

Franklin Township, Portage County  
Zoning Commission Hearing  
August 27, 2020

**Members Present:** Chair Mary Organ, Teresa Mullet, Mekal Banyasz, Al Barber, and alternate Judy Spencer.

**Others:** Jenny August, Administrative Assistant.

**Call to Order:**

Mrs. Organ called the meeting to order at 7:00 pm at Phillips Park Pavilion on Ravenna Road. The meeting was being held outdoors in that location due to the expectancy of a large public turnout, and because of Covid-19 precautions.

**Discussion Topics:**

**Redwood proposed Zoning Map amendment, Powdermill Road.**

The Commission continued the discussion and consideration of an application by Redwood USA LLC to rezone approximately 25.06 acres to R-4 (Multi-Family Residential). Currently the properties are zoned C-1 (Local Commercial) and R-1 (Low Density Residential). The specific parcel numbers under consideration and their owners are:

12-019-00-00-002-000	Kent State University
12-019-00-00-002-001	Kent State University

These parcels are located on the south side of St. Rt. 59, east of Powdermill Road and north of the railroad tracks.

Mrs. Organ reviewed the procedures of the meeting and explained how the meeting will be conducted. Mrs. Organ said the hearing was continued because the Commission wanted to see a traffic impact study before making a recommendation to the Trustees.

Mrs. Organ introduced Mr. Kevin Kwiatkowski representing Redwood USA LLC., and asked Mr. Kwiatkowski to address the traffic study and the natural resources section of the report from Portage County Regional Planning.

Mr. Kwiatkowski said the traffic engineering company got street light data from a representative from ODOT. Currently, there are not as many people out on the roadways so a current traffic count isn't fair to use. ODOT gave him a traffic count and data from April 2019. The result was that this project would not affect traffic. The traffic flow and count during the AM and PM peak hours would not be significantly affected.

Regarding the natural resources section of the report from Portage County Regional Planning Commission, the May 13, 2020 response recommended approval but wanted to consider five things: 1). A traffic study. That is now done. 2). Coordinate the water & sewer service. There is adequate capacity in the lines at the southern end of the property. 3). Check hydric soils. Mr. Kwiatkowski said they did 15 soil borings and there were no hydric soils in the proposed building areas. 4). Look into any potential storm water runoff issues. Mr. Kwiatkowski said they have been working with Portage County Water

Resources and we are following their requirements. Once the design phase is done, if approved, they will know if retention and detention ponds are needed and how many. 5). They were also asked to work with the township on emergency services. Mr. Kwiatkowski said under the ownership of Kent State University, these parcels generate zero property taxes for the township. Once developed, Redwood will be paying property taxes that will help support the township budget including emergency services.

Mr. Barber asked if the 791 total weekday trips are per day. Mr. Kwiatkowski said yes, a single family home averages ten trips per day, and still the level of service at the light is not impacted.

Mrs. Mullett wanted to clarify that there would not be street lights, just a garage light at each residence. Mr. Kwiatkowski said there would only be street lights at the entryways into the development. He also mentioned that from the SR 59 entrance, traffic can only use right turns going in and right turns going out.

Mr. Barber said the traffic study forecasts only 5% of traffic will be going out onto Powdermill road going south, 75% going north, with 20% going out SR 59 towards Ravenna. He checked and it takes 6 minutes to get to downtown Kent going out Powdermill to SR 59, and it takes 11 minutes going South on Powdermill to Summit Street and to downtown Kent.

Mrs. Spencer asked Mr. Kwiatkowski if they looked at the lay of the land relating to water tables. They will be adding lots of impervious surfaces. Mr. Barber asked what percent of the property will be impervious surfaces. Mr. Kwiatkowski said that has not been determined yet, but it will be clearly less than half. They will be keeping the stream and adding detention ponds per county guidelines. Mrs. Organ added that R4 zoning requires a minimum of 25% open space.

Mrs. Mullett wanted to reiterate that they are only addressing the zoning so they can make a recommendation to the Board of Trustees. The site plan comes after approval. Housing will add more green space as compared to a strip mall. Mr. Barber added that currently most of the land for this proposed development is C-1, and only a small portion is R-1. To build homes, the C-1 would have to become R-1. He added that there are 70 acres south of the tracks currently for sale that is zoned R-1. Mrs. Organ said the zoning stays with the property even if Redwood does not build.

Mrs. Organ opened the meeting for public comment and questions.

Pat Watson of 5903 Powdermill Road asked how the land will be laid out. Will it be leveled? Mrs. Organ asked Mr. Kwiatkowski to answer. Mr. Kwiatkowski said the fine details have not been done yet, but he thinks there will be high and low spots. It is expensive to move dirt. Also, to be ADA compliant there should be less than a 2-foot grade. They plan to slope terrace style.

Mr. Tom Clapper of 5699 Powdermill Rd. said at the previous meeting, all residents completely opposed this development. He read the traffic study. It is an ODOT product based on average annual daily traffic data, meaning it is based on a one-year average. The Kent State break periods mess up the study. ODOT is interested in SR 59, not Powdermill Road. The turning data was produced August 11 & 12 when nobody was at

Kent State, which makes the data invalid. He would like to see the properties zoned R-1. They could have something similar to Riverbend with the trees and natural areas already there. Mr. Kwiatkowski responded that the traffic study is based on the way people are turning. The Kent State data is considered using an average of high numbers based on 9 months of heavy traffic and 3 months of breaks.

Mr. Nathan Emerine of 5969 Powdermill Road said he is a mailman and can tell the traffic patterns. Powdermill Road is the direct access to Summit. Pebblebrook uses Powdermill to Summit to get to Kent State. Most of the parking is located on Summit Street. They will have a lot more than 5%. Tom Clapper agreed that Kent State parking is on Summit St.

Mrs. Elizabeth Geist of 5724 Powdermill Road. When the students came back this weekend she noticed a big increase in traffic on Powdermill Rd.

Mrs. Organ asked Mr. Kwiatkowski if the August data collected was just for turning, rather than the number of cars. Mr. Kwiatkowski said that is correct, and they also verified the percentage of left and right turns.

Michael Geist of 5724 Powdermill Road. An R-1 development was built next to the railroad tracks on Fairchild Avenue, which means that a previous statement that there is no building or R-1 by railroad tracks is false. He also noted that the quickest way to Akron for work, or to the campus for school is cutting down Powdermill Rd.

Mr. Douglas Bjerre of 5905 Roc Marie said at the previous meeting a lot of letters were read. He wanted to know if those letters will go to the Trustees before they vote. Mrs. Organ said yes. Mr. Bjerre added that part of the application for a Zoning change deals with the character of the area. Pebblebrook is not the sole determination. There are single families in this area as well.

Tony Gozmer of 5955 Powdermill Road said Powdermill is a connector road used by Brady Lake, Ravenna and Kent to get to the interstate. From the south by Sandy Lake Road, Ryan Homes on the south side going to Walmart. If you live on campus, you are going to Summit to Powdermill Rd to Walmart. Powdermill Road is not patrolled. You also have to factor in the railroad tracks. CSX railroad jams this road up. That is the acceleration zone. There have been fatalities and accidents there.

Beth Geist of 5724 Powdermill Road wanted clarification of the turning data was taken Aug. 11 & 12. Mrs. Organ said yes. Mrs. Geist said from SR 59 being only right turn in and right turn out to and from the development, means that if you leave the development to go to Kent State, you will use Powdermill Road. She is not resistant to development, but is mostly concerned with safety.

Laura Davis of 5699 Powdermill Road said she is happy to see the turnout tonight. She thinks there are too many units in this project. She wanted to touch on points that were made at the last meeting. The developer is unwilling to consider R3 which is conditional use. We do not believe this might be student housing, it might be something else

Vera Bjerre of 5905 Roc Marie said the August turning data could not be accurate. Mr. Barber said they use percentages, not amounts. Mrs. Bjerre said she is concerned that

the zoning stays with the property regardless. These apartments are being built too close to the tracks. People over 50 will not want to stay there with the noisy trains.

Al Barber asked the public what the best use for the property is. If they don't approve this amendment, it remains C-1.

Miranda Karlovic of 5961 Roc Marie said you can search what Redwood looks like. Mr. Barber said he has visited in person and the idea of single story is a tremendous advantage. Mrs. Organ said she has also looked at them in person.

Kevin Bennet of 5971 Roc Marie said there have been a lot of valid points made. These apartments are nice. If Redwood drops out, who knows what would come in under R4. He asked what is to stop the south end from also turning to R4. It could be a domino effect.

John Rusanowsky of 5875 Powdermill Rd. said this property is currently zoned C-1. If a strip mall goes into the pro shop section, all traffic drops on SR 59. These are the same traffic issues as discussed last month. Many apartments are now taking other than students because of the pandemic.

Mr. Nathan Emeroy of 5969 Powdermill Road thinks that it is likely that some may be student renters which will affect traffic on Powdermill Road. He wonders if changing to R-4 is right. He thinks it won't be good to keep it C-1. R-1 would be the best zoning for this property.

Monique Bennett of 5971 Powdermill Rd. agrees with what everyone is saying. Going back to the traffic study, she notices a backup because of the train. Regarding zoning, we know it will be developed eventually. She does not see them making the money they are anticipating to make. She would like to preserve the neighborhood. It will end up being student housing and that will ruin the neighborhood.

Tom Clapper said he noticed R-1 developments going up everywhere. He would prefer it be C-1 than R-4.

Ron Wills of 2278 Willyard Ave. said there is no benefit to anyone to zone this R-4.

Diane Williams of 6328 Williams in the former Brady Lake village thinks the zoning change would affect Brady Lake traffic. People park around the lake. Brady Lake considers residents consider Brady Lake to be a hidden gem. They do not want it to become a student hangout.

Rick Kanenovic of 5933 Roc Marie agrees with all of the comments. He would urge the Commission to oppose this rezoning request. He said Roc Marie is the lowest level and floods. The additional water will flood his property.

Allen Bowman of 5827 Roc Marie said the traffic count mentioned at the meeting in July was estimated at 250. Now it is over 700. He also asked if they can use permeable pavements. Mr. Kwiatkowski said the cars per unit was 250.

Debra Parshall of 5711 Powdermill Rd. agrees with the comments made and wants to add that Powdermill Road is unsafe now and will be worse. Trustees told her the Zoning Commissioners decision is a rubber stamp to the Board of Trustees. Mrs. Organ said that is absolutely not true. There have been occasions where the Zoning Commission has made a recommendation and the Board has gone against it. Commissioner Judy Spencer agreed.

Paul Braden of 5853 Roc Marie said other developments have come in with similar requests and the city as well as the township have turned them down. He asked what happens with the vacant buildings and apartments when these are not rented?

At this time, Mrs. Organ closed public comment.

Mrs. Organ moved to amend the zoning map to R-4. Mr. Barber seconded the motion. On roll call the vote was as follows: Mrs. Mullett- No. Mr. Barber- No. Mrs. Organ- No. Ms. Banyasz- No. Mrs. Spender- No.

Mrs. Organ explained that the Trustees will be forwarded information about this proposal as well as the Zoning Commission's recommendation opposing the zoning amendment for their next meeting and they will make the final decision.

**Minutes:**

Ms. Banyasz noted that she asked the residents at the previous meeting to raise their hands if they have wells and septic system. The minutes only say she asked who had wells. The minutes will be corrected. Mr. Barber moved to accept the minutes as amended from the July 16, 2020 meeting. Mrs. Mullet seconded. Mrs. Spencer and Mr. Barber abstained. All remaining Commission members voted yes. The minutes were approved as amended.

**Next Meeting:**

The next meeting is scheduled for September 17, 2020.

**Adjournment:** Mrs. Mullet moved to adjourn at 8:40 with a second from Mrs. Organ. All Commission members voted yes.

Respectfully submitted by Jenny August, Administrative Assistant

Approved:

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Mary Organ, Zoning Commission Chair