

Minutes of the Planning Commission Meeting of July 7, 2016, 6:00 P.M.

MEMBERS PRESENT: Mayor Katie Gallagher, Chairman  
Kathy Pucci, Council Representative  
Ray Porterfield  
Joe Polidori

ABSENT: Jim Oper

ALSO PRESENT: Dave Kulcsar, Building Commissioner  
ALSO PRESENT: Dawn Neal, Secretary

Mayor Gallagher: Called the Brooklyn Planning Commission meeting to order. Clerk, call the roll: Mayor Gallagher, "here", Kathy Pucci, "here", Ray Porterfield, "here", Joe Polidori, "here". Absent: Jim Oper

A motion to approve the minutes of May 5, 2016 was made by Kathy Pucci, second by Ray Porterfield. **Vote Resulted: Yes** – Mayor Gallagher, Kathy Pucci, Ray Porterfield **Abstain**- Joe Polidori.

Mayor Gallagher- First Request from John J. Rakauskas, architect, for Conditional use of a daycare in an R-B, Retail Business District at 7003 Memphis Ave. P.P. #432-26-003.  
Commissioner Kulcsar- Looking to put in a daycare in the location that was formally Curves fitness studio. The conditional use requirements were set for school in residential area. We do have a couple concerns from police regarding the playground area in the existing parking lot spaces. Plan calls for a 4" chain-link fence in the area of the parking lot taking up some parking space. Per police Sergeant John Knapp he feels this area needs to have better protection. There are also concerned how the children will be entering the playground area, Kids traveling through parking lot is a concern. For the parking, the way the plan shows it looks to be short per the occupancy. We need one space per staff member. John J. Rakauskas-I would like to submit a new site plan. I did some adjusting to parking space and head count, now have 9 teachers and 9 parking spots, so we now have enough parking spaces as requested. In the previous plans it does not make clear where entrance for playground is. So to clarify, there is a walkway next to building so the children will never have to go into the parking lot. We would also consider getting a more decorative wrought iron fence and some more landscaping between that and the street if necessary to be a buffer, in a sense. Mayor Gallagher- Dave, did you give us what he just handed out? Commissioner Kulcsar- No, what he just handed out he just brought. Kathy Pucci- I cannot see a difference. John J. Rakauskas- What is the date on the one you have? Kathy Pucci- They are both 6/23/16. John J. Rakauskas- Well then you did get the updated copy. Commissioner Kulcsar- I have the 6/1/2016 drawing. Mayor Gallagher- So we already have the correct copy. Commissioner Kulcsar- Yes. John J. Rakauskas - I know you explained to me that you had some issues with other daycares in Brooklyn. I noticed the one on Ridge Road has a temporary playground with cones. We will have a permanent playground. The drop off and pick up will be easy seeing that this has this offset driveway and will not interfere with Memphis Road traffic. Also have an extra parking space for drop off and pick up only. We also have an ADA space. Kathy Pucci- I think he needs to address concerns that the police expressed about how the kids will get into playground. John J. Rakauskas – Yes, they are walking out the front door along the side wall of the building to the gate in the playground. We would have concrete bumpers to protect the walkway. Kathy Pucci- So they will be going out onto Memphis? John J. Rakauskas – No, this lot has a very different offset that you pull off

Memphis through a drive through parking lot so the kids will not be close to Memphis at all.

Kathy Pucci- So there is a three foot gate in to the parking lot? John J. Rakauskas – No, the gate is here, It goes into the playground. Kathy Pucci- Oh ok. And the police are saying that four foot fence is not high enough? Commissioner Kulcsar- They have no concerns on the height, they are more concerned about the protection of the fence and the children inside. Maybe you can put in some bollards or something to protect the area. John J. Rakauskas - We can do that.

Ray Porterfield- What was this before? Mayor Gallagher- Curves, an exercise place. Ray Porterfield- Is there a bar at the end of this plaza? Kathy Pucci- Yes. Ray Porterfield- I am just trying to picture where it is. Commissioner Kulcsar- Of course, If you approve we would get a total change of occupancy and drawing to ensure it meets the requirements of all the building codes and the states daycare section. John J. Rakauskas- We included some letters from my clients recommending them. They have an established business. They are looking to move from Ohio City to this location. Mayor Gallagher- I think you may have answered this but, when the kids have to go to the playground they must leave the building and walk around it? There is no door going out there? John J. Rakauskas - That is correct, this property has a large grade issue it would be very difficult to put a door on the side of the building. Kathy Pucci- Can I ask some questions on the floor plan? Between the toddler room and the preschool age children's room is this not a complete wall? John J. Rakauskas - They are divided. Kathy- So the wall comes all the way down? John J. Rakauskas – No, it still has a door way. I have done a lot of daycares and it is not desirable to have complete seclusion from one room to the next. They like to be able to see all areas for safety reasons. Kathy Pucci- What about restrooms for these groups? I see some upfront and in back and by babies. Nothing close to them? John J. Rakauskas - The 2 restroom will be enough to satisfy the code. Kathy Pucci- So they will have to go back there? John J. Rakauskas – Yes. Mayor Gallagher- Does anyone else from the committee have any questions? Mayor Gallagher - My final question is you have a delivery and staffing parking spot? John J. Rakauskas – Yes, we have one spot for deliveries and a door in the back for them to accept the deliveries. Mayor Gallagher- So what kind of truck do you expect get here? Ms. Cruz- We usually use our minivan for picking up the items we need. Kathy Pucci- So no large trucks? Ms. Cruz- No, we pick up all items needed for the daycare. John J. Rakauskas - This has just a warming kitchen not a commissary. Kathy Pucci- I have one questions on the occupancy. Is the square footage appropriate for what they are proposing? Commissioner Kulcsar- As in the ratio for square footage to kids, yes it is ok. John J. Rakauskas - Oh yes. Mayor Gallagher- How do you foresee the drop off and pick up to go? Ms. Cruz- Right now we open at 6 a.m., our kids come in at all different times throughout the morning. It is a pretty quick process they are usually in and out. Right now in Ohio City we have no parking spaces it is all on the street parking and we have not had any issues. With this new location it will be better for us because we will now have parking spaces. Also some of our teachers do not drive they use public transportation so we will not be utilizing all the spaces as is. John J. Rakauskas - In my experience, cities like Cleveland only require only one parking space per 2 teachers. You requires one for one which is unusual. What's nice is this off street parking will not tie up traffic on Memphis. Kathy Pucci- So you envision the parent parking, walking the children in and then leaving. And you think this enough spaces for this? Ms. Cruz- Yes. Mayor Gallagher - As far as the playground, what will be out there? 882 square feet does not seem like a lot of space. Ms. Cruz- Right now, no climbing toys, we have just outdoor toys and ride on toys and picnic tables. Mayor Gallagher- So nothing attached? Will just bring the toys out in morning and back in at night? Ms. Cruz – No, they will stay out. They are all outdoor toys and yes nothing will be attached. The space is enough for a playground. We generally do not bring all kids out at the same time. Small groups go out and they rotate times to go out. The state only allows us to take out a certain number of children and the amount based on the square footage. So with this playground we are allowed 13 children out at a time. This also is better for supervision because there is not too many kids out there. Mayor Gallagher- You are only allowed to take 17 kids

outside? Ms. Cruz- At the same time, yes. It all depends on the outdoor space. John J. Rakauskas - We are showing on the plan of the 882 square feet only 13 children will be out at a time because the state requires 65 square feet per child for outdoor play area. For indoor space you need 35 square feet per child and more in the infant area because you need the cribs. And that is what determined the occupancy. I think you have implied that we are looking to get the maximum occupancy but we will not be getting this occupancy when we are open. We like to get the maximum allowed just to ensure we can get most that code will allow. Ms. Cruz- Licensing only allows us to have only the amount of kids that you are staffed for. Kathy Pucci- Will the playground be asphalt or grass? Ms. Cruz- We are thinking about the shredded rubber. Mayor Gallagher- Does anyone else from the committee have anything to add? Anything that you want to add? Ms. Cruz- We have found a great opportunity to own this building and want to expand our business. It is a great location. This is an upgraded space for us. We have worked for 9 years to build this company and now want to grow into our own building. Kathy Pucci- You are going to close the Ohio City facility? Ms. Cruz- No, we are adding on this location. Mayor Gallagher- From my position, I do not doubt you do a great job running your business. We have had daycares in the past ask to come into the city. I take great issues with these playgrounds in parking lots, they scare me, maybe because I have a small child and know how quickly they can run off. I have not approved daycares with playgrounds like this in the past. I do not think that it is enough protection, personally. My thought is only of safety for these children when I make these decisions. I don't feel this is a safe environment for children. I just want to put this out there on how I feel about this, I don't have to but I wanted you to know how I will be basing my decision on safety. John J. Rakauskas- Well this is way different than the one on Ridge road just south of Biddulph. There the playground is in a parking lot and they just put up cones when the kids are out playing. Mayor Gallagher- I understand that, but I did not approve that daycare. Kathy Pucci- I just want to echo what the Mayor said. I just do not view this as an ideal location for a daycare. I understand what you are trying to do and appreciate your effort, but when you look at the situation with the children coming out and walking around so close to the cars it concerns me. I know you have the minimum allowed space for a playground but it just concerns me, just the whole setting in general. Ms. Cruz- I don't know if a side door would help? But it would have to be in the future. John J. Rakauskas- It could be done. But the parking spaces the kids are walking by are staff cars. The cars will not be pulling in and out constantly. They will be there parked for the day. Mayor Gallagher- You are not going to be able to control your next door neighbor. You are not going to be able to say, you are parking on our spots. You can put up signs but they are not always followed. My other concerns on safety are: what the business are next door? How their business is going to effect this parking area? John J. Rakauskas- They cannot be using this parking. They must use the parking on their property. There will be signs. Mayor Gallagher- People do not always follow signs. John J. Rakauskas- During the day if teachers are parked there the spaces will not be available.

After further discussion, a motion was made by Kathy Pucci, second by Ray Porterfield to deny the Request from John J. Rakauskas, architect, for Conditional use of a daycare in an R-B, Retail Business District at 7003 Memphis Ave. P.P. #432-26-003

**Vote Resulted to deny: Yes** – Mayor Gallagher, Kathy Pucci, and Ray Porterfield **No**-Joe Polidori (**Request denied**)

Mayor Gallagher- A request from LS Architects, Inc. for a Lot split & consolidation located at 4630 Ridge Road P.P. # 432-23-017, 432-23-004 and 432-23-014. Commissioner Kulcsar- Everyone is aware of this project that has been in the works here at Ridge Manor/ Agostino's. This is a proposal for a Lot split & consolidation, which will encompass the area of the banquet center and separate it from cemetery. From previous plans we noticed the lots lines did not

seem to line up right. To be able to get site approval this needed to be taken care of. Stan Loch from AZtech engineering has drawn this up and is here to answer any question you have. Mayor Gallagher- Would you like to add anything? Stan Loch- I think we have taken care of everything that is necessary as far as concerns from the past meetings regarding the cemetery property. Mayor Gallagher- Does anyone on the committee have any questions? Kathy Pucci- I have one minor question. The PP 432-23-014 is not listed on here. Is that going to be the actual PP. Stan- There was something in the county and we had to go back to 1920 to find this PP and we worked with the county to get through this. We had to go back 7 prior transfer deeds and work with Neal to get this right, he is in receipt of this to. It was a very lengthy process but we finally have it all squared away. Kathy- Dave also mention that the city engineer has to sign off on this? Stan- Yes, he has had it for 3 weeks now. I have sent it to him. Kathy Pucci- Ok, Thank you. I don't have a problem with the consolidation.

After further discussion, a motion was made by Mayor Gallagher, second by Ray Porterfield to approve the request contingent on engineer's approval from LS Architects, Inc. for a Lot split & consolidation located at 4630 Ridge Road P.P. # 432-23-017, 432-23-004 and 432-23-014.

**Vote Resulted to approve: Yes** – Mayor Gallagher, Kathy Pucci, Ray Porterfield, and Joe Polidori. **(Request approved)**

Mayor Gallagher- Going back to old business a request from LS Architects, Inc. for site plan approval for a parking lot expansion and site improvements located at 4630 Ridge Road P.P. # 432-23-014. This was deferred from the July 20, 2015; October 1, 2015 and May 5, 2016 Planning Commission meetings. Commissioner Kulcsar- In the last meeting we came up with a list of items that needed to be address before they were to come back. That has been taken care of. They provided site plans, lighting plan, and landscape plans. They made application for the Zoning Board of Appeals for the patio which in front of the building line and the fence in the front of building line that encompasses the patio. The Building Department does not have any objections to it as it is drawn now. Mayor Gallagher- And they have went through the entire list and have done everything? Commissioner Kulcsar- Everything, yes. Mayor Gallagher- Do you guys have anything to add that may be missing? Father John- Dave has went over everything and was very helpful to ensure we got it all. Mayor Gallagher- Does anyone from the committee have any questions? Kathy Pucci- Just to clarify, this also includes a report from the engineer regarding the pillars and overhang? Commissioner Kulcsar- Yes that was received. Ray Porterfield- How about guard rails at the side walk? Mayor Gallagher- They never had guardrails in the plan from the start it was always a mound. Kathy Pucci- A landscaping mound. Ray Porterfield- Something to protect the patio. Kathy Pucci- I think the landscaping mound would be more attractive than a guardrail. Resident- The only thing I had at last meeting was grading the side of the hill so they can cut the grass. Father John- We had to get in there to fix everything. That will be fixed once everything is done. We will grade it and seed it and then we will maintain. We just need to finish getting trees down. Ray Porterfield- What about the garage bins, you keeping them cleaned up? Father John- Yes, lids are done and they are getting picked up when full. Resident- Are you going to enclose them? Father John- Yes, it is in the plan. Kathy Pucci- Do you mind if we include the grading and seeding (this was put in the approval letter) in the motion? Mayor Gallagher- No that is fine.

After further discussion, a motion was made by Kathy Pucci, second by Mayor Gallagher to approve the request from LS Architects, Inc. for site plan approval for a parking lot expansion

and site improvements located at 4630 Ridge Road P.P. # 432-23-014 and (contingent upon) to also include grading and seeding of property line.

**Vote Resulted to approve: Yes** – Mayor Gallagher, Kathy Pucci, Ray Porterfield, and Joe Polidori. (**Request approved**)

A motion was made by Kathy Pucci, second by Mayor Gallagher to adjourn. **Vote Resulted: Vote Resulted: Yes** – Mayor Gallagher, Kathy Pucci, Ray Porterfield, and Joe Polidori.

Meeting adjourned.

---

Dawn Neal  
Secretary

---

Mayor Katie Gallagher  
Chairperson