

STOW PLANNING COMMISSION

Minutes of the Stow Planning Commission meeting held on Tuesday, February 13, 2018, at 6:00 p.m.

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

MEMBERS ABSENT: Mr. Ross.

ALSO PRESENT: Director of Planning Rob Kurtz
Planning Commission Secretary Pamela Daerr
GIS Coordinator Steve Gibbons
Deputy Engineer Mike Jones

PRESS REPRESENTATIVE: Stow Sentry

Mr. Brauer 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:

Mrs. Harrison moved and Mr. Miller seconded the motion to approve the minutes of the January 9, 2018, meeting. The minutes were approved as submitted.

BUSINESS ITEMS:

P.C. 2018-001 – OMNI SENIOR LIVING: ADDITION TO PREVIOUSLY APPROVED CONDITIONAL ZONING CERTIFICATE & SITE PLAN; ALLEN ROAD

Mr. Brauer: This item was tabled on January 9, 2018, for further review.

Mr. Finley of Omni Senior Living was present to represent this item.

Mr. Kurtz: This is a request by Mr. Thomas Finley, applicant, for the Planning Commission's approval of a conditional zoning certificate and site plan for the construction of eleven (11) assisted living villas adjacent to the previously approved 148-unit assisted living development located on Allen Road. The proposed villas will be located south the Omni Senior Living campus and east of the Northeast Ohio Eye Surgeons medical building. With this additional parcel the Omni Senior Living campus will consist of approximately 9.7 acres. The property is zoned I-1 Limited Industrial and assisted living facilities are conditionally permitted in this district.

The previously approved 8-acre campus included a total of 148 dwelling units comprised of the following type: 82 independent living; 42 assisted living; 18 memory care; and 6 independent living villas (P.C. 2017-009 & Res. 2017-78).

The proposed additional 11 villas are on the parcel to the south and will be accessed from three locations: the previously approved entrances off of Allen Road and Hudson Drive on Allen Road; and the existing entrance for the Northeast Ohio Eye Surgeons parking lot off of Allen Road.

Screening from the adjacent office/industrial uses will consist of a vinyl fence (6 feet) and landscaping plantings. Storm water management will primarily be accommodated through the use of a regional detention basin located on an adjacent property.

The exterior of the buildings will be finished using a combination of vinyl siding; stone veneer and EIFS (varying colors and textures) and the roof material will be asphalt.

The applicant is requesting a variance from C.O.S. Section 1147.04 to permit the buildings to be located 12 feet from the side property lines (20 feet required).

There were a couple of issues and questions that I responded back to Planning Commission in a memo (copy attached). If there are any questions on that memo I sent, I will be happy to take those at this time.

In terms of the storm water management, there is an existing easement on the property to the south which is Printing Concept. Their storm sewer is in place. The specifics of the storm water will have to be evaluated, but the easements are in place. So it is a matter of improving what is there or retaining on site.

If there are any questions on storm water management Mike Jones from the Engineering Department is here to address those. He can also address the modification of previous approvals.

As you recall from my memo, the prior approval was for an office building on this site between the LaSpina industrial building and Northeast Ohio Eye Surgeons. Obviously, that has changed and the property itself has changed hands.

In terms of any sort of access, it is certainly understandable that access between office, industrial and another office building was appropriate at that time, but the plans have been changed. I spoke with the Law Director and Fire Chief Stone. Chief Stone recognizes that although it was a request to have that access between the properties, he realized it not appropriate to have it as a requirement.

So I am recommending to Planning Commission that not be a requirement or condition of approval based on the information I reviewed and researched.

The only change from the previous plan was the sidewalk that was installed on the east side of the circulation drive. The sidewalk is right along there [pointing to the screen] and the cross walk to the main campus is here [pointing to the screen]. It is not required, but I think it's a welcomed addition to the plan that was previously approved.

As mentioned, storm water management is handled to the south and before the property breaks, the main campus drains to the north and west. Mr. Jones can attest to that.

Mr. Brauer: It is a lot clearer to me now.

Mr. Sprungle: We vetted this one out pretty good last time and there were some uncertainties and I think they have clearly been addressed.

Mr. Brauer: Storm water management has been approved for the larger site. The Fire Department Issue has been handled.

Mr. Brauer asked all people in the audience that may want to speak tonight to stand and they were sworn in by the Planning Commission Secretary.

Mr. Brauer: Mr. Finley, jumping into where we left off on January 9, 2018, do you understand the recommendations.

Mr. Finley: Yes. Mr. Finley gave a Power Point Presentation that is available for review in the Planning Department.

Mr. Sprungle: To be clear, the setback will be 12 feet from the property line or 8 feet from the property line.

Mr. Finley: It will be 12 feet from the property line with an 8-foot variance. At its closest point, these areas, as they protrude, will be the 12 feet [pointing to the screen]. These [pointing to the screen] are closer to the 20 foot as they protrude outward. The eye clinic has already agreed to allow you to put trees on their side of the property.

Mr. Finley: The eye clinic has agreed to it via an email, correct. The property owner to the east, at this point does not want the trees installed.

Carol LaSpina – 4282 Hudson Drive – Stow, Ohio. We own four of the units. If this is going to be a place that someone is going to retire at and we want it to look aesthetically beautiful in Stow, I'm assuming that retired people would want to look at bushes or trees and not a cement wall.

We do not want any of those plantings on our property to maintenance or otherwise. I'm trying to understand, will there be plantings on the other side of the fence to make it look aesthetically beautiful for the residents and for anyone else in Stow.

Will there be any other structures erected behind the buildings like patios making that property line closer than the easement, if that's given already?

Mr. Brauer: Right now, no. I don't think there will be. Mr. Finley, I would ask you to comment on that. With the setback given there's probably no way you can add anything onto that property.

Mr. Finley: We would like to have patios but we understand that will require additional approval and a variance associated with it. Right now there are none planned pursuant to the engineer drawings you have in your package.

Mr. Brauer: So there may be a possibility for an additional variance needed on that property for patios.

Mr. Finley: We would like to ultimately have patios there, but we're not in here asking for that approval at this point in time. Just as drawn in the engineer drawings that you have in your package.

Mr. Sprungle: So between the existing structure and then the property line, you would put a fence up liked you talked about and there would probably just be landscaping between the building and the fence. Is that what your plan is?

Mr. Finley: Correct. This is the landscape plan [pointing to the screen]. There is an opportunity for landscaping on this side [pointing to the screen] of the fence and those are called out in the legend. The landscaping architect is sensitive to its growth pattern, what it's going to do. I'm sure they will be your billowing oaks that go to 50 feet and would ultimately be in the house, but they will be appropriate for the distance and the space available to us.

Mr. Brauer: So this represents the fence right here [pointing to the screen]. This is the landscaping [pointing to the screen] that you are proposing that be put up. Ms. LaSpina this is your side of the fence [pointing to the screen] and you do not want any type of landscaping.

Mrs. LaSpina: Absolutely none.

Mr. Brauer: Can I ask you, Mr. Finley, why didn't you bring the proposal to us with the patios?

Mr. Finley: Because I thought it would be denied as it would end up being a 12- to 14-foot variance, which I thought would be likely excessive even though I don't understand the variance. I understand anything that protrudes above grade but the fact that it is counting against me because it goes towards it, I said you know what, it's not a battle I am ready to take on at this point. I will leave it off and if grass is what we end up with there then ultimately that's fine.

Mr. Brauer: Fair enough.

Mrs. LaSpina: We would like to not see a variance given. These units are already going to be very close to an industrial site. Retired people tend to like quiet space. They are going to need a lot of tree buffer. We have noise. We open our doors in the summer, the machines are running, guys are outside smoking. It's a very industrial spot. I can't imagine that I would retire and want to be looking at that and hearing that. I'm thinking there's going to be a lot of complaints in the future if they're that close to our property line without having enough "bush" coverage there; and there's no way they can have bushes on their side if they're going to have it that close to the property line and then possibly cement patios.

Mr. Brauer: I appreciate you not wanting it; we understand.

Mrs. Harrison: What shifts do you work at your building?

Mrs. LaSpina: First and second.

Mrs. Harrison: How many employees do you have?

Mrs. LaSpina: Twenty. For second shift there are lights on and the doors are open, especially in the summer.

Mr. Brauer: Requested Steve retrieve the map that shows the Omni site and the LaSpina building. Do we know what the distance between the LaSpina building and that fence? I do recall a conversation at a previous meeting that there may be a possibility for you folks to be expanding.

Mrs. LaSpina: Exactly, in the future.

Mr. Brauer: Granting the variance or not isn't going to do anything for a possible expansion on your site. You do understand.

Mrs. LaSpina: Right.

Mr. Gibbons confirmed the distance was 90 feet between the LaSpina building and that fence.

Mr. Brauer: Okay.

Mr. Paul Zuravel – 3720 Gilbert Rd. Stow, Ohio: I just had a couple questions on the independent living as far as what's the age range. I don't think there is anything in the Code, so could it be anybody from...?

Mr. Brauer: I think it's up to the facility, correct.

Mr. Zuravel: What's your age range going to be on that?

Mr. Finley: Typically, those will be in the 70-75 range where it simply then fits into a narrow gauge of 82 to 84 year olds. Rent on these are \$3,000 a month. Not just anybody is going to show up here. They have access to all the amenities, all three meals a day, everything they would need in the main campus there. Whether they will take advantage of those, that is totally up to them. They are paying for a large share of that in their rent. So this isn't going to be college kids who show up and spend \$3,000 for a 1,200 square foot unit. These are senior people who are looking for an amenity package we are offering.

Mr. Zuravel: How many beds are in the villas?

Mr. Finley: There are two bedrooms.

Mr. Zuravel: And the square footage?

Mr. Finley: 1,200 square feet.

I'm looking at the Schedule 1163 that I got off of Rob today. It's part of the legislation for the assisted living. It's not in the Zoning Code book yet. It was passed a year ago, but it hasn't made it to the book yet.

But I'm looking at, and you guys can correct me if I'm wrong, Nursing Homes, Assisted Living, Health Care Centers, Section 12. It states 4 acres minimum. Side and rear yard setback, it says here 40 feet. It says parking is 20 feet but the side setback is 40 feet so you're really not looking at an 8-foot variance but a 28-foot variance.

Mr. Brauer: What is the back variance?

Mr. Zuravel: Section 1163.03, it's part of the legislation. It used to say 2 acres, 200 / 40, 80 / 20. Now it says in Section 12, do you want to take a look at it.)

Mr. Sprungle: What does it say is the rear set back?

Mr. Zuravel: The rear setback is 20. What is the rear? Because there are two places they need a variance, the two sides. Unless that's the front. On the configuration...

Mr. Sprungle: I think that's what the variance is for. The rear set back is 20 feet.

Mr. Zuravel: What about this other side then? There are two sides there is what I'm seeing. If you looking at the development, where's the front?

Mrs. Harrison: He asked for a variance on both sides?

Mr. Zuravel: But the side setback is 40 feet.

Mr. Sprungle: It's the back of the unit. The back setback's that you just read was 20 feet and that's what he's asking for the variance for.

Mr. Zuravel: Right, I understand that, but the setbacks are from the lot lines, not the units. Where is the rear lot line? The setback is just the building setback.

Mr. Kurtz: Right.

Mr. Zuravel: Okay. But it says the minimum yard dimension, building setback is 40 feet.

Mr. Kurtz: I'm not sure where you're reading from.

Mr. Zuravel: I can bring it over (to Mr. Kurtz). I can be wrong. This is the new definition, right here. It indicates a 20-foot setback on parking areas, but on buildings it indicates a 40-foot setback. Which normally, like in a multi-family unit I know it is a 40-foot setback.

Mr. Sprungle: On the side.

Mr. Zuravel: Around the whole perimeter of the lot. If you're doing a multi-family development the front is 40 feet. The perimeter is 40 feet. Yes, it is two sides, every lot has, by definition, a front, a rear and two sides. You understand what I'm saying, it's not the rear of the building, it's the rear lot line.

Mr. Sprungle: This is kind of an irregular lot. I'm trying to determine what the front, what the back and what the sides are.

Mr. Zuravel: But the code says, building setback is 40 feet. It doesn't say front, rear or whatever. It says building setback. I might be wrong, maybe we should look into it. I'm not always right.

Mr. Kurtz: It looks like this schedule would indicate that the side and rear setback for a building is 40 feet and not 20 feet. Parking is 20 feet. This is the updated schedule.

Mr. Zuravel: It was passed in January, 2017, I think.

Mr. Brauer: This is 1163?

Mr. Zuravel: Yes.

Mr. Kurtz: The Code book isn't updated. I don't think there's any other way to read that; it's 40 feet.

Mr. Zuravel to Mr. Brauer: Right here is what we're looking at, the building, see here [pointing to drawing.] Forty feet, the parking is 20 feet.

Mr. Brauer: Steve, what does that give us?

Mr. Kurtz: Chris, I would recommend we hold this at this point. That is a significant difference, I think we need hold this. I'm sorry.

Mr. Finley: I know this might be a little bit of a setback but I think that if the findings and we've determined that this is true, how does everyone feel about a special meeting.

Mr. Kurtz: It has to be advertised and we have to be accurate in how we publicize this agenda.

Mr. Brauer: We do have a February 22, 2017, meeting so I think in all fairness to Mr. Finley, I think we need to look at this.

Mr. Brauer moved and Mr. Sprungle seconded to hold PC item 2018-001.

Yea: Brauer, Harrison, Miller, Sprungle.

Nay: None. This item was held.

Mr. Brauer: The reason to hold this item is to review 1163 very thoroughly and determine if a mistake was made.

Mr. Finley: I feel _____. I made an application pursuant what I was told to make an application for a variance specific to what the City told me to do.

Mr. Brauer: I'm sure Mr. Kurtz will get ahold of you and we will do what we have to do. We understand.

Mrs. LaSpina: As far as the cement slabs which I know they're not up for right now. You may question as to why that would make a difference since you won't see them, but it's more non-pervious area with water problems that I might have to deal with. I just wanted to throw that in since it was commented on.

Mr. Brauer moved and Mr. Sprungle seconded to hold PC2018-005.

Yea: Brauer, Harrison, Miller, Sprungle.

Nay: None. Motion was held.

P.C. 2018-004 – DEVELOPMENT MANAGEMENT GROUP- REVISED SITE PLAN & CONDITIONAL ZONING CERTIFICATE FOR A RETAIL DEVELOPMENT AND CONVENIENCE STORE/GAS STATION; 4185-4217 KENT ROAD

Mr. Ken Knuckles of Development Management Group, LLC was present to represent this item.

Mr. Kurtz: This is a request by Mr. Ken Knuckles of Development Management Group, LLC, applicant, for the Planning Commission's approval of a revised site plan and conditional zoning certificate for a retail development located at 4185-4217 Kent Road. 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).

A site plan and conditional zoning certificate was approved in 2017 (P.C. 2017-014 & Council Res. 2017-100). This approval included a variance from 1145.07 to locate a portion of the parking lot 10 feet from the west property line (25 feet is required when adjacent to a residential district).

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 [pointing to the screen], which has a depth of approximately 590 feet, will remain as 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.

The original approval consisted 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 revised site plan consists of 39,060 square foot 2-unit retail building; a 2,400 square foot restaurant; and a 6,200 square foot convenience/gas station.

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. An eastbound left turn lane and a westbound right turn lane are also proposed on Kent Road.

A total of 243 parking spaces are proposed for the development. Interior landscape islands parking lot provide approximately 33,175 square feet of open space or 17% of the parking lot area (5% is the minimum required).

Approximately 52% of the property will remain as open space. Storm water will be managed primarily with an underground detention system as well as an above ground bio-retention cell.

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.

This will be the larger building in the back [pointing to the screen], the convenience store elevations [pointing to the screen], and this is the restaurant building on the southwest part of the site [pointing to the screen].

In general, the area used is about the same in reference to the rear property lines. Storm water management will be handled on site primarily with two underground storage areas. There is a bio retention cell proposed as well behind the convenience store.

Mr. Sprungle: So there are no variances, this is just a Conditional Zoning.

Mr. Kurtz: The previously approval did include a variance for this parking area here [pointing to the screen].

Mr. Sprungle: So that's already approved, and that hasn't changed?

Mr. Kurtz: Right.

Mr. Brauer: Jared brought up a good question with regard to upgrade and improvements to Kent Road. Should we have a recommendation, or is there something for sidewalks.

Mr. Kurtz: I didn't mention it, but there are already sidewalks there. I also failed to mention, and it is pretty important, that the other improvement that the traffic study proposed was a traffic signal.

Mr. Ken Knuckles – Development Management Group, Nashville, Tennessee: You recall, as Rob mentioned, we came through last September with the plan that was originally approved. Rob has pointed out the differences between that and the plan we've got here tonight. The biggest ones being that we've got a slightly larger building in the back. We've got a second tenant back there now in addition to the larger one we had before. So that building has gotten a little larger back there.

The convenience store, which you granted a conditional approval for last time, has gotten slightly larger due to the prototype the tenant wants to use.

One of the more noticeable differences is on the southwest corner we had a 5,250 square foot two-tenant retail building that we've now replaced with this single-tenant restaurant use with a drive-thru. Which also requires a conditional use approval as well.

What we're asking for is approval for the additional square footage on the site with the building in the back, the convenience store, and the conditional use approval for the restaurant at the front corner.

Rob mentioned the storm water. What we're doing at this point, we do have some underground retention that is going to be in the parking lot furthest back, behind the convenience store. It will have some underground system and bio retention.

We're going to have some underground retention here [pointing to the screen] but a much smaller system than we had before. I think the original approval actually had a fairly large detention basin here [pointing to the screen] with some underground system. What we're proposing at this point, and I think our engineers already worked this out with staff, we will have a smaller underground system here [pointing to the screen] with some bio retention. Then behind the retail building a little further up here [pointing to the screen] just within the R-3 district, we're going to have a detention basin right here [pointing to the screen].

Most of this site with the exception of the convenience store here, this basin back here [pointing to the screen] is open that will then discharge our outfall back this direction. It will tie into the system that's down here [pointing to the screen] in the parking lot. Then it will outfall over here [pointing to the screen] where it currently draining anyway.

We have altered the storm water design some from what we had before. I know one of the things that a couple people brought up before when we came through Planning Commission were the folks that live north [inaudible] properties as far as drainages and that kind of thing. They were concerned about water going in their direction. What this actually does, I think it reinforces the fact that our development is actually going to improve any drainage situations they may be experiencing now by virtue of the fact that we are actually capturing any water that comes off our site in that direction. Then we are discharging it back to the south and then to the east. I think that's the biggest changes between the two proposals.

Mr. Phillip Boyer – 2984 Heatherwood Court – Stow, Ohio: This is all good and maybe there's no problems but [inaudible] that's really where our back yard is, on the other side. You have tenants there. I remember the last time you were here you didn't have any tenants. So you have tenants for those two big buildings.

Mr. Knuckles: We do.

Mr. Boyer: Okay so you have tenants; and you said the drive-thru is down here [pointing to the screen] somewhere for the restaurant, right. You also said, one time and I don't know if it's been discussed, but this calls for a bio retention thing. Is that also up this way [pointing to the screen] towards the restaurant?

Mr. Knuckles: Bio retention [inaudible]. If you have other questions you want to ask me.

Mr. Boyer: Believe me, I've been all over this, walked over it, been out on it. You know there was a mention of a fence. I don't know if that's wood, vinyl, chain link, or brick. What are we doing there for a fence? I heard there was going to be fence.

Mr. Knuckles: There will be a fence. There is fence that is going to run down this east of this west side [pointing to the screen]. Along this side [pointing to the screen]. We are closer within the buffer here than we were, so we'll screen that with an actual fence and evergreens.

Mr. Boyer: So it doesn't have anything to do with us back there. I thought a fence was going back there.

Mr. Knuckles: No. We've actually got from here [pointing to the screen] back to the back part of our property to the north which would I guess be where you guys are adjacent. You've got 600 feet of wooded area.

Ms. Leah McMillin – 2960 Heatherwood Court – Stow, Ohio: You said 600 feet at the last meeting and there's 25% more of the space that is gone now with the retention pond.

Mr. Knuckles: That's an open detention pond. How it drains is an issue that was raised before. There is a drawing that shows how that detention is going to be graded [which was displayed on the screen]. We are proposing an open detention basin right there [pointing to the screen] that's going to take all of the storm water from this portion of property [pointing to the screen] with the exception of what's behind the convenience store is going to drain to this basin.

Any water whatsoever that leaves this property to the north is going to get captured into this basin. It's not going to get past that basin. It's going to stop right there and we're going to out fall the water that gets in that back to the south and over to [inaudible].

The other thing is there is a ridge line. This doesn't show it [indicating the drawing on the screen]. None of this, in this area [pointing to the screen] ever drains to where the [inaudible], but this basis right here [pointing to the screen] is going to pick up any water that runs off this property here and will out fall back to the south.

Mr. Boyer: I think what the lady, and I was curious too, the buildings have 10,000 square feet, so they went up or they went out? They went closer to our property or up in the air? The actual square footage.

Mr. Knuckles: They're wider and a little longer.

Mr. Boyer: A little longer, okay. Obviously, everybody is concerned about the noise. You hear all of that.

Mr. Knuckles: The thing here is we have to stay within the C-4 zoning. So as long as we keep our project within that C-4 then we're in good shape. To propose any kind of drive way [inaudible not talking into the microphone].

Ms. McMillin: I'm right behind that. The last time they said, well there's 600 feet of trees in there. Well, they're now taking 25% of those out and they're putting a pond in for mosquitoes to breed in and its closer. With the light pollution and the water and noise it's going to be a lot closer.

Mr. Sprungle: It detention, not retention.

Mr. Knuckles: This is not a retention pond where water stays. It is water that drains to it and then it gets out as quickly as it can. It's not designed to hold water.

Ms. McMillin: But there's water in it where the mosquitoes are going to breed.

Mr. Knuckles: [Comment was Inaudible, did not speak into the microphone.]

Mr. Brauer: Maybe to put your mind at ease, we have Mike Jones here with the City. Mike, you've had the opportunity to review this plan. Do you feel comfortable that it's going to work?

Mr. Jones: Yes sir.

Mr. Knuckles: I think you had a question about noise pollution. There may be a few trees that come out of that but all of this back here is still heavily wooded. We're not getting into any of that. The back of this is 600 feet to the north line. I don't see how light pollution becomes an issue.

Mr. Brauer: We had discussed the lighting proposal at our first meeting and the type of light they are proposing is a light that shines downward. It's not going to be focused toward the back of the property at your homes.

Ms. McMillin: I'm concerned when the trucks come in to deliver things before the stores open at 6:00 a.m. and the beep, beep, beep when they back up and stuff like that. My condo is right in the middle of the property line at 2960.

Mr. Brauer: I don't think you're going to see a whole lot of lights off of vehicles.

Ms. McMillin: Right now I can see it from Target.

Mr. Brauer: Mr. Knuckles, the elevation change is probably going to help that out, isn't it?

Mr. Knuckles: Absolutely. I'm trying to remember there's probably a change that occurs from here to there [pointing to the screen] and I think there's a ridge line that occurs right through here [pointing to the screen]. So this is kind of the high spot. Then it slopes off this way [pointing to the screen] and it slopes off that way [pointing to the screen]. So there's a big high spot right here [pointing to the screen]. Not only will you have trees but there's also a high ridge [inaudible].

Ms. McMillin: You no longer have your 600 feet because you've got your retention area in there. It's going like a quarter of the distance of the buildings on the right and before everything was in front of those buildings.

Mr. Brauer: It's really not going to change. The distance is not going to change. I understand your concern. Your question is the lighting, correct?

Ms. McMillin: [Inaudible – spoke without the microphone.] water.

Mr. Brauer: I really strongly believe that the water problem that you think is going to be there is not.

Ms. McMillin: And there's not going to be any water in there for mosquitoes to breed in.

Mr. Brauer: It's not going to be in there long enough. It's not going to sit in there. It's not like it's a giant tank with the lid off or a pond.

Mr. Boyer: The last picture you had up where the gentleman was talking about was actually very good. Could you put that back up. This is the detention pond. You've got to put the water somewhere, I understand that. Now we're over here on this side [pointing to the screen]. You can see this is open. That's part of your property too right?

Now you can see all the trees here [pointing to the screen] which is cool. I wish I had them. But over here there's like a couple of sticks so we're going to be looking right into that. Why don't you plant some trees and be a good neighbor; put some evergreens or something up there?

Mr. Knuckles: That is not our property. Our property line's right here [pointing to the screen]. This over here belongs to Mr. Baker and that's not our property.

Mr. Boyer: I didn't know that. Is that for sale?

Mr. Knuckles: I'm not sure what he's doing with it. It's not part of what we're doing.

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

Mr. Kurtz: Yes, we have some conditions for approval that I forwarded to Planning Commission.

Mr. Brauer: Do you want each one of those read into the conditions or do you want to just reference this.

Mr. Knuckles: Mr. Kurtz gave me a copy of the conditions and there were six of them and we're in agreement with all of those.

Mr. Kurtz read the conditions as stated below with the motion.

Mr. Brauer moved and Mr. Sprungle seconded to approve P.C. 2018-004. **Planning Commission recommended approval subject to the following: 1. the applicant adhering to the recommendations in the TMS Engineers report dated 8/28/17 including the following improvements in the Kent Road right-of-way: 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); construction of right-in/right-out ingress/egress lanes at the east and west access drives; construction of an exclusive eastbound left turn lane at the primary entrance; construction of an exclusive westbound right turn lane at the east access drive; 2. Engineering Department approval of storm water management plans; 3. City Arborist approval of landscape plans including the applicant provide additional trees along Kent Road and along the east property line; 4. Fire Department approval of construction plans including the applicant providing at least 4 fire on-site fire hydrants; and 5. Building & Engineering Department approval of construction plans.**

Yea: Harrison, Miller, Sprungle, Brauer.

Nay: None. The motion carried 4-0.

STUDY ITEMS

P.C. 2017-018 – PROPOSED CONCEPT PLAN; GILBERT ROAD

Mr. Kurtz: This is a request by Mr. Paul Zuravel, property owner, for the Planning Commission's additional preliminary consideration of a site plan to permit the construction of a cluster development on his property located at 3720 Gilbert Road.

This is a more finished version of what was discussed in December. He shows 11 units plus the 2 units at 3720 and 3722 Gilbert Road. So as I read this plan, it would be a total of 13 units. It is similar to what was talked about previously.

In terms of how it meets the Cluster Regulations, the only variance that I saw had to do with the location criteria because the Cluster has specified streets and Gilbert Road isn't one of them. As we discussed before, based on the land-use policy in the Comprehensive Plan, alternative types of residential development were recommended for this area so it doesn't seem too far of a stretch to look at a Cluster Development for this area, in my view.

This is a more efficient plan but it's still a Concept Plan. The final review of the roadway widths, fire access and that sort of thing would have to be evaluated and I do not think there is any landscaping shown on this plan.

Mr. Zuravel: I have talked to Rob and I want to bring this forward to try to get the conversation started on higher density in that area also. I'm showing something here that's acceptable density wise. Since the Comprehensive Plan came out, there's a couple places under the residential policies. One section I think is 4.2.3 "Permit high-density residential development adjacent to retail nodes and community facilities." I'm right there behind Lowes and Walmart.

Another thing Rob and I discussed, the Multi-family allows six units per acre and it only requires a minimum of 2 acres under the current code. The Cluster requires three acres and only allows 3.3. I think the Cluster was really made more for in-fill projects along Graham Road and the other roads that are mentioned in the code.

In talking with Rob I wanted to get some input from the Planning Commission and I know we talked a little bit about it before as far as getting some higher density in place. I think this project would work but from an economic standpoint I'd like to do single-family homes or what is known to be co-housing units; where they are over 55 or are people getting ready to retire. It's their own community.

With the Cluster Regulations you can only get 3.3 units per acre. As somebody trying to do a project you're pointed toward doing multi-family because you can get more units. Under this zoning I could put a 24-unit apartment on the front of the lot as long as I met the setbacks under the 6 units per acre.

I'd like to do single family. I'd like to do a higher density because of what's allowed under the multi-family and because of Comprehensive Plan. When they did it, and you passed it, it sort of leaned that way in a couple different areas. I'm looking for some feedback there.

Mr. Sprungle: Rob, I have a question regarding density and I don't want to make you do a whole lot of research but Parkview Homes is what I would consider to be a Cluster Development. What is the density there?

Mr. Kurtz: There was another phase built. I want to say there were just over 100 units. You mean Stonebridge.

Mr. Sprungle: Yes Stonebridge, it is Parkview homes.

Mr. Kurtz: I want to say at least 100 units, 111 units stands in my mind, but I can't swear to that. That's probably the density of about 2.5 units per acre I would guess.

Mr. Sprungle: So it would meet the Cluster requirements.

Mr. Kurtz: Yes. I think it was approved as a Planned Residential Development (PRD). It was too big for a Cluster. Ten acres is the max for a Cluster so it was approved as a PRD. I would say 2.5 units, give or take, per acre. That is relatively low density. The Comprehensive Plan didn't specify density but I would not characterize that a high density.

Mr. Sprungle: I wouldn't call it high density but I would call it appropriate for Cluster Development. You have houses that are close together. To me that is the definition of a Cluster.

Mr. Kurtz: They are clustered together and there is a common open space.

We have done some thinking about our current regulations. Our current regulations have Cluster, PRD and PUD. Staff has done a little bit of background in comparing all of our non-traditional residential districts. I would suggest Planning Commission should review those and re-evaluate those districts just to get them all up to speed and make them consistent in terms of the minimum area, and in terms of what we are looking for. I think that is something that should be done as time permits and if we have some assistance we can.

The other thing to think about, and this is something else for Planning Commission to think about. You recall the Gilbert Road Overlay District that was recommended and approved by Planning Commission but then when it got to Council the multi-family aspect was removed from it. Then it turned into an office overlay district. It was approved but the multi-family aspect was taken out.

The density in that, and is still the highest density we have at 15 units per acre. That was for potentially allowing apartments. The other thought is maybe presenting to Council something between 6 and the 15 if that's more appropriate for that area. If that's something Planning Commission could think about, I would welcome your feedback and if we should start exploring that given the policy in the Comprehensive Plan.

Mr. Zuravel: One of the reasons I'm looking in this area, it's a Cuyahoga Falls address, it's a 44221 zip code. Everybody knows properties price by zip code for the most part. When somebody is going to be looking down here they're looking at, you're competing against homes that are on 4,000 and 6,000 square foot lots in Cuyahoga Falls, and the new ones are selling for \$200,000; on infill projects.

My battle is, do I just go ahead and get the most bang out of my buck and do the 24 units at the 6 units per acre and build a two-story apartment building or two 12 units and be done with it. That's not my preference. My preference would be to do smaller homes that are more affordable for people that are on the entry level.

The development you talked about Rich, I think those are \$300,000 and up.

Mr. Sprungle: They advertise \$286,000, but you are right.

Mr. Zuravel: You know what I'm saying.

Mr. Sprungle: I'm not comparing the style and amenities. I'm trying to gauge what numbers per acre would be appropriate.

Mr. Zuravel: Right. Like Rob said, they turned down the 15. Even though the C-7 adjacent, abutting retail allows for 15 or 17 units per acres. This area qualified for that because it abuts the retail. But they took it out because you have great opposition on Council. Let's be honest here. These guys think apartments are bad and people that rent apartments are bad. So they're going to take any kind of apartments out that are in there.

A cluster home where the homes can be closer together; and they are allowed under the Multi-family zoning at the 6 units per acre. But like Rob said, at that point they'd have to be 40 feet apart. That's really restrictive. It's more restrictive than the R1 District where they only have to be 15 feet to the setback line.

I'm trying, like you Rich, to get some kind of compromise even if it was okay clusters are allowed in Multi-family. So let's allow them with the cluster and _____ regulations with the cluster setbacks, zero lot lines, etc.

I think the area warrants a higher density. Since I came here last I got the parcel in front so there's 230 feet of frontage there. Really, this area [pointing to the screen] qualifies for the assisted living at 25 beds per acre. So I could put, with a minimum of 4 acres, 100 beds there.

This is the discussions we were having tonight about those villas. Why couldn't I put 100 beds in villas there?

Mr. Miller: You purchased that extra property since the last time we spoke?

Mr. Zuravel: Yes. I was looking at it but I didn't have it purchased in my name so I couldn't say that it was mine because you never know. Now it is, I have the deed to it, so I own it outright.

Mr. Miller: Steve, could you zoom in on Fishcreek Road across the street from the bowling alley where the housing development is. I would like to know what is that area under? Is that under a PRD?

Mr. Kurtz: It's a cluster.

Mr. Miller: And how many units per acre? How many acres is that area they built those homes in?

Mr. Kurtz: That was approved in 2001. It was probably around 3 acres or so.

Mr. Gibbons: The area highlighted on the screen is 2 acres plus that [pointing to the screen]. So it is at least 3 acres. Probably more than three and there are 10 homes. That was a cluster approved some time ago.

Mr. Zuravel: Is that R-2 there Rob [pointing to the screen]? Maybe that is R-2 in that area. But you know what's happening there too Jerod? I know the people that live in the first house on the corner. Number one, they have a lot of problems with getting up that little hill because it is all ice and it doesn't get plowed. What's happening there is those houses are \$2,200 a month. So yes, that's good rent but what's happening too is that because they are 4 and 5 bedrooms you're getting multiple people move into the units. So parking has become a problem.

Mr. Miller: So Paul, how many acres do you have total?

Mr. Zuravel: 4.2 acres plus I have the acreage I'm leasing but I'm not going to include that which is another 1.5 acres.

Mr. Miller: You're looking to do how many units?

Mr. Zuravel: _____ I could do 25.

Mr. Miller: But on the map here you have a total of 11. So you're building approximately one more than what this development has on Fishcreek Road, but you have one more acre of property than this development here. So I don't think the parking would be an issue for you. You were bringing up parking and other stuff and I don't think those really fit in or are going to be a concern to your property.

Mr. Zuravel: My concern with this plan is that I want a go a high density than what this plan actually shows.

Mr. Miller: So you want to go to how many?

Mr. Zuravel: Well under the Multi-family you could go 24 units and use Cluster but then you can't use the Cluster Development regulations and Rob and I discussed that.

Mr. Miller: This is considered an R-2 (referring to development on Fishcreek Road) and yours is considered what?

Mr. Zuravel: R-3.

Mrs. Harrison: I think there are also some environmental restraints on this property with the drainage and the flood plain too which kind of limits some of that density.

Mr. Zuravel: Well, unless you go up. Unless you go two stories or three stories. That's a good point. Under a Cluster Development you are supposed to try to maintain some of the areas that are natural. You're not supposed to go in there and clear everything and create a PRD. You're supposed to try to work around the elevations that are there. There is already an existing pond there and Mike's been out there to see that. I've got to keep that in order. There are a lot of trees there that I'm trying to work around along that drive that is going to be the private road.

What I really envision there is a co-housing community with 25-30 homes. I'm going to leave the barn there as an accessory building they can use for storage or equipment. We might have chickens there. We might have other small animals there on that 1.5 acres I'm leasing, behind the creek.

These co-housing communities are popping up all over the country in different areas. They started in California. There are some in the Carolinas. There are some in Virginia. They are for people that are 55 and over. Instead of going to an assisted living community, they're coming together, buying acreage, building homes; detached single-family homes, but they have a community.

This area here, because with all this talk of walkable communities, this area here is the most walkable, I believe, area in the City for residential. You have Walmart, you have Lowes, you have Panera, you have Starbucks, you have restaurants, now you have the Cleveland Clinic with the doctor offices, you have Planet Fitness. You don't need a gym you can walk to Planet Fitness. You want a cup of coffee; you walk to Starbucks. This area here is unique in that respect, I think.

It's almost like what they wanted to create up here [pointing to the screen] but it's already existing down here [pointing to the screen] but it's just the wrong location.

With the development here, the storm water, the water, the sewer the everything. The money is made by the governmental agencies after you've built it and they start collecting property tax on those building you built. You make money up front, but at the end of the day, they're making money to infinity; after I'm dead and we're all dead. That property is going to be taxed forever.

Mr. Miller: Not to cut you off and I appreciate everything you are saying but just a quick question. Do we have a drawing of the updated density that you are talking about?

Mr. Zuravel: No because I don't want to come in here and say; I want to try to come in here without a variance because my experience with variances is bad and I don't want to come in here with a variance. I think just like they took the assisted living from 12 beds per unit to 25 beds per unit for Omni. That was a 100% increase in beds on an assisted living project.

I'm thinking because of what the Comprehensive Plan says, more density in this area should be initiated by the City. There's a couple of places in the Comprehensive Plan where they addressed it. We've talked about it.

Like Rob said, before you guys approved the 15 units per acres under the Gilbert Road Overlay. Now Council took it right out without even trying to reduce it or do anything which I thought was a bad move. I thought at the minimum they could've just said let's go down to 8. Even when talking to Rob, and Rob you can verify this, talking to developers the density is low in some of these areas, right Rob?

Mr. Kurtz: Stow's density is low. That is the way it has been. Every city has different densities. In general Stow is averse to higher densities. That has been the rule, other than limited cases.

Mr. Brauer: Rob, what is our next step?

Mr. Kurtz: A couple things. Presenting to Planning Commission or at least an evaluation of our existing districts. Would that be something that would be useful? The non-traditional such as the Cluster, PRD and PUD. Look at those and what we have now and look at areas where they could be changed.

Secondly, think about whether or not we need to look at the Gilbert Road Overlay District and try to amend that to be consistent with the Comprehensive Plan. I will leave that up to Planning Commission.

Mr. Sprungle: Regarding the Gilbert Road Overlay, if Planning Committee of Council disapprove it then?

Mr. Kurtz: Right. I understand that. Why would we submit something that has already been denied?

Mr. Zuravel: That was previous to the Comprehensive Plan.

Mr. Kurtz: The difference is the Comprehensive Plan has been updated but I wouldn't recommend going with the same density. Planning Commission could think about if they are willing entertain a re-evaluating the Gilbert Road Overlay District.

Mr. Sprungle: Without a variance, this plan would be okay.

Mr. Kurtz: It looks like it meets the Cluster Development code except for location. As I reviewed it the only variance would be location criteria.

Mr. Sprungle: Because Gilbert Road is not considered.

Mr. Kurtz: Gilbert Road is not considered a Cluster road.

Mrs. Harrison: When he says by comparison there really wasn't too much of a difference between a Cluster and a R-3. There were a couple differences with the minimum building distance being the biggest one.

Mr. Kurtz: He had submitted a plan and I reviewed both of them against both the Cluster and the Multi-family. He has modified this plan and addressed most of the variances except for the location criteria.

Mr. Sprungle: To me as a Cluster plan, this doesn't look too bad.

Mr. Brauer: It really doesn't.

Mr. Zuravel: I like it but I just think it's too low a density for economics. Tonight, there were 11 villas on 1.7 acres.

Mr. Sprungle: That is a completely different animal.

Mr. Kurtz: Here is the thing to think about. This plan would have to be modified. But if this were two stories I think there is going to be parking issues that would have to be addressed. You can't just put two-stories on this plan. The roads aren't wide enough.

There wouldn't necessarily be a significant amount of impervious surface if it were two stories. Quail Creek has some flat on flats. Which, again, from an environmental point of view there is an advantage to that. You're not taking up big footprints. In that regard you could make the argument for two stories if that were marketable and you had adequate parking and circulation. I don't know that we really addressed that in any of our non-traditional zoning districts. Not that it is not allowed.

I'm happy to review those or share what I have reviewed so far and then get your additional feedback.

Mr. Brauer: Let's do it. Is the Commission good with that?

Mrs. Harrison: Yes. I think this plan looks good as it is too.

Mr. Brauer: Yes, I kind of like it too.

Mr. Zuravel: Would you be opposed to higher density there?

Mr. Kurtz: If I could speak for the Commission, a couple of them have asked, what's it going to look like. I don't think it's fair to ask the question for high density if we don't know what it looks like.

Mr. Zuravel: Like I said these units are 1,300 square feet.

Mr. Kurtz: Right. Again, I think if you want an answer, you're going to have to show them or let us evaluate that.

Mr. Zuravel: But judging off what the Comprehensive Plan says, the movement is going to be toward more density in that area because of what the Plan says. So is the movement going to be toward more density or are we just going to let it lay; because I can't wait another year.

Mr. Kurtz: You were here when I voiced to Planning Commission what we were going to do. We're going to evaluate our districts to see if high density is appropriate.

Mr. Zuravel: So If I bring a plan that has more density and my argument is, well the Comprehensive Plan calls for more density. What's going to be the feedback? That's what I'm saying, my only other choice is okay Paul, if it's going to be a big wait, do the 24-unit apartment building, build it in front and be done with it. Five Hundred square foot units and go.

Mr. Brauer: Are you going to put any decks on theses?

Mr. Zuravel: No. I know that is always a question and it has to be.

Mr. Brauer: You have to ask the questions.

Mr. Zuravel: I get it.

Mr. Brauer: You sell this unit and it's not disclosed; it comes to us.

Mr. Zuravel: I know, as a variance later on in life the deck comes in and when you get a more refined plan, that would be shown.

Mrs. Harrison: So you would be selling these as individual units?

Mr. Zuravel: Yes. I would like to sell them on individual lots.

Mr. Brauer: Okay. Rob I think we have a good plan to move forward. Get that information to us and we will review.

Mr. Kurtz: Okay.

Mr. Brauer: Paul. Thank you.

Mr. Zuravel: What kind of time frame? The process is long enough as it is. I already have options. I have the assisted living option. I have the multi-family option. Those are two options. I would rather do single family because I think it is more palatable, but I don't want to wait another year to get an answer.

Mr. Kurtz: I don't think you have an assisted living option.

Mr. Zuravel: Why not, its 4 acres.

Mr. Kurtz: It's not located on a major street.

Mr. Zuravel: Gilbert Road is a major street.

Mr. Kurtz: No, it is a dead end.

Mr. Zuravel: It's 60 foot wide.

Mr. Kurtz: It is not a major street. So that's one. The other thing is you have to meet the assisted living definition.

Mr. Zuravel: I don't know Rob, when Omni was looking at that property down there I sat in a room with Sara Kline and Ken Trenner and they told them how great it would be to have an assisted living project down there. Now you're telling me after you changed the code that assisted living doesn't work down there. Too me that seems awful odd. When I sat there with Pat Finley, before you changed the code.

Mr. Kurtz: Right.

Mr. Zuravel: And they were in love with an assisted living project down there on Gilbert Road. Now all of a sudden you change six months later. That seems awful odd.

Mr. Brauer: Paul, work with us. We are going to review this and do what we can for you.

Mr. Zuravel: Don't you think it seems it's kind of odd.

Mr. Brauer: Sometimes and I will be the first one to say, you challenge us in many directions.

Mr. Zuravel: Nothing wrong with that.

Mr. Brauer: I think it's time to not challenge us. Let us do our job and let's see what the outcome is.

Mr. Zuravel: But as a developer...

Mr. Brauer: We're all here to help each other.

Mr. Zuravel: I get that, but as a developer, I should know what to expect.

Mr. Brauer: I understand, but you said it yourself, if you come in here with variances, sometimes you put them in front of us and they're very tough to swallow.

Mr. Zuravel: When you try to do a Cluster Development on two acres on a road they want it on and you get turned down.

Mr. Brauer: Let's work together Paul, okay.

Mr. Zuravel: Alright, thanks.

The Planning Commission was generally supportive of the proposed cluster plan concept subject to final design review. Further evaluation of the non-single family residential regulations and the Gilbert Road Overlay District is planned.

P.C. 2018-005 – OMNI SENIOR LIVING: ADDITIONAL VILLAS; ALLEN ROAD

Request by Mr. Thomas Finley, applicant, for the Planning Commission's preliminary consideration of the development of villas on a 6-acre parcel north of the Omni Senior Living campus.

The applicant was not present and there was no discussion on this item.

OTHER BUSINESS

Mr. Sprungle: A couple of meetings ago we approved an insurance company on Stow Road.

Mr. Kurtz: Yes. They have a letter.

Mr. Sprungle: No improvements have been made and a post sign has been put up.

Mr. Kurtz: Yes. They just received a letter.

Mr. Sprungle: They can still do the plans.

Mr. Kurtz: They have submitted them and they look beautiful. It is what they submitted to Planning Commission and Bud Carey has them on his desk. I noticed the sign yesterday and it was not consistent with the approved plan and a letter was sent.

Mr. Sprungle: Thank you very much.

Mrs. Harrison: On that topic, the gentleman we had here from Hudson Drive that was going to put in a car dealership. They were going to sell antique cars and stuff out of there. It looks like they're selling cars.

Mr. Sprungle: They made a car dealership there. We didn't approve it. Did they go to Council?

Mr. Kurtz: No they didn't.

Mr. Sprungle: Well, they're selling cars there.

Mrs. Harrison: Just another one that didn't seem to follow recommendations.

Mr. Sprungle: Why do people bother coming to Planning Commission if they're just going to do whatever they want anyway.

NEXT MEETING: Scheduled for February 27, 2018

With no further business to discuss, Mr. Brauer moved and Mr. Sprungle seconded the motion to adjourn. It was unanimously approved and the meeting was adjourned at 7:25 p.m.

Chris Brauer

Pamela H. Daerr, CPS

Planning Commission Chairman

Planning Commission Secretary

Memo

To: Planning Commission
From: Robert P. Kurtz, Planning Director
Date: February 8, 2018
Re: P.C. 2018-001 Omni Senior Living Villa Addition - Questions from 1/9/18

I am following up on several questions raised at the 1/9/18 Planning Commission meeting. I hope you find the information useful. Please let me know if you have any questions.

1. Storm Water Management

There is a recorded storm sewer easement allowing use of the detention basin that is located on the Printing Concepts property to the south. I consulted with the Engineering Department and the storm sewer pipes are in place and are already connected to the regional detention basin on the Printing Concepts property, and there is a recorded easement (Reception # 54283841). However, the basin must be evaluated and storm water calculations produced to determine if it is adequate to handle the Villas –Phase II development. The other alternative discussed at the 1/9/18 meeting is underground storage on the subject property. Either alternative must be reviewed and approved by our Engineering Department. Also, to confirm, the NEO Eye Surgeon, Villas-II and LaSpina Building all drain to the south while the Omni Phase I is designed to drain the storm water to the north and west.

2. Modification to previously approved plans

I confirmed with the Law Director that the Planning Commission is a recommending body and is permitted to recommend to Council a modification to a previously approved project or plan provided there is some basis for such recommendation. In this case, the proposed use has changed from an office building to senior living, additional access is available to the north, and the property has been transferred. [When the NEO Eye Surgeons building was approved a second office building was also proposed to be built between the NEO Surgeons building and the LaSpina industrial building. At the time, LaSpina owned all three parcels and the cross access easements were logical because it would have served the proposed office and industrial buildings. While it also provided another potential emergency access this language was not part of the legislation.]

3. Appropriateness of conditions attached to approval

The Law Director noted that any condition of approval should have a “rational relationship” and shouldn’t be overly burdensome to the applicant. In this case, the only potential primary beneficiary appears to be the LaSpina Industrial property, and they indicated that they did not desire to connect the properties.

4. Additional Access

After consulting with Law Director Zibritosky and Fire Chief Stone, the request for Omni to provide an additional emergency access between the properties should be viewed as a “request” by the Fire Department and not a requirement. Neither the applicant nor LaSpina support this connection. Also, please note that the primary circulation drive for the Omni Senior Living campus does provide an additional position for fighting a fire on the LaSpina property which was heretofore, not available. It is for these reasons I am not recommending that providing an additional access be condition of approval.

5. Sidewalk Added

In response to comments at the 1/9/18 meeting, the applicant has provided a sidewalk adjacent to the circulation drive (west side) and a crosswalk across the main circulation drive to the north.