

**KENT PLANNING COMMISSION
REGULAR BUSINESS MEETING
DECEMBER 16, 2008**

MEMBERS PRESENT: **William Anderson, Chair**
 Sean Kaine
 John Thomas
 Dave Wise

STAFF PRESENT: **Gary Locke, Director of Community Development**
 Jennifer Barone, Development Engineer
 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. Kaine. Mr. Wise, Mr. Thomas and Mr. Anderson were present.

Mr. Anderson said Ms. Arthur has resigned.

Mr. Thomas asked when City Council would advertise the available positions and appointments made.

Mr. Locke replied they have been advertised and he would guess the middle of the month.

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 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

There was an email received from Keith Levan. Mr. Thomas submitted a Proposed Zoning/Codified Ordinances Amendment which will be discussed later in the evening.

Mr. Thomas stated he withdrew the amendment he had submitted at the November 18 2008 meeting and replaced it with the proposed amendment he submitted tonight.

VI. Meeting Minutes

Motion: Mr. Kaine moved that the Planning Commission approves the Meeting Minutes of November 4, 2008. Mr. Thomas seconded the motion. The motion passed 4 – 0

VII. Old Business
None

VIII. New Business

**A. PC08-015 Whitehall East Townhomes Alternations
(Keith Levan & Chatsiri Racharaks)
1521 Whitehall Blvd
Conditional Zoning Certificate & Site Plan Review**

The applicant is seeking Conditional Zoning Certificate and Site Plan Review and Approval for the conversion of the “Party Room” building into a residential unit with the rooming/boarding house designation for up to 4 unrelated persons. The subject property is zoned R-4: Multifamily Residential.

Mr. Anderson asked the applicant to present his project.

Keith Levan, Whitehall Blvd. – Kent, Ohio - stated that they want to convert the party room building into a residential unit. It has become costly to maintain and has become mainly a storage area. He said several ideas had been considered from knocking it down to converting it into a rental unit. He said he started meeting with Mr. Locke two or three years ago. He said the architect has come up with some detailed plans. He said they are here tonight to take it to the next step.

PUBLIC COMMENT

None.

PLANNING COMMISSION DISCUSSION/ACTION

Mr. Anderson asked the staff and commissioners if they had any comments.

Ms. Barone stated all the alternations are in the building itself except they are going to eliminate one of the dumpster locations so that space can be converted into parking spaces. She said they do have enough parking spaces with 192 spaces. She said there is already utilities and sewer to the building. The building will still have a management office and some storage space. She said they will have to go before the Board of Zoning Appeals because they do need a number of variances. Ms. Barone said the applicants have not provided written confirmation that the entire association agrees to this conversion so she recommends that this case be tabled until they do get this written confirmation.

Mr. Kaine stated he was concerned about the open space. The party room could have represented recreational facilities but it was being taken away.

Mr. Thomas asked if the applicants were original owners.

Mr. Levan replied his parents were.

Mr. Racharaks replied he was.

Mr. Thomas stated he was on Council when this plan was discussed the project in the 1988 and 1989. He said he agreed with Mr. Kane's concerns and agreed with Ms. Barone that the case should be tabled until written confirmation was received from the homeowners' association that they agreed to the conversion. He said the developer had persuaded Council to originally approve the project on the premise that there would be on site recreation and pinpointed this particular building as a recreational outlet for the students. He said the density does not need to be increased but to find a way to make a dense site amenable to people and their life today.

Mr. Fink told the applicants that if they wanted to table it, they could.

Mr. Anderson asked the applicants if they wanted to table the case.

Mr. Levan replied yes.

MOTION: Mr. Thomas moved to table Case PC08-015, Whitehall East Townhomes Alternations (Keith Levan & Chatsiri Racharaks) property located at 1521 Whitehall Blvd. until the January 20, 2008 Planning Commission meeting. Mr. Kane seconded the motion. The motion carried 4- 0

IX. Other Business

A. Proposed Amendment

Mr. Thomas said he submitted a recommendation for a Proposed Zoning/Codified Ordinances Amendment. He said the amendment is directed to the topic of conflict of interest. It is not just for this commission but also for the Board of Zoning Appeals. He has sent a copy to the Clerk of Council. Mr. Thomas stated that he has extra copies available for anyone who wanted one.

MOTION: Mr. Kane moved to refer to Community Development staff and Law Department to review the Proposed Zoning/Codified Ordinances Amendment. Mr. Thomas seconded the motion. The motion carried 4- 0

B. Appointment to Architectural Advisory Board

Mr. Locke stated that since the Architectural Review Board is an advisory board to the Planning Commission, the commissioners have been asked to recommend Doug Fuller to the vacant position.

MOTION: Mr. Kane moved that the Planning Commission recommend to Kent City Council the appointment of Doug Fuller to the Architectural Advisory Board Mr. Wise seconded the motion. The motion carried 4- 0

X. **Adjournment**

Mr. Anderson stated that there would be a Joint Meeting following the adjournment of the regular Planning Commission meeting.

MOTION: Mr. Kane moved to adjourn. Mr. Wise seconded the motion. The motion carried 4- 0

The meeting adjourned at 7:25 p.m.