

CITY OF KENT
DEPARTMENT OF PUBLIC SERVICE
DIVISION OF ENGINEERING

MEMO

TO: Dave Ruller
Linda Jordan

FROM: Jim Bowling

DATE: June 12, 2012

RE: Erie Street Property Acquisition

The Engineering Division is requesting Council approval for the purchase of 0.0126 acres from BDG Kent, LLC (Paul Braden) for property located on Erie Street between Water Street and Depeyster Street for the cost of \$58,190. The engineering division had the property value appraised and its value was appraised at \$52,900 primarily due to the loss of seven private parking spaces. The additional \$5,290 (10%) in the recommended purchase price is to keep the purchase from court proceedings.

The purchase of this parcel is necessary to complete the construction of Erie Street that is currently ongoing. The money for the purchase has been appropriated with the downtown street construction.

C: Gene Roberts, Service Director
Jon Giaquinto, Senior Engineer
file

CITY OF KENT
DEPARTMENT OF PUBLIC SERVICE

MEMO

May 31, 2012

To: Dave Ruller, City Manager
From: Gene Roberts
RE: Lease of City Street Sweeper

The Service Department has been approached by the City of Streetsboro Service Director, Bill Miller, regarding their need to rent a street sweeper this year. Streetsboro is asking if the City of Kent is willing to rent the City's street sweeper at a rate between the City's operating cost and market value.

This issue was discussed during the ongoing Regional Mayors and Service Directors meetings and this proposed agreement between the communities would represent a model that could be used to develop the standard shared equipment agreements between all communities. At issue are such things as insurance, damage, repair, maintenance, how to explain to Kent residents that see Kent's equipment in Streetsboro and how to get the equipment back to Kent if needed to respond to an emergency. The agreement with Streetsboro is different than the previously approved agreement with Aurora in that Streetsboro request the use of City of Kent staff to operate and train Streetsboro staff.

I still believe that in the long run all communities will be better served if we share resources, having said that this may be a good starting point, a "test" so to speak. I respectfully request Council's consideration of this issue.

Cc: Jim Silver, Law Director
John Osborne, Utilities Manager
Gerald Shanley, Facilities Manager
file



KENT FIRE DEPARTMENT MAY 2012 MONTHLY INCIDENT REPORT

FIRE RESPONSE INFORMATION

	CURRENT PERIOD			YEAR TO DATE		
	2012	2011	2010	2012	2011	2010
Summary of Fire Incident Alarms						
City Of Kent	69	40	52	272	212	213
Kent State University	7	13	10	94	94	74
Franklin Township	24	7	7	82	51	56
Sugar Bush Knolls	0	0	0	0	0	0
RESPONSES	<u>100</u>	<u>60</u>	<u>69</u>	<u>448</u>	<u>359</u>	<u>343</u>
Mutual Aid Received by Location						
City Of Kent	0	0	0	9	2	4
Kent State University	0	0	0	2	0	0
Franklin Township	2	0	0	3	0	4
Sugar Bush Knolls	0	0	0	0	0	0
TOTAL	<u>2</u>	<u>0</u>	<u>0</u>	<u>14</u>	<u>2</u>	<u>8</u>
Mutual Aid Given	2	4	7	20	21	22
TOTAL FIRE INCIDENTS	102	64	76	468	380	365

EMERGENCY MEDICAL RESPONSE INFORMATION

Summary of Medical Responses						
City Of Kent	190	203	206	922	1000	1003
Franklin Township	33	26	33	174	122	131
Kent State University	14	9	16	186	129	153
Sugar Bush Knolls	0	2	0	6	5	6
Mutual Aid Given	1	3	3	16	8	15
TOTAL RESPONSES	<u>238</u>	<u>243</u>	<u>258</u>	<u>1304</u>	<u>1264</u>	<u>1308</u>
Mutual Aid Received by Location						
City Of Kent	2	0	2	6	6	6
Franklin Township	0	1	0	1	2	1
Kent State University	0	0	0	2	1	0
Sugar Bush Knolls	0	0	0	0	0	0
TOTAL	<u>2</u>	<u>1</u>	<u>2</u>	<u>9</u>	<u>9</u>	<u>7</u>
Total Fire and Emergency Medical Incidents	340	307	334	1772	1644	1673

A G E N D A

**CITY OF KENT
BOARD OF ZONING APPEALS
PUBLIC HEARINGS & BUSINESS MEETING
JUNE 18, 2012
7:00PM
COUNCIL CHAMBERS – KENT CITY HALL
325 SOUTH DEPEYSTER STREET**

I. CALL TO ORDER

II. PLEDGE

III. ROLL CALL

IV. PREAMBLE

V. ADMINISTRATION OF THE OATH

VI. OLD BUSINESS

**A. BZ12-011 CDC-KENT, LLC
500 GOLDEN OAKS DRIVE**

Section: 1122.08(b)

Request: The applicant is requesting a variance from Section 1122.08(b) to allow the total of parking spaces to be 540, where 650 spaces are required for the project.

- 1. Public Comment**
- 2. Board of Zoning Appeals Discussion / Action**

VII. NEW BUSINESS

**A. BZ12-013 KENT CYCLE
115 LAKE STREET**

Sections: 1165.05(e)(2)(A) and 1165.05(e)(2)(C)

Requests: The applicant is requesting the following:

- 1) A variance from Section 1165.05(e)(2)(A) to allow a total of two signs on the building, and
- 2) A variance from Section 1165.05(e)(2)(C) to allow a total of 288 square feet of signage, where 100 square feet is the maximum permitted.

1. Public Comment
2. Board of Zoning Appeals Discussion / Action

B. BZ12-012

**BAKER'S TOWING
634 – 638 LAKE STREET**

Sections: 1169.12 and 1161.21(a)

Requests: The applicant is requesting a substitution of a non-conforming use from a warehouse and catering business to a towing/car repair and catering business (Section 1169.12).

The applicant is also requesting a variance to allow an 8-foot tall fence, where 6-foot maximum is permitted (Section 1161.21(a)).

1. Public Comment
2. Board of Zoning Appeals Discussion / Action

VIII. OTHER BUSINESS

IX. ADJOURNMENT



CITY OF KENT, OHIO

DEPARTMENT OF COMMUNITY DEVELOPMENT

DATE: JUNE 8, 2012
TO: KENT CITY BOARD OF ZONING APPEALS
FROM: HEATHER PHILE, DEVELOPMENT PLANNER
RE: STAFF REPORT FOR THE JUNE 18, 2012 BOARD OF ZONING APPEALS MEETING

The following case appears on the agenda for the June 18, 2012 Board of Zoning Appeals meeting:

OLD BUSINESS

CASE NO.: BZ12-011

APPLICANT: CDC-KENT, LLC

SITE LOCATION: 500 Golden Oaks Drive

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

REQUESTED ACTION: The applicant is requesting relief from Sections 1167.03 and 1167.11 to allow off-site parking for the University Oaks Apartments to be 820 feet from the site, where 700 feet is the maximum distance.

ZONING: This property is currently located in the R-4: Multi-family Residential Zone District.

TRAFFIC: The property is accessible from Golden Oaks Drive.

SURROUNDING LAND USES: The property is surrounded by other residential uses on the North, East, and South sides and by the University on the West side.

APPLICABLE CODE SECTIONS: 1167.03 and 1167.11

ANALYSIS:

This property is located at 500 Golden Oaks Drive and is currently zoned R-4: Multi-family Residential. This property was previously home to the Silver Oaks Senior Apartments. The apartment complex will now be called University Oaks.

The applicant is proposing to change the existing apartments into rooming/boardings units, and will not meet the current parking requirements for that use. The applicant is proposing to 930 Overholt Rd., Kent, Ohio 44240 • (330) 678-8108 fax (330) 678-8030 • www.KentOhio.org

change some of their green space into parking spaces, and to use off-site parking. The applicant is proposing to use the commuter parking lot behind the music and speech building, which is approximately 820 away from the apartments. Other options are being looked into at neighboring properties to develop them into parking areas or a parking deck.

The City of Kent zoning code states that off-street parking spaces shall be provided with the parking facility to be within 700 feet of the principal use or building.

Update since May 18, 2012 meeting

The applicant has revised their request and is now asking for a variance from the number of parking spaces that is required. A total of 650 parking spaces are required; one space for each bed, plus one space per every 4 beds for visitors. The total number of spaces they can provide is 540, with adding 51 additional spaces on site, and with the purchase of two neighboring properties to create new parking lots for the apartment complex. The two new lots, when added together, will have a total of 155 spaces. The applicant feels that the reduction in the number of parking spaces that are required will not affect the residents, as many of them do not have a car. The potential tenants are also informed of the parking availability when applying for an apartment at the complex.

The applicant is now requesting a variance to allow 540 spaces, instead of the required 650 spaces. This variance of 110 spaces is from Section 1122.08(b) of the zoning code, which was approved in April of 2011.

NEW BUSINESS

<u>CASE NO.:</u>	BZ12-013
<u>APPLICANT:</u>	KENT CYCLE, LLC
<u>SITE LOCATION:</u>	115 Lake Street
<u>STATUS OF APPLICANT:</u>	The applicant is a tenant on the property.
<u>REQUESTED ACTION:</u>	The applicant is requesting the following: <ol style="list-style-type: none">1) A variance from Section 1165.05(e)(2)(A) to allow a total of two signs on the building, and2) A variance from Section 1165.05(e)(2)(C) to allow a total of 288 square feet of signage, where 100 square feet is the maximum permitted.
<u>ZONING:</u>	This property is currently located in the I: Industrial Zone District.
<u>TRAFFIC:</u>	The property is accessible from Lake Street.
<u>SURROUNDING LAND USES:</u>	The property is surrounded by other industrial uses on the west, north, and east sides, and by mixed residential and commercial uses on the south side.

APPLICABLE CODE SECTIONS: 1165.05(e)(2)(A) and 1165.05(e)(2)(C)

ANALYSIS:

This property is located at 115 Lake Street and is currently zoned Industrial. This building is part of a larger parcel that contains other industrial uses.

The applicant is proposing to install signage on the front and west side of the building for the Kent Cycle bicycle shop. The sign on the west side of the building is currently in place and measures 26 feet long by 8 feet tall. This sign is painted directly on the building. The sign that is proposed for the front of the building measures 20 feet long by 4 feet tall. This sign will be made out of environmentally friendly material and attached to the building.

The applicant is requesting two variances for the signage. The first variance is a request to have two building signs, where only one sign is permitted. The second variance is to allow for a total of 288 square feet for all of the signage, where 100 square feet is the maximum.

The City of Kent Zoning code states that in the Industrial zone district one sign per street frontage is permitted, with a maximum area of 100 square feet. The sign can be a building, pole, or monument sign.

CASE NO.: **BZ12-012**

APPLICANT: **BAKER'S TOWING**

SITE LOCATION: 634 – 638 Lake Street

STATUS OF APPLICANT: The applicant is a tenant on the property.

REQUESTED ACTION: The applicant is requesting a substitution of a non-conforming use from a warehouse and catering business to a towing/car repair and catering business (Section 1169.12).

The applicant is also requesting a variance to allow an 8-foot tall fence, where 6-foot maximum is permitted (Section 1161.21(a)).

ZONING: This property is currently located in the R-3: High Density Residential Zone District.

TRAFFIC: The property is accessible from Lake Street.

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

APPLICABLE CODE SECTIONS: 1169.12 and 1161.21(a)

ANALYSIS:

This property is located at 634 – 638 Lake Street and is currently zoned R-3: Medium Density Residential. This property is a non-conforming use as a catering business and warehouse.

This property has been home to Ashton Electrical Company, Mel's Chuckwagon, and 5-star Vending in the past.

According to the Portage County auditor's records, this building was constructed around 1970. Many renovations and additions have been added onto the building, with the last building addition occurring in 1994. At the time of the initial construction of the building, this property was zoned Local Retail 2-B. In 1971, the zoning was changed to R-3, making the commercial use of the property non-conforming.

The following is a summary of information in the address file kept in the Community Development and Building Department offices for this property:

1973 – Non-conforming use certificate issued to Ashton Electrical Co. at 638 Lake Street with the use of Electrical Contracting

1973 – Non-conforming use certificate issued to Melvin Yankovich at 634 Lake Street with the use of Catering Service

1978 – Plumbing, Electrical, and building permits issued to Mel Yankovich for fire repairs to the house

1982 – Building permit issued to Mel Yankovich for alterations to the roof of the building

1985 – Building and zoning permits issued to Mel Yankovich to change the flat roof to a gabled roof.

1986 – Building permit issued for a roof addition

1987 – Non-conforming use certificate issued to M. & E. Yankovich for a Wholesale use at 634 Lake Street

1987 – Non-conforming use certificate issued to M. & E. Yankovich for commercial use at 638 Lake Street

1989 – Plumbing permit issued for Mel's Chuck Wagon for a water meter for an ice machine

1990 – Board of Zoning Appeals approval letter to permit an addition to expand a non-conforming use and a side yard setback variance

1990/1991 – Building and zoning permits issued to Mel's Chuck Wagon for an addition

1991 – Plumbing and Electrical permits issued for addition

1992 – Electric permit issued for Mel's Chuck Wagon for underground electric to gas pumps

1993 – Letter to Melvin Yankovich for a drain spout that was connected to the sanitary sewer system

Page 5
Board of Zoning Appeals Staff Report
June 18, 2012 meeting

1993 – Board of Zoning Appeals approval letter for Mel's Chuck Wagon for an expansion of a non-conforming use to add an addition

1994 – Building, zoning, electrical, and plumbing permits issued to Mel's Chuck Wagon for a one-story office addition

2001 – Photos showing a camper and other unsheltered storage of materials

2001 – Violation letter for graffiti on the building. Response letter from Mr. Yankovich regarding removal of the graffiti. Police report for the graffiti; report was generated after a call from the owner of 5-Star Vending.

2002 – Violation paperwork and notice letter sent to Melvin Yankovich stating outdoor/unsheltered storage of broken soda machines

2002 – Zoning use certificate issued for a non-conforming use – Wholesale and Distributing

2003 – Violation notice sent to LCB Ohio Enterprises, Inc. for high weeds and grass

2005 – Fire Citation and Notice of Violations sent to 5-Star Vending after a fire safety inspection

2005 – Zoning use certificate issued for a non-conforming use – Wholesale and Distributing

2008 – Temporary sign permit issued for Extreme Details & Car Wash (soon after issuing, it was discovered that this was not an approved use and substitution of use information was sent to the tenant. They soon moved out of this space.)

2008 – Temporary sign permit was issued to Don Mariner (Hot Soss Don's Catering)

2009 – Violation letter sent to Don Mariner for having a temporary sign without a permit

2010 – Zoning Use Certificate issued for a non-conforming use – Wholesale and Distributing

2011 – Zoning Use Certificate issued for a non-conforming use – Wholesale and Distributing

2012 – Zoning permit issued for a 6-foot fence

The applicant is now applying for a substitution of a non-conforming use from the wholesale and catering to the towing/car repair service and catering business. The applicant is proposing to use the property as a towing and car repair facility. They will receive towed vehicles on the west side of the property after hours. The applicant also proposes to clean up the property, paint the building, and resurface the parking area, as well as install landscaping and a fence with locking gates. The applicant would like to construct an 8-foot tall wood fence along the rear of the property to help shield the neighbors from the noise and view and is requesting a variance to have the fence exceed the 6-foot limit. The applicant is also proposing to demolish the house and garage on the west side of the property.

Parking, waste oil management, security, and noise were issues that have been raised among the Police, Safety, Fire, Building, and Engineering departments within the City of Kent. Other issues were raised concerning the building itself. These issues will be addressed when upgrades to the building will be done. Building permits may be required for any construction to the building.

Page 6
Board of Zoning Appeals Staff Report
June 18, 2012 meeting

Many neighboring residents have also raised concerns with the relocation of this business. The neighborhood consensus is that they are against the move. Some of the neighbors' concerns are noise, traffic, odors, safety for their children, lowered property values, storage of flammable liquids, hazardous liquid runoff into their properties, junk vehicles parked for long periods of time, unsheltered storage of vehicles, increased crime, 24-hour operations, and the general decline of the neighborhood.

The City of Kent Zoning Code states that substitutions of non-conforming use must go before the Board of Zoning Appeals. The Board may approve a substitution under the following circumstances:

- 1) That the new use is similar in character to the previous nonconforming use by virtue of the fact that it is equally appropriate to the type of zoning district in which it is located.
- 2) That the new use will not be any more intrusive to the neighborhood than the previous nonconforming use.

The fence variance will be considered with the three criteria that are looked at when considering a variance or appeal (hardship, extraordinary circumstances, and detriments to the neighboring uses, properties, or the zoning code).

cc: Applicants
Case files
Jennifer Barone, Development Engineer
Gary Locke, Community Development Director
Eric Fink, Asst. Law Director

C. PC12-011

**COMPREHENSIVE SIGN PLAN – BUILDINGS A & B
215 & 295 S. Water Street & 100 E. Erie Street
Comprehensive Sign Plan Review**

The applicant is seeking Comprehensive Sign Plan review and approval for Building A (*DaveyTree*) and Building B (*Ametek*) for the display of multiple signs. The subject property is zoned C-D: Commercial Downtown District.

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

V. OTHER BUSINESS

VI. ADJOURNMENT



CITY OF KENT, OHIO

DEPARTMENT OF COMMUNITY DEVELOPMENT

DATE: June 12, 2012
TO: Kent City Planning Commission
FROM: Jennifer Barone, PE, Development Engineer
RE: Staff Report for the June 19, 2012 Planning Commission Meeting

The following items appear on the agenda for the June 19, 2012 Planning Commission meeting:

OLD/NEW BUSINESS:

The rooming house designation request and the proposed parking lots are both addressed in the following.

<u>CASE NO:</u>	PC12-009 and PC 12-013
<u>APPLICANT:</u>	Capstone Real Estate Investments, LLC
<u>SITE LOCATION:</u>	500 Golden Oaks Drive
<u>STATUS OF APPLICANT:</u>	The applicant is the owner of the property.
<u>REQUESTED ACTION:</u>	Conditional Zoning Certificate and Site Plan Review & Approval to operate the facility as a rooming house and construct additional parking.
<u>ZONING:</u>	R-4: Multi-Family Residential
<u>TRAFFIC:</u>	The parcel is accessed from Horning Road.
<u>SURROUNDING LAND USES:</u>	The property is surrounded by Kent State University on the west and south side and by residential to the east and north side.

APPLICABLE CODE SECTIONS:

Chapters 1107, 1113, 1122, 1135 and 1171 of the Kent Codified Ordinances.

ANALYSIS:

This project was tabled at the June 5, 2012 meeting. The following is mostly repeated from the previous staff report with some minor changes for the proposed parking areas. The request is for Conditional Zoning Certificate and Site Plan Review & Approval to operate the facility as a rooming house and to construct additional parking.

PROJECT DESCRIPTION:

Applicant is asking to operate the existing apartment complex (fka Silver Oaks) as student housing with 520 beds and to construct additional parking. Since there may be more than two unrelated persons living in a unit, the request before you is to obtain rooming house designation. The additional parking is needed to accommodate the rooming house designation.

This apartment complex was originally constructed in the 1960's as a student housing facility. More recently, the complex was a senior housing complex. The applicant purchased the property to convert the apartments back to student housing and has already been approved for renovations, which are underway.

Rooming houses are conditionally permitted in the R-4 zoning district and are subject to some other requirements outlined in Sections 1171.01 (11), (17), (21) and (54) of the Kent Codified Ordinances as listed below. Staff feels that these conditions have been met. Also, the zoning code was modified last year which included Chapter 1122 – Rooming and Boarding Houses.

1171.01

- (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 the community in general; a bond may be required to insure that this provision will be met.
- (21) Lodging and boarding house uses shall be so designed, maintained and operated as to comply with inspection and rules of the City Board of Health and the regulations of all other applicable City codes, and to minimize possible disruptive effects on the character of adjacent and nearby properties.

Parking shall be provided in accordance with Chapter 1167. The design and construction of parking areas, service areas and access drives shall be approved by the Planning Commission. The property must have approved sewer and water facilities and meet applicable fire and safety standards. In no case shall total lot area or lot dimensions for each dwelling be less than those required for multifamily dwelling. For the purpose of lot area and lot dimensions every four boarders or lodgers constitute a dwelling unit.

- (56) There shall be one parking space for every person that lives in said structure of building.

Chapter 1122 has several zoning requirements that differ from Chapters 1135 and 1171. Several of the differences are listed below.

- Open space is specified but requires reasonable satisfaction of the Planning Commission.
- The required parking is a 1:1.25 ratio (one space per resident plus one visitor for every four residents).
- Landscaping is required for screening.

TRAFFIC/PARKING:

Ingress and egress is from Horning Road. The existing apartment complex has 290 parking spaces plus 44 spaces in the garages. The applicant is proposing to add 51 spaces on site and has a purchase agreement to buy two other parcels to expand the number of parking spaces by 155. The total number of parking spaces required for the rooming house designation is 650 (520 residents plus 130 visitor). The total number proposed is 540. The applicant and staff worked diligently to procure the number of required parking spaces but were unable to reach the total. The Applicant will need to seek relief from the Board of Zoning Appeals to reduce the number of required parking spaces.

The offsite parking is included in the site plans under consideration. Both parking areas are accessed from Horning Road.

To recap:

	Existing		Proposed
Parking spaces	290	Addition on site	51
Garage spaces	<u>44</u>	Parking area 1	70
Total	334	Parking area 2	<u>85</u>
		Total added	206

Total required is 650

TOTAL PROVIDED is $344+155 = 540$ spaces

UTILITIES:

Utility connections are existing.

STORMWATER:

Stormwater management will need to be re-evaluated for the additional parking areas.

SIGNAGE:

Permits for signage have already been issued.

LIGHTING/LANDSCAPING/DUMPSTER:

This is an existing site with existing lighting, landscaping and trash can(s). Several new light poles will be added as well as additional landscaping.

ARCHITECTURAL ADVISORY BOARD:

The Architectural Review Board is not required to review this project since the buildings already exist.

VARIANCES:

A variance from Chapter 1122 for a reduced number of parking spaces will need to be obtained for the Board of Zoning Appeals. This will be considered at the June 18, 2012 meeting.

RECOMMENDATION:

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 PC12-009 and PC12-013, the Planning Commission approve the Conditional Zoning Certificate and Site Plan to operate the existing apartment complex under rooming house designation located at 500 Golden Oaks Drive and to construct additional parking lots subject to the following conditions.

1. There shall be only one resident per bed room.
2. Technical plan review.
3. Board of Zoning Appeals variance for reduced parking spaces.

List of Enclosures for this Project:

1. Applicant Cover Letter dated and plans dated April 17, 2012 for the original site.
2. Applicant Cover Letter dated and plans dated June 2, 2012 for the parking lots.
3. Aerial Topo and Zoning Map.

New Business:

<u>CASE NO:</u>	PC12-010
<u>APPLICANT:</u>	GPD Group (Taco Bell)
<u>SITE LOCATION:</u>	805 West Main Street
<u>STATUS OF APPLICANT:</u>	The applicant is representing the owner.
<u>REQUESTED ACTION:</u>	Site Plan Review & Approval to relocate the menu reader board
<u>ZONING:</u>	C-R: Commercial – High Density Residential
<u>TRAFFIC:</u>	The parcel is accessed from West Main Street.
<u>SURROUNDING LAND USES:</u>	The property is surrounded by commercial uses on east, south and west and residential on the north.
<u>APPLICABLE CODE SECTIONS:</u>	Chapters 1113 and 1145 of the Kent Codified Ordinances.

ANALYSIS:

PROJECT DESCRIPTION:

Applicant is asking to relocate the menu reader board. The Long Johns Silver portion of the Taco Bell/Long Johns Silver is being eliminated. While most of the work that is needed to convert the building to being only Taco Bell does not require Planning Commission review, the reader board location was of great concern when the initial approval was obtained. Staff felt it prudent to have the applicant return for approval of the new location. Restaurants are a permitted use in the C-R zoning district.

TRAFFIC/PARKING:

Ingress and egress is from West Main Street. There are no proposed changes to the parking. The relocation of the menu board will slightly shorten the stacking distance. Staff feels this reduction is insignificant and will not impact traffic on the existing streets.

UTILITIES:

Utility connections are existing.

STORMWATER:

Stormwater management is existing.

SIGNAGE:

Permits for signage have already been issued.

LIGHTING/LANDSCAPING/DUMPSTER:

This is an existing site with existing lighting, landscaping and trash can(s).

ARCHITECTURAL ADVISORY BOARD:

The Architectural Review Board is not required to review this project since the building already exists.

VARIANCES:

Variations are not required.

RECOMMENDATION:

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 PC12-010, the Planning Commission approve the Site Plan to relocate the Taco Bell menu reader board at 805 West Main Street.

List of Enclosures for this Project:

1. Applicant Cover Letter dated May 1, 2012 and plans received May 2, 2012.
2. Minutes from the discussion on October 19, 2004 and from December 7, 2004 when the site plan was approved.
3. Aerial Topo and Zoning Map.

CASE NO:

PC12-011

APPLICANT:

Comprehensive Sign Plan for Buildings A & B

SITE LOCATION:

215 & 295 South Water Street and 100 East Erie Street

STATUS OF APPLICANT:

The applicant is the developer.

REQUESTED ACTION:

Comprehensive Sign Plan approval.

ZONING:

C-D: Commercial - Downtown

<u>TRAFFIC:</u>	The parcel is accessed from East Erie Street and South Water Street.
<u>SURROUNDING LAND USES:</u>	The property is surrounded by commercial uses on all sides.
<u>APPLICABLE CODE SECTIONS:</u>	Chapters 1165 of the Kent Codified Ordinance.

ANALYSIS:

PROJECT DESCRIPTION:

The Planning Commission approved the Site Plan to construct a mixed use development at the August 17, 2010 Planning Commission meeting. The applicant is presenting the comprehensive sign plan. The plan depicts signs for the businesses on South Water Street and East Erie Street as well as those visible from the public parking area off Alley No. 5.

The comprehensive sign plan purpose and standards are listed below.

Purpose - A Comprehensive Sign Plan is intended to integrate the design of the signs proposed for a development project with the design of the structures, into a unified architectural statement. A Comprehensive Sign Plan provides a means for defining common sign regulations for multi-tenant projects, to encourage maximum incentive and latitude in the design and display of multiple signs and to achieve, not circumvent, the intent of this Chapter.

Standards - A Comprehensive Sign Plan shall comply with the following standards:

- (1) The Planning Commission may allow signage which otherwise exceeds the number, type, size and placement as otherwise permitted in this Chapter when it determines that such additional signage is warranted due to the size, nature, number of tenants or other features of the site as they may exist.
- (2) The signs shall enhance the overall development, be in harmony with, and relate visually to other signs included in the comprehensive sign plan, to the structures and/or developments they identify, and to surrounding development;
- (3) The Plan shall accommodate future revisions that may be required because of changes in use or tenants; and
- (4) That the Plan is consistent with the Design Guidelines that may be applicable to a designated area as may be identified in Chapter 1121 of the Kent City Zoning Code. In areas of the City not governed by the Design Guidelines identified in Chapter 1121, the Plan, to the degree feasible, shall comply with the recommended Sign Design Guidelines set forth in Appendix B of the Zoning Code.

ARCHITECTURAL ADVISORY BOARD:

The Architectural Review Board approved the sign package at the May 15, 2012 meeting and issued a Certificate of Appropriateness. There were no conditions associated with the Certificate of Appropriateness, but the Board did suggest raising the brackets and fixing the bottom of the projecting signs.

VARIANCES:

Should the Planning Commission approve the comprehensive sign plan, variances from the Board of Zoning Appeals would not be required.

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 approve this project, the following language may be used:

I move that in Case PC12-011 Planning Commission approve the Comprehensive Sign Plan for the Buildings A & B at 215 and 295 South Water Street and 100 East Erie Street subject to the following conditions.

1. Obtain a zoning permit within two years of Planning Commission approval.
2. Obtain a sign permit and submit the performance guarantee prior to installation of the signs.
3. Securing the bottom of the projecting sign in addition the top bracket.

List of Enclosures for this Project:

1. Applicant Cover Letter dated June 8, 2012 and plans received June 9, 2012.

cc: Gary Locke, Community Development Director
Jim Bowling, City Engineer
Eric Fink, Assistant Law Director
Heather Phile, Development Planner
Applicant
PC Case File

CITY OF KENT
HEALTH BOARD MEETING
JUNE 19, 2012 5:30 PM
KENT CITY HEALTH DEPARTMENT OFFICES
325 S. DEPEYSTER STREET
KENT, OH 44240
Phone (330) 678-8109 Fax (330) 678-2082

AGENDA

- I. MINUTES May 8, 2012 Meeting
- II. OPEN COMMENTS
- III. GUEST SPEAKER – Sue Whitehurst, Executive Director of TownHall II
- IV. REPORTS
 - A. Statistical Report for May 2012
 - B. Expenditures & Encumbrances May 2012
 - C. Commissioner's Report for May 2012
- V. OLD BUSINESS
 - A. Portage County Public Health Task Force
 - B. Health Department Mission/Vision/Core Values
 - C. Health Board Data and Data Sources
- VI. NEW BUSINESS
 - A. Instituting Fines for Non Compliance of Trash Ordinance
 - B. Boom Car Letter of Support
 - C. Ravenna Community Needs Assessment/NPHPS Assessment
 - D. Allocation of Resources for Computer Software
- VII. EXECUTIVE SESSION
- VIII. ADJOURN MEETING

If you require assistance to attend this meeting, please contact the Health Department at (330) 678-8109.

JN/trr

cc: Health Board
City Manager
Clerk of Council
Health Staff
Mayor
News Media
Post
File

Kent City Health Department
 325 S. Depeyster Street
 Kent, Ohio 44240
 HEALTH BOARD MINUTES
 May 8, 2012

Board Members Present

Pam Freeman
 Chris Woolverton
 Marchelle Bobbs
 Jack Amrhein
 Susan Roxburgh

Members Absent

Doug Wagener

Staff Present

Jeff Neistadt
 Anthony Bartholomew

Chris Woolverton called to order the Health Board Meeting of May 8, 2012 at 5:31 p.m.

The minutes from the April 10, 2012, meeting were distributed and reviewed by the Health Board members prior to the meeting.

Motion: A motion was made by Susan Roxburgh and seconded by Jack Amrhein to approve the minutes of the April 2012 meeting. The motion passed.

Statistical Report

Expenditures & Encumbrances

<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>AMOUNT</u>
Treasurer, State of Ohio	RFE transmittal fees for March 2012	\$336.00
Treasurer, State of Ohio	FSO transmittal fees for March 2012	\$714.00
Ohio Div. of Real Estate	Burial Permit fee transmittal for March 2012	\$65.00
Treasurer, State of Ohio	Child Abuse & Family Violence Prevention fees for March 2012	\$1,689.29
Kent Office Supply	Flashlights	\$14.45
Treasurer, State of Ohio	Quarterly Vital Stats Technology fees for January through March	\$9,126.00
	TOTAL	\$11,944.74

<u>Travel & Reimbursements</u>		
PHCC	Public Health Combined Conference May 14 to 16 Registration fees for J. Neistadt & Dr. Bartholomew	\$405.00
		\$405.00

Motion: A motion was made by Pam Freeman and seconded by Marchelle Bobbs to approve the Expenditures and Encumbrances for the month of April 2012. The motion passed.

Commissioner's Report

Enclosed in the health board packet was information on the new Institute of Medicine Report calling for development of a chart of accounts for use by all public health agencies to enable better tracking of revenue, expenditures, and how both relate to health outcomes. The report also recommended a tax on every medical transaction to go directly to public health departments and services.

We have had a setback in our department's mosquito control intern project as our intern had his apartment broken into and his laptop and other items were stolen. This occurrence creates an opportunity for us to determine what is and what is not information we would like interns to be working on outside of this office in the event items are lost or stolen.

This department made a presentation on food safety to a Public Health Class at KSU. We will be speaking on obesity, the many health benefits of biking and being active through TransPortage at the Kent Library.

The City of Kent Budget and Finance office has successfully implemented credit/debit card acceptance capabilities for the Parks & Rec Department. The Health Department is going to share a machine with the water billing department so folks will be able to go over to the water billing department to pay for all of our services.

I have been working with Kim Villers and Chip from Portage County to get our department some new computers from the Public Health Preparedness Funding. We are budgeted for two new computers with the current end of year funding and we are budgeted for \$3,000 in the upcoming grant year for technology.

I have been researching ways to get our department more automated and to use the computer more than pen and paper. This is a serious work in progress but have been researching Health Department Information Systems (HDIS.org) which I have used before in other departments. This system is basic and easy to use and would move us towards a technology based department.

For years we have been part of the Northeast Ohio Air Quality Management District and have been paying slightly over \$3,000 to the district to inspect and enforce air quality laws and regulations which is mandated by the ORC. With the Summit County – Akron Merger, the initial conversations have been that there is going to be an increase in these fees. How much we do not know yet but in other jurisdictions, including Portage County and Ravenna, the health agency does not pay these fees like Kent does and they pass along the fees to the industries who are creating the need for these laws and regulations. I would like to further look into this issue and determine if this is something we can successfully do here in Kent.

Old Business

Staffing. Jeff stated that interviews were taking place for Sanitarian. So far only one candidate is a Registered Sanitarian.

Farmers' Market signage. Jeff said legally we cannot enforce the issue of no animals at the market. Jack Amrhein volunteered to talk to Jim Silver regarding the issue. He will find out the difference between the Farmers' market and the Heritage Festival, where they allow the signage.

Portage County Health Task Force Meeting June 5, 2012, from 5 to 8. – Jeff has invited NALBOH to do a presentation to the Task Force and then Jeff will talk about Kent's Strategic Planning. Board Members without previous engagements will attend.

New Business

Board of Health Meeting Information packet. Jeff stated that he added this topic to the agenda to discuss statistical data that is normally supplied for the Health Board Members. Is the current information provided for the meetings still adequate and useful? We bring this up due to the statistical report being incomplete because of time constraints, and a lot of time being spent out in the field. Jeff stated that he would like to provide the Board with more useful information and discontinue reporting numbers of inspections in various programs.

Air Quality Fees. Jeff stated that he would like to look at fees and decide where fees need to be raised. Air Quality complaint fees should be charged back to the offending industry. Jeff stated that he will find out from other communities how they handle it and how much the industries are being charged.

Motion: A motion was by Susan Roxburgh and seconded by Pam Freeman to allow the Health Commissioner to charge Kent industry's an Air Quality Monitoring fees that are found violating the Clean Air Act. The motion passed.

House and Senate Bills affecting Public Health. Jeff stated that House Bill 509 is basically a County Commissioner Bill. The County Commissioners are trying to phase out having to provide free housing space and free utilities for Public Health Departments in the State of Ohio. This means the County Health Departments will need to pay rent and utilities. The other bill on its way to the senate states basically that all funds being allocated for any family planning services are going to be awarded to eligible public health entities first, then trickle down to other eligible sources. It may de-fund planned parenthood. A comment by one Board member was that they are trying to make family planning a political issue now.

We received a letter regarding a request to sell eggs at the Farmer's Market using a non-mechanical means for meeting temperature requirements. Jeff stated that the approval of this request may open the doors for others to sell eggs also. We need to put some standard procedures together. The approval of egg selling will be done by the Health Commissioner on a case by case basis.

Motion: A motion was made by Jack Amrhein and seconded by Marchelle Bobbs to allow the Health Commissioner to review and approve egg selling procedures at the Farmers' Market on a case by case basis. The motion passed.

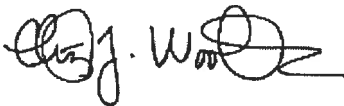
Executive Session

Motion: A motion was made by Pam Freeman and seconded by Marchelle Bobbs at 7:___ p.m. to enter an Executive Session to discuss Salary for the Health Commissioner. The motion was approved by role call vote: Chris Woolverton-Aye; Jack Amrhein-Aye; Susan Roxburgh-Aye; Pam Freeman-Aye; Marchelle Bobbs-Aye. The motion passed

Motion: A motion was made by Pam Freeman and seconded by Jack Amrhein at 7:___ p.m. to return from Executive Session with nothing to report at this time. Motion was approved by role call vote Chris Woolverton-Aye; Jack Amrhein-Aye; Susan Roxburgh-Aye; Pam Freeman-Aye; Marchelle Bobbs-Aye. The motion passed

Motion: A motion to adjourn the meeting of May 8, 2012 was made by Marchelle Bobbs and seconded by Jack Amrhein. With no objection, the motion passes, the meeting adjourned.

Approved:



Chris Woolverton, President



Jeff Neistadt, Secretary

KENT HEALTH DEPARTMENT STATISTICAL REPORT 2012

	May 2012	YTD 2012	May 2011	YTD 2011
HEALTH DEPT. \$ COLLECTED				
FamAbuse fund	\$ 376.50	\$ 2,347.50	\$ 370.50	\$ 1,938.00
Vital Stats Rev.	\$ 2,133.50	\$ 13,302.50	\$ 2,099.50	\$ 10,982.00
Child Abuse	\$ 753.00	\$ 4,695.00	\$ 741.00	\$ 3,876.00
State VS	\$ 2,259.00	\$ 14,085.00	\$ 2,223.00	\$ 11,628.00
13 Perm Rev	\$ 13.00	\$ 82.50	\$ 16.00	\$ 70.50
B Perm State	\$ 65.00	\$ 412.50	\$ 80.00	\$ 352.50
Food Estab.	\$ 198.00	\$ 13,660.30	\$ 76.00	\$ 10,187.25
Food Service	\$ 466.90	\$ 42,581.00	\$ 0.00	\$ 38,372.90
FSO Vending	\$ 0.00	\$ 700.00	\$ 0.00	\$ 655.00
Home Sewage	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Housing	\$ 6,295.00	\$ 23,685.00	\$ 3,595.00	\$ 20,325.00
Swim Pools	\$ 519.00	\$ 3,133.00	\$ 0.00	\$ 3,262.50
SolWst(Trks)	\$ 630.00	\$ 735.00	\$ 450.00	\$ 570.00
Tattoo Parlors	\$ 0.00	\$ 100.00	\$ 0.00	\$ 300.00
1/lisc(Xerox, etc.)	\$ 26.50	\$ 29.50	\$ 0.00	\$ 34.70
	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
**ST Subsidy	\$ 0.00	\$ 0.00	\$ 0.00	\$ 4,886.82
TOTAL COLLECTED	\$ 13,735.40	\$ 119,548.80	\$ 9,651.00	\$ 107,441.17
TO STATE				
FamAbuse fund	\$ 365.22	\$ 2,277.17	\$ 314.28	\$ 1,941.01
Food Estabs	\$ 28.00	\$ 1,204.00	\$ 28.00	\$ 1,064.00
Bur. Permits	\$ 65.00	\$ 412.50	\$ 55.00	\$ 295.00
Child Abuse	\$ 730.41	\$ 4,554.15	\$ 628.56	\$ 3,881.94
State VS QTRLY	\$ 2,259.00	\$ 14,085.00	\$ 1,944.00	\$ 12,006.00
Food Service	\$ 56.00	\$ 3,320.00	\$ 28.00	\$ 3,384.00
Food Vendors*	\$ 0.00	\$ 150.00	\$ 0.00	\$ 144.00
Swim Pools	\$ 144.00	\$ 958.00	\$ 925.00	\$ 925.00
Wells	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
TOTAL	\$ 3,647.63	\$ 26,960.82	\$ 3,922.84	\$ 23,640.95
TOTAL ASSETS	\$ 10,087.77	\$ 92,587.98	\$ 5,728.16	\$ 83,800.22
+Admin fee to Vital Stats	\$ 33.87	\$ 211.18	\$ 33.35	\$ 182.42
-3% FamAbuse	\$ 11.28	\$ 70.33	\$ 11.12	\$ 60.83
-3% ChildAbuse	\$ 22.59	\$ 140.85	\$ 22.23	\$ 121.59

INSPECTIONS

Animal Bites(2)	3	18	4	19
Complaints	10	139	53	196
Food Estabs	1	55	13	110
Food Service	38	193	50	309
FSO Vending	0	20	4	38
Home Sewage	0	0	0	0
Housing	90	305	128	590
Schools	12	19	12	24
Solid Waste	20	20	23	25
Swimming Pis	14	29	29	50
Septic Haul.	0	0	0	0
Tattoo Parlors	0	1	1	7
Other	0	0	0	0
TOTAL	188	799	317	1,368

* ()Number of Bites Reported

PERMIT/lic.

Food Estabs	1	42	1	38
Food Service-F(temp)	3	121	1	123
FS Vending	0	25	0	24
Home Sewage	0	0	0	0
Housing	51	181	15	157
Solid Waste	20	20	29	31
Swim Pools	14	26	0	14
Septic Haul.	0	0	0	0
Tattoo Parlors	0	1	1	4
Other	0	0	0	0
TOTAL	89	416	47	391

MOSQ.CONT.

Sites Treat.	0	2	0	30
Adulticide	0	0	0	0
Tot Man Hrs	0.0	11.1	11,0	33

COMPLAINTS

Received	7	65	19	92
Abated	8	61	21	93

LEGAL.COMPL.

Filed	0	0	0	3
Pre-trials	0	0	0	0
Trials	0	0	0	0

COMM.DISEASE 11 162 26 335

VNA CLINICS IMMUNIZATIONS 11 49 12 26

BIRTH Copies issued 30 217 8 88

DEATH Copies issued 221 1348 239 1333