

**KENT PLANNING COMMISSION
BUSINESS MEETING
NOVEMBER 19, 2019**

MEMBERS PRESENT:

**Amanda Edwards
Peter Paino
Michael Bruder** (arrived after the preamble)
Chris Clevenger-Morris

STAFF PRESENT:

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

I. Call to Order

Ms. Edwards called the meeting to order at 7:05 p.m.

II. Roll Call:

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

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

Revised Minutes for August 6, 2019
Revised Minutes for October 1, 2019

VI. Old Business

None

VII. New Business

**A. PC19-012 Text Amendment to the C-D: Commercial Downtown Zoning District
Review and Comment**

The proposed Zoning Code Amendment is being forwarded to the Commission for review and comment of the C-D: Commercial Downtown Zoning District.

Ms. Barone explained the case as presented in the staff report.

Ms. Susel stated that the proposed motion language should be amended to read "amend the Downtown West River Overlay District as referenced in Chapter 1121.04".

Mr. Fink stated that another amendment to the proposed language of 1121.04(b) should read "this space reserved for future overlay districts" rather than "the space reserved".

Mr. Paino stated that there should be a correction to Mr. Boyle's letter: "Akron Barberton Cluster Railroad to the west" instead of "east". Mr. Paino stated that he has been a proponent of expanding the Architectural Review Board (ARB) for many years, however the Design Guidelines for the City of Kent is a document for historic preservation and restoration and feels that the more the district expands away from the historic center of Kent, the less viable it is as a tool. He stated that he doesn't feel that the legislation as written pertains to other parts of the city.

Ms. Susel stated that Council will be formalizing the designation of the Historic South End Neighborhood.

Mr. Paino stated that historic and architecturally significant might be two different terms.

Ms. Susel stated that while there is historic reference in the Design Guidelines, it also states that new construction should be “compatible with nearby structures and amenities” as well as “new additions, new construction should be distinguishable from the historic while also being compatible with surrounding structures”.

Mr. Paino stated that there are very few guidelines that talk about design principles and practices and doesn’t feel that they are appropriate to spread outside of the central business district because they are not encompassing enough; he doesn’t feel that the guidelines are broad enough. He stated that he is not against the concept of the expansion of the district, but he feels that the Architectural Review process needs to be better defined, expanded, and looked into.

Mr. Bruder echoed some of Mr. Paino’s concerns regarding using the term historic; historic and nostalgic are two different terms and sometimes they are confused. Mr. Bruder stated that the background of the map needs to be updated. Mr. Bruder asked if private residences in the district need to go before the ARB because it is not stated in the ordinance.

Staff responded that only commercial properties have been going to the ARB.

Ms. Susel clarified that the ARB issues a certificate of appropriateness for Planning Commission (PC) consideration and a private residence doesn’t come before the PC.

Mr. Bruder suggested that both the east and west side of North Water Street should be part of the district map and suggested taking a better look at the boundaries.

Mr. Fink stated that he does not see anything in the ordinance language that excludes residential properties in the overlay district from the ARB; only maintenance and repair excluding alterations to the exterior of a structure affecting architectural features.

PUBLIC COMMENTS

None

PLANNING COMMISSION DISCUSSION

Ms. Susel agreed that the exclusion of residential properties needs to be clarified in the code.

Ms. Edwards stated that she agrees that there are parts of the C-D district that don’t have to be a part of the overlay district.

Mr. Bruder suggested tabling the discussion until further information is available.

Ms. Barone also suggested that they wait until it is time to review the section as part of the zoning code update and then they could update more.

After discussion, the applicant requested to have the case continued until the first meeting in January so that they can address some of the issues with the residential text and language that would clarify the current map boundaries. Mr. Fink noted that other concerns will be addressed during the analysis for the zoning code.

B. Zoning Code Update: Work Session Five

The proposed Zoning Code Text Amendment is being forwarded to the Commission for review and comment.

- Proposed Chapter 1107 – General Provisions

Ms. Barone reviewed the potential changes.

Mr. Bruder stated that in Section 1107.05 should say “principal”.

Ms. Barone reviewed the potential new sections regarding vehicle storage, lighting, solar energy, and wind energy.

Mr. Bruder questioned the clear vision area drawing on page 07-4 and the requirement for no branches below 8 feet.

Mr. Barone stated that this is required for safety.

Mr. Paino noted that this is for a residential and commercial corner lot as well as any commercial ingress/egress.

Mr. Morris questioned how the requirement in Section 715 (o) Insurance for proof of liability and property damage insurance will be maintained.

Ms. Susel stated that the City would receive reports from the insurance company for insurance renewals or cancellations.

VIII. Minutes

August 6, 2019
September 3, 2019
October 1, 2019

MOTION: *Mr. Paino moved to approve the September 3, 2019 minutes. The motion was seconded by Mr. Morris.*

The motion carried 4-0.

MOTION: *Mr. Morris moved to approve the October 1, 2019 minutes. The motion was seconded by Mr. Paino.*

The motion carried 4-0.

The August 6, 2019 Minutes will be presented at the next meeting as there was not a voting quorum at this meeting.

IX. Other Business

None

X. Adjournment

MOTION: Mr. Morris moved to adjourn. The motion was seconded by Mr. Paino. The motion carried 5 – 0. The meeting adjourned at 8:00 p.m.