

**KENT PLANNING COMMISSION
BUSINESS MEETING
JUNE 21, 2016**

MEMBERS PRESENT: **John Gargan
Doria Daniels
Amanda Edwards**

MEMBERS ABSENT: **Anthony Catalano
Peter Paino**

STAFF PRESENT: **Heather Phile, Development Planner
Bridget Susel, Community Development Director
Eric Fink, Assistant Law Director
Sheila Uzl, Transcriptionist**

I. Call To Order

The meeting was called to order at 7:02 p.m.

II. Roll Call:

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

A letter from Jeff and Camille Fauser was received from Jay Plymale on the project.

VI. Old Business

NONE

VII. New Business

Mr. Gargan told the applicant that there were only three commissioners at the meeting and all three had to cast a positive vote for the application to be approved or he had the option to wait until there was a full Planning Commission to hear his case.

**A. PC16-012 Plymale Rooming House
 513 Franklin Avenue
 Conditional Zoning Certificate & Site Plan Review**

The applicant is requesting Conditional Zoning Certificate & Site Plan Review and Approval in order to convert an existing duplex into a rooming house. The subject property is zoned R-C: High Density Residential - Commercial District.

Mr. Gargan asked the applicant to present the project.

Jay Plymale (7437 Birkner, Kent, OH) stated he addressed some issues raised by the Fire Department. He said the house was built in 2005. He said there is a walk out basement with five windows. They have what are called escapes holes and a person could actually walk out the other two. He felt that he had addressed the issues raised by the Fire Department except the fire extinguishers and carbon monoxide detectors. The garage and the driveway are used for parking. He said one of the tenants had a huge truck that was parked in the driveway and it should not have been parked there. Mr. Plymale said he would like to rent to students with three persons in each side. When he originally built the house, he was going to sell it.

He said he spoke to a neighbor who said she is not opposed to the project. He does not have any intention of doing any remodeling. He said they are nice units. One is 1900 square feet and the other is 1500 square feet. He said there are hardwood and stone floors and cathedral ceilings. The basement is unfinished.

PUBLIC COMMENTS

Marybeth Cieplinski (533 Franklin Avenue, Kent, OH) stated they live two doors down from 513 Franklin. She had a number of concerns. She said not all the properties in the area are student rentals. She said there are not enough parking spaces on site for the tenants. She said there are already enough student rentals. Ms. Cieplinski said they are concerned about property values and said they would not be able to sell their house. She said there is already a problem with trash and noise. She did not want the Planning Commission to approve more student rentals. She objects to the proposal.

Mr. Fink clarified that the Planning Commission does not approve student rentals but does approve or disapprove whether or not a property can be designated a boarding house.

Dan Cieplinski (533 Franklin Avenue, Kent, OH) agreed with his wife's comments. He said he objects to more student rentals in the area.

PLANNING COMMISSION DISCUSSION

Ms. Phile stated there is a graveled area next to the driveway that is not part of Mr. Plymale's property and it was supposed to be removed back in 2007 but it is still there. She said they would have to do some kind of stack parking which the Planning Commission could approve.

Mr. Gargan stated that in the past the Planning Commission approved one (1) parking space per unit.

Ms. Susel stated that there are different criteria depending on the number and designation.

Ms. Edwards stated her main concern was the parking area. Parking is going to be the most difficult problem of this project. The parking spaces need to be 9' x 18' and eight (8) spaces are required so the project is shy three (3) parking spaces of the requirements. She said parking has to be five feet from the setback and no more than 60% of the rear of the property can be parking. She does not see how there would be room for the eight (8) required parking spaces.

Ms. Daniels was also concerned with parking. She would like a better plan for parking.

Mr. Gargan stated the cars in the driveway would be blocking the cars parked in the garage. He asked the applicant if his tenants had been in compliance with code as far as no more than two unrelated people could be living in the same unit.

Mr. Plymale replied yes.

There were no further comments. Mr. Gargan asked for a motion.

MOTION: *Ms. Edwards moved in Case PC16-012, the Planning Commission deny the Conditional Zoning Certificate and Site Plan to operate a rooming house at 523 Franklin Avenue. The motion was seconded by Ms. Daniels*

Mr. Gargan reminded the applicant that the commissioners had to vote unanimously with a positive vote for the application to be approved. He asked the applicant if he wanted to continue or table the case until there were more commissioners in attendance to hear his case.

Mr. Plymale replied he would like to continue.

Mr. Fink stated that the Planning Commission can request a parking plan.

Ms. Susel added that a parking plan would have to include some other alternative parking spaces other than what was presented with this application.

VOTE: *The motion carried 3 –0.*

**VIII. Meeting Minutes - Regular Meeting Minutes – February 16, 2016
Regular Meeting Minutes – March 1, 2016
Regular Meeting Minutes - May 17, 2016**

MOTION: *Ms. Daniels moved to approve the February 16, 2016 as submitted. The motion was seconded by Ms. Edwards. The motion carried 3 – 0.*

MOTION: *Ms. Daniels moved to approve the March 1, 2016 as submitted. The motion was seconded by Ms. Edwards. The motion carried 3 – 0.*

There was not a quorum present to vote on the May 1, 2016 Meeting Minutes.

IX. Other Business

MOTION: *Ms. Daniels moved to excuse the absence of Anthony Catalano at this meeting of the Planning Commission. The motion was seconded by Ms. Edwards. The motion carried 3 – 0.*

No motion was made to excuse the absence of Peter Paino but he could be excused at a later date if there was a valid reason for his absence.

There will be no July 5, 2016 Planning Commission meeting because there are no agenda items.

X. Adjournment

Motion: *Ms. Daniels moved to adjourn. The motion was seconded by Ms. Edwards. The motion carried 3 – 0.*

The meeting adjourned at 7:36 p.m.