

**KENT PLANNING COMMISSION
BUSINESS MEETING
APRIL 2, 2019**

MEMBERS PRESENT:

**Amanda Edwards
Jeff Clapper
Peter Paino
Michael Bruder
Chris Clevenger-Morris**

STAFF PRESENT:

**Jennifer Barone, Development Engineer
Bridget Susel, Community Development Director
Eric Fink, Asst. Law Director**

I. Call to Order

Ms. Edwards called the meeting to order at 7:02 p.m.

II. Roll Call:

Ms. Edwards, Mr. Clapper, Mr. Paino, Mr. Bruder, and Mr. Morris were present.

III. Reading of the Preamble

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. Administration of Oath

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. Correspondence

Ms. Edwards stated that they have received two letters with regards to the Reinard Home Occupation request. The first letter is from Vanessa Kuasnicka, 424 Irma St., who is in support of the project and feels it is a welcome addition to the neighborhood. The second letter is from Jim Mercury, 469 Irma St., and has no objection to the request. Ms. Edwards asked the Board if they have had time to review the correspondence. They all responded 'yes'.

VI. Old Business

None

VII. New Business

A. **PC19-004 Reinard Home Occupation
 477 Irma Street
 Conditional Zoning Certificate for a Home Occupation**

The applicants are seeking a Conditional Zoning Certificate for a home occupation to operate a child care facility in the house. The subject property is zoned R-2: Medium Density Residential Zoning District.

Ms. Barone reviewed the staff report that was presented to the Board.

Courtney Reiner, 477 Irma St., Kent, stated that the hours of operation noted in the staff report are the times that children are dropped off at her house; not just when she is babysitting. She added that she does receive some compensation to cover food costs but is not paid for her services.

Mr. Morris asked if this is complaint driven.

Mr. Fink responded that it is. Ms. Reiner decided to go forward with seeking the conditional zoning certificate although she was not being paid for her services, to eliminate all concerns. If she decides to charge in the future, it will be legal with her home occupation status.

Ms. Susel added that legitimizing the process by documenting this as a home occupation is the best way to handle this situation.

PUBLIC COMMENTS

None

PLANNING COMMISSION DISCUSSION

Mr. Clapper asked about the yard space requirement.

Ms. Susel responded that it isn't as issue.

MOTION: *Mr. Paino moved that in case PC19-004, the Planning Commission approve the Conditional Zoning Certificate for a home occupation to provide Family Day Care, Type B Home in the house located at 477 Irma Street.*

Mr. Morris seconded the motion. The motion carried 5-0.

VIII. Minutes

MOTION: *Mr. Morris moved to approve the March 19, 2019 minutes. The motion was seconded by Mr. Paino.*

The motion carried 5-0.

IX. Other Business

None

X. Adjournment

MOTION: *Mr. Morris moved to adjourn. The motion was seconded by Mr. Bruder. The motion carried 5 – 0. The meeting adjourned at 7:10 p.m.*