

Oakwood, Ohio  
February 5, 2020

The Planning Commission of the city of Oakwood met in regular session at 4:30 p.m. in the council chambers of the city of Oakwood, 30 Park Avenue, Oakwood, Ohio 45419.

The Chair, Mr. Andy Aidt, presided and the Clerk, Ms. Lori Stacel, recorded.

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

MR. ANDREW AIDT .....PRESENT  
MRS. HARRISON GOWDY .....PRESENT  
MRS. E. HEALY JACKSON .....PRESENT  
MR. GREG LAUTERBACH .....PRESENT  
MR. STEVE BYINGTON .....ABSENT

Officers of the city present were the following:

Mr. Robert F. Jacques, City Attorney  
Mrs. Jennifer S. Wilder, Personnel and Properties Director  
Mr. Ethan M. Kroger, Code Enforcement Officer

The following visitors were present:

Paul Sampson, St. Paul's Episcopal Church  
Denise Brown, 220 Greenmount Blvd., Oakwood, OH 45419  
Jodi Quinn, 224 Orchard Drive, Oakwood, OH 45419  
Lindsey Deck, 546 Garden Road, Oakwood, OH 45419  
Susie Mansfield, 322 Spirea Drive, Oakwood, OH 45419  
Jeanne Keffer, 146 E. Dixon Avenue, Oakwood, OH 45419  
Tim Benford, Oakwood, 132 Greenmount Blvd., Oakwood, OH 45419  
Erica Davis, 25 W. Peach Orchard Avenue, Oakwood, OH 45419  
Gloria Skurski, 616 Orlando Terrace, Oakwood, OH 45409  
Byron Stirman, 219 Triangle Avenue, Oakwood, OH 45419  
Sam Davis, 9 Wisteria Drive, Oakwood, OH 45419  
Anne Hilton, 900 Harman Avenue, Oakwood, OH 45419

Mr. Aidt called the meeting to order at 4:30 p.m., and then conducted a brief organizational meeting to select the chair and vice chair for 2020. Mr. Aidt moved to retain Mrs. Gowdy as vice chair, seconded by Mrs. Jackson. Upon a viva voce vote on the question, the motion passed unanimously and it was so ordered. Mrs. Gowdy moved to retain Mr. Aidt as chair, seconded by Mr. Lauterbach. Upon a viva voce vote on the question, the motion passed unanimously and it was so ordered.

Mr. Aidt asked if there were any questions or concerns with the minutes from the December 4, 2019 meeting. There being none, it was moved by Mrs. Gowdy and seconded by Mrs. Jackson that the minutes 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.

Mr. Aidt opened the public hearing for Application #20-1, to review a special use application submitted by Paul Sampson on behalf of St. Paul's Episcopal Church to establish a wellness and health ministry to include yoga classes at 33 W. Dixon Avenue.

Mr. Kroger presented the staff report. He referenced a PowerPoint presentation displaying property images of 33 W. Dixon Avenue and provided the following information.



Since the adoption of the 2000 Oakwood Zoning Ordinance, religious institutions have been permitted in the R-4 residential district as a special use. St. Paul's Episcopal Church does not have, and is not required to have, a special use permit for church operations because the church was already in existence when the Zoning Code was adopted.

St. Paul's Episcopal Church has now established a wellness and health ministry that will function on a daily basis through the week, and City staff feels that it is appropriate to have that additional ministry evaluated as a new special use. St. Paul's Episcopal Church currently houses approximately 28 different community groups who utilize existing church space for hosting meeting and other events. The City has not required St. Paul's Episcopal Church to obtain special use approval for all of these groups because they meet on a less frequent basis, typically once or twice a week. In land use terms, this is considered "lower intensity" use. However, the City has required special use approval for the Little Acorn Academy and now for the wellness and health ministry, both of which meet on a daily basis and are considered a "higher intensity" use.

Subject to the requirements of Title 10, Section 1004, special use permits are required for religious institutions operated as a non-profit organization including churches, convents, seminaries and religious retreats.

The applicant has established a wellness and health ministry and is proposing to use a basement room known as the "Paul Pit" to offer yoga classes as part of this ministry. The yoga aspect of the Church's wellness and health ministry will be called "Inner Dance Yoga of St. Paul's" and will be conducted and administered by Deborah Stirsman as a contractor of St. Paul's Episcopal Church. An independent contract has been submitted to the City by St. Paul's Episcopal Church and reviewed by the City Law Director indicating that Inner Dance Yoga of St. Paul's will be a church function and not a separately operated business. Inner Dance Yoga of St. Paul's is already in operation, pending approval of this special use application. As currently operated and proposed, it will host 12 yoga classes per week with an average of six people per class, including the instructor. Entry to the class space is on W. Dixon Avenue, which makes it unlikely to contribute to the traffic congestion on the rear alleys.

Mr. Kroger closed his presentation with an overhead aerial view of the Inner Dance Yoga of St. Paul's main entrance, parking lot and the Little Acorn Academy entrance.

Mr. Lauterbach asked how this application came about.

Mr. Kroger shared that the City became aware of the yoga operations through an article in the Oakwood Register. Staff subsequently reached out to St. Paul's and requested that they submit an application for special use approval.

Mrs. Jackson asked Mr. Kroger whether the wellness and health ministry special use would function as a ministry of the Church.

Mr. Kroger said that this was correct.

Paul Sampson, applicant and Jr. Warden of St. Paul's Episcopal Church, shared that the Church has a committee similar to a Board of Directors. His role on this committee is to deal with the property. The basement room known as the "Paul Pit" has been said to be a spiritual area. The Inner Dance Yoga of St. Paul's helps with improving spiritual wellness by reducing emotional and physical strains. To ensure that the Church is acting as a good neighbor, yoga students will enter through the front of the church and park on Dixon Avenue or in the municipal lot to avoid any possible traffic conflicts. Mr. Sampson closed his comments by thanking the Planning Commission for reviewing this application.



There being no other visitor comments, Mr. Aidt closed the public hearing and the Planning Commission began their deliberations.

Mr. Lauterbach commented that although parking was a concern with the Little Acorn Academy application last December, there does not seem to be any parking concerns with this application. He closed his comments by stating that the proximity of the entrance to the Inner Dance Yoga of St. Paul's alleviates any concerns he may have had, so he does not have any issues with this application as it stands.

Mrs. Gowdy asked if this application followed the same notification procedures as the previous application for the Little Acorn Academy last December.

Mr. Kroger confirmed yes.

Mrs. Jackson noted that there do not appear to be any schedule conflicts with all of the events at the church.

Mr. Aidt commented that if the special use's intensity were to increase, staff would require St. Paul's to come before the Planning Commission for review of the special use approval.

Mrs. Gowdy asked what the maximum capacity is for the yoga class.

Mr. Sampson explained that the fire code capacity for the room is 42, but for the yoga class, it comfortably fits around 12 students.

It was then moved by Mrs. Gowdy and seconded by Mrs. Jackson that the preliminary staff findings be adopted, and Application #20-1 to establish a wellness and health ministry to include yoga classes at St. Paul's Episcopal Church located at 33 W. Dixon Avenue be approved as submitted.

#### **SPECIAL USE STANDARDS**

- A. The proposed use at the specified location is consistent with the Comprehensive Plan.

##### **PRELIMINARY STAFF FINDINGS:**

- The Comprehensive Plan states that development should be compatible with the surrounding area. The physical appearance of the existing building will remain the same. Planning commission members should pay close attention to parking issues that could affect the surrounding neighborhood.

- 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:**

- As previously mentioned, The Wellness and Health Ministry will not change the footprint of the existing building, but will increase the number of church visitors throughout the week.

- 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:**

- There is nothing in the application to suggest that public health, safety, morals, comfort, convenience or general welfare will be at risk. However, increased traffic and parking issues should be explored by the Planning Commission to ensure that public safety, comfort and convenience is not compromised.

- D. That the proposed use will not be injurious to the reasonable use and enjoyment of other properties in the immediate vicinity for the purposes already permitted, or substantially diminish and impair property values within the neighborhood.

PRELIMINARY STAFF FINDINGS:

- This use is already operating, pending special use approval. Thus far, there is nothing to suggest that the proposed use will be injurious to the reasonable use and enjoyment of other properties in the immediate vicinity or substantially diminish or impair property values within the neighborhood. However, increased traffic and parking issues should be explored by the Planning Commission to ensure that public safety, comfort and convenience is not compromised.

- 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:

- There is nothing to suggest the proposed special use will adversely affect the use and development of adjacent and nearby properties.

- 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:

- As previously mentioned, the building footprint will remain the same and similar health and wellness ministries are common for larger religious institutions.

- 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:

- The primary entrances and exits for Inner Dance Yoga will be the main church entrance located on W. Dixon Avenue. Adequate on-street parking is available on the south side of W. Dixon Avenue and the nearby municipal parking lot.

- 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:

- The proposal will have no readily apparent negative impact on the safe movement of vehicles and pedestrians. However, the applicant should properly ensure that additional parking needs are met to avoid placing an undue burden on the surrounding neighborhoods.



- 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 proposal will conform to the regulations of the R-4 zoning district as long as special use approval is granted.

Upon call of the roll on the question of the motion, the following vote was recorded:

MR. ANDREW AIDT ..... YEA  
 MRS. HARRISON GOWDY ..... YEA  
 MRS. E. HEALY JACKSON ..... YEA  
 MR. GREG LAUTERBACH ..... YEA

There being four (4) YEA votes, thereon, said motion carried.

There being no further business, the Planning Commission adjourned. The public meeting concluded at 4:47 p.m.

  
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 CHAIR

ATTEST:

  
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 CLERK