

Oakwood, Dayton, Ohio

July 6, 2011

The planning commission of the City of Oakwood, State of Ohio, met this date in the council chambers of the City of Oakwood, city building, 30 Park Ave., Dayton, Ohio, 45419, at 4:30 p.m.

The Vice Chair, Mr. Andrew Aidt, presided and the Acting Clerk, Mrs. Sherri Laidler, recorded.

Upon call of the roll, the following members responded to their names:

MR. JEFFREY B. SHULMAN	ABSENT
MR. ANDREW AIDT	PRESENT
MRS. HARRISON GOWDY	PRESENT
MRS. E. HEALY JACKSON	PRESENT
MR. STEVE BYINGTON	PRESENT

Officers of the city present were the following:

Mr. Norbert S. Klopsch, City Manager
Mr. Robert F. Jacques, City Attorney
Mr. Jay A. Weiskircher, Assistant City Manager
Mr. Dave Bunting, City Inspector

The following visitors registered:

Beth Phillips, 8711 Shadycreek
Brian Weaver, 215 E. Peach Orchard Avenue
Dave Phillips, 8711 Shadycreek
Alan Hemler, 65 Harman Terrace
Ann & Bob Couch, 43 Harman Terrace
John Johns, 33 W. Dixon Avenue
Alan Mead, 25 Hadley Avenue
Rachel Butt, 60 Harman Terrace
Mary Youra, 730 Harman Avenue
Anne Hilton, 900 Harman Avenue

It was moved by Mrs. Jackson and seconded by Mr. Byington that the absence of Mr. Shulman be excused. Upon a viva voce vote on the question of the motion, same passed unanimously and it was so ordered.

It was moved by Mrs. Gowdy and seconded by Mrs. Jackson that the minutes of the planning commission meeting held June 1, 2011 be approved as submitted and the reading thereof be dispensed with at this session. Upon a viva voce vote on the question of the motion, the same passed unanimously and it was so ordered.

Application #11-5, the special use request submitted on behalf of Grace Learning Academy of Oakwood to operate a child day-care center within St. Paul's Episcopal Church at 33 W. Dixon was presented.

Mr. Weiskircher referenced a PowerPoint presentation in which he gave a brief history of the daycare program for which the Planning Commission approved a Special Use request to operate a child daycare program at Concordia Lutheran Church in 1992. The daycare continued to operate at Concordia until May, 2011 when Concordia officials closed the program citing a need for additional space to accommodate church uses and activities. The daycare operator is now seeking to relocate the program referred to as Grace Learning Academy to St. Paul's Episcopal Church at 33 W. Dixon Avenue. Mr. Weiskircher provided pertinent details about the Grace Learning Academy: 1.) Age range of students will be 30 months through 5 years old. 2.) 85-90% of current enrollees are Oakwood residents. 3.) There will be two daily sessions, morning (8:45-11:15 a.m., Monday through Friday) and afternoon (12:15-2:45 p.m., Monday through Thursday). 4.) Maximum attendance per session is 34 students and 6 staff members. 5.) Staff members will use on-site parking. 6.) There will not be structured outside play activities. 7.) Parents will be encouraged to drop off and pick up children on the north side of the church

and exit the site via W. Dixon Avenue east to Far Hills so as to avoid Harman Avenue. Mr. Weiskircher also presented the hours for Harman School and Grace Learning Academy and pointed out that Grace Learning Academy has staggered their hours so they will not conflict with the start and dismissal times of Harman School. In conclusion of his presentation, Mr. Weiskircher referenced a map of the area and proposed traffic flow patterns which should ease congestion in the area adjacent to St. Paul's Episcopal Church.

Mrs. Gowdy questioned if alleys on the north and east sides of the church building will be designated as school walkways. Mr. Weiskircher stated that Dr. Scalzo will work with all parties to plan suggested walkways for Harman students, and noted that Harman students are supposed to use W. Dixon Avenue rather than the east-west alley opposite Patterson Road. Mr. Aidt pointed out that a school crossing guard is stationed at Far Hills and Dixon Avenues. Mr. Aidt also asked if hours of the schools and preschool will be staggered to which Mr. Weiskircher answered in the affirmative.

St. Paul's Episcopal Church representative, John Johns, Administrator expressed the church's excitement at bringing the preschool to St. Paul's and stated that the church is more than willing to accommodate all parties involved to make this a positive change. Mrs. Gowdy inquired about the Spanish Emersion program and wondered if it would continue at St Paul's. Mr. Johns said it would continue and as there are less than 15 students in that program it will not pose a conflict with the preschool program.

Beth Phillips, director of Grace Learning Academy preschool for the past 12 years, stated that the 5 members of her staff at the Concordia preschool will be joining her at St. Paul's and have had a strong bond with the community. Mrs. Gowdy asked about the procedure for drop off and pick up of the children. Mrs. Phillips explained that the parents escort the children inside, and also come inside to pick them up. Mrs. Gowdy asked how long the drop off process took and Mrs. Phillips replied that it takes approximately 15 minutes. Mrs. Jackson asked what percentage of the preschool children have siblings at Harman since there is a possibility those parents may linger in the area waiting for Harman dismissal thus congesting the area. Mrs. Phillips responded that she did not know the answer to the question, but speculated that there could be a large percentage of parents with children at the preschool and at Harman School. Mrs. Gowdy wondered if there would be enough parking spaces to accommodate the cars of the parents. Mr. Byington asked what percentage of parents walked their preschool students to the Concordia preschool. Mrs. Phillips answered that the number was approximately 35%.

Brian Weaver, 215 E. Peach Orchard Avenue, Associate at ALT Architecture shared 2 comments:

- 1.) His daughter attended the Concordia preschool and he plans to send his son to the proposed preschool at St. Paul's. The preschool has had a tremendous positive impact on his family. He noted the need for a preschool in Oakwood due to the limited availability in the preschool program provided by the Oakwood City School District.
- 2.) Mr. Weaver stated that architecturally the changes needed to implement the preschool at St. Paul's will be minimal and quick, involving only upgrades to the church for drop off accessibility, addition of fire alarms and other such small changes.

Mr. Aidt inquired if play space was a requirement for a preschool. Mrs. Phillips answered that the requirement is 60 square feet per child and this could be inside space so the requirement will be met at St. Paul's Church.

Alan Hemler, 65 Harman Terrace, had questions on traffic flow. Mr. Weiskircher stated that Kevin Weaver, Director of Public Works, produced the map used for the PowerPoint presentation and that more discussion and study would follow on the area and whether traffic in the area should be one-way or two-way. Mr. Byington suggested that signs could be erected noting traffic flow to ease congestion. Mr. Klopsch noted that current traffic flow in that area is clockwise and that is how the parking spaces are striped, but wondered if traffic flow should be reversed to counterclockwise. Mr. Hemler added that visibility was reduced in that area and agreed with Mr. Klopsch's suggestion of changing traffic flow to counterclockwise. Mr. Klopsch stated that the perceived traffic flow issues could be solved by working with the neighbors in that area.

Mary Youga, 730 Harman Avenue, noted that she resides on the corner of Harman Avenue and West Dixon Avenue. She stated that she is, “scared to death” of traffic in her area; she said she would love to send her grandson to the proposed preschool but is concerned about the danger of the high traffic volume. She also stated that if traffic flow is reversed other issues would arise such as parking stripes going in the wrong direction. Mrs. Youga wondered if signs would be enough.

Bob Couch, 43 Harman Terrace, stated that he is a member at St. Paul’s Episcopal Church and suggested that any potential problems with the situation could be resolved by encouraging the Oakwood City Schools to cooperate by asking parents to avoid using the St. Paul’s parking lot when waiting for students at Harman School. Mr. Klopsch added that he had recently driven by Harman School at afternoon dismissal and found the traffic terrible. He stated that in years past Dr. Scalzo and the principal at Harman School had been outside during dismissal to help regulate traffic. He also stated that he was sure Dr. Scalzo would cooperate in any way possible.

Mrs. Jackson noted how drop off and pick up is handled at Lange School (teachers get the children from the cars and take them to the parents’ cars, so the parents do not enter the building). She wondered if this would be possible at the preschool. Mrs. Phillips said that since there is only one ingress/egress door on the north side of the church this would not be practical.

Mr. Byington noted that although he is not a parent, he does not believe it should be the school’s responsibility to change parents’ bad habits such as parking in illegal areas around the schools or loitering in the area. He suggested that Oakwood Public Safety officers should enforce the rules. He suggested that the citizens need to be educated; they can’t drive and park wherever they want! Tickets should be written and citizens should follow the rules. Mrs. Gowdy said that was a good idea, but it would not work; citizens will get angry if they receive tickets for stopping and parking in the areas around the schools. Mr. Klopsch stated that with diligence and encouragement the situation can improve. Mr. Byington noted that we need parent education and that traffic ticketing may help with the education. Mrs. Gowdy said she would like to see W. Dixon become a one-way street with a drop off lane for students. Mr. Byington responded that if the city considers changing the street to one-way traffic residents will become angry; we can’t just change the way things work.

Mr. Klopsch stated that the main concern with the proposed preschool is traffic. He added that staggering the times more to make it inconvenient for parents to wait to pick up their older children at Harman School after picking up their younger children at the preschool. Mrs. Phillips noted that currently there are more Smith families with children at the preschool so that type of traffic may not be an issue, but with the proposed move of the preschool to the Harman district, there could be more Harman families in the future.

Mr. Aidt asked if the Planning Commission might issue a conditional approval but stipulate that the traffic issues must be resolved. Mr. Couch announced that after conferring with his neighbors in the audience they wondered if no parking signs might help in this situation by not allowing Harman parents to park in the St. Paul’s parking lot on school days.

Mr. Klopsch concluded that the solution to the perceived traffic issues can be resolved by city staff, school officials and neighbors working together. Mrs. Jackson pointed out that Mrs. Phillips has most likely had to work out parking issues while at Concordia and asked Mrs. Phillips how those issues were resolved. Mrs. Phillips stated that they never had neighbor complaints while at Concordia even though there was no parking available and parents had to park in front of homes in the vicinity of Concordia Church. Mr. Byington then pointed out that while located at Concordia the preschool was in a residential area, but if relocated to St. Paul’s it will be in an “educational” area.

Mr. Byington stated that the Special Use should be approved, consistent with the Special Use Standards, and traffic issues should continue to be studied; the parents, city and schools should work together. Mr. Byington concluded that he had faith that our traffic engineers will make good decisions to resolve any potential problems. Mr. Byington made a motion to approve the Special Use. Mr. Aidt suggested that staff bring back solutions on how the traffic situation can be resolved. Mr. Klopsch added that the

Municipal Parking Lot is also available in close proximity to the St Paul's Church for daycare staff members to park.

Alan Mead, Youth Director at St. Paul's Episcopal Church, introduced himself and stated that although he has only been on staff for one week, he lives at 25 Hadley Avenue and does walk to work! He concluded by stating that St. Paul's is prepared to cooperate with the neighborhood to make this a positive situation.

After adjournment of the public meeting staff remained. Mr. Klopsch noted the importance of all Planning Commission members attending the next scheduled meeting in which the Routsong request will be considered. He added that Mr. Byington is no longer a neighbor as he has moved from Irving Avenue to W. Schantz Avenue. Although Mr. Byington had previously recused himself from the issue he will actively participate and vote in all future considerations on the amended application. Staff will need to reschedule the Routsong Application for a date in which all five (5) Planning Commission members can be in attendance.

Regarding the traffic issues at the proposed preschool at St. Paul's, Mrs. Gowdy noted that Kevin Weaver had recently completed a traffic flow study at W. Dixon and Harman Avenue utilizing traffic strip counters. Discussion then briefly ensued about traffic once again.

SPECIAL USE STANDARDS

- A. The proposed use at the specified location is consistent with the Comprehensive Plan.
PRELIMINARY STAFF FINDINGS: Having a viable daycare program serving primarily Oakwood residents is consistent with the community's commitment to excellence in education.
PLANNING COMMISSION FINDINGS: Sustained.
- B. The proposed building or use will not adversely affect or change the character of the area in which it is located.
PRELIMINARY STAFF FINDINGS: The immediate neighborhood is already impacted by Harman Elementary School. Daycare participants will arrive after Harman School is already in session in the morning and the first session will conclude around 11:20 a.m.; approximately ten minutes ahead of Harman School's lunch break. Daycare participants will be dismissed at 2:50 p.m.; approximately twenty minutes before Harman School dismissal.
PLANNING COMMISSION FINDINGS: Sustained.
- C. That the establishment, maintenance or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, convenience or general welfare.
PRELIMINARY STAFF FINDINGS: The issue we see having the most impact on the neighborhood is added traffic to an already congested area around Harman School.
PLANNING COMMISSION FINDINGS: Sustained.
- D. That the proposed use will not be injurious to the reasonable use and enjoyment of other property in the immediate vicinity for the purposes already permitted, or substantially diminish and impair property values within the neighborhood.
PRELIMINARY STAFF FINDINGS: The proposed use will not diminish property values but dealing effectively with the added traffic in the area is certainly an issue that needs to be addressed.
PLANNING COMMISSION FINDINGS: Sustained.
- E. The proposed use at the specified location will not significantly adversely affect the use and development of adjacent and nearby properties in accordance with the regulations of the district in which they are located. The location, size and height of proposed buildings and other structures, and the operation of the use will not significantly adversely affect the use and development or hinder the appropriate development of adjacent and nearby properties.
PRELIMINARY STAFF FINDINGS: Classes will be held in the existing building and since there are no exterior playground amenities on the site, the use will not impact development in this mature neighborhood.
PLANNING COMMISSION FINDINGS: Sustained.

- F. That the exterior architectural appeal and functional plan of any proposed structure will not be so at variance with either the exterior architectural appeal and functional plan of the structures already constructed or in the course of construction in the immediate neighborhood, or the character of the applicable district as to cause a substantial depreciation in the property values within the neighborhood.
 PRELIMINARY STAFF FINDINGS: There will no exterior changes to the existing building if the special use is approved.
 PLANNING COMMISSION FINDINGS: Sustained.
- G. That adequate utilities, access roads, off-street parking and loading facilities, drainage and/or other necessary facilities, have been or are being provided at the applicant's cost.
 PRELIMINARY STAFF FINDINGS: All building changes and modifications necessitated by the daycare use will be the financial responsibility of the daycare operator and/or church.
 PLANNING COMMISSION FINDINGS: Sustained.
- H. That adequate measures have been or will be taken at applicant's cost to provide ingress and egress so designed as to minimize traffic congestion in the public streets and avoid hazards to pedestrian traffic.
 PRELIMINARY STAFF FINDINGS: In order to address traffic issues associated with the proposed use and the existing situation with Harman School, the applicant has already agreed to adjust session hours so they do not coincide with peak traffic periods at Harman School. In addition, users will be instructed to exit the site east on W. Dixon Avenue to Far Hills Avenue.
 PLANNING COMMISSION FINDINGS: Sustained.
- I. That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulation may, in each instance, be modified by Council pursuant to the recommendations of the Planning Commission.
 PRELIMINARY STAFF FINDINGS: The special use request meets all other applicable regulations for the district.
 PLANNING COMMISSION FINDINGS: Sustained.

Therefore, it was moved by Mr. Aidt and seconded by Mr. Byington that application #11-5, the special use request submitted on behalf of Grace Learning Academy of Oakwood to operate a child day-care center within St. Paul's Episcopal Church at 33 W. Dixon Avenue, and known as lot #36-37, was presented and approved based on plans and information previously submitted and in compliance with all applicable city rules and regulations. Upon a viva voce vote on the question of the motion, same passed unanimously and it was so ordered.

Mr. Aidt made a motion for adjournment that was seconded by Mr. Byington. The public meeting concluded at 5:30 p.m.

 VICE CHAIR

ATTEST:

 ACTING CLERK

