

## STOW PLANNING COMMISSION

Minutes of the Stow Planning Commission meeting held on Tuesday, April 25, 2017 at 6:00 p.m.

**MEMBERS PRESENT:** Mr. Brauer, Mr. Kohlmeier, Mr. Ross, Mr. Sprungle

**MEMBERS ABSENT:** Mrs. Harrison.

**ALSO PRESENT:** Director of Planning Rob Kurtz  
Planning Commission Secretary Pamela Daerr

**PRESS REPRESENTATIVE:** Stow Sentry

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Mr. Sprungle called the meeting of the Planning Commission to order at 6: 00 p.m. and asked the audience to stand and say the Pledge of Allegiance. Roll call was taken.

### APPROVAL OF MINUTES:

Mr. Kohlmeier moved and Mr. Brauer seconded the motion to approve the minutes of the March 28, 2017, and April 11, 2017, meetings. The minutes were approved as submitted.

### BUSINESS ITEMS:

#### **P.C. 2017-004 – PROPOSED REZONING FROM R-3 RESIDENTIAL TO R-B RESIDENTIAL BUSINESS; 2099, 2105 & 2111 GRAHAM ROAD**

#### **APPROVED 3-1**

Mr. Kurtz: This is a request by Ms. Magdalena Buzaki (2105 Graham Road) and Frank and Cynthia Mandl (2099 Graham Road) for Planning Commission's approval of the rezoning of their properties from R-3 Residential to R-B Residential Business.

Address	Parcel #	Use	Owner	Lot Area (sq. ft.)
2099 Graham	56-04365	1- Family Dwelling	Frank & Cythy Mandl	24,829
2105 Graham	56-01117	1- Family Dwelling	Magdalena Buzaki	20,038
2111 Graham	56-00552	1- Family Dwelling	Magdalena Buzaki	21,344
(east of 2111)	56-00553	Vacant Lot	Magdalena Buzaki	20,038

The property to the east is zoned R-3 Residential; the property across Graham Road is zoned C-2 Limited Retail and C-3 Community Retail; and the property to the west is zoned R-B Residential Business.

Some considerations for this rezoning from R-3 to R-B are:

1. R-B has traditionally been used as a transition from residential uses to more intense commercial zoning districts. I would say that is the case here.
2. R-B can be distinguished from the commercial districts in a number of ways. The limited range of uses allowed in RB compared to a C-2 or C-3 where more intense commercial uses and drive-thru's are permitted.
3. The parking is required to be located behind the building.
4. In general the architectural style is residential, which is a requirement.

In terms of the old Comprehensive Plan that was adopted in 2001, R-B was the land use for this area. In terms of our updated Comprehensive Plan, specific parcels have not been identified but there is a note in our section 3.3 that indicates R-B should be used as transition zoning between residential and commercial.

This R-B zoning would end where there is a stream east of the vacant parcel at 2111 Graham Road. The stream would serve as a logical buffer for the R-B.

Another factor to consider would be the intersection at Darrow Road and Graham Road has significant traffic in that area suggesting a non-residential use in this area.

To review what the permitted uses are: Office, Retail, Restaurants, Personal Services, Funeral Homes, Bed and Breakfasts, Museums and Studios for Instructions.

The primary types of uses that are in our R-B districts now are: Office and residential make up a significant portion with 27 office uses, 18 residential uses, a handful of service uses, 2 restaurants, a church and a government building.

R-B is located in the City of Stow generally on the edges of where commercial zoning and residential zoning meet.

Mr. Sprungle: We vetted this before. Is there anything substantially different we should be aware of from our previous conversations?

Mr. Kurtz: Not that I am aware of.

Mr. Ross: The 2001 Plan recommended this zoning be changed, fifteen years later is there a reason we haven't changed it?

Mr. Kurtz: Typically the rezoning occurs at the request of the property owner. Typically the City does not unilaterally rezone property. It has not been the general policy.

Mr. Ross: So it's been okay for the last 15 years but something's changed.

Mr. Kohlmeier: The property owners are requesting this.

Mr. Kurtz: In this case the property owners got together and made a request to Planning Commission.

Ms. Ann Voros – 1926 Liberty Road – Stow, OH 44224 – was sworn in by the Planning Commission Secretary.

Is Graham Road going to be widened? What traffic studies have been done in this area? What will the traffic pattern be of the new businesses? Will there be a turn lane? How much frontage will be lost with the road? What type of business and I guess he already did that with R-3? Do you know already what business is being built or bid on in this area? What are the overlay plans for this area? What water assessments have been done and \_\_\_\_ in the area? What are the plans for the driveway between Environmental Science and the coin company?

Mr. Sprungle: These are all good questions; maybe we should take them one at a time? Start with the first one.

Ms. Voros: Is Graham Road going to be widened?

Mr. Kurtz: I am not aware of any plans. There is a project in place right now that the intersection is going to be improved.

Ms. Voros: How far down does that go?

Mr. Kurtz: Just the intersection. It doesn't go to these properties. I am not aware of any plans for widening Graham Road.

Ms. Voros: What traffic studies have been done in that area?

Mr. Kurtz: There are traffic studies done at the corner of Darrow Road and Graham Road that is for sure.

Ms. Voros: What have those results been?

Mr. Kurtz: The study resulted in traffic improvements needed at the intersection.

Ms. Voros: And what are those going to be?

Mr. Kurtz: I do not know the exact improvements. They are going to be limited to the intersection. I am not aware of the actual details. It has to do with turning from south on Darrow Road and turn right to Graham Road. The City Engineer probably has more details on the specifics.

Ms. Voros: Will they be at any of these meetings?

Mr. Sprungle: Quite frankly, this issue isn't about the intersection. As that becomes zoned for business and a business goes there it will impact the traffic but that is not part of Zoning.

Ms. Voros: That's what I mean, what will the traffic pattern be for the new business, because its right, it goes from two lanes there to one lane. Are they going to put a turn lane in?

Mr. Kurtz: Those are all very good questions when it comes to the particular site plan. Those kinds of details in terms of the intersection, where the entrance drives are, any kind of storm water issues, traffic issues etc. Those will all have to be resolved at the time the site plan is submitted for approval.

Ms. Voros: Have they done water assessments in that area?

Mr. Kurtz: I do not know what you mean by water assessments.

Ms. Voros: Because of the flooding issues.

Mr. Kurtz: Again, any development that would require additional building would require them to meet our stormwater management requirements which would include a study.

Ms. Voros: What would be the plans, you're going to keep the 2091 Darrow Road, is that correct, as a residential business. There's not going to be a change to 2091 Darrow Road.

Mr. Kurtz: Correct.

Ms. Voros: So there will be no plans between the driveway between Environmental Science and the Coin Company.

Mr. Kurtz: That has nothing to do with this rezoning. That is correct.

Ms. Voros: What is the timeframe to convert those houses into those businesses?

Mr. Kurtz: That is hard to say. That depends on the property owners and if the properties get sold. There are no specifics in their application. They are just changing the zoning. It doesn't automatically convert them. That is a separate process where the applicant would have to convert those buildings or tear them down and build new.

Ms. Voros: What is the general overlay plans for the future?

Mr. Kurtz: The updated Comprehensive Plan doesn't identify any different uses for this area. In the previous Plan we had a large area identified. I don't know that that policy has changed but that maybe something we can look at in the Comprehensive Plan in that section. This focus area did not have any specific policies other than the R-B as a transition. There are no proposed uses when you talk about the whole area.

What area are you referring to?

Ms. Voros: From the sewer or the drainage ditch. Does that include anything on Liberty Road?

Mr. Kurtz: This specific request does not have anything to do with that. It doesn't involve that; but in terms of the Comprehensive Plan as a focus area we looked at that in 2001, kind of this whole area and kind of extended it out to that drainage ditch as you said. We haven't in our draft Update specifically identified any different uses for there. If it's the Planning Commissions will we can take a second look at that focus area to see if any additional policies are needed. I would be happy to do that.

Ms. Voros: What insurance do you have that, cause I live on Liberty and there is a code you must follow in the City of Stow and one of them is a trash code. No noise if you're a Residential Business. At 5:55 a.m. this morning there is a trash truck at a business. You have many laws, many codes, but if you don't enforce your codes they're nothing. What is the insurance that you're going to enforce your codes?

Mr. Ross: Where was this trash truck?

Ms. Voros: I couldn't tell you. I can tell you where I live. I can tell you it was somewhere you could hear it because it bangs from the lids.

Mr. Kurtz: We have received complaints in various parts of the City about that and it is a noise issue that is restricted between 11:00 p.m. and 7:00 a.m. We have contacted other property owners. If we can identify a specific property, we can send a letter to the property owner. I don't know which property is involved. There are some commercial properties at the intersection of Darrow Road and Graham Road. It could even be across the street.

The Zoning is different when you get to Darrow Road. It is a little more intense commercial compared to the R-B which is more limited.

Ms. Voros: Will there be some sort of barrier between the residential business?

Mr. Kurtz: Yes. Any sort of parking that is required for an R-B use would have to be screened from adjacent residential uses.

Ms. Voros: And you would also be in compliance with handicapped parking also?

Mr. Kurtz: Sure, that is part of the Ohio Building Code. When their plans are reviewed they would have to adhere to that.

Mr. Brauer: Mr. Kurtz, does the City support this proposal?

Mr. Kurtz: I would say it was consistent with the Comprehensive Plan and the recent discussions about this area.

Ms. Christina Shaw – 2151 Graham Road – Stow, Ohio was sworn in by the Planning Commission Secretary.

I am speaking on behalf of several residents actually. Our concern is the traffic pattern. I know you don't know exactly what the business is going to be at the present time. Our concern is, right now I know you cannot talk about this but what about the traffic pattern. Not knowing what the business is, but we're concerned about rezoning it and the traffic right now is horrendous on Graham Road. It seems like the businesses keep moving farther and farther down Graham Road.

Mr. Sprungle: Realistically with an R-B you're not going to get a Target.

Ms. Shaw: We know it's not going to be a Target or a big Walgreens or something like that, but you still get a considerable amount of traffic and a considerable amount of noise.

Mr. Sprungle: Mr. Kurtz mentioned the type of businesses in Stow that are currently in R-B. That might give you an idea of what kind of traffic they might get.

Mr. Kurtz: In general, in the R-B district we have office uses and some service uses; primarily office and residential; two restaurants, one is Parasson's and the other one is Cellar 51 and that is within the whole City. The uses themselves are relatively small buildings so I want to distinguish between the R-B properties compared to a commercial property.

Will there be a business that will generate additional trips because they are there, absolutely. When we say additional trips, there simply isn't enough land to create something large there that would potentially increase the traffic given the amount of traffic on Graham Road.

I can't speak of specifics but no drive-thru's are permitted in an R-B district. Could there be a restaurant, yes there could be.

Mr. Kohlmeier: The two restaurants are significantly larger, correct?

Mr. Kurtz: Right.

Mr. Kohlmeier: This would be pretty tough to get a restaurant there.

Mr. Kurtz: Parasson's was there before the R-B District.

Mr. Sprungle: So we're probably talking about something like a law office where you might have 3 or 4 attorneys working there. So there would be 3 or 4 attorneys parking in the lots during the work days. They might have clients coming in for depositions but it's not like....

Ms. Shaw: We saw a funeral home was an example. Now that gets a considerable amount of traffic.

Mr. Kurtz: It does during certain times. While a funeral home is permitted there, I'm not sure when the last time a funeral home was constructed in Stow.

Mr. Kohlmeier: There would be significant parking requirements which couldn't be met on this site.

Mr. Kurtz: That is the other detriment. It would need a significant amount of parking. There are a number of uses that we don't know until we get an application for it and those will have to be evaluated at that time. There is some uncertainty at this point because all we are doing is rezoning it to this code and whatever you can fit in that property.

Mr. Kohlmeier: The total acreage is less than 2 acres. I was looking at the square footage and it looks like it is about 85,000. I don't see anything big. They will have to come in and get a site plan approved. If you combined all the lots together and made it into a business, on 2 acres they are going to have parking requirements for anything commercial or a restaurant. I'm not saying it's not possible but it's not very likely. It would have to be a very small restaurant that would require very few parking spaces because it just wouldn't fit.

Mr. Sprungle: There isn't enough room to put a lot of parking spaces.

Mr. Kohlmeier: There is another approval process that has to come before Planning Commission before anything could go in there and it would have to go through that process.

Mr. Ross: I think as part of our deliberations for the new Comprehensive Plan there have been discussions about developing some criteria for the development for these types of properties which has not happened yet.

We don't have the kind of controls I think that this committee would like to see. I'm speaking for myself and I think possibly the neighbors who have some concerns about the nature of the

future development that would take place. It would seem obvious these properties would have to be consolidated for any sizeable business and I don't see the likelihood that the individual houses that are on each of those three lots...

Mr. Sprungle: And multiple owners.

Mr. Ross: I mean they could be reused, there's no doubt about that but it would seem somewhat difficult given the restrictions. I think what you are looking at is at some point these four lots would be consolidated and developed as a single unit; in which case I would like to have a little more control over that property if it's going to be a true transition area to the residential developments.

Basically, you've got significant traffic all the way along Graham Road so the impact of this is not going to change much I don't think, given the nature of what's likely to go there. I would just like to see us develop the criteria for this kind of rezoning so we can give residents some confidence that what is going to be developed would be compatible with everything else.

Ms. Voros: [Inaudible] and there is no parks in R-3. There's a park across the street at City Hall but there is no park in Ward 3. Why can't that be put as a park?

Mr. Sprungle: Can a park be put in an R-B.

Mr. Kurtz: I don't know that it is a permitted use in an R-B. I've haven't had that request but that would be up to the owner.

Mr. Ross: It would be a purchase/seller agreement.

Mr. Kurtz: When we rezone a property we have a number of uses that are in that code so it is not rezoned for one particular use.

Mr. Sprungle: The property owner would probably want to sell to make money and the only way they are going to do that is to sell to someone who would potentially make it a commercial property. I don't think someone that would want to run a business would necessarily just turn it into a park. That is highly unlikely that a park would go into that location on a 2-1/2 acre parcel.

Mr. Kohlmeier moved and Mr. Brauer seconded to approve P.C. 2017-004. **Planning Commission recommended approval of the proposed rezoning noting that it was consistent with the Comprehensive Plan.**

YEA: Kohlmeier, Sprungle, Brauer.

NAY: Ross. The motion carried 3-1

**P.C. 2016-009 – SUMMIT HOUSING DEVELOPMENT CORPORATION - EXTENSION OF CONDITIONAL ZONING CERTIFICATE FOR 4-UNIT ASSISTED LIVING FACILITY; 2935 GRAHAM ROAD**

**APPROVED 4-0 [No Council Action required]**

Mr. Carlton Buck with Team 4 Architects was present to represent this item and was sworn in by the Planning Commission secretary.

Mr. Kurtz: This is a request by Mr. Tom Jacobs, Executive Director of Summit Housing Development Corporation, applicant and property owner, for the Planning Commission's approval of an extension of the Conditional Zoning Certificate approved by the Planning Commission (P.C. 2016-009) and City Council (Res. 2016-66) in 2016. The approval will expire on 5/13/17, and the applicant requests an extension of 12 months in order to obtain the appropriate approvals from the State and other agencies.

The approval was for the construction of a 4-unit residential assisted living facility 2935 Graham Road, and the approved site plan would remain the same as previously approved and subject to any conditions in Council Res. 2016-66.

The plan will remain exactly the same as originally approved.

Mr. Buck: Summit Housing Development Corporation is now the owner and Mr. Allen is no longer the owner. We have a number of approvals and the State doesn't move very fast.

Mr. Sprungle: Even with the change of ownership there is no change in the plan.

Mr. Buck: No change in the plan. It is the plan originally from Summit Housing. Tom Jacobs is here also. He is the head of Summit Housing if you need him to speak.

Nothing has changed. It has the same units. Drawings are 98 percent done and have been submitted to OHFA for funding. We are just waiting on them.

Mr. Brauer moved and Mr. Sprungle seconded to approve P.C. 2016-009.

YEA: Brauer, Kohlmeier, Ross, Sprungle.

NAY: None. The motion carried 4-0.

**NEXT MEETING:**

**The next scheduled meeting is scheduled May 9, 2017.**

With no further business to discuss, Mr. Kohlmeier moved and Mr. Brauer seconded the motion to adjourn. It was unanimously approved and the meeting was adjourned at 6:30 p.m.

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Richard Sprungle  
Planning Commission Chairman

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Pamela H. Daerr, CPS  
Planning Commission Secretary