a new single-family house would be constructed. The applicant is awaiting approval of the variance before hiring a surveyor to split the lots.

RECOMMENDATION:

Staff is recommending approval of the variance. Staff is of the opinion that granting the variance would not be a detriment to the surrounding neighborhood or to the public interest. The granting of the variance would not materially impair the purpose of the zoning code.

Should the Board wish to approve this project, the following language may be used for the motion:

Move that in Case BZ08-013, the Board of Zoning Appeals approve the variance request for a 5-foot variance from the 65-foot minimum lot width at the building line to create a new lot with a 60-foot lot width at the building line, as explained in Section 1131.03(b) of the City of Kent Codified Ordinances.

cc: Applicant
Case file
Gary Locke, Community Development Director
Eric Fink, Asst. Law Director