

## **STOW PLANNING COMMISSION**

Minutes of the Stow Planning Commission meeting held on Tuesday, September 12, 2017, at 6:00 p.m.

**MEMBERS PRESENT:** Mr. Brauer, Mrs. Harrison, Mr. Sprungle

**MEMBERS ABSENT:** Mr. Ross.

**ALSO PRESENT:** Director of Planning Rob Kurtz  
GIS Coordinator Steve Gibbons  
Deputy City Engineer Mike Jones  
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: 03 p.m. and asked the audience to stand and say the Pledge of Allegiance. Roll call was taken.

### **BUSINESS ITEMS:**

#### **P.C. 2017-012 – 123 Insurance Agency- Extension of the use of a Nonconforming Structure; 4526 Stow Road**

Mr. Gordon Costlow - 1865 Arndale – Stow, Ohio was present to represent this item and was sworn in by the Planning Commission Secretary.

Mr. Kurtz: This is a request for additional consideration of a request by Mr. Michael Grossi, applicant, and Mr. Roger Bourgeois, property owner, for Planning Commission's approval of an extension of a nonconforming use to utilize the site for an office use at 4526 Stow Road. The property is zoned R-2 Residential. Per C.O.S. Section 1191.03(b), the use of a nonconforming structure may be extended with the recommendation of the Planning Commission and approval by Council.

The 1.1-acre property is located on the west side of Stow Road. The property to the north is zoned C-3 and is occupied by Hickey's Karate, and the property to the south is occupied by a single family dwelling and is zoned R-2 Residential. The properties located on the east side of Stow Road across from the subject site are zoned R-3 Residential.

The applicant is proposing to utilize the existing building for an office use and install a monument sign 16 square feet in area along Stow Road. Based on previous feedback from the Planning Commission to enhance the exterior of the building, the applicant and property owner are also proposing to renovate the exterior of the structure by removing the existing garage doors; constructing an additional entrance; constructing roof structures over the existing and proposed new entrance doors; installing seven windows along the front of the structure; installing masonry (faux brick) along the base and Dryvit on the remaining portion of the front

façade; and painting the rear and side façades making it appear much more like a small office building compared to a garage.

Staff is pleased with the proposals they have submitted.

Mr. Brauer: This is a huge improvement from when we first met.

Mr. Kurtz: Agreed.

Mr. Brauer: The last conversation we had with regards to this proposal was parking. Are there any issues there?

Mr. Kurtz: At the most, they need 7 spaces based on the square footage but they'll never need 7 spaces. They are showing 7 spaces and there are no issues with parking.

Mr. Sprungle: I agree with the comment. Since it is a residential-business area this is residential look to a business building. That is appropriate for this. It appears based on the drawing that it has the potential to be multi-tenant.

Mr. Kurtz: Probably at least 1 more tenant, yes.

Mr. Sprungle: That could affect parking.

Mr. Kurtz: The whole building is only 2,000 square feet, so that would require 7 spaces. Even if there are two offices they probably wouldn't use 7 spaces but the space is there if needed.

Mr. Sprungle: Mr. Costlow, what is your relationship to this item?

Mr. Costlow: I am doing the drawings for the owner. I am helping the applicant get through the process so I am here representing the owner.

The last time we were here you guys overall didn't mind the sign we were sort of proposing. You wanted some upgrades to the building itself. I sat down with the owner and we looked at getting rid of one of the doors. Then we said if we were going to get rid of one of the doors why don't we look at getting rid of all four of them. After I did a couple of sketches, he felt very comfortable with putting this together.

The building is just over 2,000 square feet. It technically needs 7 parking spaces and we actually have 8 on the property between the back and the front. So we don't need any extra at this point.

Mr. Sprungle: If the sign were allowed, would it be a conforming sign?

Mr. Kurtz: Again, we are potentially extending this non-conforming use. It is zoned R-2 so normally a sign would not be permitted; but if we are going to allow this to be office use it seems like a logical request for a sign. I have advised them to keep the sign the same size as an R-B sign, which is 16 square feet and 4 feet in height and that is what they are proposing.

Since this is an extension of a non-conforming use, any change at all in terms of the use would have to come back to Planning Commission for approval.

Mr. Sprungle: Any ideas on the sign? One of the issues I continually have in the City of Stow is so many “post” signs when monument signs are the only signs approved. Any issues with that Mr. Kurtz?

Mr. Kurtz: He is proposing a stone-base. You are right it would need to be a monument.

Mr. Costlow: I put together a monument sign. It pretty much sits on the ground.

Mr. Kurtz: The drawings show a sandstone base.

Mr. Costlow: We are going to try to find an old barn stone and drop it on the ground and put a sign on top of it. In that general area, it might be a nice little feature.

Mr. Kurtz: Yes.

Mr. Brauer moved and Mrs. Harrison seconded the motion to approve P.C. 2017-012.  
**Planning Commission recommended approval subject to the approval of an occupancy permit by the Building Department.**

YEA: Brauer, Harrison, Sprungle.

NAY: None. The motion passed 3-0.

**P.C. 2017-014 – Development Management Group – Site Plan and Conditional Zoning Certificate for a Retail Development and Convenience Store/Gas Station; Kent Road**

Mr. Ken Knuckles of Development Management Group – Nashville, TN was present to represent this item and was sworn in by the Planning Commission Secretary.

Mr. Kurtz: This is a request by Mr. Ken Knuckles of Development Management Group, LLC, applicant, for the Planning Commission’s approval of a site plan and conditional zoning certificate for a retail development consisting of a 26,000 sq. ft. multi-tenant retail building, a 5,250 sq. ft. multi-tenant retail building; and a 5,280 sq. ft. convenience store/gas station. The site is located on the north side of Kent Road east of the Mission Baptist Church and across Kent Road from the Stow Community Shopping Center (Target Plaza). The development site is comprised of approximately 7.2 acres that is zoned C-4 General Business. There is an additional 4.3 acres located north of the development site which is zoned R-3 Residential. This area, which has a depth of approximately 590 feet, will remain as undisturbed open space and provide a buffer to the adjacent residential uses to the north. The property to north and west is zoned R-3 Residential and the property located to the east and south across Kent Road is zoned C-4 General Business.

Three access points to the development are proposed. The main entrance will be located across from the existing western entrance to the Stow Community Shopping Center (Target Plaza), and a new traffic signal is proposed. Two “right-in/right-out” entrances are proposed on the eastern and western portions of the development.

A total of 227 parking spaces are proposed for the development. Interior landscape islands provide approximately 19,000 sq. ft. of open space within the parking lot or 9%. That is almost double the requirement of 5%.

Approximately 29% of the development site will remain as open space and the minimum is 25%. Storm water will be managed with the construction of a detention basin as well as the installation of an underground detention system.

The proposed convenience store will be finished with a brick and stone material in earth tones. The exterior walls for the other two buildings will be comprised of red brick and split face block and accented with EIFS and stone material.

The applicant is requesting a variance from 1145.07 to locate a portion of the parking lot 10 feet from the west property line which is a normal setback for a Commercial District (25 feet is required when adjacent to residential district). The west property line is adjacent to the Mission Baptist Church and there is an extensive tree line in that area.

The C-4 and R-3 line is right there [pointing to the screen]. So it is almost 600 feet to the north. The Lake Run Condominiums would be 600 feet north of there. Stow Glen would be here [pointing to the screen], Mission Baptist Church is here [pointing to the screen]. There is a tree line along this line there [pointing to the screen]. It is a pretty significant buffer. If you scale there [pointing to the screen] and there [pointing to the screen] the nearest Stow Glen buildings are approximately 470 feet.

I reviewed the Landscape Plan with the City Arborist and a couple comments we had, and we shared with the applicant, was the planting of additional trees along this line here [pointing to the screen], along the eastern property line and also along the frontage at Kent Road there [pointing to the screen]. Other than that, the interior landscaping was quite adequate.

I think one features of this development is that the parking lots are kind of nicely separated and broken up with landscape islands. You have the main entrance isle here [pointing to the screen] and the traffic signal is here [pointing to the screen] and then you have a separate parking lot there [pointing to the screen], a separate parking lot there [pointing to the screen] and there [pointing to the screen]. So there isn't a sea of parking that we would not support.

I do have some comments or additions for approval that I distributed to the Planning Commission. I also shared these with the applicant as well. Some I have already discussed in general.

In terms of the traffic management, in compliance with the traffic study I should say that the applicant has prepared a traffic impact analysis for this proposed development. They looked at this intersection all the way to Fishcreek Road as required by our Engineer. Our Traffic Engineer reviewed the traffic impact analysis and concurred with their findings that a traffic signal would be warranted in this location and our City Engineering Department concurred with that review.

In terms of some of the specific comments and again I shared these with the applicant. Regarding the building elevations, I requested some additional information for the gas canopies. As a condition of approval I would suggest that the gas canopies need to be designed with similar materials as the principal building.

The convenience store used various brick material. I would recommend that material also be used on the gas canopies in some respect, the base pillars supporting the canopies. It should be designed with similar materials not just metal.

Another item is that there isn't a material on the convenience store. The base material they have shown is an unfinished or an undecorated block. Our Design Review regulations require that to be finished in some way. So that could be a decorative block as opposed to a smooth block.

I mentioned the comments about the landscaping in terms of additional landscaping along Kent Road and the east property line.

The Fire Department reviewed the plan and their only comment was at least four on-site fire hydrants will be required.

Our Storm Water Engineer, Mike Jones is present to answer any questions you may have about storm water. In general, they have reviewed the preliminary information submitted and how the storm water is going to work. There is a large retention basin proposed as well as underground storage.

Mr. Sprungle: For our approval, they are requesting a variance for parking. What other approval do they need from us?

Mr. Kurtz: You need to approve the site plan itself and the Conditional Zoning Certificate for the convenience store. We have three buildings here, one of them is a Conditional Zoning Certificate the rest is just site plan.

Mr. Sprungle: What is staff's position on this?

Mr. Kurtz: Staff would support this with the conditions distributed.

Mr. Brauer: Do you want three separate approvals on this?

Mr. Kurtz: We described it as one, so one is adequate.

Mr. Brauer: I do not have any questions on water unless Mr. Jones can enlighten us on anything.

Mr. Kurtz: Maybe the applicant can add some information.

Mr. Sprungle:

Mr. Knuckles: I'm representing Anchor Retail Solutions who are my client, are the proposed developers of this project. Mr. Kurtz went into a lot of detail and specifics about this project which was extremely helpful so I will try to keep it brief.

There are three properties involved here. We are proposing to purchase those three parcels and consolidate those into one parcel that will also have split-building designation [inaudible] for R-3. We're proposing a 26,000 square foot retail box in the back. In the front we have one tenant at 18,000 square foot in the bigger box and then we'll have a smaller 8,000 square foot adjacent that will likely be 3 or 4 different smaller retail tenants.

The southeast corner building is a 5,200 square foot building that will likely be used as [inaudible]. It will have a retail tenant and some sort of a restaurant in that. The convenient store is on the southeast corner.

What we're proposing to do is to consolidate these three properties into one. They would all be developed by the [inaudible] and we would do a ground lease for the convenience store we're currently talking to. So that parcel would be a leased parcel not necessarily a separate property under separate ownership. So we can control all the properties as they are currently proposed and they would be developed and constructed at the same time.

If you have any questions with regard to traffic or storm water, I have our Civil Engineer and our Traffic Engineer here tonight to answer any question you have.

Mr. Sprungle: How many tenants do you already have lined up for these?

Mr. Knuckles: I don't know that they have any of them completely [inaudible]. They are still negotiating leases with a number of different tenants. They don't have any of them firmed up so we can't actually say these are the tenants. They are pretty far along on a lot of aspects of the various tenants.

Mr. Sprungle: Did you have any objections to any of the recommendations that were made.

Mr. Knuckles: None at all.

Mr. Brauer: There are three dumpster locations, correct?

Mr. Knuckles: Yes. One serves the [inaudible] to the north; and one [inaudible]. This would all be nicely enclosed matching the architecture of the building. It will have either wood or metal gates.

Mr. Brauer: I like it, it looks good.

Mr. Sprungle: I like it. There's a lot here and you've done a lot of work and I appreciate that. There's also some concern I have about the tenants, but that's not what we're looking at today.

Mr. Knuckles: None of the tenants proposed, whether they be retail or restaurant or to my knowledge would be considered a non-permitted use. They should be permitted within the zoning district.

We needed [inaudible] considered to be the convenience store. It's a permitted use in the C-4 but it requires a Conditional Zoning Certificate.

Mr. Sprungle: I understand what you're saying about the permitted use but depending on what it is people still don't really like that.

Leah McMillin – 2960 Heatherwood Court – Stow, OH 44224 was sworn in by the Planning Commission Secretary.

Ms. McMillin: My bedroom is going to be 600 feet from the back of that and I can already hear the trucks backing up before 6:00 a.m. at Target and the ones across the street; and the light pollution that comes in most of the year when the trees are not full of leaves.

This is the first notice that I've seen of this and I'm very concerned about the commercial creep. I've lived there for 28 years. When I moved in we had the Stow-Kent Plaza and the K-Mart

across the street. Since then we have, it keeps building further and further, closer and closer to where I am. I'm in what they call Woodlands but the woods are disappearing and there's a lot of noise pollution and light pollution that's going to affect me personally, along with everybody else that's backing up on that.

Another thing is we already have an issue with drainage where water pools behind the condo's there and it pools in the woods that are at the back part of this and putting that much more asphalt in there is going to be a bigger water issue.

Mr. Sprungle: A lot of issues here. Mr. Kurtz if we are looking at this one here [pointing to the screen], we're not talking about, this [pointing to the screen] would not be zoned appropriate for industrial.

Mr. Kurtz: Right.

Ms. McMillin: But 600 feet from my bedroom window they are going to be backing up into the back of that building with their tractor-trailers with the beeping, beeping, beeping as they back up and they're going to be doing it before 8 in the morning. The ones right now start at like 6.

Mr. Brauer: Mr. Kurtz, there will be a lighting review, correct?

Mr. Kurtz: Yes. They have already submitted a lighting plan. It does comply.

Mr. Sprungle: I would think it would be more of a down directional LED lighting.

Mr. Kurtz: The lighting that they proposed is at zero by the time it gets to their property line.

Mr. Knuckles: I would just like to say that obviously this is zoned C-4 and it can be developed in a myriad of ways commercially. It was zoned for that purpose. In a typical situation between a residential and commercial development the ordinance only requires a buffer of 25 feet.

We have in excess or near 600 feet and within that 600 feet, if you can go back to an aerial view, it is extremely, heavily wooded. And we have no plans of developing that property or that side of the zoning line. In addition to that there are some wetlands that exist in that wooded piece of that residential-zoned property behind us. So we have no intentions of doing anything that is going to dramatically change the dense buffering that exists between the back of our development and 600 feet north of that. That would obviously address any concerns with the lighting as well.

Mr. Sprungle: Storm water is going to go toward Kent Road, isn't it? Where is the storm water going to go?

Mr. Knuckles: The low logical area is over where the detention basin is shown and that all drains in the direction to the property to the east of ours. Everything is being collected in that large detention basin.

All of our storm water is going to drain from the back here [pointing to the screen] this direction and this [pointing to the screen] will all drain from the front back. This [pointing to the screen] is the logical low area of the property now where a lot of the water from this property already drains across the properties to the east.

We are going to collect our storm water, route all the runoff from our development to this basin [pointing to the screen], and this basin in conjunction with a series of underground pipes that we are putting in the parking lot provides more storage from a storm water standpoint than we are actually required to do.

We are also releasing it at a slower rate than we are required to by Ordinance. The reason we are doing that is because we are aware that there were some drainage issues and concerns by some of the properties over here [pointing to the screen] to the east. We are trying to not only meet the requirements for the runoff from our development, but we are also trying to provide additional storage of storm water here [pointing to the screen] before it is released back to that property. That is where it naturally conveys to now is to the property to the east.

Charles Lambach – 4842 Shining Willow – Stow, OH was sworn in by the Planning Commission Secretary.

Mr. Lambach: My big question goes along with the previous comment. You're asking for a 10-foot variance alongside the church there. What actually is that where you're showing like the ladder effect there.

Mr. Kurtz: Those are parking spaces.

Mr. Lambach: My question is the church is probably 75-80 feet from that line. If you go by the church in the winter time the area on the other side is just an eyesore. We're going to see nothing but a shopping center and light and noise abatement for the church. In looking at your guidelines, going to a residential property the most is you can have is ½ a candle power light going there. Is that correct on a residential?

Mr. Kurtz: They are subject to requirements that says at their property line it has to be zero.

Mr. Lambach: So no light at all.

Mr. Kurtz: Right, and they have submitted a photometric plan.

Mr. Lambach: One of my concerns is the gas station but I see that's on the far side. We're not really against the property, but I do believe that we need a bigger buffer on that side. I would have to come against the 10-foot setback. I would like to see a 20 or even a 25. I know you're giving up parking spaces. You may have to go back and redo some of that but when those leaves are off the trees, it's like she says, you can hear all that noise and stuff over there. You can see and it's an eyesore and I know the shopping center will not be an eyesore. You've already answered my questions on the retention pond.

Mr. Sprungle: Where did you say you live?

Mr. Lambach: I'm a trustee at the church. So I'm representing the church. It's not my property but it's not good. In fact, I was looking for the stake and I still can't find where the survey stake has been placed. I'm not sure exactly where the church property ends and where this one begins.

I think the only problem that I see at this point is that setback and because of the light and the noise abatement. That's all I have to say and I hope you take that into consideration.

Mr. Brauer: There is a buffer currently proposed.

Mr. Kurtz: Yes. This [pointing to the screen] is the area that's buffered and they have a fairly dense buffer shown along this west property line.

Mr. Knuckles: Along with a 6-foot privacy fence. What we're proposing along this western property line adjacent to the church; the requirement is 25 feet, we are requesting to be at 10 feet. What we're proposing along the length of this western property line where any parking abuts that, we are proposing a 6-foot high privacy fence the entire length along with some dense planting that will also aid in the visual piece of that and will also help abate some noise.

To Rob's point there is a lot of dense woods and stuff here now that would also provide benefit of that most of the year whenever those trees are in bloom; any other time but winter I suppose.

Overall, on the 11-1/2 acres we're required to have 25% green space. What we're proposing here that's south of the C-4 zoning line, that represents about 7-1/2 of the 11-1/2 acres that we're actually developing. We actually exceed the 25% requirement just on the 7-1/2 acres. So despite encroaching on that side we still exceed the green space requirements. In addition to that we have 4 acres of green space to the north of this that is naturally and heavily wooded that we don't have any intention of disturbing. Hopefully that addresses the comment but if you have other questions I can certainly respond.

Mr. Bob Caldwell – 4209 Kent Road – Stow, Ohio was sworn in by the Planning Commission Secretary.

Mr. Caldwell: I own the center property of this project. Part of the property right of the project right there [pointing to the screen] is probably the lowest part of the property. The rise from there to the back of the project is at least 8 to 10 feet maybe more. So as far as a water problem from the asphalt here hitting the back is zero.

The wetlands they talk about in the back is not a swamp. When it rains, yes, it stays wet for a little bit. I don't go back their very often but I don't believe there are any cat tails back there that would support being a wetland.

Mrs. Harrison: I want to clarify this does include the residential property behind as part of this project and they are going to leave it empty.

Mr. Kurtz: Right.

Mr. Sprungle: And not change the zoning on it.

Mr. Kurtz: Right. It certainly does not change the zoning.

Mrs. Harrison: So it kind of land locks it and leaves it there as empty space.

Mr. Kurtz: That's true.

Mr. Brauer: So we have addressed the lighting concern, the buffer, and the water. So all of the concerns that have been brought forward tonight, we have addressed them. The lighting review is going to be zero at the line. So to answer your question I don't think you're going to have an issue with light at your home. As far as the buffering at the back of the building, there is a lot of

heavy trees to the rear of that property and to the north of that property. I can't see any more additional landscaping at the rear lot.

Ms. McMillin: They're not going to have any lights in their parking lots?

Mr. Brauer: Well they are but their recommendation is that these lights are going to be focused down.

Ms. McMillin: So are the ones at Target but they still light up my bedroom all night.

Mr. Brauer: That's a large area and I'm sure demographics of elevation may play a part but they are basically going overboard. You are going to have zero light at your property.

Ms. McMillin: I don't have zero light from Target right now.

Mr. Brauer: It is probably an elevation issue.

Mr. Kurtz: It could be.

Ms. McMillin: He says only in winter, it's also fall and spring because the leaves aren't there until summer. So it's nine months of the year.

Mr. Brauer: I understand.

Mr. Kurtz: When we measure light it doesn't mean you couldn't see a light or see it in the distance but it would still register less than zero on any kind of device.

Mr. Sprungle: Is it conceivable that this property with the adjacent property behind it could be opened up for mixed use so there could be residential come in behind this?

Mr. Kurtz: It is zoned that way. It would take a revision to this plan. It has building limitations in terms of soil and the potential wetlands there. That would certainly limit the use and access as well. In terms of access they've designed it so it would be difficult to get access to there unless you came through a retail development which would be unusual.

Mr. Sprungle: Which would be awkward.

Mr. Sprungle moved and Mr. Brauer seconded the motion to approve P.C. 2017-014. **Planning Commission recommended approval subject to: Installation of a traffic signal at primary entrance consistent with the traffic analysis and to the approval of the Stow Engineering Department prior to occupancy (Signal design to be reviewed and approved with site construction plans); Gas canopies shall be designed with similar materials as principal convenience store structure including the brick and stone material; Convenient store signage may not extend above the parapet line; Rooftop mechanical units shall be screened from public view; Alternative exterior material to be used for the base of the convenience store (smooth face non-decorative block is not acceptable); Engineering Department review and approval of the storm water management plans; City Arborist approval of the landscape plans including providing additional trees along Kent Road and the east property line; Provide at least 4 fire on-site fire hydrants; Building Department approval of construction plans; and Council approval of the variance for the parking lot setback. Planning Commission determined that the variance was justified**

**considering the applicant was providing a privacy fence and landscaping and it was adjacent to a non-residential use.**

YEA: Harrison, Sprungle, Brauer.

NAY: None. The motion passed 3-0.

**P.C. 2017-015 – 2017 Comprehensive Plan Update**

Mr. Kurtz: The City's consultant, CT Consultants, made final edits to the draft 2017 Comprehensive Plan Update on 7/24/17 which was distributed to the Planning Commission. Staff is requesting the Planning Commission's approval of the 2017 Comprehensive Plan Update.

It seems like all the questions were answered so if you are so inclined you can recommend approval of the Comprehensive Plan Update.

Mr. Sprungle moved and Mr. Brauer seconded to approve P.C. 2017-015. **Planning Commission recommended approval of the 2017 Comprehensive Plan Update.**

YEA: Sprungle, Brauer Harrison.

NAY: None. The motion passed 3-0.

With no further business to discuss, Mr. Brauer moved and Mrs. Harrison seconded the motion to adjourn. It was unanimously approved and the meeting was adjourned at 6:46 p.m.

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Richard Sprungle  
Planning Commission Chairman

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Pamela H. Daerr, CPS  
Planning Commission Secretary