

# Kent Police Department

## MEMORANDUM

**To:** Dave Ruller, City Manager  
Leslie Seefried, Interim Clerk of Council  
**From:** Chief Michelle A. Lee  
**Date:** Sept. 7, 2016  
**Subject:** Request for council consideration

Ohio Revised Code sections 3345.04 and 3345.041 require state agencies, Kent State University Police Department, have filed signed documents outlining mutual aid agreements. The agreements are four years in length and dated coverage extends to Sept. 14<sup>th</sup>.

Chief Tondiglia and I have reviewed the document and updated it minimally where our "Joint Patrol District" borders are defined. The borders used to extend from Lincoln St. west to S. Depeyster and now only extends west to Tonkin Ct. This change was made not to include the new police department location. There were no other alterations to the document other than date changes.

I would appreciate your attention to this matter so we may minimize the absence of mutual aid coverage by KSUPD

**CITY OF KENT AND KENT STATE UNIVERSITY MUTUAL AID AGREEMENT FOR  
EMERGENCY POLICE SERVICES AND JOINT POLICE PATROL AUTHORITY**

**THIS AGREEMENT** made this \_\_\_\_\_ day of, \_\_\_\_\_ 2016, by and between the City of Kent, Ohio, hereinafter called the "CITY", acting pursuant to Ordinance No. \_\_\_\_\_, passed \_\_\_\_\_, and Kent State University, hereinafter called the "UNIVERSITY", acting pursuant to Resolution No. \_\_\_\_\_, passed by its Board of Trustees on \_\_\_\_\_.

**WITNESSETH:**

**WHEREAS**, the CITY and the UNIVERSITY maintain separate police departments pursuant to Sections 3 and 7 of Article XVIII of the Ohio Constitution and the Ohio Revised Code Section 3345.04 AND 3345.041 respectively; and

**WHEREAS**, the CITY and the UNIVERSITY desire to provide for the mutual assistance and interchange and use of their police personnel and equipment in situations where one department needs and requests the assistance of the other; and

**WHEREAS**, the CITY, by virtue of Article XVIII of the Ohio Constitution, and the UNIVERSITY, by virtue of Ohio Revised Code Section 3345.041, are empowered to provide such mutual assistance by means of this Agreement;

**NOW, THEREFORE**, in consideration of the promises and obligations which are hereinafter set forth, the parties hereto agree as follows:

1) The law enforcement officers of the University shall have full authority to enforce both state laws and municipal ordinances while outside the jurisdiction of the University and in the Jurisdiction of the City if:

a) University officers observe violations or are responding to calls for services within the geographical boundaries of the joint patrol district, within the City of Kent. The joint patrol district is defined by the area described within the perimeter of the following streets: South Lincoln St. from Main St. southward to Summit St., west to Tonkin Ct., north to Haymaker Parkway, northeast to E. Main St., east to N. Lincoln St., north to Crain Ave., southeast to Wilson Ave., and southward to E. Main St., and westward on E. Main St. to the beginning point. The full right-of-way of each of these streets shall be included in the district; or

b) They are participating in a cooperative enforcement effort that has been approved in advance by the officers in charge of both jurisdictions; OR

c) Their assistance is requested by the police officer in charge of the city staff, and such assistance is approved by the police officer in charge of the University unless exigent circumstances necessitates the on-scene officer(s) to request the approval for assistance without delay.

d) University officers are working a joint patrol unit with a City officer, pursuant to program guidelines established in a memorandum of understanding between the two agencies.

2) The law enforcement officers of the City shall have the same authority provided to officers of the University within the same geographical boundaries of the joint patrol district, in other areas of the university upon approval as provided for in Section 1(b), or when their assistance is requested by the police officer in charge of the university staff and such assistance is approved by the police officer in charge of the City unless exigent circumstances necessitates the on-scene officer(s) to request the approval for assistance without delay.

3) The necessity, availability, and use of police equipment or personnel requested shall be subject to priority of use by the responding party within its own territorial limits. The discretion as to what police resources are necessary or available to the responding party for use in the emergency or disaster, lies solely with the Chief of Police of the responding party's police department, or designate. It is agreed there shall be no reimbursement by either party for loss or damage to equipment of the other while engaged in activity pursuant to this agreement.

4) Further, the parties may enter into mutual assistance for criminal investigations, or other public safety related functions which transcend the individual jurisdictional boundaries of the individual agencies. In such a circumstance, the parties may agree to enter into written memoranda of agreement regarding the nature and scope of such a joint operation.

5) When the UNIVERSITY's police officers are rendering assistance to the CITY in areas within the corporate limits of the CITY and not on UNIVERSITY property, they shall have full police authority commensurate with the authority enjoyed by the CITY's police officers.

6) In the event police resources are actively engaged within the territorial limits of the requesting party and such responding resources are required in the home area, the right is reserved to withdraw any and all of such police personnel and equipment for servicing the home area. It is agreed that no liability shall arise in any event for a failure to respond to a police emergency from a requesting party or for the necessary withdrawal of police facilities by either hereto.

7) A reasonable charge, as mutually agreed upon by the parties, may be made or levied for the services furnished in non-emergency situations by either party pursuant to the Agreement. Each party shall assume the expense of loss or damage to equipment or apparatus that may occur while in the requesting party's territorial limits or while responding to a call pursuant to this Agreement. The CITY will not indemnify and hold harmless the UNIVERSITY for any damages awarded by the Court of Claims in any civil action arising from any action or omission of any UNIVERSITY law enforcement officer acting pursuant to the Agreement. The UNIVERSITY will not indemnify and hold harmless the CITY for any damages awarded by the Court of Claims in any civil action arising from any action or omission of any CITY law enforcement officer acting pursuant to the Agreement. In addition, to the extent provided for in Ohio law, each party expressly waives any and all claims against the other party for compensation for any loss, damage, personal injury or death occurring as a result of or in connection with the performance of this Agreement.

8) All personnel of the responding agency, when responding to a call from a requesting agency, shall be acting within the scope of their employment of the responding party while en route to, en route from and while acting within the territory of the requesting party and shall report promptly to the senior ranked officer of the requesting party or other officer requesting assistance.

9) When additional assistance is called, pursuant to the terms of this contract, the senior police officer of the requesting party present and in charge of the department of such party shall have full charge of and authority over any assisting equipment and personnel responding pursuant to such a call.

10) Police officers who are rendering emergency assistance to the other department shall be entitled to all the rights and benefits of the Chapter 4123 of the Ohio Revised Code and the police pension fund, as applicable, to the same extent as when performing services within their respective territories.

11) Radio communication between parties shall be conducted on radio frequencies shared by both parties.

12) Neither of the parties hereto shall be liable for any damages to the other party for failure to answer, neglect in answering any call for additional police protection, for inadequacy, negligent operation of equipment and apparatus, for any cause whatsoever growing out of such use of said equipment and apparatus, or lack of performance of duties by police department members. Neither of said parties shall be liable in any manner or event for damages for personal injuries suffered by any member of said police department of the other contracting party hereto.

13) This Agreement shall be in effect for the period beginning \_\_\_\_\_, provided however, that either party may withdraw from such mutual aid agreement upon giving the other party at least sixty (60) days prior written notice to such effect.

14) The parties agree herewith to an annual review of administrative procedures, policies, and their effects as may relate to the operation of this Agreement.

15) This Agreement contains the entire agreement between the parties hereto and shall not be modified, amended or supplemented or any rights herein waived, unless such amendment or modification to this Agreement is (1) in writing; (2) refers to this Agreement and (3) executed by an authorized representative of each party. This Agreement supersedes any and all previous agreements, whether written or oral, between the parties.

Signatures on the following page

**INTENDING TO BE LEGALLY BOUND**, said parties hereby have, upon the dates hereinafter set forth, caused this Agreement to be executed.

**KENT STATE UNIVERSITY:**

BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
Mark Polatajko  
Senior Vice President  
Division of Business & Finance

**CITY OF KENT, OHIO:**

BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
David Ruller  
City Manager



# 2014 ANNUAL CONCRETE REPAIR PROGRAM

Ohio Revised Code 715.261

Kent Codified Ordinance 521.06

	<u>PARCEL I.D. #</u>	<u>ADDRESS</u>	<u>PROPERTY OWNER</u>	<u>AMOUNT</u>
1	17-005-00-00-002-000	1249 Morris Rd.	Mitchell V. Reed	\$648.66
2	17-005-10-00-038-000	1437 Morris Rd.	Barbara Bellamy	\$386.13
3	17-005-10-00-072-000	1519 Morris Rd.	Robert & Lou Anna Fisher	\$712.14
4	17-025-10-00-005-000	216 Lowell Dr.	James & Megan Geldhof	\$282.00
5	17-025-10-00-007-000	226 Lowell Dr.	Sean Ammon	\$117.50
6	17-006-20-00-001-000	1597 S. Water St.	Fifth Third Bank	\$2,148.30
7	17-006-20-00-044-000	1605 S. Water St.	Jonathan & Stacey LTD	\$816.97
8	17-025-10-00-071-000	315 Park Ave.	Sherry Cooper	\$94.00
TOTAL				\$5,205.70



## KENT FIRE DEPARTMENT MONTHLY INCIDENT REPORT JULY 2016

### FIRE INCIDENT RESPONSE INFORMATION

#### Summary of Fire Incident Alarms

	CURRENT PERIOD			YEAR TO DATE		
	2016	2015	2014	2016	2015	2014
City of Kent	59	60	40	354	348	326
Kent State University	5	3	6	33	28	46
Franklin Township	13	11	8	77	75	56
Sugar Bush Knolls	0	0	0	1	0	4
Brady Lake Village	3	1	0	10	4	0
Mutual Aid Given	3	3	2	18	25	31
<b>Total Fire Incident Alarms</b>	<b>83</b>	<b>78</b>	<b>56</b>	<b>493</b>	<b>480</b>	<b>463</b>

#### Summary of Mutual Aid Received by Location

City of Kent	2	3	1	5	6	4
Kent State University	0	0	0	0	0	0
Franklin Township	1	0	0	2	2	1
Sugar Bush Knolls	0	0	0	0	0	0
Brady Lake Village	0	0	0	1	0	0
<b>Total Mutual Aid</b>	<b>3</b>	<b>3</b>	<b>1</b>	<b>8</b>	<b>8</b>	<b>5</b>

### EMERGENCY MEDICAL SERVICE RESPONSE INFORMATION

#### Summary of Emergency Medical Service Responses

	CURRENT PERIOD			YEAR TO DATE		
	2016	2015	2014	2016	2015	2014
City of Kent	189	202	187	1307	1329	1262
Kent State University	6	11	7	170	162	176
Franklin Township	34	35	41	256	233	230
Sugar Bush Knolls	0	0	0	4	6	2
Brady Lake Village	1	2	0	13	14	0
Mutual Aid Given	3	4	2	13	18	22
<b>Total Emergency Medical Service Responses</b>	<b>233</b>	<b>254</b>	<b>237</b>	<b>1763</b>	<b>1762</b>	<b>1692</b>

#### Summary of Mutual Aid Received by Location

City of Kent	2	0	1	8	7	13
Kent State University	0	0	1	1	1	2
Franklin Township	0	0	0	3	0	2
Sugar Bush Knolls	0	0	0	0	0	0
Brady Lake Village	0	0	0	2	0	0
<b>Total Mutual Aid</b>	<b>2</b>	<b>0</b>	<b>2</b>	<b>14</b>	<b>8</b>	<b>17</b>

#### TOTAL FIRE AND EMERGENCY MEDICAL SERVICE RESPONSE INCIDENTS

	<b>316</b>	<b>332</b>	<b>293</b>	<b>2256</b>	<b>2242</b>	<b>2155</b>
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#### TOTAL ALL RESPONSES, INCLUDING MUTUAL AID

	<b>321</b>	<b>335</b>	<b>296</b>	<b>2278</b>	<b>2258</b>	<b>2177</b>
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**CITY OF KENT  
BOARD OF ZONING APPEALS  
PUBLIC HEARING & BUSINESS MEETING  
SEPTEMBER 19, 2016  
7:00 PM  
FIRE DEPARTMENT TRAINING ROOM  
320 SOUTH DEPEYSTER STREET**

**I. CALL TO ORDER**

**II. PLEDGE**

**III. ROLL CALL**

**IV. PREAMBLE**

**V. ADMINISTRATION OF THE OATH**

**VI. OLD BUSINESS**

**A. BZ15-013 HALLMARK CAMPUS COMMUNITIES  
1700 HOLLY DRIVE**

Sections: 1135.03(b)(3), 1171.01(22)(a-f), and 1171.01(37)(h)

Requests: The applicant is requesting the following:

- 1) A 55-foot variance from the 100-foot minimum lot width at the building line to allow a new multi-family project to have a lot width of 45 feet along Holly Drive (Section 1135.03(b)(3)),
- 2) A variance from Section 1171.01(22)(a-f) to allow the proposed project to not have a courtyard, and
- 3) A variance from Section 1171.01(37)(h) to allow 9'x18' size parking spaces instead of 200 sq. ft. parking spaces, at the rate of 1 parking space per bedroom, and to allow the parking spaces to be closer than 20 feet from the proposed structures.

**1. Public Comment**

**2. Board of Zoning Appeals Discussion / Action**

**VII. NEW BUSINESS**

**A. BZ16-022 RICHARD & LINDA ZUCCA  
1571 ELIZABETH COURT**

Section: 1129.04(a)

Request: The applicant is requesting an 11-foot variance from the 45-foot minimum front yard setback requirement to allow a

new

home to be constructed 34 feet from the front property line (Section 1129.04(a)).

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

**B. BZ16-023 JO LEIGH LYONS  
907 CRAIN AVENUE**

Section: 1161.21(a)

Request: The applicant is requesting a variance from Section 1161.21(a) to allow 16 feet of 6-foot high fencing in the front yard.

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

**C. BZ16-024 CITY OF KENT PARKS DEPARTMENT  
300 STOW STREET**

Sections: 1171.01(1), 1127.04(a), and 1167.11(a)

Requests: The applicant is requesting the following:

- 1) A 91-foot variance from the 100-foot activity setback requirement to allow a parking area to be 9 feet from the front property line along Stow street (Section 1171.01(1)),
- 2) A 91-foot variance from the 100-foot minimum front yard setback to allow the parking lot to be 9 feet from the front property line (Section 1127.04(a)), and
- 3) A variance to allow parking within the front yard setback (Section 1167.11(a)).

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

**VIII. MEETING MINUTES**

- A. **Minutes from the July 18, 2016 meeting**
- B. **Minutes from the August 15, 2016 meeting**

**IX. OTHER BUSINESS**

- A. **Pursuant to Planning Commission request, discussion of BZA Member's rationale for vote in BZ16-018a**

**X. ADJOURNMENT**



# CITY OF KENT, OHIO

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## DEPARTMENT OF COMMUNITY DEVELOPMENT

**DATE:** SEPTEMBER 9, 2016  
**TO:** KENT CITY BOARD OF ZONING APPEALS  
**FROM:** HEATHER PHILE, DEVELOPMENT PLANNER  
**RE:** STAFF REPORT FOR THE SEPTEMBER 19, 2016 BOARD OF ZONING APPEALS MEETING

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The following cases appear on the agenda for the September 19, 2016 Board of Zoning Appeals meeting:

### OLD BUSINESS

**CASE NO.:** BZ15-013

**APPLICANT:** HALLMARK CAMPUS COMMUNITIES

**SITE LOCATION:** 1700 Holly Drive

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

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

- 1) A 55-foot variance from the 100-foot minimum lot width at the building line to allow a new multi-family project to have a lot width of 45 feet along Holly Drive (Section 1135.03(b)(3)),
- 2) A variance from Section 1171.01(22)(a-f) to allow the proposed project to not have a courtyard, and
- 3) A variance from Section 1171.01(37)(h) to allow 9'x18' size parking spaces instead of 200 sq. ft. parking spaces, at the rate of 1 parking space per bedroom, and to allow the parking spaces to be closer than 20 feet from the proposed structures.

**ZONING:** This property is currently located in the R-4: Multi-family Residential and the C-R: Commercial – High Density Multi-family Residential Zoning Districts.

**TRAFFIC:** The property is accessible from Holly Drive.

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

APPLICABLE CODE SECTIONS: 1135.03(b)(3), 1171.01(22)(a-f), and 1171.01(37)(h)

ANALYSIS:

SEPTEMBER UPDATE

The project is now only within the City of Kent jurisdiction. The applicants are now proposing to construct a total of 98 units within two structures. Both structures will be four stories in height. The units will be a mix of one- and two-bedrooms, totaling 184 beds.

The variances that are being requested are: lot width at the building line, relief from the courtyard requirements, and relief from conditions in Chapter 1171.

The first request is a variance from the lot width at the building line. This property is an odd-shape lot with a narrow strip that comes out to Horning Road. The narrow strip is a 45-foot wide access road into the project. The access road is also a walking path to Holly Park Apartments that will remain.

The second variance request pertains to the courtyard requirement as listed in Chapter 1171 under the Group Dwelling listing. The section of the code states that in a group dwelling project, all of the buildings should face a courtyard. This project has two buildings not located near each other, so a courtyard is not proposed. The applicant explains that the shape of the parcel helped determine the location of the buildings, and a variance from this section will be required.

The third variance request is relief from the parking requirements listed in Chapter 1171. This section is in conflict with the parking chapter 1167. Since we defer to the more stringent code when there are conflicts, Section 1171.01(37)(h) would be followed. With the current site plan, the applicant would meet the regulations for the parking ratio, parking space sizes, and parking location in relation to the buildings that are listed in Chapter 1167, and therefore, they would like to use that section of the code.

The following is from the previous staff reports regarding this project:

This project involves multiple parcels, some in the City, and others within Franklin Township. The parcels that are within the city limits is located at 1700 Holly Drive and is zoned C-R: Commercial – High Density Multi-family residential, with a small strip of property zoned R-4: Multi-family residential (Holly Drive). This property south of Holly Park Apartments and currently has a vacant single family dwelling. The parcels that are within Franklin Township will be used for parking for the proposed project, as well as be available for park and ride opportunities. There will be access to East Main Street through an easement between the former CVS property and Sheetz. The two parcels will remain separated, but tied together through a deed restriction. The applicant will go before the Planning Commission for site plan approval and conditional zoning certificate for rooming house on October 6, 2015.

The applicant is proposing to construct three new three-story buildings that will house 98 units total, with 362 beds. The units will be a mixture of four bedroom and two-bedroom units, with the majority being four bedroom units. There will be green space and a community center that will have an exercise room, computers, and other amenities for the residents.

The applicant is requesting a variance from the rear yard setback to allow Building 2 to be constructed 10 feet from the property line. They explain that since the parcel has an irregular

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**September 19, 2016 meeting**

shape, the building placement in this location would make the most logical sense, with room for parking and for enough clearance for traffic to travel through the site.

Upon review of the application and site plan, it was also discovered that the entry sign will not meet the zoning regulations. The proposed sign will be located at the entrance to the site on Horning Road. The sign as it was presented will be 64.75 square feet in size, where 40 square feet is the maximum allowed for an entry sign.

UPDATE

The applicant has modified the overall size of the entry sign, which will now meet the code. The rear yard setback was re-reviewed and the agenda and staff report have been updated to read the correct variance request.

February 2, 2016 UPDATE

The applicant's request at the Franklin Township Zoning Appeals was denied, therefore this project is on hold with the City until further notice.

NEW BUSINESS:

- CASE NO.: **BZ16-022**
- APPLICANT: **RICHARD & LINDA ZUCCA**
- SITE LOCATION: 1571 Elizabeth Court
- STATUS OF APPLICANT: The applicant is the owner of the property.
- REQUESTED ACTION: The applicant is requesting an 11-foot variance from the 45-foot minimum front yard setback requirement to allow a new home to be constructed 34 feet from the front property line (Section 1129.04(a)).
- ZONING: This property is currently located in the R-1: Low Density Residential Zoning District.
- TRAFFIC: The property is accessible from Elizabeth Court.
- SURROUNDING LAND USES: The property is surrounded by residential uses on the east, west, and south sides and by the Cuyahoga River on the north side.
- APPLICABLE CODE SECTION: 1129.04(a)

ANALYSIS:

This property is located at 1571 Elizabeth Court. This property is currently a vacant parcel and is zoned R-1: Low Density Residential.

The applicant would like to request a variance from the minimum 45-foot front yard setback requirement to allow a 34-foot setback at the left front corner of the home. The front right corner of the home (where the garage is proposed) will meet the 45-foot minimum front setback. Since the road curves into the cul-de-sac, the front setback also curves, creating an awkward front

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**September 19, 2016 meeting**

setback line. The applicant explains that the home needs to be moved up due to poor soil conditions in the rear of the property. The slope in the rear yard also presents difficulties for building the new home.

The minimum front yard setback in the R-1 zoning district is 45 feet. The applicant is requesting that the front setback be reduced to 34 feet on the left front corner of the house.

CASE NO.: **BZ16-023**

APPLICANT: **JO LEIGH LYONS**

SITE LOCATION: 907 Crain Avenue

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

REQUESTED ACTION: The applicant is requesting a variance from Section 1161.21(a) to allow 16 feet of 6-foot high fencing in the front yard.

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

TRAFFIC: The property is accessible from Crain Avenue or Wilson Drive.

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

APPLICABLE CODE SECTION: 1161.21(a)

ANALYSIS:  
This property is located at 907 Crain Avenue and is currently a single family dwelling. The property is zoned R-3: High Density Residential.

The applicant is proposing to retain 16 feet of 6-foot high wood privacy fencing along the east property line that extends past the front face of the house. The applicant explains that their property sits lower than the neighboring property and to have four foot panels instead would not give them the added privacy that they would like.

The City of Kent fence regulations state the maximum height in the front yard is 4 feet and the maximum in the rear and side yards is 6 feet. The applicant is requesting two 8 foot panels of the fence to be permitted in front of the house.

CASE NO.: **BZ16-024**

APPLICANT: **CITY OF KENT PARKS DEPARTMENT**

SITE LOCATION: 300 Stow Street

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

REQUESTED ACTIONS: The applicant is requesting the following:

- 1) A 91-foot variance from the 100-foot activity setback requirement to allow a parking area to be 9 feet from the front property line along Stow street (Section 1171.01(1)),
- 2) A 91-foot variance from the 100-foot minimum front yard setback to allow the parking lot to be 9 feet from the front property line (Section 1127.04(a)), and
- 3) A variance to allow parking within the front yard setback (Section 1167.11(a)).

ZONING: This property is currently located in the O-R: Open Space – Recreational Zoning District.

TRAFFIC: The property is accessible from Stow Street.

SURROUNDING LAND USES: The property is surrounded by residential on the north and west sides and the Cuyahoga River and the railroad on the east and south sides.

APPLICABLE CODE SECTIONS: 1171.01(1), 1127.04(a), and 1167.11(a)

ANALYSIS:

This property is located at 300 Stow Street and is currently zoned O-R: Open Space – Recreation. This property is commonly known as John Brown Tannery Park. The site plan was reviewed and approved by the Planning Commission on September 6, 2016.

The City of Kent Parks and Recreation department is requesting three variances to expand the parking area of Tannery Park. Through a grant, the Parks Department is proposing to expand the current lot with 18 parking spaces to 36 parking spaces. Pervious pavers will be used to decrease stormwater runoff.

The first variance request is relief from the 100-foot activity setback as outline in Section 1171.01(1) of the zoning code. The proposed lot will be 9 feet from the front property line. The existing parking area already sits 9 feet from the front property line, and with the modifications that are proposed, the setback will remain at 9 feet.

The second variance request is relief from the 100-foot minimum front yard setback the third variance request pertains to the parking within the front yard setback. Both variance requests are asking for permission to allow the parking area to remain to be 9 feet from the front property line.

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

**KENT CITY PLANNING COMMISSION  
BUSINESS MEETING  
SEPTEMBER 20, 2016**

**FIRE DEPARTMENT  
LOWER LEVEL  
320 S. DEPEYSTER STREET  
7:00 P.M.**

**I. CALL TO ORDER**

**II. ROLL CALL**

**III. READING OF PREAMBLE**

**IV. ADMINISTRATION OF OATH**

**V. CORRESPONDENCE**

**VI. OLD BUSINESS**

**VII. NEW BUSINESS**

**A. PC16-019 FAMILY & COMMUNITY SERVICES  
143 Gougler Avenue  
Site Plan Review**

**The applicant is seeking Site Plan Review & Approval in order to construct a 3,900 SF two story addition on the north side of building. The subject property is zoned N-C: Neighborhood Commercial District.**

- 1) Public Comments**
- 2) Planning Commission Discussion/Addition**

**VII. OTHER BUSINESS**

**IX. ADJOURNMENT**





# CITY OF KENT, OHIO

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## DEPARTMENT OF COMMUNITY DEVELOPMENT

**DATE:** September 12, 2016  
**TO:** Kent City Planning Commission  
**FROM:** Jennifer Barone, PE, Development Engineer  
**RE:** Staff Report for the September 20, 2016 Planning Commission Meeting

The following items appear on the agenda for the September 20, 2016 Planning Commission meeting:

### **NEW BUSINESS**

**CASE NO:** PC16-019 Family & Community Services Renovation and Addition

**APPLICANT:** Family & Community Services

**SITE LOCATION:** 143 Gougler Avenue

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

**REQUESTED ACTION:** Site Plan Review & Approval to renovate the construct an addition to the existing building.

**ZONING:** N-C: Neighborhood - Commercial District

**TRAFFIC:** The site is accessed from Gougler Avenue.

**SURROUNDING LAND USES:** The property is surrounded by the hiking trail & Cuyahoga River to the east, park land to the north, residential and commercial to the west and commercial to the south.

**APPLICABLE CODE SECTIONS:** Chapter 1113 and 1139 of the Kent Codified Ordinances

ANALYSIS:

*PROJECT DESCRIPTION:*

Family and Community Services would like to consolidate their operations. The proposed project is to expand the current facility at 143 Gougler Avenue. The expansion will consist of constructing a two story addition on the north side with a footprint of 3,900 SF and renovating the existing space for a total of 11,000 SF. The new facility will house medical office/exam rooms, dental office/exam rooms, a pharmacy, a conference room, offices and the current counselling service. Space is also available for future optical (eye) services that may be offered.

*TRAFFIC/PARKING:*

Similar to the downtown district, off street parking is not required in the N-C District. The applicant is to provide a parking plan for residents and employees. Based on the current facilities parking need, the applicant estimates eighteen (18) spaces are needed for patients and thirty (30) spaces for employees. The plan is to install fifteen (15) on-site spaces and use on street parking for the patients. Negotiations are underway to utilize the Kent City School Board parking lot off of North Mantua Street for the thirty (30) spaces for the employees. Since the School Board already has a parking agreement with the Unitarian Universalist Church for this parking area, more time is needed to work out the language of this parking agreement. Due to the difference in usage, there should not be a conflict with sharing these parking spaces.

The Fire Department has concerns about access. Discussions are underway to resolve this matter.

*UTILITIES:*

City utilities exist on Gougler Avenue.

*STORMWATER:*

The applicant is proposing to discharge directly to the river. The philosophy is that the runoff from parcels near the river will drain into the river and flow downstream prior to the river peaking.

*SIGNAGE:*

No new signage is proposed at this time. Any future signage will be taken through the proper review process.

*LIGHTING/LANDSCAPING/DUMPSTER:*

Lighting will consist of wall mounted fixtures.

No additional landscaping is proposed. There is an existing small landscaped area in front of the building and the rear is heavily vegetated.

An enclosed dumpster is proposed in the rear.

**ARCHITECTURAL REVIEW BOARD:**

A Certificate of Appropriateness is needed from the Architectural Review Board. ARB will be considering this request on September 20, 2016. Staff will report on the results at the meeting.

**VARIANCES:**

No variances are required.

**RECOMMENDATION:**

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 PC16-019, the Planning Commission approve the Site Plan to renovate the construct an addition to the existing building located at 143 Gougler Avenue, subject to the following conditions:

1. Submitting for Technical Plan Review.
2. Granting of the Certificate of Appropriateness from the Architectural Review Board.
3. Obtaining a parking agreement with the Kent City School Board.
4. Resolving access for emergency services.

**List of Enclosures for this Project:**

1. Applicant Cover Letter dated August 16, 2016
2. Site Plans received August 3, 2016 and revised sheet received September 12, 2016.
3. Photographs
4. Aerial Topography and Zoning Map

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