

**KENT PLANNING COMMISSION  
REGULAR BUSINESS MEETING  
NOVEMBER 4, 2008**

**MEMBERS PRESENT:**     **Bill Anderson  
John Thomas  
Dave Wise  
Sean Kaine**

**STAFF PRESENT:**         **Jennifer Barone, Development Engineer  
Eric Fink, Asst. Law Director  
Sheila Uzl, Transcriptionist**

**I.     Call To Order**

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

**II.    Roll Call:**

Mr. Thomas, Mr. Wise, Mr. Kaine and Mr. Anderson 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 the 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 1115 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**

The Planning Commission received a letter from the Architectural Advisory Board.

**VI. Meeting Minutes: October 7, 2008 and October 21, 2008**

**MOTION: Mr. Kaine moved to approve the minutes of October 7, 2008. Mr. Wise seconded the motion. The motion passed 4 – 0.**

**There was no quorum for the October 21, 2008 so the Planning Commission could not approve them. City Council might decide to approve.**

**VI. Old Business**

None

**VII. New Business**

- A. PC08-014 Ronald Burbick  
Phoenix Project – Phase III/Acorn Alley  
164 East Main Street  
Site Plan Review**

**The applicant is seeking Site Plan Review and Approval to demolish the existing structure and build a new two story building and to approve the parking plan. The subject project is zoned C-D: Commercial Downtown District.**

Mr. Anderson asked the applicant to present his project.

Ronald Burbick stated that Phases I and II have already been approved. They are nearing completion. Tonight they are asking for approval of Phase III and a bit of modification to Phase II in the connectivity between the two. He said a house and building located at 164 East Main Street will be demolished and a two story building will be constructed. He said the vehicular alley will be turned into a pedestrian alley and will have ten shops facing the alley rather than two very deep stores on Main Street. In the very rear of the building, they will be connected by a bridge. It will all be retail on the bottom floor and offices on the second floor. Mr. Burbick said there will be an open food court that will be covered by the second floor and will have a glass paneled door that can be put down so that it can also be used during the winter. There is additional eating space for year around usage. He said the signage in the alley will be attached to the wall. The signs will be limited to 7 ½ square feet in the alley and limited to 9 square feet on the building front. All signs will fall within the current sign ordinance. He said Phase I and II are fully leased and Phase III is about 33 % leased. There is handicap accessibility and the building is ADA compliant. The dumpsters will be enclosed and easily accessed.. He said the total number of available parking spaces exceeds the estimated required number. He asked if the commissioners had any questions.

### **PUBLIC COMMENTS**

Bob Mayfield, 607 North Mantua Street – Kent, Ohio – stated he is a retail property owner across the street. He said he is very happy with the project and that it will be a great addition to downtown Kent.

Tom Simpson, 175 East Main Street – Kent, Ohio – stated the project was a great asset to the community.

### **PLANNING COMMISSION DISCUSSION/ACTION**

Ms. Barone stated that Mr. Burbick had done a good job describing the project. She said the parking is sufficient and they have provided a parking plan; 10 spaces along the street, 40 in the parking lot behind the building, 30 spaces on Erie Street that he will get parking permits for 14 spaces at private lots. She said the Architectural Advisory Board liked the project and did not have any comments.

A question was asked about the Fairmont Project.

Mr. Thomas stated it has been put on hold because of credit issues.

Ms. Barone stated it is still ongoing but they are taking their time

Mr. Anderson asked if the commissioners had any comments.

Mr. Wise stated he loved the project.

Mr. Kaine asked how the lighting would be.

Mr. Burbick replied there will be lights right down the middle of the alley similar to the ones on Main Street but somewhat smaller in scale. There will also be a continuation of those lights along the rear as well as some in the parking lot.

Mr. Kaine asked if he has already worked out the ramps with the City and if they are as small as they can be and still be in compliance with ADA.

Mr. Burbick replied that the ramps are as small as possible and he worked with the City on this issue.

Mr. Kaine said the signage will have to meet the code requirements. He asked if the signs will meet code?

Ms. Barone said each business would have to obtain a sign permit.

Mr. Kaine asked if he would provide a sign for the cleaners.

Mr. Burbick replied yes.

Mr. Thomas asked how far the new building will sit back from Alley #4.

Mr. Burbick replied 14 feet.

Mr. Thomas asked how old the house was.

Mr. Burbick replied that house was built in several stages over 60 years. The core building was built in 1893 but there is virtually nothing left of the original building.

Mr. Thomas asked Ms. Barone if there were any plans to coincide with this project to improve Alley #4.

Ms. Barone replied that there has been some discussion about it.

Mr. Thomas suggested that the commission urges City Council to make improvements to the alley.

Mr. Burbick stated there has been talk about improvement and that is why they have held off on their parking lot.

Mr. Kaine asked Mr. Burbick if he was comfortable with 78 spaces.

Mr. Burbick replied they have accommodated 94 but some are permits so it is not the ideal situation but they are having discussions with the City.

Mr. Anderson stated it was a great project. He asked for a motion.

**MOTION: Mr. Kaine moved that in Case PC08-014, Ronald Burbick, Phoenix Project – Phase III/Acorn Alley that the Planning Commission approve the Site Plan to demolish the existing structures and build a new two story building at 164 East Main Street and approve the parking plan subject to Technical Plan Review and Review of the size of the signage. Mr. Thomas seconded the motion. The motion passed 4 – 0.**

**X. OTHER BUSINESS**

None

Ms .Barone stated that the next meeting will be a discussion on the code.

**XI. ADJOURNMENT**

**MOTION: Mr. Kaine moved to adjourn. Mr. Thomas seconded the motion. The meeting adjourned at 7:30 pm by consensus.**

