

## WHITEHALL PLANNING COMMISSION MINUTES JULY 7, 2016

The Whitehall Planning Commission meeting of July 7th, 2016 was called to order by Chairman Terry Anderson 6:30 PM.

Chairman Anderson asked for a roll call.

Terry Anderson–Present

Mike Brown–Present

Denny Roberge–Present

Paul Jordan-Present

Barb Blake-Present

James Lee-Present

Service Director Zach Woodruff-Present

Chairman Anderson asked for a motion to approve minutes from June 2, 2016.

Mr. Roberge motioned to approve and Ms. Blake seconded. Voting went as follows. Anderson-Yes; Blake-Yes; Brown-Yes & Lee-Yes; Jordan-Yes; Roberge-Yes. The June minutes were approved.

No action on legislation for this meeting.

Chairman Anderson introduced Case #710-Ordinance 064-2016-Special Permit for a Day Care- A Child's Journey Daycare on property located at 846 S. Yearling Rd and owned by Deer Enterprises.

Ms. Tinita Smith was called up to introduce her case. Ms. Smith is proposing a childcare facility for children 6 weeks old to school age. There will be no more than 30 children in the building being monitored by 4-5 employees. Hours of operation for this facility will be Monday through Friday, 6am to 6pm. She explained they will have assigned hours for drop off and pick up so that it will not congest traffic. Drop off times will be concluded by 9am and pickups will not be permitted after 6pm. They will also be providing bussing to and from Whitehall City Schools. She explained they will also be partnering with Mid-Ohio Food Bank and doing a grocery giveaway day on Fridays. She would also like to arrange one day a

month to have the children walk down Yearling Rd. to pick up trash. She also plans to arrange a yearly coat drive for Whitehall Residents. She went on to list the updates to the property as follows:

Outdoor play space area will be 3,000 sq. ft. They will be removing shrubbery around the perimeter and replacing with a fence. The fence will be white vinyl and 4ft high with 2 gates one in the front and one in the rear of the play space. The outdoor play space time will be limited to 8am to 6pm daily. The fence will be padlocked along with motion censored lighting for safety.

She went on to provide more details of the types of playground equipment they will provide in the back play space.

Chairman Anderson asked how many employees they plan to employ at one time. Ms. Smith noted that they will employ 4-5 teachers and 2 center directors.

Mr. Roberge asked about the experience and training of the employees. Ms. Smith explained that the Lead Teachers will hold associates degrees and the assistant teachers will have CDA credentials. She explained that because they are licensed with Ohio Jobs and Family services, they are required to have at least 45 hours of training annually, in addition to education.

Mr. Roberge asked Ms. Smith if she had any previous experience opening a child care center in the past. She responded that she owned a childcare center in Pickerington from 2012 to 2014, but closed the center when her mother passed away.

She then went on to become the Director of another privately owned childcare center until the decision to open A Child's Journey.

She was asked the maximum number of children allowed at one time in the center, which was answered as 30 maximum.

Ms. Blake asked the age range of the children attending the daycare. Ms. Smith said infants up to age 12.

The classroom setup will be ages 6 weeks to 12 months, 12 months to 18 months, 18 months to 3 years, 3 years to pre-K, and pre-K to 12 years.

Mr. Lee asked how the bussing services will work. She and the schools will co-ordinate a schedule for pick-ups. The Center will buy a van for the pickup and drop off of the students.

The van will pull into the parking lot and right up to the door. One teacher will be on the bus and one teacher will be outside the bus to receive the children.

Chairman Anderson asked if there will be new signage. Ms. Smith noted that because the existing sign is dated, they would like to get a new natural stone sign to match the new signs on Yearling Rd.

Mr. Roberge asked about the improvements to be made inside of the building. Ms. Smith said the entire interior buildout and improvements will be made by the landlord. He has agreed to uphold the requirements of the State of Ohio for the interior needs of a childcare facility. This includes an alarm system for Fire and Police.

Ms. Smith went on to explain that they will have a limited food license which states they will serve food that is prepared outside of the facility. They will not prepare any food.

Mr. Roberge asked what the previously occupied that space. Ms. Smith said she believes it was a hair salon.

Ms. Blake asked about bus transportation of any children not in Whitehall City Schools.

Ms. Smith noted they will only be transporting kids attending the Whitehall City School district. She said as the schedules would be too conflicting otherwise. Children outside of Whitehall City Schools are still able to be attend, but will not receive transportation.

Ms. Smith said they are at about half capacity at this point. They are hoping that children from her past childcare center will choose to move to this new facility.

Ms. Akya Williams introduced herself as Tinita Smith's business partner and gave her childcare background. She will be running A Child's Journey with Ms. Smith. She currently watches children in her home and those children will be attending A Child's Journey when it opens. Ms. Williams went on to explain that they will be using a program called "Creative Curriculum" as the foundational education for their facility.

Mr. Anderson asked if there were any further comments from others. Mr. Joe Ryan, Whitehall's Economic Specialist, introduced the staff report for A Child's Journey. Mr. Ryan explained the requirements for a childcare facility and how a Child's Journey meets those requirements.

This facility meets minimum lot area requirements.

The facility meets the requirements for 5 parking spaces per 30 participants; however the asphalt will need to be restriped.

The facility has proper access to Yearling Road as to not cause any traffic issues.

The applicant is proposing a 4ft tall white vinyl fence that will surround the outdoor play area to the side and rear of the building.

The applicant is proposing the hours of operation to 6am to 6pm, which falls within the requirements of 8am to 8pm in the code.

Mr. Ryan and the City are in favor of approving case # 710-SP-Daycare for A Child's Journey with the following conditions:

1. Clearing of the brush on the north property line, not including the large trees
2. Clearing the brush on the east property line
3. Provide more detailed plan of the outdoor play area
4. Construct a 4ft white vinyl fence around the play area per the submitted site plan.
5. Restripe the asphalt in the parking lot
6. Construct a monument sign that would meet City standards and remove the existing pole sign.

Mr. Anderson asked about the size of the bus and where it will be parked overnight. Ms. Smith said they have not purchased the bus yet, but it will be parked in the parking lot overnight.

Mr. Roberge asked that to take into consideration the curb cuts needed to get the bus in and out of the facility.

The projected opening date is early September.

Resident's concerns were addressed. Don Carly, the owner of the building to the south, suggested a 6ft fence to the south due to the noise.

Mr. Roberge made a motion to approve this case with the conditions mentioned. Mr. Jordan seconded.

The vote was unanimous to approve Case #710.

Chairman Anderson announced Case 711. Ordinance # 074-2016. Legislation to amend sections 1123.00, 1123.01, 1123.02, 1123.03, 1123.04 to add a lot maximum for impervious parking area.

Mr. Zach Woodruff spoke on behalf of this legislation. This is to amend the regulations for the 5 zoning districts in the single family home districts. Zach noted that he and Dave Long reviewed the homes in these zones.

Mr. Woodruff explained the following changes to be made to the Planning and Zoning Code:

Section 1123.00 (d)(9) Maximum impervious parking surface area to be ten percent of the total lot not to exceed 1,000 square feet, minus the area covered by the primary structure and accessory structures.

Section 1123.01 (d)(8) Maximum impervious parking surface areas to be ten percent of the total lot not to exceed 1,000 square feet, minus the area covered by the primary structure and accessory structures.

Section 1123.02 (d)(8) Maximum impervious parking surface areas to be ten percent of the total lot not to exceed 1,000 square feet, minus the area covered by the primary structure and accessory structures.

Section 1123.03 (d)(9) Maximum impervious parking surface areas to be ten percent of the total lot not to exceed 1,000 square feet, minus the area covered by the primary structure and accessory structures.

Section 1123.04 (d)(9) Maximum impervious parking surface areas to be ten percent of the total lot not to exceed 1,000 square feet, minus the area covered by the primary structure and accessory structures.

Ms. Blake stated an example of her property. Her property would take approximately 2,000 square feet of driveway, exceeding the 1,000 square feet proposed. She asked should her house be torn down, would this become a reason for a hardship case. Mr. Woodruff explained that in the scenario the house demolition would not affect the driveway. Ms. Blake went on to ask if you need to replace your existing driveway, which currently exceeds the 1,000 square feet, would you be grandfathered in to

do so. Mr. Woodruff explained that yes, because a resident has a current driveway in place of over 1,000 square feet, they can replace the driveway with the same amount existing. These amendments will be set in place so that from this point forward new driveways will need to follow the code. Mr. Lee was curious as to how City Council members felt the need for these amendments. Mr. Woodruff explained that City Council expressed a concern that there are vehicles, RVs, and trailers parked on unimproved surfaces in rear yards. So the first piece of legislation is to add the rear yard to the code that prohibits parking of vehicles in these spaces. The second part of City Council's concern was that someone then could pave their rear yard and continue parking these vehicles in their rear yard to be exempt from a code violation. These changes are being set in place to eliminate this situation from happening from this point forward. He went on to state that the Service Department and Code Enforcement struggle to keep residents who are running automotive sales business from doing so. These are the reasons City Council felt the need to amend legislation. Ms. Blake asked is the City able to regulate these ordinances for RVs and other vehicles in front and side yards, on impervious surfaces. She sees many vehicles parked at the side and front yards on impervious services. Mr. Woodruff stated our current code states you cannot park vehicles on non-improved surfaces on front or side yards. The current code states what type of surface you are or are not allowed on. The intent of this new legislation is to maintain the residential character of our neighborhoods by restricting the amount of impervious area on residential lots.

Mr. Anderson asked how the City came up with 10%.

Mr. Woodruff stated that they took the average of each residential zone. Mr. Anderson went on to ask if it this includes lawn equipment and ATVs. Mr. Woodruff stated that lawn equipment will not; however ATVs will need to be on impervious surfaces.

Ms. Blake asked if the Planning Commission has the same access as City council has explaining the need for these changes. She understands the verbal expression of concern, however would like to see the pictures. Mr. Woodruff explained City Council had Google Earth photos and other photos showing old vehicles that had clearly not moved in years and others

with 15 cars stacked up in the wooded areas. She went on to see tangible evidence of an issue and that the board needs to see the problem for themselves.

Ms. Blake asked if there are any complaints or concerns from the community. Mr. Woodruff confirmed that we have received complaints into the Service Department and Code enforcement. Although the complaints may not have been documented, they have been made.

Mr. Lee asked if we have a number of instances documented to support this change. Mr. Woodruff stated that it is something we are going to start recording, but at this time we do not have tangible data to show the complaints. The goal is to identify the problem today and eliminate the unintended consequences going forward.

Ms. Blake asked how the City will enforce parking on unimproved surfaces.

Mr. Woodruff answered that we will enforce these violations as we do currently for unlicensed or inoperable vehicles parked in the rear yard. If we are able to see these vehicles from the right of way, we are able to document the violation and issue a notice. If the City cannot see the vehicle from the right of way, we cannot go onto the property without a search warrant. If a neighbor can see the violation from their property and we are able to see the violation from this property, we are able to issue a notice.

Mr. Lee asked if every section prior to this amendment were simply variations of the same code. Mr. Woodruff explained that each section is based on each Residential Zoning Districts of which each has different area regulations.

Chairman Anderson asked for a motion to adjourn.

Mr. Roberge motioned. Mr. Brown Seconded.

Roll was called. Ms. Blake- NO, Mr. Lee- YES, Mr. Brown- YES, Mr. Roberge- Yes, Woodruff- Abstain, Anderson- YES, Jordan- Yes.

Upon a vote, the meeting was adjourned at 7:40 PM.

**APPROVED** \_\_\_\_\_, **2016** Respectfully submitted,

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Terry Anderson, Chairman

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TERESA NETOTIAN, SECRETARY