

Minutes of the Planning Committee of Stow City Council Meeting held on Thursday, September 27, 2018, at 5:41 p.m.

Committee Members Present: Pribonic, Lowdermilk, D'Antonio & Adaska

Other Council Members Present: Herchick, Rasor & Riehl

City Officials Present: Mayor Costello, Director of Planning and Development Kurtz, Finance Director Baranek, Director of Budget & Management Earle, Economic Development Coordinator Trenner, Deputy Service Director Brooker, Police Chief Film, Fire Chief Stone, City Engineer McCleary, Assistant Law Director Mackin, Parks & Recreation Director Nahrstedt, Law Director Zibritosky & Clerk of Council Emahiser

Press Representatives: Stow Sentry

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### **Call to Order**

Mr. Pribonic called the meeting to order.

### **Business Items**

Site Plan/Residential Building Conversion – C-Nails & Spa LLC – 3616 Darrow Road  
(PC 2018-015)

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Mr. Kurtz stated this was a request by Chau L. Nguyen, the property owner, for Council's approval of a site plan/residential building conversion in order to utilize an existing garage as a nail salon and spa at 3616 Darrow Road. The property is zoned R-B Residential and nail salons are permitted by right in this district.

The applicant intends to reside in the existing dwelling and the proposed spa will be located in the existing garage. A parking lot that will accommodate 17 vehicles is proposed to be located behind the existing dwelling.

The applicant is proposing to retain several large trees on the property as well as border the parking lot with evergreen plantings. That landscape plan has been approved by the City Arborist. There is also a dry detention basin that is proposed to be located in the front yard.

To the south there is a business. To the north there currently is a single-family home. He pointed out the proposed parking lot and the existing garage on the screen. The garage will be re-sided to look more residential in character with vinyl siding. The windows will be replaced.

The use of the garage for the business probably would be easier than trying to convert the existing residential structure. Often in terms of just those 3-4 steps up into the residential house it makes it very difficult to convert it to a business as well as other potential limitations. Also the Planning Commission's view was there would still be a residence on-site so there would be further care of the business.

The Planning Commission recommended approval of this request at their last meeting.

He was available to answer questions.

Mr. Lowdermilk thought there was an overlay district in that area already that would pretty much encourage this type of thing. Mr. Kurtz stated there was. There was an R-B District and a Darrow Road Overlay District.

Mr. Lowdermilk asked if any of the other commercial properties were using the house as residential and the garage as a business? Mr. Kurtz stated no.

Mr. Lowdermilk stated that in the past he had had conversations where maybe that was not the ideal. Mr. Kurtz stated per discussions with the Chief Building Official it was much easier to convert that masonry block structure compared to a residential structure.

He thought moving forward he would support that sort of activity. Not that there were any issues with maintenance, but he thought having residents on-site would guarantee that it would be kept-up.

Chau L. Nguyen  
3616 Darrow Road  
Stow, OH 44224

Mr. Nguyen was sworn-in.

Mr. Nguyen stated that he currently had a business just down-the-street. He was trying to move the location down because it is harder for elderly people to walk across the parking lot to get to the building. There was also a step involved. So he was trying to convert the garage to it so it would have easy access.

He would love to keep the house as residential instead of changing the structure of it. He requested Council's consideration of allowing this.

Mr. Pribonic asked if Mr. Nguyen was going to live in the residential structure? Mr. Nguyen stated that he was.

Mr. Adaska stated he was sure there was going to be plumbing infrastructure in the garage. Mr. Kurtz stated there would be. He had already submitted preliminarily full construction plans for that. Mr. Adaska stated he just wanted to make sure that they weren't going to use the house for that.

Mr. Pribonic stated they would send the item on to Council this evening. Mr. Nguyen could either stay tonight and sign it if it is passed, or if he didn't want to stay tonight, he would have thirty (30) days to sign it.

MOTION:

Mr. Pribonic moved and Mr. D'Antonio seconded to assign a number to the sample legislation and send it on to Council.

Yes Votes: Pribonic, Lowdermilk, D'Antonio & Adaska

No Votes: None. The motion carried.

Mr. Pribonic stated this item would appear on tonight's Legislative Agenda.

Lot Split & Variances – Ann Voros – 1932 & 1926 Liberty Road (PC 2018-017)

Mr. Kurtz stated this was a request by Ann Voros, the property owner, for a lot split with variances to permit the subdivision and recombining of two lots at 1926 and 1932 Liberty Road.

The dwelling at 1926 Liberty Road is located three feet from the side property line. This received a variance back in 1993. The current dwelling on 1932 Liberty Road is ten feet from the adjacent side property line. The applicant is requesting approval to basically move the line further away from 1926 Liberty Road and closer to 1932 Liberty Road.

Currently there is thirteen feet between the buildings. They are requesting that the new property line for 1926 Liberty Road be seven feet from the property line and the resulting setback for 1932 Liberty Road be six feet from the property line.

Right now 1926 Liberty Road is less than required (there is an eight foot requirement for a setback). It would be getting that one closer to the City's Code and by the same token would be minimizing the setback for 1932 Liberty Road.

There is no construction proposed. All it is is moving the one line closer to the other - further away from the existing 1926 Liberty Road. Those are the variances required.

The Planning Commission recommended approval of this request.

Mr. Lowdermilk asked if that was a vacant lot or was there a structure on the back of that lot? Mr. Kurtz asked which property? Mr. Lowdermilk stated the one they were taking the property from.

Mr. Kurtz pointed out a house at 1926 Liberty Road. He also pointed out the lot at 1932 Liberty Road. Mr. Lowdermilk asked if that was an existing house? Mr. Kurtz stated it was.

Mr. Lowdermilk stated based on the satellite view it looked like that was a vacant lot. He was looking one lot over.

George and Ann Voros  
1926 Liberty Road  
Stow, OH 44224

Both individuals were sworn-in.

Mr. Pribonic asked if there was anything they would like to add?

Mr. Voros stated that the only thing that they planned to do was since there was such a small distance between the properties they wanted to give them a little more space to get a tractor back to cut grass and things like that. That was basically why they were trying to split the difference between the two houses.

Mr. Pribonic stated he would move the legislation on to Council this evening. If it passed, they could sign it then or within thirty days.

MOTION:

Mr. Pribonic moved and Mr. D'Antonio seconded to assign a number to the sample legislation and send it on to Council.

Yes Votes: Pribonic, Lowdermilk, D'Antonio & Adaska

No Votes: None. The motion carried.

Mr. Pribonic stated this item would appear on tonight's Legislative Agenda.

Sale of Christmas Trees – Summit Pentecostal Church – 1221 Graham Road

Mr. Kurtz stated this was a request by the Summit Pentecostal Church for Council's authorization to have a Christmas Tree sale starting November 26<sup>th</sup> thru December 24<sup>th</sup>

on the property they own on Graham Road where they recently received approval for a church. The sale itself would be located on the existing parking lot.

Mr. Adaska believed when they talked about the church's approval there was some moderate amount of discussion about ingress and egress from Graham Road into the parking lot. He asked if there had been any conclusion to that?

If they have church functions there, they are going to have a police officer directing traffic during those times. With the sale of Christmas trees, they are going to amplify that situation and he hadn't read anything about someone being out there directing traffic. That is a difficult intersection – the driveway and Graham Road. That would be his only concern.

He felt that it sounded like a great cause.

Matthew McGee  
Ravenna, OH

Mr. McGee was sworn-in.

Mr. Pribonic asked if Mr. McGee wanted to add anything?

Mr. McGee stated he just wanted to address Mr. Adaska's question. Currently the Summit County Recycling Center is having their evening hours. He thought they had been able to for the most part manage the traffic.

He didn't think they were going to be dumping a lot of traffic there all at one time like a church service might do. However, he thought it would be at least equal to if not less than what the Recycling Center may do at their given times. They also expected it to be later in the evening, not necessarily during high traffic hours.

Mr. Pribonic asked what hours they were looking at? Mr. McGee stated evening hours more likely 5:00 p.m. to 9:00 p.m. or 5:00 p.m. to 10:00 p.m. during the week. On Fridays and Saturdays it would probably be a little bit later. Sundays would be like a week day.

Mr. Pribonic stated they would move the legislation onto Council this evening. If it is passed, Mr. McGee would have the opportunity to either sign it this evening or within thirty days.

MOTION:

Mr. Pribonic moved and Mr. Adaska seconded to assign a number to the sample legislation and send it on to Council.

Yes Votes: Pribonic, Lowdermilk, D'Antonio & Adaska

No Votes: None. The motion carried.

Mr. Pribonic stated this item would appear on tonight's Legislative Agenda.

Jeremy McIntire  
3630 Darrow Road  
Stow, OH 44224

Mr. McIntire was sworn-in.

Mr. McIntire echoed Mr. Adaska's comments regarding the sale of Christmas Trees on Graham Road.

He asked how were they going to advertise the sale of the Christmas Trees because their property sits back away from the road? Does that mean they are going to have a sign placed near the road and if so, where would that sign be placed that's not going to hinder site distance for any of the other cars trying to get in or out of the parking lot?

Mr. McGee stated their hope would be to do a combination of ads in the Stow Sentry as well as maybe an on-site sign like a jay sign or something like that. Obviously that would be pending the approval of whoever in this organization would be making that decision.

He didn't think they were looking for anything substantial. He knew sometimes those jay signs could be big, but having it off the road was not going to be an objection to them by any means.

Mr. Pribonic asked for the City's criteria on that? Mr. Kurtz stated first of all, it would have to be located on their property. They would have to obtain a temporary sign permit which would show where it was going to be located and the City would make sure there wasn't going to be a site distance issue.

### **Adjournment**

#### **MOTION:**

Mr. Lowdermilk moved and Mr. Pribonic seconded to adjourn.

Yes Votes: Pribonic, Lowdermilk, D'Antonio & Adaska

No Votes: None. The motion carried.

The meeting adjourned at 5:56 p.m.

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Bonnie J. Emahiser  
Clerk of Council

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John Pribonic  
Chairman