



# CITY OF KENT, OHIO

## DEPARTMENT OF FINANCE

TO: Dave Ruller, City Manager  
FROM: Dave Coffee, Director of Budget and Finance  
DATE: June 22, 2011  
SUBJECT: Public Funds Depositories Resolutions

I am hereby respectfully requesting City Council Committee agenda time at the July 6, 2011 meeting seeking their authorizations of resolutions establishing approved depositories of public funds for the City of Kent.

The City is required by Ohio Revised Code, Chapter 135 – Uniform Depository Act, Section 135.13 (B) to designate the public depositories of the public monies every five years.

The first resolution authorizes initiation of the process by estimating the amount of active and inactive deposits to be awarded for deposit and fixing the period of designation and date of awarding. This notice will then be publicly advertised in at least two area newspapers and will provide direction for interested financial institutions to submit bid applications for servicing such deposits. For the five year period from September 17, 2011 to September 16, 2016 we estimate the aggregate amount of public funds to be:

Active Deposits: \$35 million  
Interim Deposits: \$35 million  
Inactive Deposits: \$35 million

The second resolution authorizes designation of depositories for the City of Kent pursuant to the public notice and the acceptability of responses received by the stated deadline and further authorizes the Director of Budget and Finance to deposit such funds accordingly. Because ORC requires the new designation ordinance be approved no less than 3 weeks preceding expiration of the existing designation ordinance on 9/17/11, I am respectfully requesting authorization of this second resolution to be placed on the August 17, 2011 Council Agenda.




# CITY OF KENT, OHIO

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## DEPARTMENT OF ECONOMIC DEVELOPMENT

**Date:** June 22, 2011

**To:** David Ruller, City Manager  
David Coffee, Finance Director

**From:**  Dan Smith, Economic Development Director

**Subject:** Potential New Kent Manufacturer- MAC Trailer  
Request for use of Job Creation Tax Credit

Over the past month, I have been working with the Principals of the MAC Trailer Company to explore a plant expansion at the former site of Fointaine Trailer, 1400 Fairchild Avenue. The company current operates sites in Alliance and Salem, Ohio. They have been in high growth mode the past few years (recently adding over 200 employees). Per our conversations, the Kent location is extremely attractive and the facility is well suited for their operations. To that end, I have been working with Jim Maiorana, Executive V.P. of MAC Trailer and the State of Ohio to help provide assistance to get the new division up and operating.

MAC Trailer has requested assistance with financing (from the State) as well as use of the Job Creation Tax Credit (JCTC), at both the state and local level. Our local JCTC program is summarized by the following:

The City of Kent has created a Job Creation Tax Credit Program designed to provide companies with an incentive to locate, or expand, in the City. Qualifying companies may claim a refundable income tax credit against their City of Kent profit tax or individual income tax. The credit is up to 24% of the municipal income tax withheld on the qualifying new jobs for a term up to five years, or up to the term offered by the State of Ohio Job Creation Tax Credit Program.

Other program requirements:

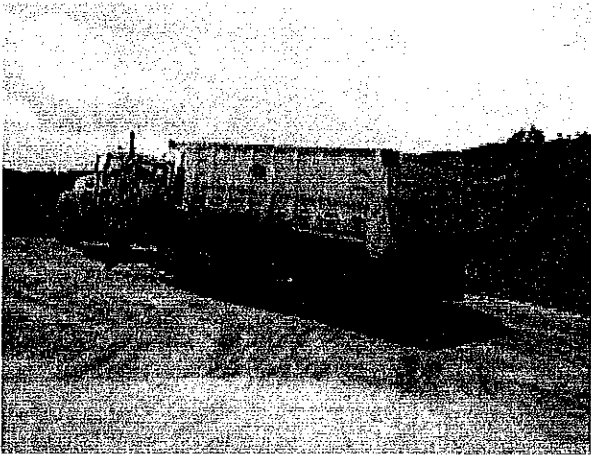
- The program is restricted to non-retail oriented firms only.
- The program is open to those firms that are new to the City of Kent, or existing companies that are expanding, and who meet the program requirements.

- Depending on the projected payroll to be generated for each qualifying job, the required minimum number of full-time, or full-time equivalent jobs that must be created and maintained by the company within a three-year period is either 10 or 25 employees.
- For companies currently operating in the City of Kent, the existing employment and payroll figures must be maintained in addition to the creation of the requisite number of new jobs.
- New jobs must pay a wage rate at, or above, 150% of the Federal Minimum Wage.
- To be eligible, the company must concurrently secure a tax credit through the State of Ohio Job Creation Tax Credit program as specified by the Ohio Revised Code Section 122.17.

I believe this type of industrial expansion is exactly what our local JCTC was designed for. The proposed expansion of MAC Trailer is well beyond the requirements of the program. The company plans to add 92 jobs the first year and increase to 163 jobs in the second year of operations. Gross anticipated payroll is \$3,694,000 in the first year, increasing to \$6,027,000 during the second year. At year two stabilization, the new annual income tax to the City of Kent would be \$120,000 of which approximately \$29,000 would be rebated for the term of the agreement (five years or the length of the State's program).

If the State approves MAC Trailer's loan and JCTC applications on July 25, they are set to begin operations in August. For your review I have provided background on MAC Trailer and their proposed expansion at 1400 Fairchild Avenue.

I respectfully request time at the July 6 Committee meeting to present the request and seek approval for use of our Job Creation Tax Credit.



Between the Alliance, Ohio Corporate offices, manufacturing plant and service area and the Salem, Ohio facility, MAC Trailer now encompasses 500,000 square feet of facilities on a campus of 84 acres with a staff in excess of 550 employees that service both the national and international markets.

I am proud to say the success of MAC Trailer can be attributed to a quality product built by quality people; complemented by an experienced and knowledgeable sales staff and professional Authorized Dealer Network; supported by a full service and repair facility, the benefit of a used trailer division and a complete aftermarket parts department; all committed to a higher level of customer service.

My philosophy is to listen and learn from our customers and pursue continuous improvement through strong leadership and dedicated employees while providing added value in our product, FOR YOU.

I invite you to experience first hand the personalization that truly solidifies the *MAC difference!*

## VISIONARY TECHNOLOGY

As a manufacturer, MAC Trailer recognizes the complexity of today's every changing market and the necessity to make you more competitive with advanced design trailers that provide operational benefits; or incorporate alternative components-materials that will improve fuel economies, maximize performance, reduce maintenance costs, increase payloads, generate greater profits, protect your investment and focus on safety.

For MAC Trailer, technology is not something you purchase, but rather have the vision and ability to create. All of us are constantly listening to YOU, the customer. We are going onto job sites to better understand and witness first hand the demands of your individual applications and its impact on the trailer's design and structural integrity. With this direct and personal field knowledge, we then engineer and manufacture a product with a higher level of innovative and created technology.

With such a driving force, MAC's commitment to always strive for the betterment and efficiencies of your operations has been quite evident over the years with the introduction of and overwhelming reception of the all aluminum Step Deck Platform, the aluminum MACsimizer Half Round designed end dump with up to a 60 cubic yard capacity, the 90 cubic yard steel SCRAPMAC, the aluminum MAC "MVP" (MAC Vertical Panel) MACLOCK® product line of SMOOTH-SIDED constructed trailers, the all aluminum B-train stinger, the world's first all aluminum extendable trailer and now, after rave reviews, all eyes are focused on the latest trailer in the MAC lineup – the PNEUMACTIC tank.

What does the future hold? We will continue to listen to you. AND MAC TRAILER WILL CONTINUE THE VISIONARY QUEST OF TECHNOLOGY!

© COPYRIGHT 2009 MAC TRAILER, MFG. ALL RIGHTS RESERVED. | 14599 COMMERCE STREET | ALLIANCE, OHIO 44601 | 1-800-795-8454 | 330-823-9900 | FAX: 330-823-0232



# CITY OF KENT, OHIO

## DEPARTMENT OF SAFETY

June 7, 2011

Mr. Austin Melton, Mayor  
 Mr. Bill Elder, Clerk  
 Village of Sugar Bush Knolls  
 P.O. Box 2127  
 Kent OH 44241

Re. New contract proposal and Calculation of Fire Service Incident Rates for 2011-2012 Service Period

Dear Mayor Melton and Mr. Elder,

As you are aware, we have been providing fire and rescue service for the Village on a temporary agreement while the fire service providers in our section of the county studied improved service opportunities and strategies. Although the study did not result in any dramatic changes in the structure of the county's fire service, it continues to result in the institution of improved cooperation among the participating agencies. Since no structural changes are anticipated, we feel that it is now time to put a new contract in place for the next five years. Enclosed is a new draft agreement for your consideration,

Like the previous agreement, the newly proposed Fire Service Agreement between the City of Kent and Sugar Bush Knolls provides for an annual establishment in the service rate at the anniversary of each contract year, which occurs each year on July 1. The preliminary calculation of rates for the year 2011-2012, as determined by the basic contract process, is based on the following data:

A. The city's cost of operation of the Kent Fire Department for 2011 is budgeted as follows:

Fire Services	\$4,239,750
Community Services	\$0
Tech. Rescue	\$37,283
Hazmat	\$17,982
Confined Space	\$11,749
Proportional dispatch cost	\$125,584
Fire pension	\$112,000
Year 2011 total	\$4,544,348

B. The city's proportioned operation of the Kent Fire Department incident response activity for the year 2010, broken down by response area, was as follows:

	Total runs
KENT	2,848
KSU	521
TWP	453
SBK	9
Total	3,920

The cost per response run estimate based on the above data calculates to \$1,159 per incident. This compares to the cost per incident of \$1,098 that was charged to the Village during the 2009-2011 period.

The ten year average of incident responses to the Village of Sugar Bush Knolls is established as follows:

Year	Fire/Rescue Response	Medical response	Total
2010	0	9	9
2009	0	11	11
2008	2	5	7
2007	2	4	6
2006	3	5	8
2005	2	6	8
2004	2	11	13
2003	0	2	2
2002	1	4	5
2001	2	6	8
Total			77/10 = 7.7

Ten year response average	7.7 incidents
Year 2011-2012 rate per response	\$ 1,159
Annual cost for contract year	\$ 8,924
Semi-annual rate	\$ 4,462

Pursuant to the master agreement, the Village shall acknowledge and authorize this notice, which shall then become an addendum to the master agreement. If there are any questions regarding these documents, please feel free to contact me at 330.676.7525

Respectfully submitted,

Approved as to Form:

\_\_\_\_\_  
William C. Lillich  
Safety Director

\_\_\_\_\_  
James R. Silver,  
Law Director

Acknowledged and approved for the Village of Sugar Bush Knolls

By: \_\_\_\_\_ Date \_\_\_\_\_  
Mr. Austin Melton, Mayor

By: \_\_\_\_\_ Date \_\_\_\_\_  
Mr. Bill Elder, Village Clerk/Treasurer

2011051 75-2011

c. Mr. Ruller  
Mr. Coffee  
Chief Williams

**City of Kent, Ohio**  
**Agreement For Fire, Ems And Emergency Rescue Service**  
**For The Village Of Sugar Bush Knolls, Ohio**

THIS AGREEMENT, entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2011, by and between the CITY OF KENT, OHIO, hereinafter referred to as the "CITY" and the VILLAGE OF SUGAR BUSH KNOLLS, OHIO, hereinafter referred to as the "VILLAGE," provides for the provision of fire suppression, rescue and emergency medical services, by the City of Kent for the Village of Sugar Bush Knolls for the period of July 1, 2011, through June 30, 2016.

NOW, THEREFORE, in consideration of the promises of the parties herein, it is mutually agreed as follows:

- A. This Agreement for fire protection and emergency services of the CITY to the VILLAGE shall be in force from July 1, 2011 through June 30, 2016. During that time, the VILLAGE shall make payment calculated by the following process:
1. The CITY shall determine an average cost per run based on the currently approved total Fire Department budget (less the Community Service component), divided by the total number of run responses during the previous calendar year.
  2. The **average** number of run responses to the VILLAGE shall be determined based on a ten-year average.
  3. The annual rate shall be the result of multiplying the run average by the cost per run average.
  4. The new rate will apply to the contract year of July 1 through June 30, which payments shall be made by the VILLAGE to the CITY on or before July 1 and January 1 of each service year.
  5. The new rate will not exceed a ten percent (10%) increase in each new service year.
  6. The CITY will notify the VILLAGE of the new rate by March 1 of each calendar year,.
  7. The VILLAGE shall acknowledge and authorize the new rate and return a signed Agreement which shall be considered an addendum to this Agreement.
  8. The VILLAGE may discontinue service by serving written notice on the CITY by May 15.
  9. For the service year of July 1, 2011, through June 30, 2012, the rate will be as defined on the attached notice.
- B. The CITY shall supply telephone answering and fire dispatch communications for the VILLAGE via established telephone communication systems and by current radio systems, except ENHANCED (E) 911 PSAP Operations.
- C. The CITY will be responsible for personal injury and damage to its personnel and equipment, while going to or from and while responding to the VILLAGE fire, emergency and other related calls, and shall save said VILLAGE free and harmless from any liability by virtue thereof.
- D. The CITY shall be an independent contractor, and as such, pay for its personnel's withholding and any other taxes, retirement, insurance plans, unemployment compensation, and workers' compensation as may be required by law, but not limited thereto.
- E. The Village shall pay for emergency ambulance service requested by or on behalf of any resident or visitor of the VILLAGE provided the bill for service rendered has not been paid by the resident or user of the service within forty-five (45) days after billing for the service. The basic rate charged to VILLAGE residents for emergency ambulance services shall be the then-current rate as charged to CITY residents for the same services.
- F. It is mutually agreed by the parties hereto that this Agreement shall be in full force and effect commencing the first day of July, 2011 and continuing for a period of five (5) years.

G. Reporting responsibilities

1. The VILLAGE shall furnish two (2) current maps showing all VILLAGE roads and shall promptly notify the City of Kent Fire Department of all closed or impassable roads in the VILLAGE;
2. The CITY shall furnish to the VILLAGE quarterly reports of all calls answered or responded to not later than 30 days after the close of the quarter;
3. The CITY shall furnish a monthly billing activity report of emergency ambulance service; and,
4. The CITY and the VILLAGE do hereby agree that this Agreement is made pursuant to Ordinance of the VILLAGE and Ordinance of the CITY.

H. The parties further agree that this Agreement supersedes any other Agreement between the parties for the purposes of fire, rescue and EMS response.

IN WITNESS WHEREOF, the City of Kent, Portage County, Ohio, has caused to affix hereto its corporate name by the City Manager and said Village of Sugar Bush Knolls, Portage County, Ohio, has caused to be hereunto affixed its corporate name by the Mayor of said Village this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

Signed in the Presence of:

For the Village of Sugar Bush Knolls

\_\_\_\_\_  
\_\_\_\_\_

By: Austin Melton, Mayor

Date \_\_\_\_\_

For the City of Kent

\_\_\_\_\_

By: David Ruller, City Manager

Date \_\_\_\_\_

Approved as to content and form:

\_\_\_\_\_  
James R. Silver, Law Director

2011052 Sugar Bush Knolls Draft



**City of Kent  
Income Tax Division**

**May 31, 2011**

***Income Tax Receipts Comparisons - RESTATED - (NET of Refunds)***

**Monthly Receipts**

Total receipts for the month of May, 2011	\$1,006,438
Total receipts for the month of May, 2010	\$877,364
Total receipts for the month of May, 2009	\$988,003

**Year-to-date Receipts and Percent of Total Annual Receipts Collected**

	<u>Year-to-date Actual</u>	<u>Percent of Annual</u>
Total receipts January 1 through May 31, 2011	\$4,702,598	44.79%
Total receipts January 1 through May 31, 2010	\$4,451,193	42.58%
Total receipts January 1 through May 31, 2009	\$4,642,451	44.29%

**Year-to-date Receipts Through May 31, 2011 - Budget vs. Actual**

<u>Year</u>	<u>Annual Budgeted Receipts</u>	<u>Revised Budgeted Receipts</u>	<u>Year-to-date Actual Receipts</u>	<u>Percent Collected</u>	<u>Percent Remaining</u>
2011	\$ 10,500,000	\$ 10,500,000	\$ 4,702,598	44.79%	55.21%

**Comparisons of Total Annual Receipts for Previous Five Years**

<u>Year</u>	<u>Total Receipts</u>	<u>Percent Change From Prior Year</u>
2006	\$ 10,151,202	-0.36%
2007	\$ 10,540,992	3.84%
2008	\$ 10,712,803	1.63%
2009	\$ 10,482,215	-2.15%
2010	\$ 10,453,032	-0.28%

Submitted by David A. Coffey, Director of Budget and Finance

**2011 CITY OF KENT, OHIO**  
**Comparison of Income Tax Receipts**  
**as of Month Ended May 31, 2011**

<b>Monthly Receipts</b>				<b>Comparisons</b>	
<b>Month</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>Amount</b>	<b>Percent Change</b>
January	\$ 731,968	\$ 952,296	\$ 1,026,357	\$ 74,061	7.78%
February	1,083,705	785,233	788,986	3,753	0.48%
March	845,720	809,613	823,680	14,067	1.74%
April	993,055	1,026,687	1,057,137	30,450	2.97%
May	988,003	877,364	1,006,438	129,074	14.71%
June	867,634	798,635			
July	824,083	828,960			
August	858,853	865,224			
September	729,239	762,176			
October	886,840	961,274			
November	820,876	880,655			
December	852,239	904,915			
<b>Totals</b>	<b>\$ 10,482,215</b>	<b>\$ 10,453,032</b>	<b>\$ 4,702,598</b>		

<b>Year-to-Date Receipts</b>				<b>Comparisons</b>	
<b>Month</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>Amount</b>	<b>Percent Change</b>
January	\$ 731,968	\$ 952,296	\$ 1,026,357	\$ 74,061	7.78%
February	1,815,673	1,737,529	1,815,343	77,814	4.48%
March	2,661,393	2,547,142	2,639,023	91,881	3.61%
April	3,654,448	3,573,829	3,696,160	122,331	3.42%
May	4,642,451	4,451,193	4,702,598	251,405	5.65%
June	5,510,085	5,249,828			
July	6,334,168	6,078,788			
August	7,193,021	6,944,012			
September	7,922,260	7,706,188			
October	8,809,100	8,667,462			
November	9,629,976	9,548,117			
December	10,482,215	10,453,032			
<b>Totals</b>	<b>\$ 10,482,215</b>	<b>\$ 10,453,032</b>			

**2011 CITY OF KENT, OHIO**  
**Comparison of Income Tax Receipts from Kent State University**  
**as of Month Ended May 31, 2011**

Month	Monthly Receipts			Comparisons	
	2009	2010	2011	Amount	Percent Change
January	\$ 344,562	\$ 422,779	\$ 406,862	\$ (15,917)	-3.76%
February	346,921	328,502	336,710	8,208	2.50%
March	344,275	349,936	362,390	12,454	3.56%
April	346,865	350,591	357,231	6,640	1.89%
May	340,901	348,819	354,925	6,106	1.75%
June	335,596	345,261			
July	320,155	334,650			
August	366,601	381,241			
September	287,150	291,775			
October	348,108	370,956			
November	353,917	370,551			
December	355,737	372,404			
Totals	\$ 4,090,788	\$ 4,267,465	\$ 1,818,117		

Month	Year-to-Date Receipts			Comparisons	
	2009	2010	2011	Amount	Percent Change
January	\$ 344,562	\$ 422,779	\$ 406,862	\$ (15,917)	-3.76%
February	691,483	751,281	743,572	(7,709)	-1.03%
March	1,035,758	1,101,217	1,105,962	4,745	0.43%
April	1,382,623	1,451,808	1,463,193	11,385	0.78%
May	1,723,524	1,800,627	1,818,117	17,490	0.97%
June	2,059,120	2,145,888			
July	2,379,275	2,480,538			
August	2,745,876	2,861,779			
September	3,033,026	3,153,554			
October	3,381,134	3,524,510			
November	3,735,051	3,895,061			
December	4,090,788	4,267,465			
Totals	\$ 4,090,788	\$ 4,267,465			

**2011 CITY OF KENT, OHIO**  
**Comparison of Income Tax Receipts from Kent State University**  
**as of Month Ended May 31, 2011**

**Comparisons of Total Annual Receipts for Previous Five Years**

<u>Year</u>	<u>Total Receipts</u>	<u>Percent Change</u>
2006	\$ 3,542,080	2.59%
2007	\$ 3,707,931	4.68%
2008	\$ 3,919,539	5.71%
2009	\$ 4,090,788	4.37%
2010	\$ 4,267,465	4.32%



## CIVIL SERVICE COMMISSION

CITY OF KENT  
221 EAST SUMMIT STREET  
KENT, OHIO 44240

TELEPHONE: (330) 678-8101  
OR (330) 676-7556  
FAX: (330) 676-7580

**THE KENT CIVIL SERVICE COMMISSION  
WILL HOLD ITS REGULAR MEETING  
ON MONDAY, JUNE 13, 2011  
AT 3:00 P.M. IN THE COMMISSION OFFICE**

- (1) Civil Service Commission  
April 11, 2011 Commission Meeting Minutes
  
- (2) Central Maintenance Division of the Service Department  
Staff Retirement  
Mr. Jack E. Hogue II, Central Maintenance Manager,  
Retirement effective June 30, 2011  
Changes in Central Maintenance Management Structure
  
- (3) Safety Administration  
Kent Police Department Staff Appointments  
Mr. Ryan Gaydosh appointed to the position of Police Officer,  
Appointment effective June 6, 2011  
Mr. Jared V. Bowen appointed to the position of Police Officer,  
Appointment effective June 7, 2011
  
- (4) Executive Session

posted: 6/9/2011 – 1:30 p.m.



## CIVIL SERVICE COMMISSION

CITY OF KENT  
221 EAST SUMMIT STREET  
KENT, OHIO 44240

TELEPHONE: (330) 676-8101  
OR (330) 676-7556  
FAX: (330) 676-7580

### CIVIL SERVICE COMMISSION REGULAR MEETING MINUTES APRIL 11, 2011 3:00 P.M.

**Present:** Ronald F. Heineking, Chairperson  
Kenneth J. Hodar, Acting Co-Chairperson  
Anna J. Lucas, Civil Service Coordinator

Liz Zorc, Human Resources Manager

Commissioner Heineking called the meeting to order. Both he and Commissioner Hodar excused Commissioner Bossar's absence.

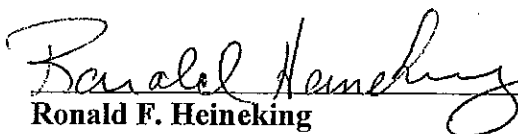
The March 14, 2011 Civil Service Regular Meeting Minutes were approved as prepared.

Ms. Zorc notified the Commission that Mr. Brian Huff, CPA, CFE was appointed to the position of Controller in the City's Department of Budget and Finance effective April 7, 2011.

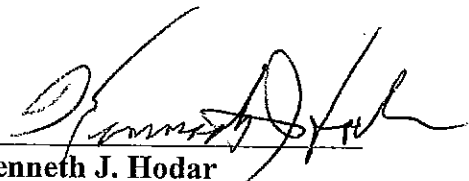
In the Safety Administration, the following staff appointment, staff retirement, and staff promotions were noted for the record. Mr. Jeffrey Tyler was appointed to the position of Firefighter/Paramedic effective April 11, 2011. Lt. John Altomare of the Kent Police Department retired effective March 20, 2011. And, there were two promotions in the Kent Police Department – Officer Richard Soika was promoted to the rank of Sergeant effective March 21, 2011 and Sgt. George Wheeler was promoted to the rank of Lieutenant also effective on March 21, 2011.

There was no need for an executive session and the meeting was adjourned.

Minutes Approved:

  
\_\_\_\_\_  
Ronald F. Heineking  
Chairperson

excused absence  
Robert Bossar  
Co-Chairperson

  
\_\_\_\_\_  
Kenneth J. Hodar  
Acting Co-Chairperson



**NORTHEAST OHIO PUBLIC ENERGY COUNCIL**

June 14, 2011

**NOPEC GAS PURCHASES CONTINUE TO BE VERY LOW FOR THE SUMMER AND EARLY FALL**

NOPEC has been able to continue with very good prices for our member communities in both the Dominion East Ohio area and the Columbia gas area through the Summer and into the early Fall.

In the Dominion East Ohio area our current price is \$5.98 /mcf. This price will continue through the meter reading in October.

In the Columbia gas area our current price is \$6.15 / mcf (\$.615/ccf). This price will continue through the meter reading in September.

Prices have begun to increase and they are higher for late fall and winter than they had been recently. NOPEC will continue to monitor these prices. We do not want to purchase too early if the prices should, once again, decline. We also don't want to wait too long as we look at the potential of higher prices in the near future.

We will keep you posted as we continue to monitor the gas market.

Remember, that if anyone has specific questions about either gas or electric, it is better to first refer them to our call centers and the call centers have their information and should be able to give them immediate answers to their questions. These numbers are:

**GAS: 888.848.7914**

**ELECTRIC: 800.292.9284**

If you have a problem that requires more detailed assistance, please call Judy Goslin or me at 440.248.1992.

Leigh Herington, Executive Director



# CITY OF KENT, OHIO

## DEPARTMENT OF PUBLIC SERVICE

June 10, 2011

To Whom It May Concern:

Permission has been granted by the City of Kent to students of Kent State University, Biological Sciences to use City of Kent property located off of Powdermill Road for educational purposes during the summer of 2011.

Please contact Gene Roberts, Director of Public Service at 330-678-8105 regarding any questions or concerns.

Sincerely,

Eugene K. Roberts, P.E.  
Director of Public Service

CC: Dave Ruller, City Manager  
Bill Lillich, Safety Director  
Steve Hardesty, Water Treatment Plant Manager

City of Kent, Ohio, is an Equal Opportunity Employer. All persons are encouraged to apply.

930 Overholt Road, Kent, OH 44240 • (330) 678-8105 • Fax: (330) 673-1893 •

[www.kentohio.org](http://www.kentohio.org)



KENT CITY PLANNING COMMISSION  
BUSINESS MEETING  
JUNE 21, 2011

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

**AGENDA**

I. **CALL TO ORDER**

II. **ROLL CALL**

III. **READING OF PREAMBLE**

IV. **ADMINISTRATION OF OATH**

V. **MEETING MINUTES** May 17, 2011

VI. **CORRESPONDENCE**

VII. **OLD BUSINESS**

VIII. **NEW BUSINESS**

- A. PC11-015 EDWARDS COMMUNITIES DEVELOPMENT CO.  
S. Lincoln Street, E. Summit Street and Morris 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 student housing complex. The subject property is zoned R-3: High Density Residential and request to utilize the Residential Redevelopment Overlay District.

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

- B. PC11-014 CVS Drug Store  
500 S. Water Street  
Conditional Zoning Certificate & Site Plan Review

The applicant is requesting a Conditional Zoning Certificate and Site Plan Review and Approval in order to raze the existing CVS Drug Store and two adjacent structures in order to rebuild a new CVS Drug Store and a drive-thru pharmacy. The subject property is zoned R-C: High Density Multifamily- Commercial District.

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

IX. **OTHER BUSINESS**

X. **ADJOURNMENT**



# CITY OF KENT, OHIO

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## DEPARTMENT OF COMMUNITY DEVELOPMENT

**DATE:** June 13, 2011  
**TO:** Kent City Planning Commission  
**FROM:** Jennifer Barone, PE, Development Engineer  
**RE:** Staff Report for the June 21, 2011 Planning Commission Meeting

The following items appear on the agenda for the June 21, 2011 Planning Commission meeting:

**NEW BUSINESS:**

**CASE NO:** PC11-015

**APPLICANT:** Edwards Communities Development Company

**SITE LOCATION:** An irregular shaped parcel which mostly fronts on South Lincoln Street and also has frontage on East Summit Street and Morris Road.

**STATUS OF APPLICANT:** Douglas Partners LLC (Dan Siegel) owns the majority of the properties with four parcels owned by other individuals. The applicant has purchase agreements for the properties.

**REQUESTED ACTION:** Conditional Zoning Certificate and Site Plan Review & Approval to construct a student housing complex

**ZONING:** R-3: High Density Residential and request to utilize the Residential Redevelopment Overlay District

**TRAFFIC:** The parcels are accessed from South Lincoln Street & Morris Road with pedestrian access from East Summit Street

SURROUNDING LAND USES: The property is surrounded by residential uses (single family, rooming house and multi-family).

APPLICABLE CODE SECTIONS: Chapter 1107, 1113, 1125 and 1133 of the Kent Codified Ordinance

ANALYSIS:

*PROJECT DESCRIPTION:*

Edwards Communities Development Company is proposing to construct a student housing facility that consists of 9 three-story buildings to accommodate 246 units and 596 bedrooms, a club house, a maintenance building and a trash compactor, all located on the east side of South Lincoln Street. On the west side of the street there will be 7 cottage style residential buildings with 5 buildings being attached single bedroom units and 2 being two bedroom units for a total of 14 bedrooms in 12 units. The total numbers are 258 units with 596 beds.

The developer is proposing to utilize the Residential Redevelopment Overlay District which was recently enacted. The minimum setbacks and building heights are less stringent (see chart below) except where the development abuts a single family house, but the parking and the open space requirements remain the same as the current underlying zoning district. Landscaping of a dense vegetative buffer is also required adjacent to a single family house.

	Current R-3 Criteria	Overlay Criteria
Density	8 dwelling units/acre	40 bedrooms/acre
Front yard setback	35'	25'
Side yard setback	10'	10' & 25' adjacent to single family
Rear yard setback	30'	30' & 50' adjacent to single family
Building height	35'	40'

The proposed language requires special studies to be conducted to determine the adequacy of and potential impact on existing infrastructure (water service, sanitary sewers, traffic, etc.) and the creation of a residential redevelopment fund fee.

*TRAFFIC/PARKING:*

There will be two ingress/egress driveways from South Lincoln Street and one on Morris Road for the east side of South Lincoln Street. The west side of the street will have a single ingress/egress to a parking area serving the cottages. During construction a sales trailer with a temporary access and parking area will be provided off of East Summit Street. A traffic study was performed to evaluate the impacts to the city street. The results showed that minimal impact on surrounding roadway network is expected. Some of these impacts to the road system will be addressed in the City's capital improvement project, Summit Traffic Signal Coordination Project, where East Summit Street will be reconstructed.

In the original submittal for Planning Commission, the site plan depicted painted cross walks across South Lincoln Street where the east & west driveways align. The

developer was asked to remove this cross walk since mid-block crossings are not encouraged. Staff has reconsidered this matter and determined that it is better to have a visible feature to caution drivers that pedestrians may be crossing in this area.

The project requires 596 parking spaces (one per bed). The plans depict 597 parking spaces of which the developer is requesting to "bank" 37 as shown in the enclosed exhibit. Should the Commission agree with banking the parking spaces, staff recommends execution of a Parking Agreement similar to the one for the Presbyterian Church.

The developer has agreed to provide sidewalk along the east side of South Lincoln Street from the northern property line to East Summit Street. Details for the connection have not been resolved.

*UTILITIES:*

Existing water and sanitary mains will service the utility needs.

*STORMWATER:*

The stormwater runoff will be treated in detention basins (one on each side of the road). The west side will discharge into the existing storm sewer on South Lincoln Street. The east side will discharge to an existing private system. An easement will need to be acquired to utilize the private system.

*SIGNAGE:*

Two signs are proposed which will be located at the Morris Road entrance and the southern South Lincoln Street entrance. There is an error on the sign plan. The Morris Road sign is 22 SF not 38 SF. The signs comply with the zoning code criteria.

*LIGHTING/LANDSCAPING/DUMPSTER:*

Pole lights in the parking lot are proposed for the lighting system as well as lighting on the building for the east side. The proposed west side lighting is only pole lights.

The landscape plan depicts a variety of trees around the buildings and perimeter of the site on the east side. The west side shows trees along the entrance drive and surrounding the parking lot, plus a decorative fence around the buildings and parking lot. The developer has requested input from the neighbors. The neighbors on High Street have provided their input. However, the other neighbors have not had the opportunity. Staff is suggesting that the landscape plan for the open space return to Planning Commission at a later date once additional input has been received.

The trash compactor at the rear of the property is proposed instead of dumpsters.

*PARK FEE*

The developer and the City's Parks & Recreation Director have agreed to a park fee in the amount of \$140,000.

*RESIDENTIAL REDEVELOPMENT FUND FEE*

The developer has agreed to pay the residential redevelopment fund fee in the amount of \$59,600.

*ARCHITECTURAL ADVISORY BOARD:*

The Architectural Review Board reviewed this project on May 17, 2011 and recommended approval.

**VARIANCES:**

This project will be presented to the Board of Zoning Appeals on June 20, 2011 with a request for the following variances:

1. A 30-foot variance from the 6-foot minimum street right-of-way setback to allow an accessory building (the clubhouse) to be 30 feet from the Summit Street right-of-way (Section 1161.14(a)), and
2. A 13-foot variance from the 15-foot maximum accessory building height to allow an accessory building (the clubhouse) to be 29 feet in height (Section 1161.14(a)).

**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 PC11-015, the Planning Commission approve the Conditional Zoning Certificate and Site Plan to construct a student housing complex subject to the following:

1. Technical Plan Review.
2. Installation of sidewalk on the east side of South Lincoln Street from the northern property line to the construction limits for the East Summit Street improvements.
3. Payment of the park fee in the amount of \$140,000.
4. Payment of the residential redevelopment fund fee in the amount of \$59,600.
5. Approval of the variances from the Board of Zoning Appeals.
6. Verification of easements for the storm water management system.
7. Return to Planning Commission with a landscape plan for the open space on the west side of South Lincoln Street.

I move that in Case PC11-015, the Planning Commission approve the banking of parking spaces subject to execution of a Parking Agreement.

I move that in Case PC11-015, the Planning Commission approve the fee in lieu of park land in the amount of \$140,000

List of Enclosures for this Project:

1. Applicant Cover Letter and plans dated June 3, 2011.
2. Petition from the High Street residents dated June 2, 2011.
3. Floors plans and elevations dated June 4, 2011.
4. Letter from Walt Adams dated June 6, 2011.
5. Residential Redevelopment Overlay District ordinance
6. Aerial Topo and Zoning Map.

CASE NO: **PC11-014**

APPLICANT: CVS

SITE LOCATION: 500 South Water Street

STATUS OF APPLICANT: Zaremba Group is the authorized representative for the property owners.

REQUESTED ACTION: Conditional Zoning Certificate and Site Plan Review & Approval to raze the existing CVS Drug store & two adjacent structures and rebuild a new CVS Drug store with a drive-thru pharmacy.

ZONING: R-C: High Density Multifamily - Commercial District

TRAFFIC: The parcel is accessed from South Water Street, West Summit Street and Alley #11

SURROUNDING LAND USES: The property is surrounded by commercial uses on the north and east and residential (multifamily) on the west and south sides.

APPLICABLE CODE SECTIONS: Chapters 1107, 1113, and 1137 of the Kent Codified Ordinance

ANALYSIS:

*PROJECT DESCRIPTION:*

CVS is looking to demolish their existing store and purchase additional acreage to construct a new facility with a drive-thru pharmacy for their retail operations. The new facility will be 13,225 SF.

CVS intends to maintain their pharmacy operation during construction using a temporary trailer on site. Staff has concerns about the security of this trailer. Staff can

review the proposed measures during technical plan review and suggest making this a condition of approval.

**TRAFFIC/PARKING:**

An ingress/egress drive is proposed from West Summit Street which aligns as closely as feasible with the drive for Walgreens on the south side of the street. There are also three drives onto Alley #11, two of which enter the parking lot with two-way traffic and one drive exiting from the drive-thru area (one-way). Staff has estimated the parking need to be 54 spaces and 60 are proposed.

The plans show a 22' wide drive aisle in the parking lot. Although there is no code section, Staff has relied on published standards such as *The Dimensions of Parking* to determine if the layout is adequate. The minimum bumper to bumper space Staff finds acceptable is 60' for a double stacked layout. This would be the 18' space, 24' aisle & 18' space. Staff recommends that the aisle has to be a minimum of 24'.

The Fire Department has requested fire lanes along the north and south sides of the building. Staff suggests making this a condition of approval.

**UTILITIES:**

Existing water and sanitary mains will service the utility needs.

**STORMWATER:**

The storm water runoff will be treated in an underground storage facility. This tank will discharge to the storm sewer on West Summit Street.

**SIGNAGE:**

The developer needs to proceed with the process to obtain a comprehensive sign plan approval per KCO 1165.12 since there are more than 3 signs. The Architectural Review Board and the Planning Commission approval must be obtained.

**LIGHTING/LANDSCAPING/DUMPSTER:**

Pole lights in the parking lot are proposed for the lighting system as well as lighting on the building.

The landscape plan depicts a variety of trees and shrubs distributed around the perimeter of the site on the east side.

The dumpster is located on the west side of the parcel. Garbage pick up will be during non-business hours.

**ARCHITECTURAL ADVISORY BOARD:**

The Architectural Review Board reviewed this project on May 17, 2011 and recommended approval, although they did not care for the new building. Some members of the Board felt they should just add onto the existing building. They felt that this building had a "big box" feel to it, and they did not care for it. They also said that they would rather just have parking on one side of the property instead of two sides. The general consensus was that the building lacks aesthetics and site character. They

did not like that they were taking away green space. They approved the facility because they do not have standards to follow, like they do for downtown projects.

**VARIANCES:**

Variances will need to be obtained from the Board of Zoning Appeals (BZA) for building setback(s) and parking setback(s). At this time there is a discrepancy on where the property lines existing along the south side of the parcels. Once this has been resolved, the project will be scheduled for BZA review.

**RECOMMENDATION:**

Staff cannot recommend approval as submitted. Should the Planning Commission decide to proceed with an approval, the conditions listed below should be considered.

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 PC11-014, the Planning Commission approve the Conditional Zoning Certificate and Site Plan to demolish the existing store and adjacent two structures and reconstruct the store with a drive-thru pharmacy subject to the following:

1. Technical Plan Review.
2. Installation of sidewalk on the south side of West Summit Street adjacent to this parcel.
3. Approval of the variances from the Board of Zoning Appeals.
4. Modification of the parking layout to have 24' aisles.
5. Approval of the comprehensive sign plan.
6. Provide proper security for the temporary trailer as approved by staff.
7. Provide fire lanes along the north and south sides of the building.

**List of Enclosures for this Project:**

1. Applicant Cover Letter dated April 25, 2011.
2. Plans dated June 9, 2011.
3. Sign information dated April 25, 2011
4. Aerial Topo and Zoning Map.

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



# AGENDA

CITY OF KENT  
BOARD OF ZONING APPEALS  
PUBLIC HEARINGS & BUSINESS MEETING  
JUNE 20, 2011  
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. BZ11-010 ELLET SIGN COMPANY / KLABEN FORD LINCOLN,  
INC.  
1089 WEST MAIN STREET

Sections: 1165.05(c)(2)(C) and 1165.05(c)(2)(F)

Requests: The applicant is requesting the following:

- 1) A 62-foot variance from the 50-foot total sign square footage to allow a free-standing sign to be 112 square feet in size (Section 1165.05(c)(2)(C)) and
- 2) A 3.5-foot variance from the 20-foot maximum sign height to allow a free-standing sign to be 23.5 feet in height (Section 1165.05(c)(2)(F)).

1. Public Comment

2. Board of Zoning Appeals Discussion / Action

VII. NEW BUSINESS

A. BZ11-014 IAN SLAYMAKER / TARA GOODE  
439 HARRIS STREET

Section: 1161.14(a)

Requests: The applicant is requesting the following:

- 1) A 15-foot variance from the 60-foot minimum street right-of-way to allow a garage addition to be 45 feet from the

alley (Section 1161.14(a)), and

- 2) A 3-foot variance from the 15-foot maximum accessory building height restriction to allow the garage addition to be 18 feet in height (Section 1161.14(a)).

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

**B. BZ11-015 EDWARDS COMMUNITIES  
VARIOUS PARCELS ON SOUTH LINCOLN, MORRIS,  
AND SUMMIT STREETS**

Section: 1161.14(a)

- Requests:
- 1) A 30-foot variance from the 6-foot minimum street right-of-way setback to allow an accessory building to be 30 feet from the Summit Street right-of-way (Section 1161.14(a)), and
  - 2) A 13-foot variance from the 15-foot maximum accessory building height to allow an accessory building (the clubhouse) to be 29 feet in height (Section 1161.14(a)).

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

**VIII. MEETING MINUTES**

- A. MEETING MINUTES FROM THE APRIL 18, 2011 MEETING
- B. MEETING MINUTES FROM THE MAY 16, 2011 MEETING

**IX. ADJOURNMENT**



# CITY OF KENT, OHIO

## DEPARTMENT OF COMMUNITY DEVELOPMENT

**DATE:** JUNE 10, 2011  
**TO:** KENT CITY BOARD OF ZONING APPEALS  
**FROM:** HEATHER PHILE, DEVELOPMENT PLANNER *HP*  
**RE:** STAFF REPORT FOR THE JUNE 20, 2011 BOARD OF ZONING APPEALS MEETING

The following case appears on the agenda for the June 20, 2011 Board of Zoning Appeals meeting:

### OLD BUSINESS

**CASE NO.:** BZ11-011

**APPLICANT:** Ellet Sign Company / Klaben Ford Lincoln, Inc.

**SITE LOCATION:** 1089 West Main Street

**STATUS OF APPLICANT:** The applicant is the owner of the property and the sign representative for the owner.

**REQUESTED ACTION:** The applicant is requesting the following:

- 1) A 62-foot variance from the 50-foot total sign square footage to allow a free-standing sign to be 112 square feet in size (Section 1165.05(c)(2)(C)) and
- 2) A 4.25-foot variance from the 20-foot maximum sign height to allow a free-standing sign to be 24.25 feet in height (Section 1165.05(c)(2)(F)).

**ZONING:** This property is currently located in the IC-R: Intensive Commercial – Residential Zone District.

**TRAFFIC:** The property is accessible from West Main Street.

**SURROUNDING LAND USES:** The property is surrounded by similar commercial uses on all sides.

**APPLICABLE CODE SECTIONS:** 1165.05(c)(2)(C) and 1165.05(c)(2)(F)

**ANALYSIS:**

Page 2  
Board of Zoning Appeals Staff Report  
June 20, 2011 meeting

The subject property is located at 1089 West Main Street and is currently home to Klaben Ford Lincoln dealership. The property is located in the IC-R: Intensive Commercial – Residential zone district.

The applicant is requesting a variance to allow a new sign to be erected. In December of 2009, the applicant was approved to have an 89.4 square foot free-standing sign. With the discontinuing of the Mercury brand, the Ford corporate office is requiring a new sign be placed at this location. The new sign will have the Lincoln name and logo only and is proposed to be approximately 112 square feet in overall size and will be over the 20-foot maximum height requirement. The applicant is therefore requesting two variances to allow the new sign to be constructed.

The new sign code that is now in effect states that the overall maximum square footage for signage in the IC-R district is no more than 100 feet for all signs and the maximum height for a pole sign is 20 feet. With the proposed new sign and the existing building signs, the total signage on the property will be 251.4 square feet. The applicant does not proposed any changes to the signs on the building at this time.

UPDATE

No new information has been submitted for the sign. The sign contractor has stated they will present the same sign to the Board again, but will have a representative from Klaben present at the hearing to answer any questions.

NEW BUSINESS

CASE NO.: BZ11-014

APPLICANTS: Ian Slaymaker and Tara Goode

SITE LOCATION: 439 Harris Street

STATUS OF APPLICANT: The applicants are the owners of the property.

REQUESTED ACTION: The applicants are requesting the following:

- 1) A 15-foot variance from the 60-foot minimum street right-of-way to allow a garage addition to be 45 feet from the alley (Section 1161.14(a)), and
- 2) A 3-foot variance from the 15-foot maximum accessory building height restriction to allow the garage addition to be 18 feet in height (Section 1161.14(a)).

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

TRAFFIC: The property is accessible from Harris Street and the alley behind the property.

SURROUNDING LAND USES: The property is surrounded by similar residential uses on all sides.

APPLICABLE CODE SECTION: 1161.14(a)

ANALYSIS:

This property is located at 439 Harris Street and is a single family dwelling. This property is currently zoned R-3: High Density Residential.

The applicants explain that they wish to add onto their existing detached garage by going both up and out. The applicant explains that they would like to add a higher roof to allow for more storage. When measured to the midpoint of the new roof, the applicants have 18 feet, where 15 feet is the maximum for accessory buildings. They also explain they would like more room in the garage for storage and maintenance of vehicles and for a workshop. They would like to add additional square footage that will make the garage 45 feet from the rear property line, which is on the alley behind the house. Since this is a public right-of-way, 60 feet is the required setback. If the alley were not behind the house, the applicants would only have to be 10 feet from the property line. Thus, they would meet the accessory building setback. The applicants have chosen a style for the addition that will fit in with the current house and neighborhood.

The City of Kent zoning code states the minimum setback for an accessory structure is 60 feet from any right-of-way. The alley is a public right-of-way, making the setback 60 feet. The maximum height of an accessory building is 15 feet. The height of the detached structure is measured from grade to the midpoint of the roof.

CASE NO.: **BZ11-015**

APPLICANT: **Edwards Communities**

SITE LOCATION: Various parcels on South Lincoln, Summit, and Morris Streets

STATUS OF APPLICANT: The applicant is the potential owner of the properties.

REQUESTED ACTION: The applicant is requesting the following:

- 1) A 30-foot variance from the 60-foot minimum street right-of-way setback to allow an accessory building (the clubhouse) to be 30 feet from the Summit Street right-of-way (Section 1161.14(a)), and
- 2) A 13-foot variance from the 15-foot maximum accessory building height to allow an accessory building (the clubhouse) to be 29 feet in height (Section 1161.14(a)).

ZONING: All of the properties are currently located in the R-3: High Density Residential Zone District. The new Residential Redevelopment Overlay was requested.

TRAFFIC: The project will be accessible from Morris and South Lincoln Streets. The clubhouse has pedestrian access only from Summit Street and from the rest of the apartment complex.

SURROUNDING LAND USES: The properties are surrounded by the University on the north and mixed residential uses on the south, east and west.

APPLICABLE CODE SECTIONS: 1161.14(a)

ANALYSIS:

This project involves multiple parcels on South Lincoln, Morris, and Summit Streets. The parcels are a mixture of vacant land, single family dwellings, and rooming houses. All of the parcels are currently zoned R-3: High Density Residential. The applicant is proposing to construct multi-family apartment buildings and a clubhouse and is requesting to use the new Residential Redevelopment Overlay.

The applicants are requesting two variances for the building height and setback of the clubhouse building. The proposed clubhouse will be a two story building that will house the sales office, a one bedroom unit example, a game room, lounge area, fitness room, a theater, mail collection area, and will have storage areas for the pool equipment and other mechanical equipment. The applicants would like the building to fit in with the rest of the project, and they feel that a shorter, one story building would be out of place with the current neighborhood and with what is projected. They are asking that the height of the building be allowed up to 29 feet, instead of the 15 feet that is permitted under the accessory building regulations. They are also requesting that the front setback be permitted to be at 30 feet, instead of 60 feet that the regulations state. The front of this building would be consistent with the rest of the existing buildings that line Summit Street. The applicant explain that only the eastern corner of the building will be at 30 feet from the front property line, the rest of the building will be behind this, since it doesn't follow the angle of the road. The new Residential Redevelopment Overlay allows for a front setback of 25 feet.

The City of Kent Zoning Code states that accessory buildings need to have a 60 foot setback from the right-of-way and the maximum height allowed is 15 feet. The clubhouse is considered an accessory structure. The height of the detached structure is measured from grade to the midpoint of the roof.

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