




CITY OF KENT, OHIO

DEPARTMENT OF FINANCE

TO: Dave Ruller, City Manager
FROM: David Coffee, Director of Budget and Finance 
DATE: August 12, 2014
SUBJECT: Unauthorized Ordinance to Certify Delinquent City Utility Debtors to County

In October of 2012 Kent City Council approved Ordinance 2012-110 amending Sections 913.07, 915.72, 921.24 and 935.14 of the Kent Codified Ordinances allowing for the certification of delinquent water use charges, wastewater use charges, storm water utility charges and recycling/solid waste collection charges to the County Auditor to be placed as a tax lien on the real property that generated the delinquent charges. This action aligned the City's possible enforcement remedies for the above listed "Utility Billing Charges" with already existing "housekeeping authority" for other City code enforcement violations and special assessments.

In continuation of this practice I am respectfully requesting City Council approval and an Ordinance Authorizing Certification of the attached list of delinquent and otherwise uncollectable Utility Billing Accounts to the County Auditor in order to allow for the placement of the certified amount on the real property tax list and duplicate against the property served by the non-payment of water/sewer utility bills, and declaring an emergency.

A request for City Council approval of a separate ordinance to provide certification of listings for non-Utility Billing outstanding delinquent debts will also be submitted under separate cover. The County has indicated that separate ordinances are required in order to separate their remittance of collected amounts so that City revenue accounting entries can be made to the appropriate funds.

Thank you in advance for your support and assistance in this matter.

City of Kent: Delinquent Fines and Unpaid Fees		Dept: Utility Billing		Date Delinquent or Cost Incurred		Description of Fine/Unpaid Fee	
Owner Name	Address	Parcel Number	Amount	Date Delinquent or Cost Incurred	Description of Fine/Unpaid Fee		
ANDRASSY, JAMES	319 E SUMMIT	17-024-40-00-077-000	\$66.90	8/16/2013	Final Water Bill		
BOSAK, STEVE	490 CARTHAGE	17-030-10-00-084-003	\$65.25	12/11/2013	Final Water Bill		
BOYLES, STEVEN	1044 MIDDLEBURY	17-009-00-00-003-000	23.42	3/25/2013	Final Water Bill		
BROOKS, ERIN	523 ROCKWELL	17-030-20-00-129-000	49.96	3/25/2013	Final Water Bill		
BROWN CAROLYN & RAENALF	630 TALLMADGE	17-011-20-00-089-006	150.64	5/29/2013	Final Water Bill		
BROWN CAROLYN & RAENALF	630 TALLMADGE	17-011-20-00-089-006	155.31	8/26/2013	Final Water Bill		
CAREY, DENNIS	541 E SCHOOL	17-013-20-00-289-003	110.88	1/6/2014	Final Water Bill		
CASE, WILLIAM	132 S PEARL (130)	17-025-20-00-094-000	239.56	12/19/2013	Final Water Bill		
CASO, JAMES	1249 OVERBROOK	17-010-10-00-006-000	32.65	7/18/2013	Final Water Bill		
CICONE, ROBERT	402 HARRIS	17-007-10-00-036-000	104.12	8/26/2013	Final Water Bill		
CICONE, ROBERT	402 HARRIS	17-007-10-00-036-000	68.87	10/3/2013	Final Water Bill		
CICONE, ROBERT	351 HARRIS	17-007-10-00-221-000	14.38	8/28/2013	Final Water Bill		
DOUGHERTY, KATHLEEN	707 MAE	17-014-10-00-043-000	69.51	7/18/2013	Final Water Bill		
FAMILY & COMM SERVICES	1540 BENJAMIN	17-007-20-00-014-000	130.16	3/25/2013	Final Water Bill		
FISHER, LORI	703 AKRON	17-009-20-00-008-000	84.17	9/20/2013	Final Water Bill		
HANSEN, JULIA	820 MAE	17-014-10-00-026-000	84.38	8/6/2013	Final Water Bill		
HAUGHT, TOM & AMY	302 ELMWOOD	17-023-10-00-052-000	33.89	7/18/2013	Final Water Bill		
HOSTETLER, LARRY	804 FRANKLIN	17-012-20-00-024-000	69.49	7/18/2013	Final Water Bill		
IFR PETROLEUM	1337 S WATER	17-006-11-00-012-003	769.23	4/29/2013	Final Water Bill		
KEVIN COLEMAN	697 SILVER MEADOWS	17-028-10-00-102-000	98.67	1/8/2013	Final Water Bill		
KEVIN COLEMAN	417 LONGMERE	17-026-20-00-020-000	90.73	10/7/2013	Final Water Bill		
LANGSTON, BRIAN	1542 STATESMAN (1540)	17-007-20-00-031-000	\$216.30	7/29/2013	Final Water Bill		
LINDSEY, ROBERT JR.	187 CURRIE HALL	17-007-20-00-010-000	218.87	7/29/2013	Final Water Bill		
LOTT, RENEE	1032 KING	17-032-10-00-031-000	35.63	1/18/2013	Final Water Bill		
LOVELL, WILLIAM	619 STINAFF	17-030-10-00-162-000	295.34	12/19/2013	Final Water Bill		
MOOK, DEBORAH	228 ROBERT	17-043-10-00-005-000	110.17	1/29/2013	Final Water Bill		
MORRISON, JOHN	332 GRANT	17-031-10-00-029-000	59.49	5/14/2013	Final Water Bill		
MYERS, TRUDY	136 W ELM	17-012-20-00-186-000	138.84	5/29/2013	Final Water Bill		
PLYMALE, JAY	517 FRANKLIN	17-012-10-00-014-000	91.52	9/13/2013	Final Water Bill		
PLYMALE, SHANDS	1326 CHELTON B	17-010-40-00-013-000	53.79	6/26/2013	Final Water Bill		
PLYMALE, SHANDS	759 AKRON	17-009-20-00-021-000	80.34	10/8/2013	Final Water Bill		
PLYMALE, SHANDS	761 AKRON (759)	17-009-20-00-021-000	96.42	7/1/2013	Final Water Bill		
PORTAGE HOUSING	523 HARRIS	17-011-20-00-009-000	\$119.00	9/3/2013	Final Water Bill		
ROCK, JOHN	115 OVERLOOK (111)	17-023-10-00-088-000	56.72	2/3/2014	Final Water Bill		
ROCK, JOHN	117 OVERLOOK (111)	17-023-10-00-088-000	139.06	10/16/2013	Final Water Bill		
SENZ, ROBIN	466 SILVER MEADOWS	17-028-20-00-017-000	123.97	10/16/2013	Final Water Bill		
STOLL, NICHOLAS	381 MCKINNEY	17-043-20-00-022-000	56.57	6/24/2013	Final Water Bill		
TIMBERLAKE, BRANDI	447 WOLCOTT	17-030-10-00-046-000	45.87	7/23/2013	Final Water Bill		
TUEL, TYRONE	133 W HALL	17-012-10-00-062-000	87.06	2/10/2013	Final Water Bill		
VERMA, BIPIN & SUNITA	1652 OLYMPUS (1636)	17-004-00-00-019-000	\$12.70	1/17/2014	Final Water Bill		
VERMA, BIPIN & SUNITA	1652 OLYMPUS (1636)	17-004-00-00-019-000	121.04	12/23/2013	Final Water Bill		
VERMA, BIPIN & SUNITA	1656 OLYMPUS (1636)	17-004-00-00-019-000	131.93	8/6/2013	Final Water Bill		
VERMA, BIPIN & SUNITA	1656 OLYMPUS (1636)	17-004-00-00-019-000	7.29	11/18/2013	Final Water Bill		
VERMA, BIPIN & SUNITA	1660 OLYMPUS (1636)	17-004-00-00-019-000	48.64	11/18/2013	Final Water Bill		
VERMA, BIPIN & SUNITA	1664 OLYMPUS (1636)	17-004-00-00-019-000	56.63	7/18/2013	Final Water Bill		
VITTORIO, JOSEPH	211 CHERRY	17-007-10-00-012-001	77.75	7/31/2013	Final Water Bill		
WATTS, CLARENCE	551 HARRIS	17-011-20-00-005-000	140.94	1/30/2013	Final Water Bill		
WEMYSS, BRUCE	122 BRADY	17-024-20-00-076-000	48.33	7/31/2013	Final Water Bill		
WEMYSS, BRUCE	124 BRADY (122)	17-024-20-00-076-000	55.23	8/4/2013	Final Water Bill		
			\$5,237.61				



CITY OF KENT, OHIO

DEPARTMENT OF FINANCE

TO: Dave Ruller, City Manager
FROM: David Coffee, Director of Budget and Finance *David Coffee*
DATE: August 13, 2014
SUBJECT: Unauthorized Ordinance to Certify Delinquent Non-Utility Debtors to County

Annually Kent City Council receives listings of unpaid delinquent mowing bills, property maintenance violations-citations and zoning violations-citations to be placed as a tax lien on the real property that generated the delinquent charges.

In continuation of this annual “housekeeping practice” I am respectfully requesting City Council approval of an Ordinance Authorizing Certification of the attached list of delinquent and otherwise uncollectable fines/fees to the County Auditor in order to allow for the placement of the certified amount on the real property tax list and duplicate against the property served by the non-payment of various code enforcement actions, and declaring an emergency.

A request for City Council approval of a separate ordinance to provide certification of listings for Utility Billing outstanding delinquent debts is also being submitted under separate cover. The County has indicated that separate ordinances are required in order for us to distinguish their remittance of collected amounts in a way that will enable City revenue accounting entries to the appropriate funds.

Thank you in advance for your support and assistance in this matter.

City of Kent: Delinquent Fines/Unpaid Fees: Dept. Community Development 8/11/14

Owner Name	Address	Parcel Number	Amount	Date Incurred	Description
Ira L. Fields and Ira Turner	349 W. Elm St	17-012-20-00-101-000	\$300	2/2/14	1411.02, CI
Jane Craker	222 Lake St	17-031-22-00-154-000	\$300	6/19/13	1411.02, .06, .09, 551, CI
Enviro Properties	326 W. Elm St	17-012-20-00-138-000	\$330	8/15/14	mowing, CI
Gary McBride	302 W. Elm St	17-012-20-00-134-000	\$300	8/22/13	1411.06, CI
Jeffrey Montecalvo	1312 Denise Dr	17-028-10-00-021-000	\$395	8/15/14	mowing, CI
Robin & Joyce Senz	466 Silver Meadows Blvd	17-028-20-00-017-000	\$360	8/15/14	mowing, CI
Marie Kordinak	1070 Norwood St	17-010-80-00-087-000	\$330	8/15/14	mowing, CI
Christopher and Erin Brooks	523 Rockwell St	17-030-20-00-129-000	\$330	8/15/14	mowing, CI
Michael Raven	438/440 Earl Ave	17-025-10-00-085-000	\$335	8/15/14	mowing, CI
Douglas B. Woods	303 N. Lincoln St	17-024-33-00-064-000	\$300	8/8/13	1411.02, CI
Rockwood Apts	1128 Lake St	17-032-20-00-051-000	\$300	2/17/14	1411.09, CI
Shauna Lewis	415 Robert Dr	17-043-10-00-014-000	\$300	7/15/13	1410.04, etc, CI
Cole CK Portfolio	850 N Mantua	17-030-20-00-187-001	\$300	9/30/13	1411.03, etc, CI
Shirley Sarka	324 Whestone	17-029-10-00-011-000	\$300	6/10/13	551; CI
Total for Dept. of Community Development			\$4,480		

City of Kent: Delinquent Fines/Unpaid Fees: Dept. Health 8/12/14

Enviro Properties Inc.	326 W. Elm	17-012-20-00-138-000	\$200	4/1/14	Nuisance, 521.08
Mark Dreyer	340 Miller	17-031-22-00-022-000	\$50	10/22/14	Nuisance, 521.08
Sharie Lynn Meduri	615 Crain	17-024-33-00-016-000	\$200	4/1/14	Nuisance, 521.08
Donna Izaldine	224 Columbus	17-024-34-00-073-000	\$50	7/10/14	Nuisance, 521.08
Total for Dept. of Health			\$500		

**KENT CITY PLANNING COMMISSION
BUSINESS MEETING
AUGUST 19, 2014**

**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

V. CORRESPONDENCE

VI. OLD BUSINESS

VII. NEW BUSINESS

- A. PC14-007 BELLI PARKING LOT EXPANSION
1551 S. Water Street
Conditional Zoning Certificate & Site Plan Review**

The applicant is requesting a Conditional Zoning Certificate and Site Plan Review and Approval to expand the parking lot to add 13 new parking spaces. The eastern portion of the property is currently zoned R-1: Low Density Residential District and the western portion is zoned R-C: High Density Multifamily Residential District.

- 1) Public Hearing
- 2) Planning Commission Discussion/Action

- B. PC14-008 ST. PATRICK'S LOT EXPANSION
313 N. Depeyster Street
Conditional Zoning Certificate & Site Plan Review**

The applicant is requesting a Conditional Zoning Certificate and Site Plan Review and Approval to expand the existing

parking lot to add 32 new parking spaces. The property is currently zoned R-3: High Density Residential

- 1) Public Hearing
- 2) Planning Commission Discussion/Action

- C. PC14-009 MAPLEBROOK at GOLDEN POND - PHASE II
5221 Sunnybrook Road
Conditional Zoning Certificate & Site Plan Review

The applicant is requesting a Conditional Zoning Certificate and Site Plan Review and Approval in order to construct a new 72,024 sq. ft. senior housing complex. The property is zoned N-C: Neighborhood Commercial District.

- 1) Public Hearing
- 2) Planning Commission Discussion/Action

VIII. MEETING MINUTES: JUNE 17, 2014

IX. OTHER BUSINESS

- 1) Continued Discussion - Zoning Code Table

X. ADJOURNMENT



CITY OF KENT, OHIO

DEPARTMENT OF COMMUNITY DEVELOPMENT

DATE: August 12, 2014
TO: Kent City Planning Commission
FROM: Jennifer Barone, PE, Development Engineer
RE: Staff Report for the August 19, 2014 Planning Commission Meeting

The following items appear on the agenda for the August 19, 2014 Planning Commission meeting:

NEW BUSINESS

CASE NO: PC14-007 Belli Parking Lot Expansion

APPLICANT: Dr. Steven Belli

SITE LOCATION: 1551 South Water Street

STATUS OF APPLICANT: Belli Properties LTD LLC is the owner.

REQUESTED ACTION: Conditional Zoning Certificate and Site Plan Review and Approval for a parking lot expansion.

ZONING: R-C: High Density Residential - Commercial and R-1 Low Density Residential Districts

TRAFFIC: The parcel is accessed from South Water Street.

SURROUNDING LAND USES: The property is surrounded by commercial on the north, west and south sides and residential on the east side.

APPLICABLE CODE SECTIONS: Chapters 1107, 1113, 1129, 1137, 1168 and 1171 of the Kent Codified Ordinances (KCO).

ANALYSIS:

PROJECT DESCRIPTION:

The applicant is requesting to expand the existing parking lot to add 13 new parking spaces. The eastern portion of the property is zoned R-1 and the western portion is zoned R-C.

Medical facilities are a conditionally permitted use in R-1 subject to KCO 1171.01(1), (2), (3), (5), (7), (9), (11), and (17) listed below.

- (1) All structures and activity areas shall be located at least 100 feet from all property lines.
- (2) Loudspeakers which cause a hazard or annoyance shall not be permitted.
- (3) All points of vehicular entrance or exit shall be located no closer than 200 feet from the intersection of two major thoroughfares, or no closer than 100 feet from the intersection of a major thoroughfare and a local or collector thoroughfare
- (5) No lighting shall constitute a nuisance or in any way impair safe movement of traffic on any street or highway; no lighting shall shine directly on adjacent properties.
- (7) Such developments shall be located on a major thoroughfares or at intersection of major and/or collector thoroughfares.
- (9) Such uses shall not require uneconomical extensions of utility services at the expense of the community.
- (11) Such uses shall be properly landscaped to be harmonious with surrounding residential uses.
- (17) All permitted installations shall be maintained in a neat orderly condition so as to prevent injury to any single property, any individual, or to community in general: a bond may be required to insure that this provision will be met.

Medical facilities are a conditionally permitted use in and R-C zoning district and subject to KCO 1171.01(4), (5), (8), (10), (11), and (46) listed below.

- (4) There shall be no more than one advertisement oriented to each abutting road identifying the activity.
- (5) No lighting shall constitute a nuisance or in any way impair safe movement of traffic on any street or highway; no lighting shall shine directly on adjacent properties.
- (8) Such developments shall be located adjacent to nonresidential uses such as churches, parks, industrial or commercial districts.
- (10) Site locations shall be preferred that offer natural or man-made barriers that would lessen the effect of intrusion onto a residential area.
- (11) Such uses shall be properly landscaped to be harmonious with surrounding residential uses.

- (46) The architectural design should be developed with consideration given to the purposes of the district and commercial uses shall be so designed as to minimize possible disruptive effects on the character of properties in adjacent residential zones. Parking shall be provided for each commercial use according to the provisions of Chapter 1167. Parking for commercial use shall be in addition to that required for the multifamily dwellings.

Parking areas should be designed to separate parking oriented to commercial enterprises from parking oriented to the multifamily portions of the structure. Signs shall conform to the provisions of Chapter 1165, except as otherwise provided in this Code.

TRAFFIC/PARKING:

This medical facility and parking lot were built in 1999. The ingress/egress to the existing parking lot is from South Water Street. Currently there are 44 parking spaces. The applicant desires to increase the parking area by deleting 6 spaces to create aisles for an expanded area creating 19 new spaces along the east property line for a total of 57 spaces. Aisles widths and parking spaces meet the requirements of KCO 1167.09(c).

UTILITIES:

N/A

STORMWATER:

Stormwater runoff from the proposed new pavement area will be captured in a small detention basin at the southeast corner of the parking lot. The detention basin will discharge to the storm sewer on South Water Street.

SIGNAGE:

No new signs are proposed.

LIGHTING/LANDSCAPING/DUMPSTER:

No additional parking lot lighting is depicted on the proposed plans.

The proposed landscape must meet the requirements of KCO 1168. There is an existing fence along the rear of the property which should be along the entire eastern property line. The site has a number of existing trees that are adequate to meet the requirements. The code requires 15 trees.

There is an existing enclosed dumpster which will be relocated.

ARCHITECTURAL ADVISORY BOARD:

The project does not require review by the Architectural Review Board.

VARIANCES:

No variances are being required.

RECOMMENDATION:

Planning Commission may approve, approve with conditions, or disapprove the application. Should Planning Commission wish to approve this project, the following language may be used:

I move that in Case PC14-007, the Planning Commission approve the Commission approve the request for a Conditional Zoning Certificate and Site Plan to construct a parking lot expansion at 1551 South Water Street subject to the following conditions:

1. Compliance with KCO 1168 including relocating and extending the fence along the entire eastern property line.
2. Technical plan review.

List of Enclosures for This Project:

1. Revised site plans received August 8, 2014
2. Aerial Topo
3. Zoning Map
4. Photographs

<u>CASE NO:</u>	PC14-008 St. Patrick's Lot Expansion
<u>APPLICANT:</u>	St. Patrick's Roman Catholic Church
<u>SITE LOCATION:</u>	313 North Depeyster Street
<u>STATUS OF APPLICANT:</u>	Thomas J. Tobin, Bishop of the Youngstown Catholic Dioceses is the owner.
<u>REQUESTED ACTION:</u>	Conditional Zoning Certificate and Site Plan Review and Approval for a parking lot expansion.
<u>ZONING:</u>	R-3: High Density Residential
<u>TRAFFIC:</u>	The parcel is accessed from North Depeyster Street and Highland Avenue.
<u>SURROUNDING LAND USES:</u>	The property is surrounded by commercial on the north and south sides, residential on the east side and St. Patrick's School on the south side.
<u>APPLICABLE CODE SECTIONS:</u>	Chapters 1107, 1113, 1133, 1168 and 1171 of the Kent Codified Ordinances (KCO).

ANALYSIS:

PROJECT DESCRIPTION:

The applicant is requesting to expand the existing parking lot to add 32 new parking spaces. A house was demolished on Highland Avenue, which is adjacent to the east of the existing parking lot allowing space for this expansion.

Churches are a conditionally permitted use in R-3 subject to KCO 1171.01(1), (3), (7), (11), (14) and (17) listed below.

- (1) All structures and activity areas shall be located at least 100 feet from all property lines.
- (3) All points of vehicular entrance or exit shall be located no closer than 200 feet from the intersection of two major thoroughfares, or no closer than 100 feet from the intersection of a major thoroughfare and a local or collector thoroughfare
- (7) Such developments shall be located on a major thoroughfare or at intersection of major and/or collector thoroughfares.
- (11) Such uses shall be properly landscaped to be harmonious with surrounding residential uses.
- (14) Such structures should be located adjacent to parks and other nonresidential uses such as schools and shopping facilities where use could be made of joint parking facilities.
- (17) All permitted installations shall be maintained in a neat orderly condition so as to prevent injury to any single property, any individual, or to community in general: a bond may be required to insure that this provision will be met.

TRAFFIC/PARKING:

The ingress and egress to the parking will remain unchanged. Currently there is a one way entrance and one way exit onto North Depeyster Street and a two way drive on Highland Avenue. Aisles widths and parking spaces meet the requirements of KCO 1167.09(c) except for the proposed northern most aisle. The proposed curb will need to be adjusted to allow adequate backing room. This will result in a need for a variance from the Board of Zoning Appeals (BZA) to allow parking in the side yard.

UTILITIES:

N/A

STORMWATER:

Stormwater runoff from the proposed new pavement area will be captured in a small detention basin to the east of the parking lot. The detention basin will discharge to the storm sewer on North Depeyster Street.

SIGNAGE:

No new signs are proposed.

LIGHTING/LANDSCAPING/DUMPSTER:

No additional parking lot lighting is depicted on the proposed plans.

The proposed landscape must meet the requirements of KCO 1168. The site has a number of existing trees that are adequate to meet the requirements. The code requires 4 trees. The code also requires a hedge or fence. KCO 1168.11 allows the Planning Commission flexibility in the landscaping. Staff suggests requiring shrubs or a fence adjacent to the residential property to the north.

ARCHITECTURAL ADVISORY BOARD:

The project does not require review by the Architectural Review Board.

VARIANCES:

Variations from the Board of Zoning Appeals (BZA) are needed to allow parking in the front yard along Highland Avenue and the northern side yard as mentioned above.

RECOMMENDATION:

Planning Commission may approve, approve with conditions, or disapprove the application. Should Planning Commission wish to approve this project, the following language may be used:

I move that in Case PC14-008, the Planning Commission approve the Commission approve the request for a Conditional Zoning Certificate and Site Plan to construct a parking lot expansion at 131 North Depeyster Street subject to the following conditions:

1. Compliance with KCO 1168 by adding hedges or a fence along the adjacent residential property to the north.
2. Obtain variances from the Board of Zoning Appeals (BZA) to allow parking in the front and side yard.
3. Technical plan review.

List of Enclosures for This Project:

1. Site plans received June 19, 2014.
2. Aerial Topo
3. Zoning Map
4. Photographs

CASE NO:

PC14-009 Maplebrook at Golden Pond Ph 2

APPLICANT:

NRP Group

SITE LOCATION:

5221 Sunnybrook Road

STATUS OF APPLICANT:

Golden Pond LLC is the owner working in conjunction with NRP Group as the developer.

<u>REQUESTED ACTION:</u>	Conditional Zoning Certificate and Site Plan Review & Approval to construct a senior housing complex.
<u>ZONING:</u>	N-C: Neighborhood Commercial District
<u>TRAFFIC:</u>	The parcel is accessed from Sunnybrook Road using a shared driveway with Kent Ridge and Maplebrook Ph 1.
<u>SURROUNDING LAND USES:</u>	The property is surrounded by industrial uses on the north, and residential uses on the east, west and south sides.
<u>APPLICABLE CODE SECTIONS:</u>	Chapters 1107, 1113, 1139, 1168 and 1171 of the Kent Codified Ordinances.

ANALYSIS:

PROJECT DESCRIPTION:

NRP Group is presenting a plan for a 72,024 SF, 63 unit (106 bed) senior housing facility to be located in the Golden Pond Project on Sunnybrook Road at SR 261. This is a conditional use in the N-C zoning district with the following conditions.

(35) All facilities and structures shall meet all City, County and/or State of Ohio health, building, electrical and other applicable codes.

(47) Multifamily dwelling uses shall be permitted only where such uses occupy the upper floors of a commercial structure and are so designed as to provide maximum practical safety and visual and auditory privacy. All applicable multifamily dwelling criteria and requirements of this Zoning Ordinance shall apply and any additional condition imposed as deemed necessary by the Commission to insure the intent and objectives of this Ordinance. Parking shall be provided in accordance with Chapter 1167. Parking for multifamily uses shall be in addition to that required for commercial uses. Parking areas shall be designed to separate parking oriented to commercial enterprises from parking oriented to commercial traffic from parking oriented to the multifamily portions of the structure. Multifamily dwellings shall conform to specified density requirements.

TRAFFIC/PARKING:

Ingress and egress is from Sunnybrook Road via a shared access drive with Kent Ridge (assisted living facility) and Maplebrook at Golden Pond Ph 1. When the Golden Pond project was initially designed, the intent was for this to be a shared access. SR 261 is a limited access highway and cannot have a driveway unless approved by ODOT, which is not likely. For senior housing the parking requirement is one space per unit. The project is required to provide 63 spaces and has 65 spaces depicted on the site plan.

During review of Maplebrook at Golden Pond Ph 1, the parking areas were to have been combined. This was not possible because of the elevation differences. However, the turn around loop at the eastern edge of the existing Ph 1 parking is located on the Ph 2 property. A condition of the Ph 1 approval required that cross easement be provided. Staff has not received the cross easements and as Ph 2 does not depict the parking lot traffic using the loop, only an easement for Ph 1 is necessary.

UTILITIES:

Water and sanitary mains were constructed during the initial phase of the Golden Pond project. A sanitary sewer main runs along SR 261. The water main loops from Sunnybrook Road through the assisted living facility and along Shaw Drive where it connects back into the City's water main.

STORMWATER:

The project site contains a large wetland area. The buffer area is shown assuming a wetland filling permit is obtained. The storm water management was constructed with Maplebrook at Golden Pond Phase 1.

SIGNAGE:

No additional signs are proposed for this building.

LIGHTING/LANDSCAPING/DUMPSTER:

Parking lot lighting will be provided. The photometric plan depicted that lighting will need to be adjusted. The revised plan will be reviewed during technical plan review.

Landscaping consists of trees, shrubs, perennials and grasses. The proposed landscape meets the requirements in Kent Codified Ordinance 1168.

There will be a trash compactor located inside the structure and rolled out for trash pick up.

ARCHITECTURAL ADVISORY BOARD:

The project will be presented at the August 19, 2014 Architectural Advisory Board meeting. Comments will be provided at the meeting.

VARIANCES:

The building does not meet the 30' front yard setback on the north side (SR 261). Kent Codified Ordinance (KCO) section 1139.04 allows the Planning Commission permit a zero lot line setback. Staff is recommending that the Planning Commission permit the zero lot line setback. If Planning Commission does not permit this, then a variance from the Board of Zoning Appeals will be needed.

PARK FEE:

All residential development is subject to either dedicating park land, paying a fee in lieu, or some combination of land and fee. In accordance with Chapter 1191 of the Kent Codified Ordinances, the Planning Commission, with the consent of the Parks and Recreation Board, determines which option is utilized. The Parks & Recreation Department requires a minimum of 3 acres for a park. This project, Maplebrook at

Golden Pond Ph 2, is required to provide 1.6 acres per the standard formula listed in Chapter 1191. Therefore, the fee in lieu option will be utilized. Using the latest appraisal, the park fee computes to be \$49,140.00.

The Developer and the Parks & Recreation Director are discussing the fee amount. Staff is hoping to present the agreed upon fee amount at the meeting for approval.

RECOMMENDATION:

Staff is recommending approval with the conditions listed below.

The Planning Commission may approve, approve with conditions, or disapprove the application. Should Planning Commission wish to make a motion for this project the following language may be used:

I move that in Case PC 14-009, the Planning Commission approve the zero lot line setback along SR 261.

I move that in Case PC14-009, the Planning Commission approve the Conditional Zoning Certificate and Site Plan to construct Maplebrook at Golden Pond Phase 2, a senior housing facility at 5221 Sunnybrook Road subject to the following conditions.

1. Technical plan review.
2. Resolution of the easement requirements from Phase 1.
3. Light from parking lot lights may not spill over the property line.

I move that in Case PC 14-009, Planning Commission approve the park fee in lieu land dedication in the amount of \$49,140 for the senior housing facility at 5221 Sunnybrook Road subject to the Park Board approval of the amount.

List of Enclosures for this Project:

1. Applicant Cover Letter dated July 2, 2014.
2. Plans received July 2, 2014 depicting the landscape, floor layouts, & elevations and site plans received August 8, 2014.
3. Aerial Topo and Zoning Map.
4. Photographs.

OTHER BUSINESS

1. Zoning Code Table continued - Continue the review of the zoning use chart..

cc: Bridget Susel, Community Development Director
Jim Bowling, City Engineer
Eric Fink, Assistant Law Director
John Idone, Parks & Recreation Director
Heather Phile, Development Planner
Applicants
PC Case File