

**KENT PLANNING COMMISSION
BUSINESS MEETING
DECEMBER 20, 2016**

MEMBERS PRESENT:

**Anthony Catalano
Doria Daniels
Amanda Edwards
Peter Paino
John Gargan**

STAFF PRESENT:

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

I. Call To Order

The meeting was called to order at 7:00 p.m.

II. Roll Call:

Ms. Edwards, Mr. Paino Mr. Gargan, Ms. Daniels and Mr. Catalano 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

The Oath was not given.

V. Correspondence

NONE

VI. Old Business

**A. PC15-017 UNIVERSITY OAKS
5914 Horning Road
Conditional Zoning Certificate and Site Plan Review**

The applicant is requesting a Conditional Zoning Certificate and Site Plan Review and Approval in order to construct townhomes with rooming house designation. The subject property is zoned R-4: Multi-Family Residential District.

Everyone in the audience left except Mary Organ when the public was advised that this case hearing will be postponed.

Mr. Fink (Assistant Law Director) stated he filed a Declaratory Judgment and Permanent and Temporary Injunction with the Court of Common Pleas. There was one week to submit the information, and it was done within this time frame. There has been no ruling regarding the injunction at this time. He said more time is needed for a decision or a direction to take. Mr. Reitz, attorney for the applicant, wrote a letter to postpone the case until the January 3, 2017 Planning Commission meeting so everyone could enjoy the holidays with their families. If there is no action or temporary injunction, no vote can be taken.

PUBLIC COMMENTS

NONE

PLANNING COMMISSION DISCUSSION

Mr. Catalano asked for a motion.

MOTION: Ms. Daniel moved to table Case PC15-017, University Oaks, property located at 5914 Horning Road, until the January 3, 2017 Planning Commission meeting. Mr. Gargan seconded the motion. The motion carried 5 –0.

VII. New Business

NONE

VIII. OTHER BUSINESS

Mr. Catalano advise the Commissioners that he resigned from Planning Commission because he has relocated out of the City. He was thanked for his many years of services.

X. Adjournment

Motion: *Ms. Daniels moved to adjourn. The motion was seconded by Ms. Edwards. The motion carried 5 – 0.*

The meeting adjourned at 8:10 p.m.