

**KENT PLANNING COMMISSION
BUSINESS MEETING
SEPTEMBER 6, 2016**

MEMBERS PRESENT: Anthony Catalano
 Peter Paino
 Doria Daniels

MEMBERS ABSENT: John Gargan
 Amanda Edwards

STAFF PRESENT: Jennifer Barone, Development Engineer
 Bridget Susel, Community Development Director
 Eric Fink, Assistant Law Director
 Sheila Uzl, Transcriptionist

I. Call To Order

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

II. Roll Call:

Mr. Paino, Ms. Daniels and Mr. Catalano were present.

MOTION: *Ms. Daniels moved to excuse the absence of John Gargan from the September 6, 2016 Planning Commission meeting. The motion was seconded by Mr. Paino. The motion carried 3 – 0.*

MOTION: *Ms. Daniels moved to excuse the absence of Amanda Edwards from the September 6, 2016 Planning Commission meeting. The motion was seconded by Mr. Paino. The motion carried 3 – 0.*

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

NONE

Ms. Barone suggested that the Planning Commission change the order of the agenda for the meeting so that PC16-018, Tannery Park Parking Lot Expansion, can be heard first.

MOTION: *Ms. Daniel moved to take the agenda out of order so that Case PC16-018, Tannery Park Parking Lot Expansion, can be heard first.
The motion was seconded by Mr. Paino. The motion carried 3 –0.*

VI. New Business

**A. PC16-018 TANNERY PARK PARKING LOT EXPANSION
 300 Stow Street
 Conditional Zoning Certificate**

The applicant is requesting approval to expand the parking lot at Tannery Park in conjunction with the proposed hike & bike expansion. The subject property is zoned O-R: Open Space Recreation.

Mr. Catalano asked the applicant to present the project.

John Idone, Director of Parks and Recreation for the City of Kent, stated that the expansion of the Tannery Park parking lot is part of the federally funded bike & hike trail extension. He said most of the expansion will be off the road. He said Tannery Park is a very popular spot for people to eat their lunch or walk on the trail. He said the current

design of the parking lot is very inefficient and was one that evolved over time. Initially, it was a cinder lot in parts and then became an asphalt lot. He said while a circular parking lot is easier to cruise in and out of, it is very inefficient to park and it is pie shaped which does not really meet City codes for distance. Since the park was developed, the City of Kent approved a riparian setback that prohibits impervious surfaces 200 feet from the Cuyahoga River. As part of this project, they hope to do a more efficient design by increasing the space by a third, they could probably double the size of the parking with the more efficient design on the lot. They have received a variance from the Board of Building Appeals to lay the pervious pavers that are identical to the ones used on Locke Lane downtown and were originally used at Riverbend Park.

They have done core samples and soil samples and with the proper base underneath it will improve the storm water level in that area. All the existing asphalt will be removed and replaced with the pervious pavers for the whole parking lot. Safety for park users will also improve. Currently, the trail ends at the end of the parking lot. People have to drive or ride or walk through the middle of the parking lot to gain access to Stow Street. The design will bypass the parking lot and connect directly to Stow Street. The slope along Stow Street will require a retaining wall and they found that there is a large sandstone shelf that runs to the road so they propose using that sandstone shelf as a natural rock wall versus a manufactured retaining wall. The lighting will be limited to the paved surface area. The park will close at 11:00 p.m., so there will be no parking after 11:00 p.m. He said they need to request two variances from the Board of Zoning Appeals.

There were no other comments or questions.

PUBLIC COMMENTS

Marcia Weigel (326 Stow Street, Kent, OH) asked if there would be a public restroom there.

Mr. Idone replied there is a porta-pot there, but there are no plans to put a restroom there because there is no sewer. He said they are extending the water line into the parking lot to service the livery. He said in the next couple of months, they plan on installing a concession stand and a restroom at Kramer Field, which is about a quarter of mile away.

PLANNING COMMISSION DISCUSSION

Ms. Barone stated that a governmentally owned and/or operated park is a conditional use in the O-R: Open Space Recreational District. This is a proposal for the expansion of the parking lot. There will be lights in the parking lot. The applicant has to go before the Board of Zoning Appeals to request a couple of variances. Staff does recommend approval.

Mr. Paino stated he liked the separation of the pedestrians and the vehicles.

Ms. Daniels agreed with Mr. Paino.

Mr. Catalano had no comments.

There were no other comments or questions. Mr. Catalano asked for a motion.

Motion: ***Mr. Paino moved that in case PC16-018, Tannery Park Parking Lot Expansion, property located at 300 Stow Street, that the Planning Commission approves the Conditional Zoning Certificate and Site Plan to construct a parking lot and access path to the Cuyahoga River. Subject to the following conditions:***

- 1) Technical Plan Review.***
- 2) Granting of the variances by the Board of Zoning Appeals.***

Ms. Daniels seconded the motion. The motion passed 3 – 0.

VII. Old Business

**A. PC16-013 MILESKE ROOMING HOUSE
 333 College Court
 Conditional Zoning Certificate & Site Plan Review**

The applicant is requesting a Conditional Zoning Certificate and Site Plan Review & Approval in order to convert the residential structure (duplex) to rooming house. The subject property is zoned R-4: Multifamily Residential District.

Mr. Catalano asked the applicants to present the project.

Susan Mileske (1461 River Edge, Kent, OH), stated she and her husband, Steve, own the property. She said they previously appeared before the Planning Commission to discuss the conversion of the property to a rooming house. Tonight they returned to appear before the Planning Commission with a parking layout.

There were no other comments or questions.

PUBLIC COMMENTS

Christopher Myers (228 East Elm Street, Kent, OH) stated that on a scale on one to ten

that anything that the Mileski's own is a ten. He said the Mileski's are wonderful people and they do a beautiful job.

PLANNING COMMISSION DISCUSSION

Ms. Barone stated that this project is back before the Planning Commission because there were a number of outstanding issues that needed to be resolved. At this point, the applicants have answered all the questions regarding the ingress/egress in the basement and utilizing the basement for sleeping quarters. The applicants have stated there will not be a bedroom in the basement so that answered all the issues regarding this issue. They have provided an adequate parking plan. They will need to go to the Board of Zoning Appeals to get approval for side yard parking. They also need a variance for the lot size.

She said the outstanding questions from the previous meeting have been answered. The condition added to a motion that limits three unrelated persons to the unit is inappropriate because the Health Department approves four people or more. She said the other conditions should be attached to the motion.

Ms. Daniels stated the Mileski's have done a fine job.

Mr. Paino asked where the house was located in relation to the street and where the driveway is going to be in relation to the house. He asked about the location of the garage.

Mr. Mileski showed Mr. Paino where the house is located. He said there is no street in front of the house; only a driveway. He said the existing garage will be demolished.

Mr. Paino asked where the front yard is located. He said no parking is permitted in the front yard. He said the front yard parking needs to be removed.

Mr. Mileksi replied that they will do all that the Planning Commission requests.

Ms. Barone stated there is more parking in the back. She said the Planning Commission can always add a condition that there is no parking in the front yard.

Mr. Mileski stated that they make their properties very street appealing.

There were no other comments or questions. Mr. Catalano asked for a motion.

MOTION: *Ms. Daniels moved that in case PC16-013, Mileski Rooming House, located at 333 College Court, that the Planning Commission approves the Conditional Zoning Certificate and Site Plan to operate a rooming house. Subject to the following conditions:*

- 1) ***Granting of variance(s) from the Board of Zoning Appeals.***
- 2) ***Provide storm water calculations or demonstrate that no additional storm water runoff will be produced due to the parking addition.***
- 3) ***Technical Plan Review.***
- 4) ***No parking in the front yard.***
- 5) ***Schedule an inspection with the Fire Department and Chief Building Official for code compliance.***
- 6) ***Registration with the Community Development Department for the Residential Application.***

Mr. Paino seconded the motion. The motion passed 3 – 0.

**B. PC16-009 ALDEN KENT PROJECT, LLC
1456 East Summit Street
Site Plan Review**

The applicant is requesting Site Plan Review and Approval in order to construct a multi-family housing development. The project consists of a 5 story above podium parking with 126 units and 384 beds. The subject property is zoned U: University District.

Mr. Fink stated that at the August 16, 2016 Planning Commission meeting the applicant asked for a continuance for this case to the September 6, 2016 Planning Commission meeting. Tonight the City staff has requested a continuance of Case PC16-009, Alden Kent Project, LLC to the September 20, 2016 Planning Commission meeting. He said the applicants did provide the requested additional documents on several different factors but it was submitted on Thursday, September 1, 2016 after 5:30 p.m. It was not received by the City of Kent until Friday morning, September 2, 2016. This gave the City only one day to respond to the information due to the three day weekend. He said hard copies were sent to the commissioners of all the information received by the City. There has not been sufficient time to review and respond to this information. One of the issues is the decision by the Board of Zoning Appeal to reverses the City's determination of required parking spaces for the proposed residential project. The Board of Zoning Appeals is going to have a discussion at their next meeting on the basis for their decision. He again asked for a continuance until the September 20, 2016 Planning Commission meeting.

Mr. Catalano asked the applicants if they were in agreement to the continuance.

Todd Hunt (1301 East 9th Street, Suite 3500, Cleveland, OH) from Walter-Haverfield Attorneys at Law, stated he is the attorney for the applicants. He said there were several people at the meeting to discuss the project. He said the applicants were not in favor of the continuance. He asked why the Planning Commission would not approve the application and if they did not approve it then they would go back and get more

information and give the staff more time. He said the City staff had everything the Planning Commission requested way before the deadline. He said the only thing they are submitting tonight is the internal pedestrian layout requested by Mr. Paino.

Mr. Paino asked if the City wanted the Planning Commission to table this case to give the commissioners more time to read what was submitted. He felt this was understandable. He said he would not mind hearing more information, although he was not sure he could vote tonight.

Mr. Fink replied that the Planning Commission does not have to table this case just because the City has requested a continuance. He said the Planning Commission could make a motion at any time. If a motion is not granted, the Planning Commission would proceed as usual.

Mr. Paino asked about the fact that there were only three commissioners at this meeting.

Mr. Fink stated that Mr. Catalano would be sure to inform the applicants of this.

Mr. Paino asked if the applicants could ask for a continuance after the information is presented.

Mr. Fink replied that because there are only three commissioners at the meeting tonight, the applicants can ask for a continuance at any point in time as long as a motion has not been made or seconded.

Greg Olbrys (1166 Avenue of the Americas, New York, NY) stated he represented the applicant. He said they have provided additional information and Mr. Fink has aptly described the timing of when that information was provided. Their purpose was to respond to questions although it does not appear that they met the required guidelines. He said they wanted to get the information to the City so everyone had a chance to review it. He said the majority of the information was indeed talked about at the last Planning Commission's meeting. They have been available to respond to comments but have not received feedback on the additional information that was provided. He said the information that the Planning Commission has now is an updated new site plan showing some additional walkways and an updated architectural plan that shows the square footages of the two court yards which is about 0.28 acres of open space. He said they have tried to provide additional information.

Mr. Hunt said that the guidelines that Mr. Olbrys was referring to the guidelines for submission of materials to the staff so they can get the reports to the commissioners. He said their position is that a lot of this information has been available to the staff and they have been working with the staff including the Community Development Department and the Fire Department. He said there were six items listed in the Staff Report under

“Update” that they have responded to. He said letters from Jonathan Burkhardt from Burkhardt Engineering and himself have been submitted. He said they felt that all code requirements have been met. He said six points came up at the last meeting and they believe that they are irrelevant to the site plan or the information has been submitted to the staff. He said the Board of Zoning Appeals approved their calculation on what the minimum parking requirement should be. This decision was based on Subsection (e) of General Parking for the City of Kent. He said the project is a hybrid of student housing.

Mr. Catalano asked if it was a boarding house.

Mr. Hunt replied it was not a boarding house or a multi-family unit for the purposes of parking. He said the staff and the Board Zoning Appeals referred to the development as multi-family. He said the parking standard though was based on the rationale that some of these units will have three and four bedrooms, so it will not fit in the multi-family definition, while some do because the units have one or two bedrooms. He said they did not ask for a variance, but rather protested the interpretation of the staff that a one to one ratio should be applied. He said they did a one to one ratio for the one and two bedroom units and then 0.8 ratio for the three and four bedroom units. He said as a result of their search, they determined that 0.8 ratio was the largest one used for student housing. Mr. Hunt said this does not have any relevance to the site plan, because the parking ratio has been established and it does not matter how they arrived at that ratio. It is a hybrid project. It is student housing. It is built like the dormitories built on university property where there is a cluster of bedrooms with a common area that includes a kitchen and living area. Mr. Hunt stated that points one and two in the Staff Report have been answered. Points three through six were answered by Burkhardt. He said point three was related to Fire Department, which has been addressed with Lt. Coffee who said it meets the code. The Fire Department would like to see some other things, but it was not going to insist on it. He said they are waiting on a response from Lt. Coffee on an email that was sent to him regarding the discussion that was held. He said this information was available to the staff on August 17, 2016. In reference to point four in the Staff Report, he said the applicant has proposed more trees than are required by the code. He said they have eliminated some of the trees in the narrow parking islands and the code is still met. Point five refers to additional cover and retaining wall over the City’s water main. He said this was discussed at the last meeting where Ms. Susel had said that a solution had been reached on August 12, 2016. The last point is about an update of the traffic study. He said an updated traffic study was submitted to the City August 11, 2016, but they have had no feedback on the traffic study.

Mr. Hunt said they are supplying over a quarter of an acre of recreational open space which includes the pool area and green space. He said the City ordinance says either recreational open space or a park fee in lieu of open space. He said they are paying \$115,200. He said they met the requirements and felt that the site should be approved. If it was not approved at this meeting, he wanted to know why.

Mr. Fink stated that the staff was not satisfied all elements have been met. He said it is the responsibility of the Planning Commission to determine if the project complies with the City of Kent's ordinances, which includes building use, setback and parking. The Planning Commission is aware of the staff's concern. This is a permitted use in the district. The City staff came to a parking calculation based on a multi-family use which is one bedroom per parking spaces and an additional 53 parking spaces for the church. He said it is very clear to the staff that the Board of Zoning Appeals overturned their decision. He said at the Board of Zoning Appeals meeting, Mr. Sellman made a motion: that the Board of Zoning Appeals reverses the City's determination of required parking spaces for the proposed multi-family residential project. The motion was seconded and it carried four to one. The staff's calculation for the parking spaces was rejected by the Board of Zoning Appeals. He said just because the Board of Zoning Appeals felt the staff's calculation on the parking was wrong, it does not mean that their calculation for the parking was correct. He said it was determined that it was a hybrid of student housing and multi-family or some other kind of housing.

The City's stance is that this project cannot be designated as student housing because the City staff believes this would be in violation of the housing law. Staff believes that this is a multi-family structure. He said the Planning Commission has to determine if the parking statutes have been complied with. He said the applicant seems to be saying that since the Board of Zoning Appeals disagreed with how the City staff calculated the parking requirements that all parking issues are off the table. The City does not believe that to be the case. If the applicant is arguing that because they have rooming houses in their development, parking requirements is covered by Section 1122 and that is how the applicant got to the 0.8 spaces per bedroom. If the applicants are using the rooming house designation, they should also meet the other parking requirements in that code section which states where the parking spaces should be located. That same section has the requirement for open space. Landscaping is also required throughout the parking area. If an unspecified use must be determined by Section 1165.07(e) then someone needs to determine what is the appropriate number of parking spaces. He said the Board of Zoning Appeals does not have the authority to do that.

In other instances such as this, the City staff has made calculations based upon unspecified use. He said the City believed that it would be the responsibility of the Planning Commission to determine the number of parking spaces for this situation. He said based on other developments that have taken place throughout the City of Kent, more parking than what has been proposed by the applicants should apply. He said the applicants has discussed that there are other cities where a lower requirement has been implemented. He said this might be fine for other cities, but in the City of Kent, there are not many amenities within walking distance. He said it should be the City of Kent's code that is relevant and the Planning Commission should consider what takes place in the City of Kent in determining how many parking spaces are required. There are other developments in the City of Kent that are large scale, with bed by bed models that rent to

more than two unrelated individuals also require the one to one parking ratio. Some of these developments are: 2011-University Edge, which is a multi-family dwelling of 612 beds, which required 612 parking spaces and in 2012, University Oaks required 1.25 spaces per bedroom. These examples show that the City has required a minimum of a one to one ratio. A project proposed by the Presbyterian Church in 2010, required one parking space per bedroom. The 345 Flats development is in a different zoning district, the Commercial-Downtown District, does not have the one to one requirement and there is no minimum parking space requirement in place. The City feels that if there is going to be a full discussion on the parking issue, the parking should be closer to a one to one ratio, plus the 53 parking spaces, which is based on the zoning code for the assembly hall/church area. He said the Board of Zoning Appeals did not use a specific method of calculating the parking space requirement; just that the City's calculation was in error. He said the City is asking the Board of Zoning Appeals to articulate the reasons behind their vote at their August 15, 2016 meeting. He said if nothing else, the discussion will tell the City what the basis was for their vote.

Mr. Hunt stated that it seemed that the City and its staff were trying to thwart this project. He said in particular they have a parking issue. He said he knew that the Community Development Department had explicitly expressed to them that they do not like student housing. He said the transcript from the Board of Zoning Appeals meeting is not relevant but it does discuss the ratio for the one and two bedrooms and the 0.8 for the three and four bedroom units was reached. He said this ratio is above what other university communities have for student housing standards. He said they have a standard that was approved by the Board of Zoning Appeals and they approved the reversal of the City's interruption of the code. The applicants felt that the parking requirement should be less.

Mr. Hunt said the rationality provided is what the Board of Zoning Appeals decided on. If it was rooming house, they meet the rooming house parking requirements. He said there are other developments in Kent that have the 0.8 ratio bedroom that the City did not discuss. He said their project is the only private development in the University District and the site is surrounded by the campus. He said it was absurd to think that everyone living in this development has a car.

PLANNING COMMISSION DISCUSSION

Ms. Barone stated that she has not gotten anything in writing on the traffic study, but she did talk to the Traffic Engineer who said what was submitted was okay. The water main and the retaining wall can probably be worked out in the Technical Plan Review. She said the Fire Department has not spoken to the Community Development Department staff, so she does not know what Lt. Coffee told the applicant. The Fire Code was included in the commissioners' packets which show the general requirements.

Mr. Fink stated he was trying to determine which apartment complexes had less than a one to one ratio. He said the C-D District does not have any parking requirement. Some of the developments have provided some parking. He said he believed that for this project, the applicants were creating a use that does not exist in the City of Kent's code.

Mr. Paino stated that the packet the commissioners had received for this meeting had no changes. He was not sure how the church functions within the parking lot. He asked how this site plan specifically relates to how a church functions because this is a multi-use project. All he sees is a gigantic parking lot. He drove around to look at churches in the City and one thing he found is the churches have front drive ups or front entries and front door drop offs. He asked where a hearse might go to unload the caskets or where the bridal car would pull up. He did not think this site plan was thought out. He felt there could be a better approach or access. Mr. Paino said they are changing the site plan of the existing church drastically and he felt there are some things being omitted. He said the reason that there is no room in the front is because it is all parking spaces that are crammed into the site to fit the number of units. He would like to see new plans to try to address this. He asked where the entry to the sanctuary was.

Rev. Meadows replied the entry to the sanctuary is in the rear.

Mr. Paino asked where a hearse or a bride was to go. When he drove around Kent, he took pictures of some local churches. He asked if there was any consideration given to the church's function.

Rev. Meadows replied a hearse would temporarily pull up to the main entrance.

Mr. Paino replied that there was no longer a pull up area. He said they would have to walk through a 9-foot wide corridor.

Rev. Meadows stated that the church will continue as is and stated that the church was aware of the change and is pleased with the way the site is laid out.

Mr. Hunt stated that Jonathon Burkhardt, engineer for the project, responded to the comments made previously so he has made changes to the site plan, including adding more islands.

Mr. Paino stated there is no connectivity from the parking lot to the pathways. He said other developments came up with the solution. He asked what the zoning classification was for this project.

Mr. Fink stated that the City and the applicant did not agree on the classification for this project.

Ms. Daniels asked how many fell under Section 1167.

Mr. Olbrys replied there are ten one bedroom units, 23 two bedroom units with a parking calculation of 1.0 ratio. There are 132 three bedroom units and 196 four bedroom units with a parking ratio of 0.8. The total for the project is 371 parking spaces including 53 spaces for the church. There are 56 multi-family units with the 1.0 ratio and 328 units with 0.8 ratio based on a rooming designation.

There was a discussion about the parking ratios for other developments that had one classification designation.

Ms. Daniels stated she wanted to see a standard designation either multi-family or rooming house. She said there should not be combination of both. She said the project was worthwhile, but was not sure how to evaluate it.

Mr. Olbrys asked if a multi-family development had to meet the open space requirement.

Mr. Fink replied if it was a multi-family project in the University District, there is no open space requirement. If the rooming house code is used, there is an open space requirement, which is found in Section 1122, but the open spaces are not specific.

Mr. Catalano confirmed that the largest designation that the applicants are seeking is the rooming house.

Mr. Fink stated that the Park Fee and the open space requirement is not the same thing. Any new development has to provide land for the parks service or pay a park fee.

Mr. Catalano asked if there were two courtyards and a pool for three months.

Mr. Hunt replied there is other open space.

Mr. Olbrys stated that there is open space off site. The project is surrounded by university spaces off site and the recreational center is close by.

Mr. Catalano asked if the applicant owned the property.

Mr. Olbrys replied is it a partnership to own but will sell its interest in the future. He said they started the project in 2015 and they own other properties in Kent.

Mr. Catalano stated there are still concerns from the Fire Department that need to be resolved. He was concerned about the density of the development. He felt that further investigation needed to be done. He said he was not ready to vote on a positive or negative motion at this meeting.

Mr. Fink recommended continuing this matter for another hearing before the Planning Commission in order to solve the issues including what chapter they should be working from. He felt that they should be working from one chapter of the code.

Mr. Catalano asked Mr. Hunt if he agreed to continue this matter for thirty days.

Mr. Hunt replied that 30 days was a long time.

Mr. Catalano stated he would not be at the September 20, 2016 Planning Commission meeting.

Mr. Fink stated that the Board of Zoning Appeals meets September 19, 2016 and one of the items on its agenda is to discuss the board members' rationale for their vote for the BZ16-018 case reversing the City's decision.

Mr. Hunt stated they would agree to the 30 days, if that is what is necessary but, they do not want another continuance.

Mr. Catalano said it was appropriate for the commissioners to review what section of the code should be used.

Mr. Olbrys stated that the project does meet the density. He said the traffic issue had been one of the issues and there is the agreement on the water line. He said they are just as interested in resolving this matter as everyone else. He said they tried to respond to some of the issues but have not gotten any feedback so it was difficult for them. They need feedback from the Fire Department and that might be the only issue that needs to be resolved. He said they resolved the traffic issue. They need the final agreement on the proposal of water line.

Mr. Catalano stated that the developer and the City need to come to an agreement. There is somewhat of an identity crisis with this project. There are a lot of different opinions. They need to come together instead of polarizing each other more on this issue. This is his recommendation.

Mr. Fink stated he will be meeting with Lt. Coffee tomorrow, so he will ask that he forward the information. He recommended continuing the case for 30 days. The applicants will return to the October 4, 2016 Planning Commission meeting.

Mr. Hunt stated that after conferring with his client, they are in agreement that they will return to the Planning Commission meeting on October 4, 2016.

MOTION: ***Ms. Daniels moved that in case PC16-009, Alden Kent Project, LLC, located at 1456 East Summit Street, that the Planning Commission***

***table the case until the October 4, 2016 Planning Commission meeting.
Mr. Paino seconded the motion. The motion passed 3 – 0.***

Ms. Barone stated that the revised plans need to be submitted to the City of Kent by September 23, 2016.

**C. PC16-016 MILESKE ROOMING HOUSE
 241 East College Avenue
 Conditional Zoning Certificate & Site Plan Review**

The applicant is requesting to convert a single family dwelling into a rooming house to house five (5) individuals. The subject property is zoned R-4: Multifamily Residential District.

Mr. Catalano asked the applicants to present the project.

Susan Mileske (1461 River Edge, Kent, OH) stated she and her husband, Steve own this property. She said they want to change the property from a single family house to a rooming house. She said they will appear at the October 17, 2016 Board of Zoning Appeals to request variances for the minimum lot area and for the parking. Ms. Mileske said most of the issues listed in the Staff Report are about ingress/egress from the basement and the first floor. She said they are requesting five bedrooms.

Mr. Catalano asked what the square footage of the house is.

Mr. Mileske stated that have completed all the recommendations made by the Building Department and the Law Department. The ingress/egress issues have been solved.

Ms. Mileske stated that the house is 1195 square feet plus 780 square feet in the basement.

Mr. Paino asked if the house was a single family house. He asked how it was used now.

Mr. Mileske replied it is rented to two people.

Mr. Paino asked how long they have owned the house.

Mr. Mileske replied since 2007.

PUBLIC COMMENTS

Christopher Myers (228 East Elm Street, Kent, OH) stated that the Mileski's are long time Kent people and they take care of their property. He failed to see the relevance of how long they have owned the property.

Mr. Paino replied that a single family house is worth less money than a five room boarding house is worth.

PLANNING COMMISSION DISCUSSION

Ms. Barone stated this application was to convert a single family house into a rooming house with five tenants. It is a conditional use in this zoning district. The applicants have to go before the Board of Zoning Appeals for variances for the lot size and the parking in the side yard. They need seven parking spaces for five tenants and they are showing seven parking spaces on their site plan. Utilities are existing. There are no proposed changes for the stormwater to the site. Lighting will be regular lighting over the door and there will be regular garbage cans for rubbish. The Architectural Review Board did not review this project. She said staff is recommending a number of conditions if the Planning Commission does make a motion.

Ms. Daniels nor Mr. Fink had any comments.

Mr. Paino stated that the parking does not work.

Ms. Susel stated the Planning Commission might want to limit the number of tenants so that the applicants do not have to return to another Planning Commission meeting.

Mr. Catalano asked what works well and what does not.

Ms. Mileski replied she did not want to be argumentative. This is a business and they do not want to push the boundaries. They want to be cooperative and have good communication with the City. She said often times there are preconceived ideas of what a landlord is and there is also prejudice shown towards landlords. She said they are not asking for student housing in a family neighborhood. At the same time though, they cannot rent to a family in a student rental area. She said they are trying to be proactive.

Mr. Catalano stated that the applicants' efforts are appreciated. There were no additional comments or questions. He asked for a motion.

MOTION: *Mr. Paino moved that in case PC16-016, Mileski Rooming House, located at 241 East College Avenue, that the Planning Commission approves the Conditional Zoning Certificate and Site Plan to operate a rooming house. Subject to the following conditions:*

- 1) *Granting of the variances required from the Board of Zoning Appeals.*
- 2) *Limited to no more than five (5) unrelated persons and no more than the number of unrelated persons that meet the Building and Fire codes.*
- 3) *Technical Plan Review.*
- 4) *Schedule an inspection with the Fire Department and Chief Building Official for code compliance.*
- 5) *Obtain licensure from the Health Department or the Community Development Department.*

Ms. Daniels seconded the motion. The motion passed 3 – 0.

VIII. Other Business

Ms. Barone stated that the joint meeting that was requested will be held at a separate date rather than at a regularly scheduled meeting for either the Planning Commission or the Board of Zoning Appeals.

IX. Adjournment

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

The meeting adjourned at 9:00 p.m.