

## **WHITEHALL PLANNING COMMISSION MINUTES JULY 12<sup>th</sup>, 2018**

The Whitehall Planning Commission meeting of July 12<sup>th</sup>, 2018 was called to order by Chairman Terry Anderson at 6:30 PM.

Chairman Anderson asked for a roll call.

Terry Anderson—Present

Mike Brown—Present

Zach Woodruff- Absent

Paul Jordan- Present

Denny Roberge—Present

Barb Blake-Present

Chuck Underwood- Absent

Chairman Anderson asked for a motion to excuse absent members. Mrs. Blake motioned and Mr. Jordan seconded. Voting was unanimous to excuse absent members.

Chairman Anderson asked for a motion to approve minutes from June 7<sup>th</sup>, 2018. Mr. Brown motioned and Mr. Jordan seconded. All voted in favor to approve the minutes.

Chairman Anderson presented Case #761, The City of Whitehall is requesting the authorization to replace section 1128.04 and repeal sections 1128.05 and 1128.06.

Mr. Mike Hulse spoke on behalf of the City. He noted that within the new zoning code, buildings are able to pass an occupancy inspection, but are not required to meet zoning code to be approved. This change will require occupants to file a separate permit for zoning approval.

Chairman Anderson asked for a motion to approve Case #761. Mr. Jordan motioned and Mr. Brown seconded. All voted in favor to approve Case #761.

Chairman Anderson presented Case #759, Grace Educational and Tutoring Center is seeking a Special Permit to operate a tutoring center on property located at 700 Bernhard Rd.

Mr. Yemane Tesfazion and Mr. Melak Fessehazion presented their case. They explained their plans to run a tutoring center in the basement of the Church located on this property. They explained that the tutoring will be for Science and Mathematics is available to anyone in the community. Mr. Anderson asked what the operating hours for the tutoring center will be. Mr. Tesfazion noted that the hours will be from 3pm to 8pm. Mr. Brown asked how many children they will be tutoring. Mr. Tesfazion said that it will depend on the number of appointments scheduled per day. Mr. Joe Ryan asked if they were aware of any State capacity requirements, or if they knew of the capacity limit for the basement that they will be operating out of. Mr. Tesfazion was not able to confirm the capacity. Mr. Tesfazion was not able to confirm how many staff they will employ at a time as it will depend on the number of students. Ms. Blake asked what the maximum number of students that can attend at one time. Mr. Tesfazion was not able to confirm how many students would be in the center at one time. Members of the public expressed their opposition to the tutoring center. Issues from the public are as follows:

- Traffic issues, traffic backing up along this road as parents drop off and pick up.
- Code violation issues, grass, trash, weeds, etc.
- Police activity to control the kids around this location
- Intruders on their private property coming from this operation
- Will the tutoring be American tutoring or another form of education?

Mr. Brown asked how many qualified tutors they employ currently and plan to employ in the future. Mr. Tesfazion stated they have 2 currently and will employ up to 5 depending on how many students are being tutored.

Joe Ryan presented the staff report. He stated that they are requesting a special permit so that they can operate a tutoring center in a residential area. He mentioned that he suggests that this case be tabled so that the applicants can gather more information to present to the commission at the next meeting.

Ms. Blake requested the pricing of the tutoring lessons and the reason they chose this location. Mr. Tesfazion said they are not sure yet what the price will be and they chose this location because the Church is not charging them rent to operate.

Chairman Anderson requested a motion to table this case at a later date. Mr. Roberge motioned and Mr. Brown seconded. Voting was unanimous to table Case #759.

Chairman Anderson presented Case #760, Checker's Drive-In is requesting a Sign Variance 1124.10 (n)(8) & 1127.02 (a)(2) on property located at 837 S. Hamilton Rd.

Mr. Jim Maniace spoke on the applicant's behalf. He explained that they are requesting a cabinet sign with the Rally's logo that protrudes a small amount above the roof line. This sign is the same sign that is on all Rally's locations and they would like to keep their signage uniform for their restaurants. Mr. Anderson asked about the illumination of the signs. Mr. Maniace was unable to confirm if the sign would be illuminated after hours or not.

Joe Ryan presented the staff report and that the staff is in favor of approving the variance.

Chairman Anderson requested a motion to approve Case #760. Mr. Roberge motioned and Mr. Brown seconded. Voting was unanimous and Case #760 was approved.

Chairman Anderson asked if there was any further business. With no further business to discuss, Chairman Anderson asked for a motion to adjourn. Mr. Brown motioned and Mr. Roberge seconded.

All were in favor to adjourn. Meeting was closed at 7:32pm.

**APPROVED** \_\_\_\_\_, 2018 Respectfully submitted,

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Terry Anderson, Chairman

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Casey Thomas, SECRETARY