KENT PLANNING COMMISSION
BUSINESS MEETING
JUNE 6, 2017

<u>MEMBERS PRESENT</u>: **Amanda Edwards**
Jeffrey Clapper
Peter Paino
Chris Clevenger
John Gargan

<u>STAFF PRESENT:</u> **Jennifer Barone, Development Engineer**
Bridget Susel, Community Development Director
Eric Fink, Assistant Law Director
Jamella Hadden, Administrative Assistant

I. <u>Call To Order</u>

The meeting was called to order at 7:05 p.m.

II. <u>Roll Call:</u>

Mr. Clapper, Mr. Gargan, Ms. Edwards, Mr. Clevenger and Mr. Gargan were present.

III. <u>Reading of the Preamble</u>

The Planning Commission operates in accordance with the provisions of the Kent City Charter, the Kent Zoning Code and Subdivision Regulations, all of which establish the powers and duties of the Commission. Members of the Planning Commission are appointed by Kent City Council and serve without compensation. Certain cases such as Conditional Zoning Certificates, Special Zoning Permits, Overlay District Projects and Zoning Amendment require Public Hearings before the Planning Commission. During the Public Hearing, any person wishing to address their concerns to the Commission will be provided the opportunity. Once the Public Hearing is closed, it shall be the discretion of the Chair whether to allow any additional public comment. Cases such as Site Plan Reviews and Subdivision Projects do not require a Public Hearing. However, the Chair will allow public comment on each case as it is taken on the agenda. In each instance where the Commission receives public comments or conducts a Public Hearing, those persons wishing to address their concerns to the Commission will be required to do so under oath or positive affirmation. The oath or affirmation shall be administered to all who wish to speak at the beginning of the Planning Commission Meeting. Once a decision has been made by the Planning Commission on a case, the Case is closed for the commission, as there is no provision to reopen a case.

With the exception of cases falling under the Subdivision Code, any decision of the Planning Commission may be appealed to the City's Board of Zoning Appeals in accordance with the Chapter 1109 of the Zoning Code. Anyone interested in appealing a decision of the Planning Commission is advised to seek private legal counsel.

IV. <u>Administration of Oath</u>

Mr. Fink instructed those members of the audience wishing to be heard on any of the cases presented at this meeting to rise and raise their right hand. Mr. Fink administered the Oath, "Do you solemnly swear or affirm that the testimony that you are about to give this evening is the truth, the whole truth, and nothing but the truth, so help you God? Please say "I do." The participants responded, "I do."

V. <u>Correspondence</u>

None

VI. <u>Old Business</u>

A. PC17-001 KENT INVESTORS, INC.
1005 East Main Street
Site Plan Review

The applicant is requesting Site Plan Review and Approval in order to construct a three unit commercial building. The subject property is zoned C-R: Commercial High Density Multifamily Residential District.

Mr. Fink advised the Planning Commission of a 22 page letter including exhibits received this morning from Attorney Scott Flynn questioning the City's process for PC17-001 and opposing the development proposed at 1005 E. Main Street.

The City of Kent is going to review these concerns and respond accordingly.

In order to ensure that the City of Kent's response is accurate, appropriate, and thorough, the City of Kent Community Development Department is requesting that the Planning Commission table PC17-001 to the June 20, 2017 meeting. In accordance with KCO 1107.04, the Planning Commission has sixty (60) days to approve or disapprove an application, not including delays initiated by the applicant.

For the record, the Planning Commission has not issued a written opinion or approved the minutes from the May 16, 2017 meeting. Therefore any time for anyone to appeal the Planning Commission's decision under ORC 2505 and

ORC 2506 has not yet begun to run, therefore the City does not believe this motion will prejudice the applicant at this time.

Attorney Stephen Funk requested to be heard on behalf of the applicant. He stated he is the attorney for Kent Investors. He stated that he has reviewed the letter that was reference by Mr. Fink that the City received today. He said he does not believe that there is any legal merit to the contentions. Notwithstanding, he stated they recognize that the City of Kent is requesting time to review and respond to the letter. He stated that under the circumstances stated by the City, Kent Investors does not oppose tabling this review for two weeks.

Mr. Funk asked if all five commissioners will be able to attend the June 20, 2017 meeting. He stated that would like to make sure that they are not prejudice by the tabling and also based upon the conditions set forth in the motion they do not oppose.

MOTION: ***Mr. Clevenger moved to table PC17-001/Kent Investors to the June 20, 2017 Planning Commission meeting. Mr. Gargan seconded the motion. The motion carried 5-0.***

Chair Edwards stated that she would like to request to move New Business items ahead of Old Business for the June 20, 2017 meeting.

MOTION: ***Ms. Edwards moved to take the agenda out of order for the June 20, 2017 meeting in order to hear New Business cases before Old Business cases. Mr. Clapper seconded the motion. The motion carried 5-0.***

VII. NEW BUSINESS

A. PC17-005 UNIVERSITY HOSPITALS
401 - 411 Devon Place
Comprehensive Sign Plan

The applicant is requesting review and approval of the Comprehensive Sign Plan for Kent Medical Center. The subject property is zoned C: Commercial District.

There was no representative for University Hospitals present at the meeting.

***MOTION*: Mr. Clapper moved for a 10-minute recess to give the applicant time to attend the meeting. Mr. Paino seconded the motion. The motion carried 5-0.**

There was a discussion regarding what action the Planning Commission should consider since the applicant was not present.

Mr. Fink stated that they could take public comment or table the case or move forwarded should they feel there is sufficient information.

Public Comment

NONE

Planning Commission Discussion

The applicant was not present. Ms. Barone reviewed the staff report and explained the Comprehensive Sign Plan. University Hospital is completing interior renovations of the building. Some of the proposed signs are new and others will be relocated on site for better directions. The report indicates that application as presented complies with regulations for this type of signage.

She stated that the Architectural Review Board recommended approval of the sign package at their May 16, 2017 meeting as submitted. Staff is suggesting two conditions should the Planning Commission move to approve.

Ms. Edwards asked if there are any legal comments.

Mr. Fink stated none.

Mr. Paino asked about the size of the monument sign. He asked if there was a square foot minimum in the Comprehensive Sign Plan.

Ms. Barone stated that there is no requirement for square feet because it is included in the Comprehensive Sign Plan that allows signage that otherwise exceeds the normal zoning code.

Mr. Gargan stated that the sign will better identify the emergency room location.

Mr. Clapper inquired about the LED panel. He asked if the lighting could be distracting.

Ms. Susel stated that the code does not allow any scrolling. The signage will be review before it is installed to ensure compliance. She referred to the staff report.

Ms. Edwards stated she feels the signage is appropriate for the site.

MOTION: **Mr. Clevenger moved to approve the Comprehensive Sign Plan for PC17-005/Kent Medical Center located at 401-411 Devon Place, subject to conditions. Mr. Clapper seconded the motion. The motion carried 5-0.**

1) Obtain a zoning permit within two years of Planning Commission approval.
2) Obtain a sign permit and submit the performance guarantee prior to installation of the signs.

VIII. MEETING MINUTES: May 2, 2017

Motion: ***Mr. Gargan moved to approve the May 2, 2017 summary minutes. Mr. Clevenger seconded the motion. The motion carried 4-0 (Mr. Paino abstained)***

IX. Other Business

A. Meeting Procedures - Draft procedures will be presented at a later date.

X. Adjournment

Motion: ***Mr. Clapper moved to adjourn the meeting. Mr. Paino seconded the motion. The motion carried 5-0.***

The meeting adjourned at 7:30 p.m.