

**KENT PLANNING COMMISSION
BUSINESS MEETING
JANUARY 18, 2022**

MEMBERS PRESENT:

Amanda Edwards
Jeff Clapper
Nickolas Bellas

STAFF PRESENT:

Bridget Susel, Community Development Director
Eric Fink, Assistant Law Director
Tim Sahr, Development Engineer

I. Call to Order

Ms. Edwards called the meeting to order at 7:03 p.m.

II. Roll Call:

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

MOTION: *Mr. Clapper moved to excuse Mr. Bruder from the January 18, 2022 meeting. Mr. Bellas seconded the motion. The vote carried 3-0.*

III. Reading of Preamble

Ms. Edwards read the Preamble, which describes the purpose and procedures of the Planning Commission as well as the applicant's right to an appeal.

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 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 the Commissioners received an email thread from Francis to Ms. Susel beginning on 1/11/22 regarding her concerns for PC22-001.

VI. Old Business

None

VII. New Business

**A. PC22-001 (S)LIGHTLY TOASTED LLC
331 East Main Street
Conditional Zoning Certificate and Site Plan Review**

The applicant is requesting a Conditional Zoning Certificate and Site Plan Approval to operate a medical marijuana dispensary at the listed address. The subject property is zoned C-R: Commercial High Density Multifamily Residential Zoning District.

Ms. Edward informed the applicant that because there are only three Commissioners present at this meeting, the applicant can ask for the case to be continued until the next meeting, or they can continue on with the hearing. She stated that the applicant would need a unanimous positive vote for approval of this case.

James Dulick, applicant, would like to proceed.

Mr. Sahr introduced the case as presented in the Staff Report. He stated that the site is accessed from East Main Street and is located on the north side of the street. He stated that there are residences to the north, the Portage County Courthouse to the west, a dental office is to the east, and the Kent State University Esplanade is to the south. He stated that the applicable Kent Codified Ordinance Sections are: 1103.15, 1105.34, 1111.02(b). He stated that the subject property is located in a C-R: Commercial High Density Multifamily Residential Zoning District. He stated that the relevant code section are listed in the Staff Report along with the applicable staff comments. Mr. Sahr read Section 1105.34, which lists the conditionally permitted "Potential Concerns" as well as the Conditions for approval such as: the facility must comply with the Ohio Administrative Code (OAC) Section 3796 et seq., as amended, the operation and maintenance of the facility cannot be hazardous, noxious, or offensive, and the proximity of the facility to residential districts, schools, public playgrounds, public parks, and other medical marijuana dispensaries. Mr. Sahr explained that while the proposed site does abut a residential district, the structure where the business would be conducted is greater than the required minimum 100 feet from the residential district. Mr. Sahr stated that medical marijuana dispensaries are required to have 1 parking space per 500 square feet of building space, which yields 6 required spaces for the 3,000 square foot building; staff estimates that there are approximately 19 spaces available in the lot behind the building. He stated that the utilities are existing and are to remain unchanged. He stated that there is one proposed text addition to the existing signage. He stated that no new exterior lighting is proposed. He stated that while no new landscaping is proposed, if a license is granted by the State, the applicant would be required to create a fenced, secure area attached to the north side of the existing structure; the applicant's submittal does not provide an exact size or fencing type but any fence to be installed would require a permit and be subject to all applicable zoning requirements and Architectural Review Board review. He stated that the existing dumpsters will remain in the current location. He stated that this property is located in the Architectural Review Board Overlay District but because no exterior changes have been proposed at this time, no review is currently required. He stated that no variances for this project are required at this point in time. He stated that the staff finds that the request for a Conditional Zoning Certificate and Site Plan Approval is in accordance with the standards established in the Zoning Ordinance and other applicable development regulations.

James Dulick, property owner, 11 High Grove, New Albany, Ohio 43054, explained the proposed project. He stated that his son and two of his friends opened the business, Lightly Toasted. He added that currently there is a continuance on a Planning Commission

case to convert the upper floor of this building into a residential unit until the outcome of the medical marijuana dispensary option is resolved; the lottery for the dispensary licenses is scheduled for 1/27/22. He stated that the application to the State of Ohio was quite expensive and included floor plans, construction plans, security, etc. He stated that they if they are awarded a license, they will redo the inside of the building with the City Building Department's approval. He stated that this is not a recreational use facility; it is only for medical marijuana use for patients with a medical card. He stated that a security guard will be present every hour that the building is actually in use and open for business along with security cameras, vaults, and 2 separate trap entries. He stated that no one is allowed behind the counter where the marijuana is dispensed and only those of legal age are permitted in the building. He added that because of the age requirement by the State, his son's business will need to relocate because he is not of age. Mr. Dulick briefly explained the floor and site plan. He stated that the second floor would only be used by employees for IT, security, a small kitchen, and storage.

Ms. Edwards questioned the daily operations information.

Mr. Dulick stated that the State would mandate the hours of operation and he believes that they are required to be open after regular business hours to accommodate those who work during the daytime; possibly 9am to 8pm.

Mr. Bellas questioned the fence and its purpose.

Mr. Dulick stated that the State mandates the secure area to help ensure that the product can safely be received. He stated that the incoming trucks need to be secured from any public presence and entry prior to the truck being opened and delivered into the store where it would go into a secured area and then into the vault.

Mr. Clapper questioned the dimension of the fenced area.

Mr. Dulick stated that he does not know the minimum size but it does need to be large enough to accommodate the delivery truck and be fully locked.

Public Comment

Sharon Perkowski, 322 N. Willow St., stated that she has been sworn in. She stated that while she is not against medical marijuana, she is against its location of the proposed dispensary as she feels that it is too close to the established neighborhood with families. She stated that there is also a school in the vicinity as well as a park that is behind the Kent City School Board Office, a mosque, and many businesses. She noted that there will be a new roundabout and the new Gateway for Kent State constructed near the proposed site. She questioned the appearance of a legal medical marijuana dispensary across the street from the sororities/fraternities and KSU Welcoming Center for new students. She questioned if the medical marijuana dispensaries could become recreational sales sometime in the future. She stated that the dispensary is needed for those who use medical marijuana but she feels that this is not the right location.

Frances Penney, 309 N. Willow St., was sworn in. She stated that she lives in the area with her small children as do other neighbors on the street. She agreed with Ms. Perkowski in that they are not opposed to a dispensary but she also feels that this type of business is highly inappropriate for an area where they walk their kids daily. She stated that the high security makes her feel more uncomfortable.

Ray Brown, 134 N. Willow St., stated that he is doubtful that his property is more than 100 feet from the proposed property. He feels that staff is incorrect. He stated that he is concerned about the location of the fencing. He stated that there is not a proposed security guard for the outside of the building and noted that there are many late night party people from the sororities, fraternities, and local bars that drift through the area and the courthouse parking lot.

Gretchen Brown, 134 N. Willow St., was sworn in. She stated that their property and the one belonging to the dentist office are on the corner by the proposed property. She stated that she is concerned about the effect of property values. She stated that she is also concerned about it becoming a recreational marijuana retail establishment. She feels that this type of business should be away from neighborhoods.

Dave Smith, 1613 Woodway Rd. stated that he was sworn in. He stated that he feels that there are items in the General Standards for a Conditionally Permitted Use that would allow the Commission to deny the request such as the need for it to be harmonious/appropriate with existing intended character of the general vicinity. He stated that the need for the high security for the dispensary is why it is not harmonious with the neighborhood. He questioned the definition of a park and questioned whether or not the KSU esplanade is a park.

Kelly Wymer, 306 N. Willow St., stated that she was sworn in. She stated that she feels that it is almost comical that this business would be next to the courthouse. She stated that the name of the business lightly toasted is not appropriate for impressionable kids; even though it's not illegal, it's enticing. She questioned the reasons for the business being located in this area. She stated that she is aware of a situation where an underage patron made a purchase at the current business without having their age checked. She feels that the character of the existing business has had some issues. She feels that the placement of this business is not good and that it would attract issues with break-ins and bomb threats.

Tony Badalamenti, Portage County Commissioner, 45 N. Chillicothe Rd., Aurora, stated that he has been sworn in. He questioned the 30 day notice requirement and stated that nobody in the County knew about it. He stated that he just learned about the case today at 5:00 pm. He stated that the dental office received their notice between Christmas and New Year's; less than 30 days. He stated that he is a doctor by trade. He stated that he feels that it is amazing that the current business would open next to the courthouse. He questioned the current parking. He stated that there are other locations in Kent that would be better for a dispensary than this proposed site. He stated that there are many things wrong with this case beginning with how the neighbors weren't notified. He stated that he represents and owns the building next door, the courthouse, and stated that he didn't know about the case. He stated that he checked with the other two Commissioners and County Administrator and they didn't know either. He feels that there are better locations that are not next to the courthouse, neighborhood, dental office, or fraternities.

Todd Fisher, 219 N. Willow St. stated that he has been sworn in. He stated that in September 2021, he became aware of underage customers being sold vape products. He stated that he called the City Police Department, the City Health Department, and made an anonymous complaint to the ATF in Columbus on September 17, 2021 regarding the illegal activity. His concern is not a medical marijuana dispensary, but rather, the lack of enforcement from the City Departments and ATF. He stated that he is concerned that if the

current business isn't going to obey the laws with this business, will they obey the laws with the dispensary.

Dr. Chris Martin, 337 E. Main St., stated that he has been sworn in and distributed an additional petition. He stated that he is attending due to concerns regarding community health and safety and a business standpoint. He stated that he feels somewhat threatened should a medical marijuana dispensary be permitted adjacent to his dental office. He stated that he is concerned about the youth in the area and the addiction that can occur with marijuana use and vaping. He stated that he does not feel that the dispensary fits with the largely residential area. He stated that he feels that having a dispensary next door to his dental practice would have negative consequences on his business and his property values. Mr. Martin read a white paper produced by a California Police Chief's Association detailing the secondary effects of medical marijuana dispensaries reported by law enforcement, which includes street level dealers attempting to sell to people entering the building, smoking marijuana in public areas, increased driving while under the influence of marijuana violations, attempted burglaries of marijuana establishments, robberies of clients as they left the facilities, purchasers congregating and smoking marijuana in areas frequented by children, trading of marijuana purchased at a dispensary to a minor for sex, and adverse effects on neighboring businesses. He stated that he does have two issues with the current business, Lightly Toasted: consistently loud music played from the speaker on the front porch that can be heard inside his practice, which seems to have stopped during the cold weather, and the location of the dumpster and the debris around it. He stated that he has concerns as to how well the dispensary will be managed as well as the security and safety issues for the surrounding area. He feels that the dispensary will negatively affect the property values and will be detrimental in this location to the neighborhood. He stated that he feels that the dispensary sends the wrong message that it is safe to vape and use marijuana products and has no social or health consequences.

[Dr. Martin presented a photo board of issues he and others have observed at 331 E. Main St.]

Marilyn Sessions, 7347 Westview Rd., stated that she is on the Franklin Township Board of Zoning Appeals where they have denied applications such as this due to the location and the potential problems in the neighborhood. She added that they did approve a location that was on State Route 59 in a former restaurant that is across from a business and not in a neighborhood.

Kelly Wymer questioned whether or not the business had to post a sign in their yard stating that they are applying for a dispensary license through the State of Ohio.

Planning Commission Discussion

Ms. Susel stated that public notices are required to be sent certified mailed a minimum of 15 days prior to the meeting. She stated that she will be able to check the records to verify that a notice was sent to the Portage County Commissioners and who signed for it. She stated that anyone who owns property within 200 feet of the parcel line of the proposed project would also have been sent a notice. She added that many certified notices are returned due to no one signing for the letters. She explained that the dispensary building is required to be at least 100 feet from the residential parcel line; not parcel line to parcel line. She stated that there isn't a separate notice sign that goes up for the medical marijuana designation. Only a sign stating that there will be a Board hearing at Planning Commission or Board of Zoning Appeals. Ms. Susel verified that the sign for this parcel was posted but added that many times because of being a college town, the sign are sometimes taken.

Ms. Edwards questioned Mr. Dulick on whether he would like to continue the case.

Mr. Dulick stated that he would like to proceed.

Mr. Bellas questioned Mr. Dulick regarding the photos of the trash.

Mr. Dulick stated that he spoke with Mr. Martin in November regarding the music and the trash. He stated that he immediately told the tenants that run the business that the music had to stop and it was his understanding that it has stopped. He stated that he was also told by the tenants that the refuse company had been called to bring an extra-large dumpster to get rid of all of the trash but he has not been by the site and apologized if it had not been done and if it has not been done, he will call and arrange for pick-up himself. He stated that Dr. Martin has his information and has asked him to call if there is ever an issue.

Mr. Bellas questioned Mr. Dulick regarding the police reports that have been said to be filed.

Mr. Dulick stated that he is not aware.

Ms. Edwards questioned Mr. Dulick on what the State of Ohio requires for the security system and what the plan is for this business.

Mr. Dulick stated that it is required that there is a security guard on duty inside the building every hour that the facility is open; not outside. He understands that they are required to have video surveillance of both inside and outside the location for 24 hours a day, 7 days a week and that video is required to be maintained for a certain period of time.

Mr. Clapper questioned if the video is on a direct feed to the State of Ohio to be monitored there as well.

Mr. Dulick stated that he believes that it is.

Mr. Clapper questioned if you need a prescription card to enter the building.

Mr. Dulick stated that it is required; no one enters without a medical card that is issued by a doctor. He stated that he believes that there is some misunderstanding with the differences between recreational and medicinal marijuana. He stated that this is medicinal. He stated that if at some point the State of Ohio passes a recreational marijuana law, it would have to go thru a separate process. He stated that the current business will not be in this location if the medical dispensary is approved; it will not be run by 20 year olds. He explained that kids cannot walk in off the street or loiter on the premises. He stated that they want to keep it discrete and that is why they are only adding a small line to the existing sign that says medical marijuana. Mr. Dulick stated that the proposed fence would be located in the back of the building subject to Architectural Review Board approval. He stated that while he is unaware of any complaints that were made regarding underage purchases, there are products in the retail store that do not require the purchaser to be over 21. He stated that he has seen statements on social media complaining about people being refused purchases due to suspicious identification.

Ms. Susel shared the definition of an esplanade: it is a long open level area typically beside an area where people may walk; the KSU Esplanade is not a park. She stated that it is a connection between the university and the downtown but while it is an open space, it is designed for walking and does not meet the definition of a park.

Mr. Clapper stated that according to the Zoning Code, this use is appropriate as it is conditionally allowed in the district that it is being applied for. He stated that it is up to the Commission to determine whether or not this business fits the guidelines set forth for them to allow it.

Mr. Bellas stated that he has heard testimony from both sides and is still undecided.

Ms. Edwards stated that she tries to take personal feelings about medical marijuana out of her thought process and think in terms of what the State of Ohio is saying it is, which is basically a pharmacy for a medical prescription product. Ms. Edwards questioned staff if they have the ability to make the applicant bring items up to code as listed in the Zoning Code.

Mr. Susel responded yes.

Ms. Edwards stated that she would like to see the dumpster enclosed. She stated that she feels that the sign is too big.

Ms. Susel stated that the sign is an allowed existing non-conforming sign that was reviewed by the Architectural Review Board.

Ms. Edwards questioned whether or not they can limit the size of the sign with the new use.

Mr. Fink stated that the sign is legal.

Mr. Clapper questioned if the enclosed dumpster and delivery area would all need to be 100 feet from the north property line. He stated that currently they don't know what those dimensions are or how it would be configured. He questioned if it would be part of technical plan review.

Staff responded that the fencing would be reviewed in technical plan review.

Ms. Susel stated that the best example for the fenced delivery area would be the consideration of a sally port. She stated that the 100 foot distance is from the building where the use is occurring and the dumpster not being part of the building would not be considered in that distance. She stated that currently there are 19 existing parking spaces that they could pull from for the dumpster and enclosure location.

Ms. Edwards stated that she holds the dispensary to a little higher of a standard because it is extremely regulated and in the public eye, and represents the City. She feels that it needs to be the utmost professional business. She stated that she has a personal opinion about the business name and how professional she feels that it is. She stated that she doesn't feel that she can confidently vote either way today based on incomplete answers with regards to items such as the dumpster enclosure, parking changes, landscaping, etc.

Ms. Susel stated that the Commissioners can request a continuance to allow the applicant time to complete the detail on the site plan.

Mr. Clapper agreed stating that the site plan isn't thorough enough. He stated that if he is granted a license by the State, then all of these items will need to be addresses and reviewed.

Ms. Susel stated that asking for additional information would put this project in line with the information that was supplied by the other two medical marijuana dispensaries that the Commission has already reviewed.

Ms. Edwards read the criteria for conditionally permitted uses when determining approval.

Mr. Bellas stated that he has concerns regarding the current business and how it is run. He stated that he has a lot of concerns about it being harmonious to the neighborhood and surrounding areas. He stated that he would like to see a better site plan. He noted that this is a conditional use and not a permitted use so they have some discretion.

Ms. Edwards stated that this is a hard case for her as well. She stated that looking at East Main St., she feels that it is harmonious as it is a pharmacy or medical facility of sorts. She stated that she is concerned about its proximity to North Willow Street and residential.

Mr. Clapper stated that they need to look at this as a pharmacy. Mr. Clapper stated that one of his concerns is the maintenance of the property given the current issues that have been brought forward regarding noise and trash. He understand that it will be employed by different people and have more regulations. He stated that he doesn't feel that it changes the essential character of the area and feels that it may be less hazardous or disturbing to the neighboring uses once there are more regulations in place. He doesn't feel that it is detrimental to property in the vicinity or the community as a whole as it is a legal business and in a district that the City chose to conditionally allow them.

Ms. Edwards stated that she would like more information on the dumpster enclosure, a landscape plan, lighting plan, the secured area, and the security.

Ms. Susel stated that landscaping and dumpster location is a part of the site plan review by the Commission and not technical plan review by staff.

Ms. Edwards stated that she would also like to give the applicant time to address some of the close by neighbors' concerns with potentially arborvitae or some type of barrier between the parking lots and the residences. She stated that she would also like to know material types, as well as more information of the other items she has mentioned.

Mr. Clapper agreed.

Staff and Commissioners reiterated the items that they would like to see on the design site plan including but not limited to: fencing materials and location, dumpster enclosure materials and location, lighting and photometric plan, landscaping plan, secured delivery location and dimensions, ingress/egress for the flow of traffic on the site, and the coordination of the interior floor plan with the exterior site plan and how they relate to each other.

Mr. Dulick stated that he would like to request a continuance.

Ms. Edwards stated that the applicant has requested a continuance for case PC22-001.

Mr. Fink stated that as a matter of City Ordinance, everything that was said on the record at the microphone and all of the exhibits that were provided will remain part of the record and will be part of any further consideration. He stated that the applicant's right to a continuance is also due to only 3 Commissioners being present.

**B. PC22-002 WULFJAM LLC
141 E. Summit & 132 E. Day Streets
Preliminary Site Plan Review for Conditional Zoning Certificate**

The applicant is requesting a Preliminary Site Plan Review for Conditional Zoning Certificate at the listed address.

Mr. Sahr presented the case as outlined in the Staff Report. He stated that the subject property is located in the C-D: Commercial-Downtown District and is accessed from both East Summit Street and East Day Street. He stated that Fire Station #1 is located to the north, to the east is a multi-unit residential property, to the south are high density residential properties, and to the west are commercial uses. He stated that the applicable codes are Kent Codified Ordinances Sections 1103.18, 1105.14, 1105.40, and 1111.02(b). He stated that the applicant intends to develop the property for mixed uses. He stated that the existing residential home will be converted into a multi-family dwelling and the existing commercial building will be remodeled into a café with a space for gaming. He stated that properties within the C-D District are not required to comply with the parking requirements of Chapter 1107, however, any new development or new use must provide a parking plan detailing both customer and employee parking arrangements of both on-street and off-street parking. He noted that the proposed plans only show off-street parking. He stated that the café would require 6 parking spaces and the plan allows for 11. He stated that the multi-family dwelling required parking is 4 spaces and the plan shows 4. He stated that according to the plans, all of the utilities are existing and are to remain unchanged. He stated that substantial changes to the impervious area of the site are proposed. He explained that if the three lots were consolidated they would occupy 0.41 acres and per KCO Section 1197.02 states that any development that encumbers less than 40,000 square feet or 0.91 acres with impervious surface does not require storm water retention or detention, therefore, no storm water plan is required for this site. He stated that at this time, no new signage is proposed for this project but is under discussion and will be submitted to the Architectural Review Board when the signage is complete. He stated that there isn't any new exterior lighting proposed at this time, a landscape plan has been provided but does not include planting type or quantity detail, and no dumpster is shown on the drawings. He stated that the ARB will be reviewing the project on February 1, 2022. He stated that the Board of Zoning Appeals will hear this case for variances for the width of the landscape strips along both E. Summit & E. Day Streets. He stated that the Staff finds that the request for a Conditional Zoning Certificate and Site Plan Approval is in accordance with the Standards established in the Zoning Ordinance and other applicable developments pending the granting of the approvals of the ARB, BZA, and the submission of the sign plan and a more detailed landscape plan. He reminded the Commission that this is a preliminary discussion and no action is required at this time; the purpose is for planning input.

Rick Hawksley, 120 Portage St., architect, stated that they would like to get the Commissioner's response to the proposed plans for the parking as well as the residential use. He stated that once they receive their input and variances from the BZA, a more detailed plan will be created. He stated that they would like for the Commissioners to

recommend to the BZA some sense of what they think about the variances. Mr. Hawksley reviewed the site plan as presented. He stated that they feel that the house is substantial and it would be foolish to raze it for parking. He stated that the parcel is transitional between C-D and residential. He stated that the owners feel that this is an ideal location for a place for people to gather with some open space for outdoor games but mostly board games indoors. He stated that they are suggesting 3 units in the existing house: 1 efficiency, 1 1-bedroom, and 1 2-bedroom unit upstairs. He stated that they would keep the existing garage with 2 spaces and create 2 additional outdoor parking spaces. He stated that the existing 1 story commercial building is less than 1,500 square feet. He stated that the intention is to create a parking area that is accessible from Summit and the thought of creating some additional parking that would connect to Day St. He stated that they have applied for substantial variances for the landscape buffer requirement but because of the location of a neighboring business that is located very close to the street they feel that the request is in keeping with the district as it is defined. He stated that there is also adequate nearby parking downtown. He stated that they would like to install a fence and landscaping along Summit St., which would be more detailed in their final landscape plan.

Mr. Bellas asked for more information on the nature of the business.

Hayley Bennett, 423 Wolcott Ave., applicant, stated that they wanted to open a family-friendly café/pub, where people can come to play board games to have something that is not centered on drinking and eating. She stated that they would provide snacks, beer, wine, and a traditional soda fountain. She stated that this would be a place that would be "youth" friendly and a place for those under 21 to hang out that is fun. She stated that board games have boomed in popularity. She stated that there is a similar business in Hudson, Ohio, the Malted Meeple.

Mr. Clapper and Mr. Hawksley reviewed the parking layout. Mr. Clapper asked if they could arrange the parking right on the street like the weld shop next door.

Ms. Susel explained that that parking is existing non-conforming as it is located in right-of-way so it would not be allowed for this new use.

Ms. Edwards questioned the parallel parking for the residential use.

Mr. Hawksley stated that the parking spaces are very large, which allows the driver to pull up and then back out onto the street.

Public Comment

None.

Planning Commission Discussion

Ms. Edwards stated that she finds this case difficult with two different uses. She stated that while she would like to see the commercial building used, she struggles with the residential use based on the directive from Council regarding multi-family uses and noting the two large residential downtown projects that have yet to be built. She also stated that the University enrollment is starting to trend downward and questioned the vacancy rate for the existing apartment complexes.

Mr. Clapper stated that this is a tough case as it is transitional to downtown; there is a lot to consider. He stated that he feels that the two 44 foot parallel parking spaces have plenty of room.

Ms. Susel questioned whether or not the proposed parking spaces would be considered front yard parking and not allowed.

Mr. Fink concurred that is it front yard parking.

Ms. Susel stated that they will need to request a variance for one of the parallel spaces.

Mr. Bellas questioned the options for the number of units.

Mr. Hawksley stated that he feels that there is an unlimited demand for residential properties. He stated that he doesn't see the issue with converting the house into three really nice apartments that would rent quickly.

Ms. Bennett stated that this is a very large house and it would be difficult to find someone who would want to purchase it as a single family home. She stated that she feels that making it a three unit house with garage space is a good use. She stated that if it were to be used as a commercial use there would be more parking issues.

Ms. Susel stated that the proposed use for the house is for up to three residential dwelling units for no more than two unrelated. She explained that the term apartment is actually three or more units that allows for up to 4 unrelated. She stated that this request is for multi-family, which is limited to no more two unrelated.

Mr. Clapper stated that pending the outcome of the variances, he doesn't have any further comments.

Ms. Edwards stated that she would need to know the variance outcome before she could make a decision. She stated that the residential is the biggest concern for her but she would like to see what the BZA decides.

VIII. Minutes

MOTION: *Mr. Clapper moved to approve the November 16, 2021 Planning Commission minutes as presented. Mr. Bellas seconded the motion. The vote carried 3-0.*

IX. Other Business

None

X. Adjournment

MOTION: *Mr. Clapper moved to adjourn. The motion was seconded by Mr. Bellas. The motion carried 3-0. The meeting adjourned at 9:20 p.m.*