

**AGENDA
PLANNING COMMISSION
CITY OF LAKEWOOD
DECEMBER 2, 2021
PRE-REVIEW MEETING
6:30 P.M.
AUDITORIUM**

Review docket items

**REGULAR MEETING
7:00 P.M.
AUDITORIUM**

1. **Roll Call**
2. **Approve the Minutes of the October 7, 2021 meeting**
Approve the Minutes of the November 4, 2021 meeting.
3. **Opening Remarks**

**OLD BUSINESS
PARKING PLAN**

4. **Docket No. 10-26-21**
2015 Lark St.
Apartment Building

Steven Kordalski, Kordalski Architects, applicant requests parking plan review and approval. Pursuant to Section 1143.05 – Schedule of Uses and Space Requirements. This property is located in an R2 - : Single- and Two-Family district. (Page 3)

**NEW BUSINESS
CONDITIONAL USE**

5. **Docket No. 12-28-21**
12061 Lake Ave.
Lakewood Counseling, LLC

Ray Biello, applicant, requests approval of a conditional use permit renewal to operate a counseling and accounting business, replacing an existing office use. Pursuant to section 1161.03(o) – re-use of an existing non-conforming structure. The property is in an MH – Multi-Family, High Density district. (Page 8)

CONDITIONAL USE

6. **Docket No. 12-29-21**
13995 Lake Ave.
Feel Beautiful with Kayla

Kayla Geraci, Feel Beautiful with Kayla LLC, applicant requests approval of a conditional use permit to operate a beauty salon business in a residential building. Pursuant to Chapter 1145 and Section 1161.03 (f) – Type B Home Occupation. The property is in an R1M – Single-Family, Medium Density district. (Page 10)

CONDITIONAL USE

- 7. Docket No.12-30-21
17012 Madison Ave.
Beartooth Tattoo Co.**

Eric Kaplan, Beartooth Tattoo Co., applicant requests approval of a conditional use permit to operate a tattoo business. Pursuant to section 1129.02 - principal and conditional permitted uses and section 1161.03(z) - body art establishments. The property is in a C1 – Commercial, Office district. (Page 13)

CONDITIONAL USE

- 8. Docket No. 12-31-21
15000 Detroit Avenue
Dave’s Hot Chicken**

Nicholas Silea, Dave’s Hot Chicken, applicant requests the review and approval for a conditional use permit to operate outdoor dining, pursuant to section 1161.03(t) – outdoor dining facility. Property is in a C2 – Commercial, Retail district. (Page 25)

COMMUNICATION

- 9. Docket No. 12-32-21
Warren Road Beautification Phase 3**

LakewoodAlive will present a communication regarding a proposed application to the Cuyahoga County Supplemental Grant Program for Warren Road Beautification Phase 3 project. (Page 30)

COMMUNICATION

- 10. Docket No. 12-33-21
Revisions to the Planning Commission Rules & Regulations**

Staff will present a communication regarding proposed revisions to the Planning Commission’s Rules and Regulations. (Page 31)

- 11. ADJOURN**



PLANNING COMMISSION

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Application Cover Page

Docket No.: 10-26-21

Permit No.: PC21-000033

Applicant Name: Steven Kordalski, Kordalski Architects

Project Address: 2015 Lark St.

Project Name: Apartment Building

Proposal: Parking plan review and approval. Pursuant to Section 1143.05 – Schedule of Uses and Space Requirements. This property is located in an R2 - : Single- and Two-Family district.

Dear City of Lakewood Planning Commission,

Thank you for taking the time to review this special parking plan request. My name is Gerald Bolger and I took ownership of this property at 2015 Lark Street at the beginning of this year.

The property at 2015 Lark Street is a 4-unit lawful non-conformity. Which I understand means that it was originally designed as a dwelling for one (or possibly two) families, but sometime over the years had been modified into what is now a four-family building.

Currently there are three families living at this address. One of the units is undergoing renovation and it will be marketed and rented to a fourth family in the coming weeks.

The current parking situation at this property is that it is restricting parking access to just a single family, forcing all other families to find street parking. There is a narrow driveway that runs the length of the primary residence building that leads to a small 2-car garage tucked in the back lot. The garage is not being utilized to park vehicles because the space behind the main building is too tight for a vehicle to make the necessary maneuvers to get in and out. What is happening as a result is that just one single car will park in the long driveway on the side of the main building while anyone else living at or visiting the property are forced to find street parking somewhere in the neighborhood.

I have similar properties like this with multiple families and, because of the transient nature of their living situation, they almost never make use of a parking garage even when the space is accessible. So it is understandable that the tight parking arrangement at 2015 Lark Street makes it even less desirable.

I want to do the right thing for the City of Lakewood, for the families living at this address as well as the those that live in the immediate neighborhood. My intention is to create a parking situation that would accommodate all residents in the building, offering them each one dedicated parking space per unit. This would be in the best interest of the residents who move into 2015 Lark Street but it would also be accommodating to all other residents who live on Lark Street. As the space is tight behind the building, I am hopeful that our draft plans are acceptable by the Planning Commission and we can find a path forward that is beneficial for everyone.

Thank you for your consideration.

Kind Regards,

Gerald Bolger

MADISON AVE. VARIES

MADISON AVE.

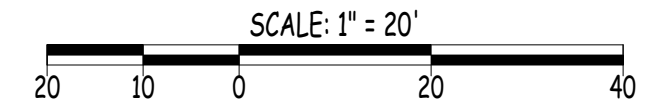
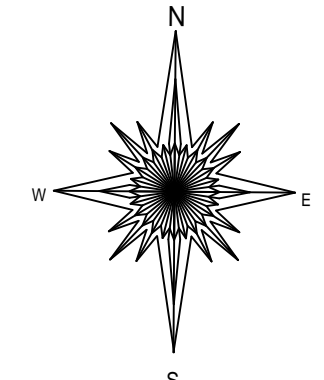
N 89°37'57" E 1893.30' Obs.

PLAT OF SURVEY

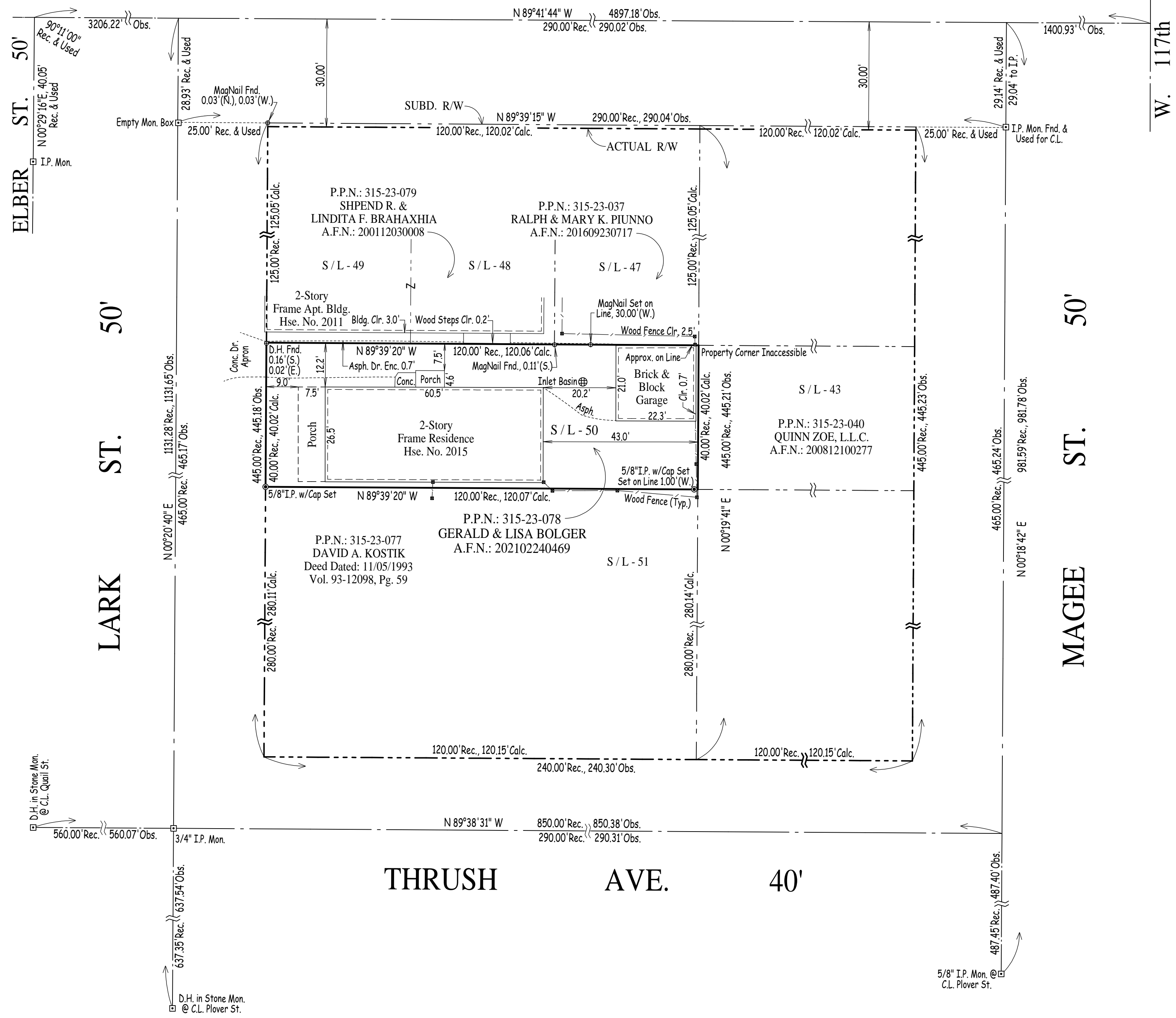
PREPARED FOR

GERALD & LISA BOLGER

IN THE CITY OF LAKEWOOD, COUNTY OF CUYAHOGA AND STATE OF OHIO AND KNOW AS BEING SUBLOT NO. 50 IN THE PLEASANT HILL ALLOTMENT OF PART OF ORIGINAL ROCKPORT TOWNSHIP SECTION NO. 20, AS SHOWN BY THE RECORDED PLAT IN VOLUME 20 OF MAPS, PAGE 9 OF CUYAHOGA COUNTY RECORDS.



DATE: JULY 23, 2021



DOCUMENTS OF RECORD

LOT SPLIT & CONSOL. SURVEY FOR SS. C & M HAVEN INC. DEMPSEY SURVEYING CO. 2011 A.F.N.: 201112050607

NATIONAL SURVEY PLAT JOB NO. 67091 JULY 24-25, 1936

CITIZENS REAL ESTATE CO. SUBDIVISION NO. 2 DECEMBER 1907 Vol. 37, Pg. 14, CCMR

CITY OF LAKEWOOD CENTERLINE SURVEY PLATS #1462, 1462A BY HAAS

C.S.R.: Bk. 64, Pg. 14-15 Bk. 79, Pg. 16-17

LEGEND:

- P.P.N. = PERMANENT PARCEL NUMBER
- A.F.N. = AUTOMATIC FILE NUMBER
- C.S.R. = CLEVELAND SURVEY RECORDS
- S / L = SUB-LOT
- Mon. = MONUMENT
- D.H. = DRILL HOLE
- I.P. = IRON PIN
- Fnd. = FOUND
- Rec. = RECORD
- Dd. = DEED
- Obs. = OBSERVED
- Calc. = CALCULATED
- = SURVEY MONUMENT

THIS PLAT WAS PREPARED FROM A FIELD SURVEY DONE UNDER MY DIRECTION AND CONFORMS TO THE MINIMUM STANDARDS FOR BOUNDARY SURVEYS IN THE STATE OF OHIO (OAC 4733-37). ALL IRON PINS SET BEAR CAPS INSCRIBED "D.J.B. PS 6939". BEARINGS SHOWN HEREON ARE TO AN ASSUMED MERIDIAN AND ARE INTENDED TO DENOTE ANGLES ONLY. DISTANCES ARE GIVEN IN FEET AND DECIMAL PARTS THEREOF. ALL OF WHICH I ACKNOWLEDGE TO BE CORRECT.

DAVID J. BRUCKNER, P.S.
REGISTERED OHIO PROFESSIONAL
SURVEYOR NO. 6939



DAVID J. BRUCKNER
4270 WEST 182ND. ST.
CLEVELAND, OHIO 44135
216-941-0720

Existing Condition Photographs

2015 Lark Street, Lakewood, Ohio

Kordalski Architects Inc., 2026 Murray Hill Road, Cleveland, Ohio 44106

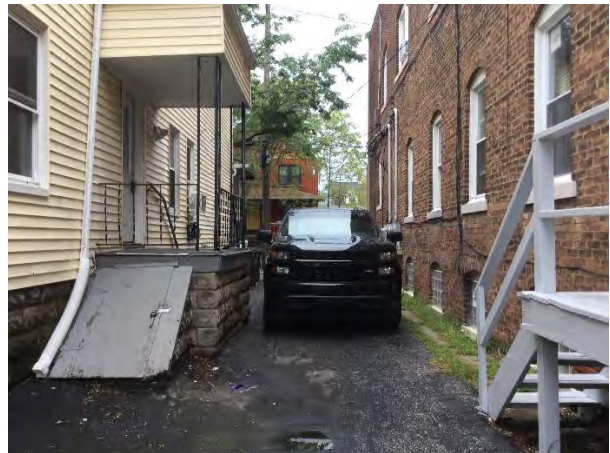
Job No. 2105



Lark Street view



View halfway back to garage



Drive looking toward Lark Street



Garage



View looking north

Existing Condition Photographs

2015 Lark Street, Lakewood, Ohio

Kordalski Architects Inc., 2026 Murray Hill Road, Cleveland, Ohio 44106

Job No. 2105



Rear yard looking north



Garage south elevation



Garage west elevation



Garage northwest corner



Garage north wall



Garage north wall damage



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Application Cover Page

Docket No.: 12-28-21

Permit No.: PC21-000035

Applicant Name: Ray Biello

Project Address: 12061 Lake Ave.

Project Name: Lakewood Counseling, LLC

Proposal: Conditional use permit to operate a counseling and accounting business, replacing an existing office use. Pursuant to section 1161.03(o) – re-use of an existing non-conforming structure. The property is in an MH – Multi-Family, High Density district.

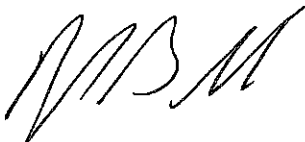
Ray & Wendy Biello
1038 Homewood Drive
Lakewood, OH 44107
(440) 382-9963

November 19, 2021

Katelyn Milius, PE
Senior City Planner
Department of Planning & Development
City of Lakewood
12650 Detroit Ave
Lakewood, OH 44107

This letter is being submitted to the Lakewood Planning Commission regarding the property located at 12061 Lake Ave Lakewood, OH 44107. We purchased the home in October of 2021 and intend on using the structure as the location for my wife's counseling business (Lakewood Counseling LLC). There is only one counselor at the moment (Wendy Biello) with plans to add an additional counselor in the near future. I (Ray Biello) currently operate an Accounting Practice in Lakewood (1435 Warren Road – Inside the KeyBank Building) and intend to move my practice into the building located at 12061 Lake Ave at some point within the next year. Once I move into the building, we will have 3 employees working out of there (Wendy Biello, Ray Biello & one employee).

We intend to use the structure as is with no intentions to add or subtract from the building thus there are no site plans to submit.



Ray P. Biello



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Application Cover Page

Docket No.: 12-29-21

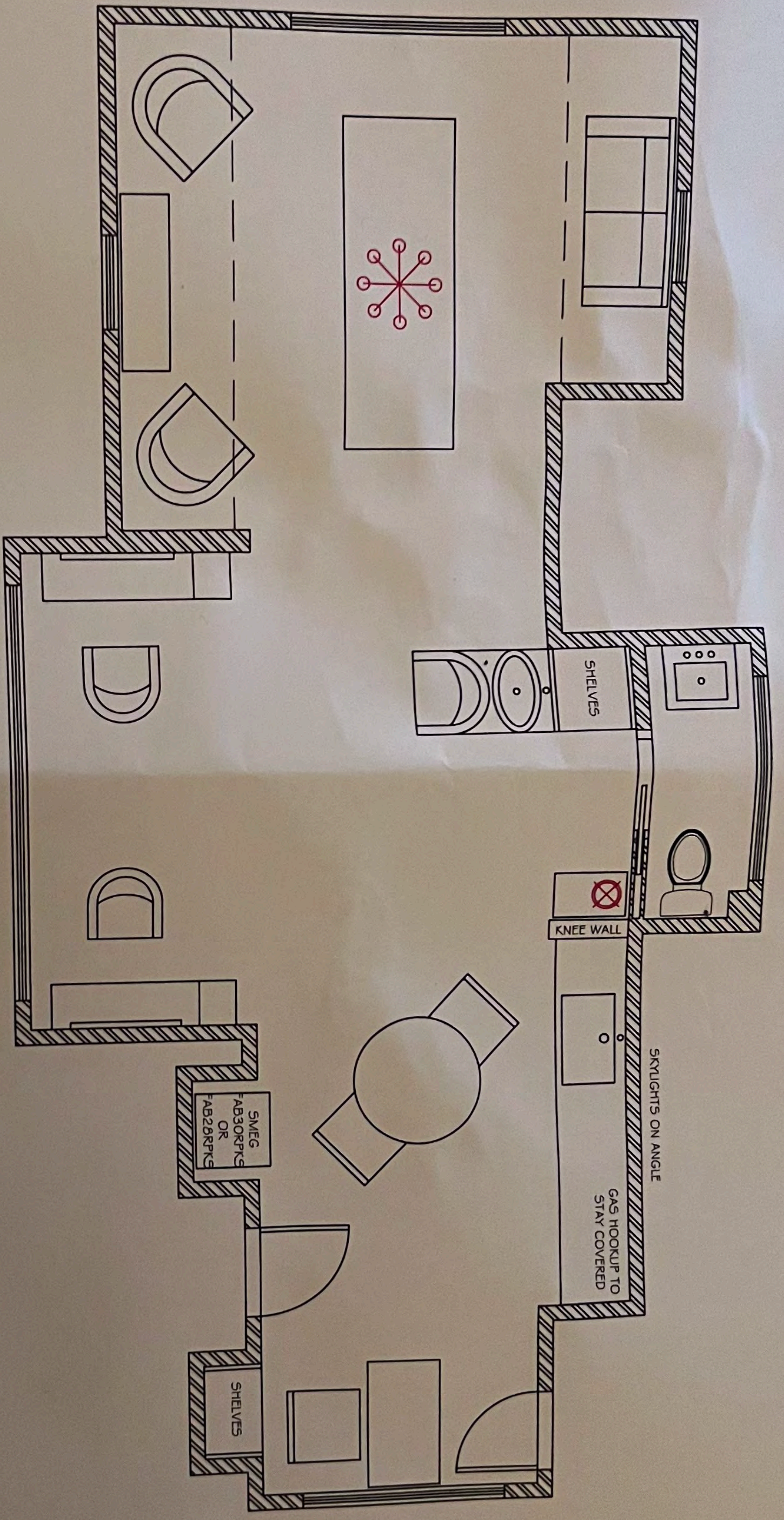
Permit No.: PC21-000036

Applicant Name: Kayla Geraci

Project Address: 13995 Lake Ave.

Project Name: Feel Beautiful with Kayla

Proposal: Conditional use permit to operate a beauty salon business in a residential building. Pursuant to Chapter 1145 and Section 1161.03 (f) – Type B Home Occupation. The property is in an R1M – Single-Family, Medium Density district.



FOR DESIGN CONCEPTS ONLY
 NOT FOR CONSTRUCTION USE

CLIENT	DATE	DRAWING TITLE	SCALE	DESIGNER
GERACI	11.12.21	SALON FLOOR PLAN	1/4" = 1'0"	BARRIE SPANG ASSOCIATE ASID





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Application Cover Page

Docket No.: 12-30-21

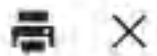
Permit No.: PC21-000037

Applicant Name: Eric Kaplan

Project Address: 17012 Madison Ave.

Project Name: Beartooth Tattoo Co.

Proposal: Conditional use permit to operate a tattoo business. Pursuant to section 1129.02 - principal and conditional permitted uses and section 1161.03(z) - body art establishments. The property is in a C1 – Commercial, Office district.



Consent for Variance

From: Athanasia Cintron (thegoodgoatgallery@gmail.com)

To: ekpln@yahoo.com

Date: Monday, November 1, 2021, 08:19 PM EDT

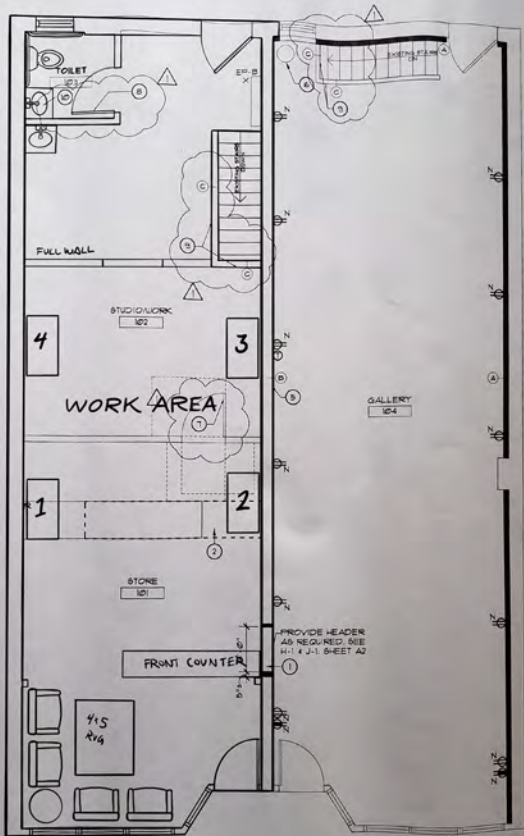
Dear City Council of Lakewood,

As the building owner of 17012 Madison Ave. Lakewood, I am giving Eric Kaplan permission to open his artsy tattoo shop in my storefront. As a prospective renter, I find his non-risk business plan to be solid and successful. He is an award winning artist with an impeccable reputation, full of talent, drive, honesty, respect, and good character. He will not only be a trusted renter, but he will be an enormous asset to the neighboring businesses, and to the community of Lakewood.

I hope you consider allowing Eric to open his reputable tattoo shop in my storefront, for the good of the neighborhood and for the ease of mind as a building owner.

Thank you,

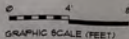
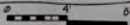
Athanasia Nancy Koutsouflakis-Cintron

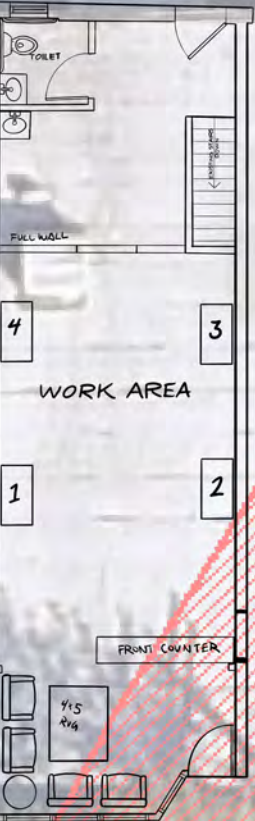
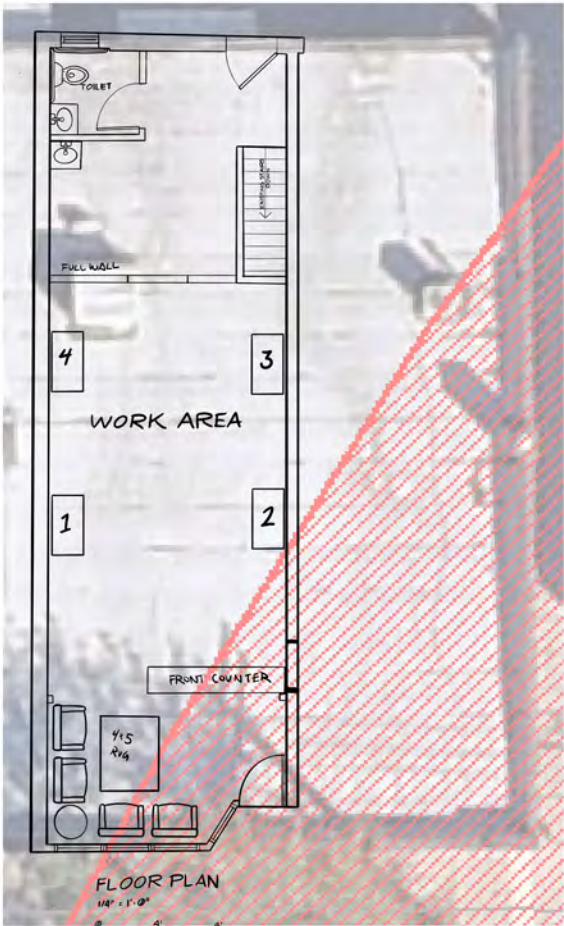


FLOOR PLAN

FLOOR PLAN

1/4" = 1'-0"

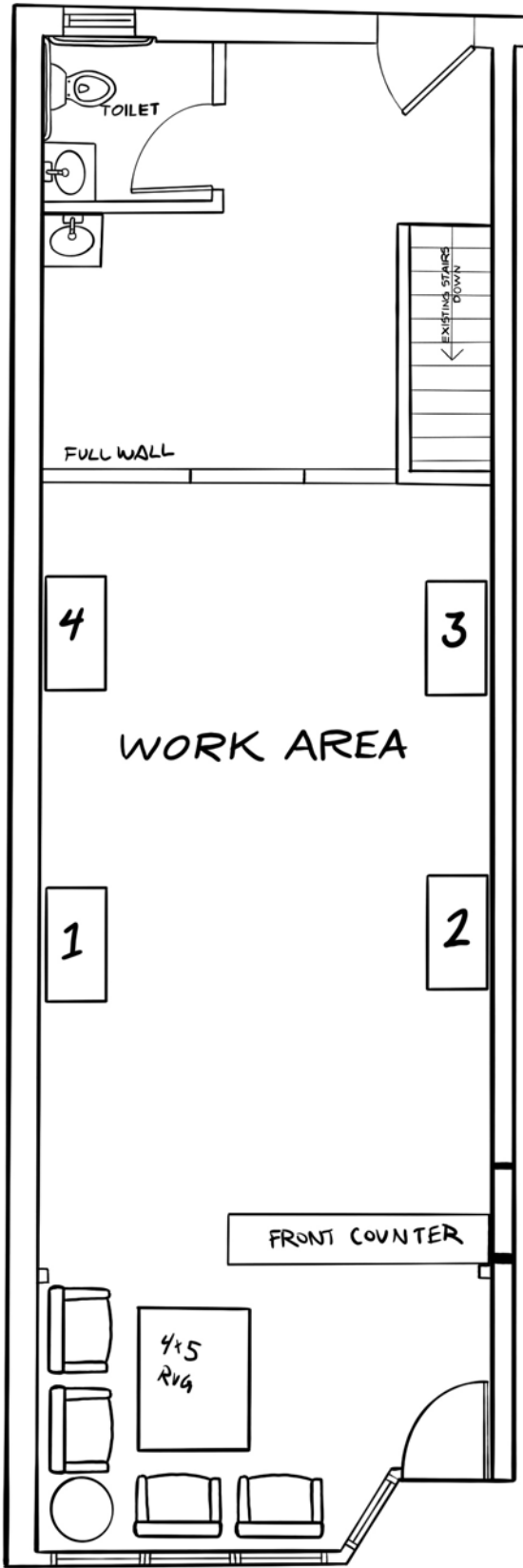




FLOOR PLAN

1/4" = 1'-0"





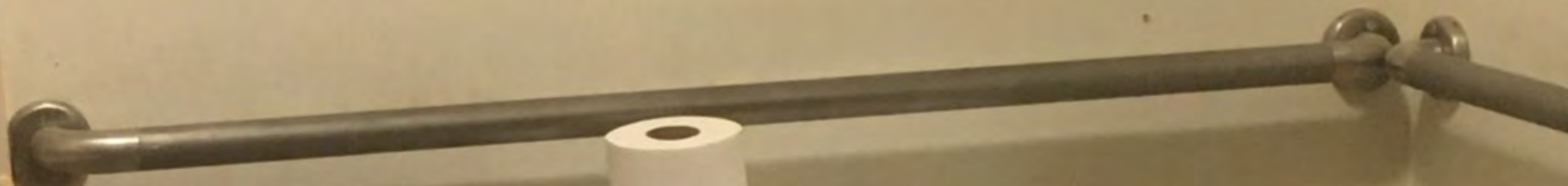
FLOOR PLAN

1/4" = 1'-0"

















HANGMAN





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Application Cover Page

Docket No.: 12-31-21

Permit No.: PC21-000031

Applicant Name: Nicholas Silea

Project Address: 15000 Detroit Ave.

Project Name: Dave's Hot Chicken

Proposal: Conditional use permit to operate outdoor dining, pursuant to section 1161.03(t) – outdoor dining facility. Property is in a C2 – Commercial, Retail district.



180 Fort Couch Road, Suite 150
Pittsburgh, PA 15241
Phone 888-458-5306
Fax 440-848-8616

October 12, 2021

To whom it may concern,

Wholesome Development, LLC grants permission to the City of Lakewood to enter the premises at 15012 Detroit Ave and survey the patio for outdoor seating.

If you need any additional information, please contact me directly at (410) 960-6605.

Sincerely,

A handwritten signature in black ink that reads "Jessica Lilly". The signature is written in a cursive, flowing style.

Jessica Lilly
Shared Services Manager



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Application Cover Page

Docket No.: 12-32-21

Permit No.: PC21-000040

Applicant Name: Department of Planning and Development, City of Lakewood

Project: Warren Road Beautification Phase 3



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Application Cover Page

Docket No.: 12-33-21

Permit No.: PC21-000041

Applicant Name: Department of Planning and Development, City of Lakewood

Project: Revisions to the Planning Commission Rules & Regulations

RULES AND REGULATIONS OF THE
LAKEWOOD PLANNING COMMISSION

(Effective ~~November 1, 2012~~December 2, 2021)

Acting pursuant to the authority granted to it by Article XII of the Second Amended Charter of the City of Lakewood the Planning Commission acting as such hereby adopts the following Rules and Regulations:

ARTICLE I: Officers

Section A – Officers

The officers of the Commission shall be a Chairman, Vice Chairman and Secretary. The Planning Director shall be ex-officio Secretary of the Commission.

Section B – Election

The Chairman and Vice Chairman of the Commission shall be elected at its regular January meeting by a majority vote of the members and they shall hold office for one (1) year or until their successors are elected.

Section C – Vacancy

In the event that an office becomes vacant, a member who is elected by a majority vote of the Commission shall fill such vacancy for the unexpired term.

Section D – Duties of Officers

(1) CHAIRMAN

The Chairman shall preside at the meeting of the Commission and shall appoint all committee and be an ex-officio member of such committees. He/She shall coordinate the work of the Commission, and shall exercise such other duties as are commonly exercised by the chief executive officer.

(2) VICE CHAIRMAN

The Vice Chairman, in the absence or inability of the Chairman to act, shall perform the duties of the Chairman and possess the same powers and authority as the Chairman.

(3) SECRETARY

The Secretary shall serve as the chief staff executive for the Commission. He/She shall attend all the meetings of the Commission and of all of its committees and keep the minutes thereof. He/She shall give or cause to be given any notice required by the City Charter or the ordinances of the City pertaining to the Planning Commission. The Secretary shall perform all other duties incident to the office and such other duties as may be assigned to him/her by the Commission.

ARTICLE II: Meetings

Section A – Regular Meetings

Regular meetings of the Commission shall be held on the first Thursday of each month at 7:00 p.m. In the event that a meeting is cancelled, it shall be held the following day (Thursday). Written notice of regular meetings, along with the minutes of the previous meeting shall be mailed to each member at least three (3) days prior to such meeting.

Section B – Quorum

~~Four (4)~~ Three (3) members shall constitute a quorum for the transaction of business.

Section C – Special Meeting

Special meetings of the Commission shall be held whenever called by the Chairman or Vice Chairman in the absence of the Chairman. If three (3) members of the Commission shall so request in writing, the Chairman shall call a special meeting. Matters considered at a special meeting shall be limited to those described in the notice of the meeting.

Notice of a special meeting shall be given in writing stating the purpose of the meeting at least one (1) day prior to the meeting.

Section D – Order of Business

- (1) Roll Call
- (2) Reading and correction of minutes of previous meeting
- (3) Old Business
- (4) ~~Communications and Petitions~~ New Business
- (5) Reports of Committees
- (6) Consideration of Motions
- (7) ~~New Business~~ Communication and Petitions
- (8) Adjournment

Section E – Committee Reports

The respective committee shall report upon all matters referred to committees no later than the second regular meeting following the meeting the subject matter was received.

Section F – Proposed Plans

All plans of subdivision, replat or zoning changes submitted to the Commission for consideration shall:

- (1) Be drawn using appropriate scale of 10, 20, 30, 40, 50 or 60 to show necessary details.
- (2) Show all structures on the abutting properties and any structures on the land being considered.
- (3) The plan shall show the area, boundary lines and dimensions and give the legal description of land being considered.

Section G – Executive Session

The Commission may go into executive session on the roll-call vote of a majority of the members present for any purpose permitted by Ohio law.

ARTICLE III: Docket

Section A – Matters to be Included on the Docket

Any appeal or application to the Lakewood Planning Commission must be brought to the attention of the Secretary of the Commission before noon on the Tuesday 15 days prior to the next regular meeting of the Commission shall be placed upon the docket for that meeting.

The Secretary to the Board may add items to the agenda that do not require notification as described in Article IV, Section E until one day before a meeting. Such items shall be designated as “Add-On” on the official docket. A majority of the Planning Commission must approve “Add-On” items before they are heard at a meeting of the Planning Commission.

Applications to the Zoning Ordinances of the City that have been denied by the Commission may be resubmitted within ten (10) days, of the denial. If the Commission determines by vote that valid grounds have been submitted to hold a rehearing, then a rehearing shall be granted. If the request is not made within ten (10) days from the date of ruling, no application on the same appeal may be made to the Commission for a period of six (6) months from the date the original

application was denied. Filing an application for a rehearing shall not be deemed to extend the time permitted by law for the filing of an appeal to the Courts.

Section B – Copies of the Docket

The Secretary shall deliver a copy of the docket to each member of the Commission, members of Council of the City of Lakewood, the Director of Law and the Mayor of the City of Lakewood on or before the seventh (7th) day prior to the regular meeting of the Commission. The Commission or the Chairman may cause the distribution of the docket to any other person, firm or corporation.

Section C – Contents of a Docket Item

Each item listed on the docket shall included:

- (1.) The name of the applicant requesting a ruling.
- (2.) The location of the property involved.
- (3.) The character of the request or appeal.
- (4.) The reason for submission to the Board.
- (5.) A short statement of the facts.
- (6.) A plot plan, where required, drawn to scale, of property involved showing location, size of structure, property lines and building lines.

ARTICLE IV: Notices

Section A – Notices of Regular Meeting

The delivery of the docket as provided in Article II Section B shall constitute a notice to members of the regular meeting of the Commission provided for in Article II, Section A.

Section B – Notices of Special Meetings

Written notice of any special meeting called pursuant to Article II, Section C shall be given by the Secretary to each member of the Commission provided for in Article II, Section C.

Section C – Waiver of Notices

Any requirement for notices to members established by these Rules may be waived in writing by any member of the Commission and his/her attendance at any meeting shall be considered a waiver of any notice requirement of such meeting.

Section D – Content of Notice of Special Meeting

If any special meeting is called to consider an appeal from the denial of an application for a ruling, limiting or restricting any work under any permit issued or requesting an interpretation of the Zoning Ordinance, the notices of said special meeting to members shall contain, relating to such items, all facts required in Article III, Section C of these rules.

Section E – Public Notice

If any docket for a regular or special meeting includes a question relating to the use of the premises or the location of the use thereon, notice thereof, shall be given by first class mail with postage prepaid to the owners and the tenant occupant(s) of all property any part of which abuts upon any part of the parcel of land described in the docket item or is situated to any extent across a dedicated highway from such parcel, which notice shall be mailed by the Secretary at least seven (7) days before the date of such meeting.

In the case of an apartment building or a multiple use building, in lieu of notice by mail to each tenant in a building, notice shall be posted conspicuously in a general public use area of the building.

Notice shall also be given to occupants of the subject property. Such notices shall contain a summary of the pertinent docket items which summary shall include items one (1), two (2) and three (3) of the items listed in Article III, Section C of these Rules.

ARTICLE V: Conduct of Meetings

Section A – Order of Consideration

Unless otherwise directed by motion of the Commission, the Chairman shall call for considerations of the docket items at they appear on the agenda.

Section B – Procedure for Disposition of an Item

Upon the call of the Chairman for the disposition of an item, unless otherwise directed by a motion of the Commission, the following procedure shall be followed:

- (1.) A statement by the Secretary supplementing the docket item delivered to the members of the Commission indicating the reason, or reasons, why the item has been brought to the attention of the Commission for its review.

- (2.) A statement of the applicant seeking the relief from the order of interpretation appealed from which statement may be supplemented by any written or graphic material deemed by the Chairman to be pertinent to the item in issue.
- (3.) Any statement by the applicant in rebuttal of the statement made by any interested parties.
- (4.) Any statement in rebuttal by the Secretary.
- (5.) The Chairman shall thereupon call for disposition of the item.

Section C – Participation by Members of the Commission

At any time during the presentation, any member of the Commission may ask questions of the person appearing before the Commission providing he/she first receives permission to ask such questions from the Chairman.

Section D – Comments and Questions by Others than the Members of the Commission

All persons, during the consideration of any item, shall direct their comments only to the members of the Commission and any questions they may desire to ask shall be stated to the Commission and the Chairman, after determining the question pertinent, shall restate the question and request the answer.

Section E – Duties of the Chairman

It shall be the duty of the Chairman to conduct all proceedings before the Commission and his ruling in connection therewith shall be final unless appealed by any member of the Commission and such appeal supported by at least a majority of the Commission.

ARTICLE VI: Quorum and Voting

Section A – Quorum

The presence of a majority or more of the members of the Commission shall be necessary to constitute a quorum for a meeting of the Commission except that a majority of the members of the Commission present at a meeting duly called whether or not a quorum is present may adjourn such meeting to a time certain. If any meeting is adjourned, notice of said adjourned meeting shall be given by the Secretary to those members of the Commission who did not attend the meeting at which the adjournment was made.

Section B – Roll Call Vote

Except for procedural matters all voting shall be by roll call; when the vote is not unanimous.

ARTICLE VII: Amendments to Rules and Regulations

These Rules and Regulations may be amended or new Rules and Regulations may be adopted by the Board at a meeting held for such purpose by the affirmative vote of a majority of the Board.

ARTICLE VIII: Public Hearings

Notice of public hearing is to be given by first-class mail as required by the Zoning Code and the City Charter. All matters pertaining to a public hearing shall be submitted to the Secretary to the Board as described in Article III Section A.

ARTICLE IX: Actions of the Planning Commission

Section A

No action or statement of any member of the Commission or any committee thereof shall be the action or statement of the Commission unless adopted by a majority vote of those attending the meeting at which the action was taken or the statement was made. An affirmative vote of no less than ~~four (4)~~three (3) members of the Commission is required in order to recommend to Council an amendment to the Zoning Code.

Section B

All acts, findings and decisions of the Commission shall be recorded by the Secretary in a journal for that purpose.

Section C

Action taken by the Commission on subjects referred to it by the Council of the City of Lakewood shall be communicated to the Council in writing.

Section D

All matters of policy affecting the Commission shall be decided at regular meetings or at special meetings called for that purpose.

ARTICLE X: Proceedings

The current edition of Robert's Rules of Order shall govern the form of proceedings of the Commission.

ARTICLE XI: Amendments to the Rules

Amendments to the Rules

Regulations of the Commission may be amended or modified at any regular or special meeting of the Commission by the affirmative vote of two-thirds (2/3) of the members present, provided that written notice of the proposed amendments or modifications has been given to each member of the Commission not less than five (5) days prior to the meeting.

Waiver

Any rules herein established may be waived by the affirmative roll call vote of at least ~~four (4)~~three (3) members of the Commission.

#####