

## PLANNING COMMISSION MEETING

*August 9, 2012*

The Planning Commission convened in Courtroom No. 1 at Painesville City Hall for their regularly scheduled meeting. Chairman Fitzgerald called the meeting to order at 7:30 PM. He asked the secretary to call the roll. Members in attendance were, Mr. David Komjati, Ms. Christine Shoop, and Chairman Thomas Fitzgerald. Also present were, City Manager Rita McMahon, Assistant City Manager/Community Development Director Douglas Lewis, City Planner Russ Schaedlich, Assistant Law Director James Lyons, and Secretary Lynn White.

### MINUTES:

Chairman Fitzgerald asked for additions or corrections for the Planning Commission Meeting of July 12, 2012. There being no comments, Chairman Fitzgerald asked for a motion. Motion by Ms. Shoop, seconded by Mr. Komjati to approve the minutes for the Planning Commission Meeting of July 12, 2012 as written. On roll call, Ms. Shoop, Mr. Komjati, and Chairman Fitzgerald answered "aye". Motion carried.

### TABLED BUSINESS: (Public Hearing Items)

Preliminary Plat: Heisley Park Subdivision – Phase XIII – consisting of 28 sublots.

Chairman Fitzgerald asked for information on the tabled business to be provided. Mr. Schaedlich indicated that he has been in contact with Mr. Mike Mortell of Mortell and Associates regarding the remainder of the Heisley Park Development and the park land situation. He stated that there has not been any movement on this issue. They have scheduled a meeting with the Administration for next Thursday with Mr. Mortell and his engineer. A copy of the new concept plan was provided to the Commission in their packet. The area where the Villas were to be constructed will have phases as shown on the map. The lots will contain single-family homes, however, there is no park area designated on the plan. Mr. Schaedlich stated that he is anticipating the issue will be resolved during their scheduled meeting. If there is no agreement between the two parties, the issue will need to come before the Planning Commission for action.

Chairman Fitzgerald asked if there was any action necessary on this issue now. Mr. Schaedlich indicated that no action was necessary. The item remains on the table.

Chairman Fitzgerald asked the secretary to read the notice for Refusal No. 2231.

### NEW BUSINESS:

#### REFUSAL NO. 2231 CONDITIONAL USE PERMIT REQUEST

**Applicant:** Vincent Monachino – Education Alternatives  
**Owner:** Thomas D. Hill  
**Location:** 273 East Jackson Street (Parcel Number 15-A-013-0-00-001-0)  
**District:** B-2 General Business District

The City of Painesville has received an application from Vincent Monachino of Education Alternatives for a Conditional Use Permit. The applicant is proposing to provide educational services at 273 East Jackson Street (Parcel Number 15-A-013-0-00-001-0). The property is located in the B-2 General Business District. Section 1127.05 does not list educational services as a permitted use in the B-2 General Business District. A conditional use permit for a Similar Use designation is requested.

Chairman Fitzgerald asked if the applicant was present and if they would like to give a presentation.

Dr. Gerald Swartz, 18910 Stony Point Drive, Strongsville, Ohio, introduced himself as the Chief Executive Officer for Education Alternatives. He indicated Vincent Monachino is the Director of Building Operations. He offered to answer any of the Commission's questions.

Mr. Schaedlich asked Dr. Swartz to give an overview of the proposed operations for the facility. Dr. Swartz stated that Education Alternatives was founded in 1999 to provide academic and therapeutic services to children experiencing emotional and behavioral difficulties. The agency's first school year began with nine employees and thirteen children. Today, Education Alternatives employs over 150 teachers, associate teachers, and licensed clinicians and provides multi-faceted educational, therapeutic, vocational, and case management services to hundreds of children each year. Education Alternatives serves more than 400 children each year that are enrolled in our programs by over 50 school districts in Northeast Ohio. Dr. Swartz explained that they do not operate as a school, but as a service provider. The Painesville City Local Schools had initiated contact asking for an alternative to their school. The School District spends a considerable amount of money sending children to

outside placement services.

Chairman Fitzgerald asked about day treatment. Dr. Swartz stated the Day Treatment Program focuses equally on the academic and therapeutic needs of students. This "100% academic and 100% therapeutic" approach to education integrates academic achievement with the social and emotional needs of students. Their students have behavioral handicaps as well as organic handicaps like Autism and Asperger's. The student must come from the Special Education Department of the student's public school district. The final decision to refer a student is made in collaboration with the parent, school district, and IEP Team.

Chairman Fitzgerald asked what ages the children are that attend. Dr. Swartz stated that they have facilities for ages 1<sup>st</sup> through 12<sup>th</sup> grade. This facility will be geared toward the middle school/high school age children. The facility will provide services for approximately 20 to 30 students. There are two classrooms on the second floor and the law only allows 12 students in one room.

Chairman Fitzgerald asked about the possible use of St. Mary School cafeteria. Mr. Schaedlich explained that he had referenced the use of St. Mary's cafeteria in his report. He asked Dr. Swartz if lunch is to be held on-site or if there will be a need to utilize the cafeteria at St. Mary's school similar to Summit Academy's former operation at this location. Dr. Swartz responded they cater lunches for the students. There is no plan on using the St. Mary facility.

Ms. Shoop asked if this type of school were similar to Summit Academy. Dr. Swartz replied Summit Academy is a charter school and they too are looking for a facility for some of their students. Ms. Shoop asked if there was a fee for this type of facility. Dr. Swartz stated the school district has a cost per child to attend.

There was discussion regarding transportation to the facility. It was explained that due to Special Education Laws the students would be provided transportation.

Ms. Shoop asked which school district this facility would serve. Dr. Swartz indicated the Willoughby facility has students from as far as Geneva and included a number from all over Lake County. He indicated that Painesville City School District would most likely utilize this facility the most.

Chairman Fitzgerald asked where the student drop-off would be located. Dr. Swartz commented they are trying to resolve this issue. The parking lot at the site can accommodate a van and smaller buses; however, the full size buses will have to be loaded and unloaded at the street. The location has not yet been determined.

Mr. Komjati asked about supervision of the children during lunches and recess; and if there would be a time that the children would be unsupervised. Dr. Swartz responded the children are constantly supervised; the ratio is one to 6 in the classroom. There will be 10 to 12 employees at this facility, which consists of therapists and teachers.

Mr. Komjati asked how this facility compares to Re-Education Services. Dr. Swartz stated that they offer similar services. He stated that Education Alternatives has a very high level of accreditation. He stated that they were rated as one of the best day treatment facilities in the country.

There being no further questions from the Commission, Chairman Fitzgerald asked if there was anyone in the audience that would like to speak on this request.

Mr. Anthony Torre, 158 Sanford Street, asked about the property and if it was being purchased or leased. Dr. Swartz replied that they are leasing the facility.

Ms. April Perts, 296 North State Street, asked if the facility would be on the same school schedule as the City schools. Dr. Swartz stated they have their own calendar; however, it is very similar to the district calendars. The first day will be August 20 and the last day was June 6. They will follow the same winter break and spring break program dates. The school day ends at 2:30 PM.

Ms. Shoop asked if there is an afterschool program or services during the summer. Dr. Swartz stated there is nothing planned at this location. Mr. Komati asked if there are any plans to have evening programs at this location. Dr. Swartz responded there are no plans for evening hours.

Chairman Fitzgerald commented the Administration has suggested placing the condition of reviewing this in one-year. The Commission agreed with adding this as a condition. Dr. Swartz asked that they be made aware of any issues that may come up regarding this facility prior to the one-year review. Mr. Schaedlich replied that this would be done as issues arise.

Ms. Perts asked who decides which children attend the school. Dr. Swartz indicated the school has the option to deny students if they are not responding to treatment. The School Districts generally refer the students to the facility.

Ms. Shoop asked if there have been any issues in the past with students who become "runners". Dr. Swartz stated no child has ever left a facility and caused harm. He stated that if they felt a child would

be a safety issue they would remove them to another facility where they have the space to deal with that type of situation. The instructors have all been trained in restraining techniques and how to handle this situation.

Chairman Fitzgerald asked about the wide range of ages and how the classrooms would function. Dr. Swartz stated that the law only allows a four-year age span. This facility will only deal with the middle and high school students. He stated that they are very proud of their graduation rate. The program has a graduation rate of 90% where historically this type of student is only at 50%.

Mr. Komjati asked about the students and graduation. Dr. Swartz indicated that elementary school age students usually get integrated back into the public school system, where the older students graduate while attending this facility. They do graduate within their own School District since they are a resident. The maximum age of a student is 22-years of age based on special education law.

Chairman Fitzgerald asked if there were any other questions. There being none, he asked for a motion. Motion by Mr. Komjati, seconded by Ms. Shoop to approve the Conditional Use Permit for Education Alternatives for an educational facility at 278 East Jackson Street with the stipulation the permit is reviewed in one-year to review conformance to the requested assurances from the applicant. On roll call, Mr. Komjati, Ms. Shoop, and Chairman Fitzgerald answered "yes". Motion carried.

#### **ADMINISTRATIVE REPORT:**

There was no Administrative Report given to the Commission.

#### **OTHER MATTERS THAT MAY PROPERLY COME BEFORE THE PLANNING COMMISSION:**

The Commission was informed that the Rezoning Request for 642 Mentor Avenue was withdrawn and will not go forward to City Council.

#### **ADJOURNMENT:**

There being no further business, Chairman Fitzgerald adjourned the meeting.

---

Lynn M. White, Secretary

---

Thomas Fitzgerald, Chairman