

**CITY OF HIGHLAND HEIGHTS
PUBLIC HEARING OF THE PLANNING AND ZONING COMMISSION
HELD: FEBRUARY 25, 2008**

PRESENT: Commissioners Kerr, Mastrangelo, Pilla, Urban;
Recording Clerk Olson; Assistant Building Commissioner Austin

ABSENT: Commissioner Knezevic

SUBJECT: CLAP DAY CARE, LTD., 201 ALPHA PARK
PZ08003 CONDITIONAL USE PERMIT TO OPERATE DAY CARE CENTER

Public Hearing was called to order at 8:01 p.m. Notices of this Public Hearing were mailed in accordance with Section 1113.04.

The City of Highland Heights Planning and Zoning Commission will conduct a Public Hearing on Monday, February 25, 2008 at 8:00 p.m. in the Council Chambers of the Highland Heights City Hall, 5827 Highland Road, Highland Heights, Ohio 44143, concerning an application submitted by CLAP, Ltd. for a Conditional Use Permit to operate a day care center at 201 Alpha Park, under provisions of Section 1109.03(a) of the Planning and Zoning Code of the City of Highland Heights.

Tatiana Kogan, residing at 678 Edgewood Road, Richmond Heights, Ohio 44143, appeared before the Commission to obtain a Conditional Use Permit to operate a day care center at 201 Alpha Park.

Chairman Mastrangelo advised the applicant that only four of the five Commissioners were present and extended her the option to defer the Public Hearing until the next meeting when all of the Commissioners would be present because a majority vote is required to grant a Conditional Use Permit. The applicant chose to proceed. Chairman Mastrangelo advised the applicant of her right to be represented by an attorney. The applicant waived that right.

Ms. Kogan said that she started her family business, CLAP Day Care, Ltd., fourteen years ago, and that it is currently licensed as a Type A home child care business for up to twelve children which she operates from her current residence in Richmond Heights. She stated that she is proposing to open and operate a day care center at 201 Alpha Park for 75 to 100 children between the ages of 6 weeks to 12 years old. She said that the maximum number of children allowed is dependent upon the square footage of each area within the building and that the total number of children she will accept will be determined once the architectural plans at 201 Alpha Park are completed. She stated that the total area at 201 Alpha Park is approximately 7,000 square feet.

Ms. Kogan stated the hours of operation will be 7:00 a.m. to 7:00 p.m. with drop-off times being 7:00 a.m. – 9:00 a.m. and pick-up times being 4:30 a.m. – 7:00 p.m. She said that children are typically not picked up before 4:00 p.m.

In response to Mr. Urban's inquiry as to whether there are plans for outdoor activities, Ms. Kogan replied that an outdoor, fenced-in playground area will be constructed behind the building on the west side.

In response to Chairman Mastrangelo's inquiry as to whether the applicant is aware of the number of children attending Children's World Day Care located within Alpha Park, the applicant replied approximately 130 children.

Mr. Urban expressed concern regarding traffic congestion during peak hours of bus activity at CEVEC, 211 Alpha Park, which is located within the same building as the proposed location of the day care. Chairman Mastrangelo and Assistant Building Commissioner Austin stated that they personally observed high traffic volume at 211 Alpha Park from 7:00 a.m. – 7:45 a.m. It was noted that high traffic volumes occur in this location weekdays during the hours of 7:00 a.m. – 7:45 a.m., 11:00 a.m. – 12:00 p.m.; and 2:00 p.m. – 3:00 p.m.

Mr. Austin stated that Paul Reulbach, representing Alpha Park, recommends that the 24 parking spaces located directly adjacent and to the north of 201 Alpha Park be used as pick-up and drop-off sites for the day care. He said that Mr. Reulbach is satisfied that this will not interfere with the CEVEC traffic flow that occurs along the east side of the building. Ms. Kogan stated that parents will be required to park their cars and then walk the children to the front entrance of the day care which is located on the east side of the building.

Kerry Klotzman, Drayer Development, 287 Alpha Park, representing Alpha Park, presented a diagram of the parking lot. He said that day care clients can be informed to use the parking spaces along the north side of the building so as not to conflict with CEVEC traffic along the east side of the building.

In response to Mr. Pilla's inquiry if the 24 parking spaces along the north side of the building can be designated for sole use by the day care, Mr. Klotzman replied that Alpha Park has a general policy of no-signage, but due to natural distribution of current occupancy in surrounding offices, the 24 parking spaces are generally vacant and should be available for use by the day care.

The Commission and Mr. Austin recommended that this matter be tabled until the next regular meeting on March 10, 2008 to allow time to contact Law Director Paluf for his opinion as to whether the City has authority to register concerns with traffic flow and request a traffic study within Alpha Park prior to a building permit being issued by the Building Department. Chairman Mastrangelo advised the applicant that further research on this matter will benefit day care operation and promote safety of the children. Ms. Kogan agreed; however, she replied that it will take four months to obtain the required certification for this type of day care once she obtains a permit from the city and that she hopes to open by June 1, 2008.

Chairman Mastrangelo advised the applicant that she must appear before the Commission every two years to renew the Conditional Use Permit which will be granted by the Commission provided the day care continues to comply with state requirements.

Public Hearing closed at 8:30 p.m.

Susan M. Olson, Recording Clerk

Robert J. Mastrangelo, Chairman