



CITY of MEDINA Planning Commission

Planning Commission Meeting

Meeting Date: August 13, 2020

Meeting Time: 5:30 pm

Present: Bruce Gold, Rick Grice, Andrew Dutton, Monica Russell, Paul Rose, Jonathan Mendel (Community Development Director), Sandy Davis (Administrative Assistant)

Absent: None

Mr. Gold made a motion to accept the minutes from the July 9, 2020 Planning Commission as submitted. The motion was seconded by Mr. Rose.

Vote:

Dutton	<u>Y</u>
Grice	<u>Y</u>
Gold	<u>Y</u>
Russell	<u>abstain</u>
Rose	<u>Y</u>
Approved	4-1

Announcements: Jonathan Mendel stated the parking garage should be completed by August 21, 2020. The CIC put out the RFP/RFQ for developers for the Liberty Street frontage property. As of this week, the SDSS Law Suite, South Jefferson Street rezoning has been dismissed by the plaintiff. No reason was given.

The Court Reporter swore in all attendees.

New Business:

1. P20-10 131 N. East St. Alana Stockman CZC

Mr. Mendel gave a brief overview of the case. Mr. Mendel stated this is a Conditional Zoning Certificate Review for an Educational Institution for Primary Education at 131 N. East Street. Mr. Mendel stated the property is zoned R-3, High Density Urban Residential and is located on the west side of the 100 block of N. East Street in the former Knights of Columbus property.

Mr. Mendel stated the applicant requests a conditional zoning certificate for an Educational Institution for Primary Education at the existing building and site that has been an assembly use for many decades.

Mr. Mendel stated the applicant proposes a facility to accommodate a maximum of 30 children and 3 staff providing early childhood through secondary curriculum and instruction. Mr. Mendel stated hours of operation are weekday's 7a-5p.

Mr. Mendel stated the existing building is approximately 3,500 sqft and has housed a fraternal organization's assembly use for many decades. Mr. Mendel stated the property currently has 15 parking on the site.

Mr. Mendel stated the site is zoned R-3, High Density Urban Residential and an *Educational Institution for Primary Education* is a conditionally permitted use within this zoning district. Mr. Mendel stated the applicant requests a Conditional Zoning Certificate.

Mr. Mendel stated the Zoning Code requires the Planning Commission to conduct a Public Hearing for the proposed Conditional Use. Mr. Mendel stated the legal notices have been issued to permit the Public Hearing at the August 13, 2020 meeting.

Mr. Mendel stated when reviewing a Conditional Zoning Certificate request, the Planning Commission shall review the particular facts and circumstances of each proposed use in terms of the following standards:

- (1) Will be harmonious with and in accordance with the general objectives or with any specific objectives of the Land Use and Thoroughfare Plan of current adoption;*
- (2) Will be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area;*
- (3) Will not be hazardous or disturbing to existing or future neighboring uses;*
- (4) Will not be detrimental to property in the immediate vicinity or to the community as a whole;*
- (5) Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection drainage structures, refuse disposal and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide such service adequately;*
- (6) Will be in compliance with State, County and City regulations;*
- (7) Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic or surrounding public streets or roads.*

Mr. Mendel stated additionally, this use has the following specific conditional use regulations attached to it:

- (1) All structures and activity areas should be located at least 100 feet from all property lines.*
- (2) Loudspeakers which cause a hazard or annoyance shall not be permitted.*
- (3) All points of entrance or exit should be located no closer than 200 feet from the intersection of two (2) major thoroughfares, or no closer than 100 feet from the intersection of a major thoroughfare and a local or collector thoroughfare.*

- (5) No lighting shall constitute a nuisance or shall in any way impair safe movement of traffic on any street or highway. No lighting shall shine directly on adjacent properties.*
- (6) Elementary school structures should be located on a collector thoroughfare.*
- (11) Such uses should be properly landscaped to be harmonious with surrounding uses, especially if residential uses.*

Mr. Mendel stated the proposed daycare should be able to easily comply with all the above conditional use regulations, but #1 and #6 can't be followed to the letter due to the subject site's existing conditions. Mr. Mendel stated these two regulations were specifically worded to be permissive and not mandatory permitting the Planning Commission to evaluate individual proposals on a case by case basis.

Mr. Mendel stated given the existing conditions of the subject property, compliance with regulations #1 and #6 are not possible although the existing conditions provide a direct limiting effect on the proposed use's expansion and external impact. Mr. Mendel stated the subject site has been an assembly use for decades with the same or greater potential for external impact on the immediate vicinity as the proposed educational use. Mr. Mendel stated therefore, expansion of the use beyond the proposed size and scale will require leaving the subject site or adding adjacent properties, which will require review and approval by the Planning Commission at a public hearing.

Mr. Mendel stated since the applicant is occupying the site as-is, there are no applicable site improvements required for this project.

Mr. Mendel stated Section 1145.04(A) of the Zoning Code requires 2 spaces for each classroom. Mr. Mendel stated the proposed facility has two classrooms, which requires 4 parking spaces. Mr. Mendel stated the current site has 15 spaces, leaving an 11 space surplus.

Mr. Mendel stated as for the pickup/drop off traffic, the existing site has sufficient space to accommodate safe vehicle parking and circulation, but will still require direct management by the operator, as a precaution, to prevent pickup/drop off occurring within the N. East Street public right-of-way.

Mr. Mendel stated Staff recommends approval of a conditional zoning certificate for the proposed Educational Institution for Primary Education subject to the following conditions:

1. Subject to building and occupancy permits from the Medina Building Department.
2. No pickup/drop off activities shall occur within the North East Street public right-of-way outside of the existing on-site striped parking spaces.

Mr. Grice opened the public hearing at 6:10pm and asked if there was anyone present other than the applicant that would like to comment regarding this application.

Having no comments, Mr. Grice closed the public hearing at 6:10pm.

Present for the case was Alana Stockman, 507 W. Sturbridge Drive, Medina, Ohio. Ms. Stockman stated she has been a Special Education teacher for approximately 15 years and has taught at Windfall for the past 10 years but had a baby 2 years ago and stayed home with the baby. Ms. Stockman stated then COVID 19 happened. Ms. Stockman stated she had been tutoring students off and on through the two years. Ms. Stockman stated she has had many requests for tutoring and she did not want to keep tutoring out of her home for safety reasons so she began looking for a space to tutor out of that would be safe and could accommodate social distancing with low student/teacher ratios for the children at higher risk.

Mr. Rose asked if this is part of "Let's Make a Difference" organization. Ms. Stockman stated she has spoken with Michelle Powell from Let's Make a Difference. Ms. Stockman stated Ms. Powell works mainly with older children and is a non-profit organization. Ms. Stockman stated she will be paying her teachers and tutors.

Mr. Gold made a motion to approve a Conditional Zoning Certificate for an Educational Institution for Primary Education to be located at 131 N. East Street, Medina, Ohio subject to the following:

1. Subject to building and occupancy permits from the Medina Building Department
2. No pickup/drop off activities shall occur within the North East Street public right-of-way outside of the existing on-site stripped parking spaces.

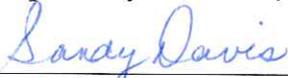
The motion was seconded by Mrs. Russell.

Vote:

Grice	<u>Y</u>
Dutton	<u>Y</u>
Gold	<u>Y</u>
Russell	<u>Y</u>
Rose	<u>Y</u>
Approved	5-0

Having no further business, the meeting was adjourned.

Respectfully submitted,



Sandy Davis



Rick Grice, Chairman