

PLANNING COMMISSION MEETING

May 25, 2023

The meeting was called to order at 7:00 p.m. by Chairman Andy Lorenz. Commission members present were Greg Bade, Andy Lorenz, Rob Vela, John Wellstein, Becky Williams, and Megan Wolfinger (6). Mayor Mackin was absent (1). Also present was Mark Easterling, Deputy Planning & Zoning Administrator.

APPROVAL OF MINUTES

Ms. Williams moved to approve the minutes of the April 27, 2023 meeting as written. Seconded by Ms. Wolfinger. Ayes: Bade, Vela, Wellstein, Williams, and Wolfinger (5). Nays: (0). Abstain: Lorenz (1).

ADMINISTRATOR'S REPORT

Mr. Easterling stated that there will be a brief discussion under Other Business regarding the sign code.

Final Plat Hawthorne Subdivision Plat 8 (Roachton Road, south of Coe Court)

APPLICANT/OWNER/DEVELOPER

Hawthorne DEV, Inc.
Mr. Mark Rich, President
23285 West State Route 51
Genoa, Ohio 43430

Feller Finch and Associates, Inc.
1683 Woodlands Drive
P.O. Box 68
Maumee, OH

REQUEST

Chapter 1295.07 – Final Plat

PROPERTY LOCATION & DESCRIPTION

Hawthorne is an R-3 residential subdivision originally proposed to consist of 242 lots. This subdivision is located south of Coe Ct., north of Roachton Rd., and is immediately west of the CSX railroad tracks. The entire subdivision is comprised of approximately 107.8 acres.

Plat 1 consists of 30 lots on approximately 12.456 acres and was finalized on December 19, 2013.

Plat 2 consists of 28 lots on approximately 17.647 acres and was finalized on March 26, 2015.

Plat 3 consists of 25 lots on approximately 10.263 acres and was finalized on November 19, 2015.

Plat 4 consists of 20 lots on approximately 9.802 acres and was finalized on November 17, 2017.

Plat 5 consists of 27 lots on approximately 10.010 acres and was finalized December 13, 2018.

Plat 7 consists 20 lots on approximately 8.818 acres and was finalized April 15, 2021.

Plat 8 as proposed contains 31 lots on approximately 16.405 acres.

BACKGROUND

The Preliminary Plat of Hawthorne was approved by the Planning Commission on July 25, 2013 by a vote of 7 to 0. The Preliminary Plat has been extended at each request by the applicant and the development of this subdivision has occurred without significant delay.

ANALYSIS

The staff has reviewed the Final Plat for Plat 8 and approved with the following comments:

- Provide Open Space Fee payment (in accordance with equation below)

Per Chapter 1295.05 (a)(7)(c)(1), Planning Commission, on July 25, 2013, approved 2.91 acres (originally shown as 2.83 acres) of open space in lieu of an Open Space Fee for a portion of the subdivision in accordance with the following formula.

Open space requirement = 2.91 acres of donated land + 7.5% value of 49.6 acres + \$100 per lot.

Notes: Value per acre = \$10,807.05 (certified appraisal)

Value of 49.6 acres = \$536,029.68

7.5% of 49.6 acres = \$40,202.23

Total Open Space Fee for Plat 1 (30 lots) = 12.456 acres x (\$10,807.05 x 7.5%) = \$10,095.95 + \$3,000 (\$100 x 30 lots) for a total of \$13,095.95.

Total Open Space Fee for Plat 2 (28 lots) = 17.647 acres x (\$10,807.05 x 7.5%) = \$14,303.40 + \$2,800 (\$100 x 28 lots) for a total of \$17,103.40.

Total Open Space Fee for Plat 3 (25 lots) = 10.263 acres x (\$10,807.05 x 7.5%) = \$8,318.42 + \$2,500 (\$100 x 25 lots) for a total of \$10,818.42.

Total Open Space Fee for Plat 4 (20 lots) = 9.802 acres x (\$10,807.05 x 7.5%) = \$7,944.80 + \$2,000 (\$100 x 20 lots) for a total of \$9,944.80.

Total Open Space Fees paid to date (Plat 1 – Plat 4) = \$40,662.57

Total Open Space Fee for Plat 5 (27 lots) = -\$460.34 (overpaid by developer)

No additional open space fee will be due (including “per lot fee”) for the rest of the development.

Per Chapter 1295.07(d), the following escrows shall be provided to the satisfaction of the City prior to signing the Final Plat of Plat 8:

Estimate of Construction Costs:

• Roadway and Pavement	\$TBD
• Drainage	\$TBD
• Erosion Control	\$TBD
• Waterline	\$TBD
• Sanitary Sewer	\$TBD
• Sidewalks (5'): (12,526.90 sq.ft. @ \$6.00/sq.ft.)	\$89,344.20
• Curb Ramps: (@ \$1,000 each)	\$6,000.00
• Street Lights: (@ TBD each)	\$0
• Street Signs: (# of signs x \$150)	<u>\$TBD</u>

Total Escrows **\$TBD**

RECOMMENDATION

The Planning & Zoning Deputy Administrator recommends that the Planning Commission approve the Final Plat for Hawthorne subdivision Plat 8 subject to the deposit of escrows and payment of all other fees.

Mr. Easterling reviewed the above Staff Report regarding the Final Plat for Hawthorne Subdivision Plat 8 (Roachton Road, south of Coe Court). Developer Mark Rich was present.

Mr. Lorenz made a motion to approve the Final Plat for Hawthorne Subdivision Plat 8 (Roachton Road, south of Coe Court) subject to the deposit of escrows and payment of all other fees. Seconded by Ms. Williams. Ayes: (6). Nays: (0).

***Code Amendment – Agriculture, Construction,
Semi-Truck Sales/Service
Chapter 1225.08 – Land Use Table
Chapter 1235.04(b) – Special Approval Use***

APPLICANT/OWNER/DEVELOPER

Tim Farthing
Great Lakes Rental
674 W. Boundary St.
Perrysburg, OH 43551

Lane Williamson
Eastman & Smith Ltd.
One SeaGate, 550 N Summit St., Suite #2400
Toledo, OH 43604

REQUEST

Chapter 1225.08 – Land Use Chart
Chapter 1235.04(b) – Agriculture, Construction, Semi-Truck Sales/Service

PROPERTY LOCATION & DESCRIPTION

The proposed Code Amendment to Chapter 1225.08 proposes to amend the Land Use Chart to add the existing use of Agriculture, Construction, and Semi-Truck Sales/Service into an additional zoning district within the city. It would also add additional conditions to the Special Approval Use category in Chapter 1235.04(b).

BACKGROUND

The owners have relocated the business from a property that was annexed into the city from the township and zoned I2 (General Industrial) to a new property zoned C4 (Highway Commercial) and as a result their business now needs a “Land Use Permit” for the new location. Upon classification of the business the Planning and Zoning Division placed the business into the category “Agriculture, Construction, Semi-Truck Sales/Service” as an unpermitted use.

The ownership then felt that the “retail” category was a better fit and came before the Planning Commission on March 30, 2023 to discuss expanding the retail category, creating a new use category, or the possibility of further defining the “Agriculture, Construction, Semi-Truck Sales/Service” use. The Planning Commission determined that the definition fit the business and should be expanded through the Special Approval Use process.

ANALYSIS

EXISTING

Chapter 1225.08 – Land Use Table

	A 1	R 1	R 2	R 3	R 4	R 5	R M	C 1	C 2	C 3	C 4	O S	I 1	I 2	PB P	P	S 1	IN S
Agriculture, Construction , Semi-Truck Sales/Service	S												P	P				

PROPOSED

Chapter 1225.08 – Land Use Table

	A 1	R 1	R 2	R 3	R 4	R 5	R M	C 1	C 2	C 3	C 4	O S	I 1	I 2	PB P	P	S 1	IN S
Agriculture, Construction , Semi-Truck Sales, Lease , and Service	S										S		P	P				

EXISTING

Chapter 1235.04 (b) – Special Approval Use

(b) Agriculture, Construction, Semi-Truck Sales and Service:

- (1) Commercial semi-truck sales and service, provided that:
 - A. No trucks, machinery or equipment are parked or stored within the front yard or on an arterial street within twenty-five (25) feet of the thoroughfare right-of-way;
 - B. All repairs shall be performed inside a structure; and,
 - C. The site for such use shall be at least three (3) acres and the depth of the lot shall not be more than three (3) times its width.
 - (2) Agricultural or construction related equipment sales and service, provided that:
 - A. No agricultural or construction related equipment shall be parked or stored within the front yard or on arterial streets within twenty-five (25) feet of the thoroughfare right of way;
 - B. All repairs shall be performed within a structure; and
 - C. The site for such use shall be at least three (3) acres and the depth of the lot shall not be more than three (3) times its width.
-

Proposed

Chapter 1235.04 (b) – Special Approval Use

(b) Agriculture, Construction, Semi-Truck Sales and Service:

(1) Commercial semi-truck sales and service, provided that:

- A. No trucks, machinery or equipment are parked or stored within the front yard or on an arterial street within twenty-five (25) feet of the thoroughfare right-of-way;
- B. All repairs shall be performed inside a structure; and,
- C. The site for such use shall be at least three (3) acres and the depth of the lot shall not be more than three (3) times its width.

(2) Agricultural, construction, and consumer related equipment/tool sales, lease and service, provided that:

- A. No agricultural or construction related equipment shall be parked or stored within the front yard or on arterial streets within twenty-five (25) feet of the thoroughfare right of way;
- B. All repairs shall be performed within a structure; and

C. The site for such use shall be at least three (3) acres and the depth of the lot shall not be more than three (3) times its width if located in an agricultural zoning district.

D. If located in a commercial zoning district the following shall apply:

1. Equipment shall only be stored in a rear yard, and shall not abut a residential zoning district.
2. If items are displayed outside in a front yard, they may only be on display during business hours and removed each day at the close of business.
3. No equipment in excess of 12,000 lbs. shall be stored on the property.

RECOMMENDATION

The Planning and Zoning Deputy Administrator recommends the passage of the following Code Amendments to Chapter 1225.08 (Land Use and Base Zoning District Table) and Chapter 1235.04(b) similar to or as shown above in the proposed example.

Further, it is recommended that a Public Hearing be set before City Council for July 18, 2023 at 6:25 p.m.

Mr. Easterling reviewed the above Staff Report regarding the Code Amendment – Agriculture, Construction, Semi-Truck Sales/Service, with regards to Chapter 1225.08 (Land Use Table) and Chapter 1235.04(b) (Special Approval Use). Tim Farthing, Great Lakes Rental, was present and said that he appreciates the help with this Code Amendment. There was a brief discussion about the weight of equipment stored on the Great Lakes Rental property at 674 W. Boundary Street, and Mr. Farthing confirmed that every piece of equipment is now 11,000 pounds. Ms. Williams asked about the lift that was on display today in the front yard of the property, and asked if there are variations between the items and equipment that Great Lakes offers. Ms. Williams proposed changing the proposed language in Chapter 1235.04(b)(2)(D)(2) from “may” to “shall” and Ms. Wolfinger asked if there is a contradiction in the proposed language in Chapter 1235.04(b)(2)(A). Mr. Wellstein said that he is concerned with the storage of equipment in the front yard, and Mr. Farthing said that he has no intention of housing larger equipment outside than what is currently on-site as they have been doing for the last eight (8) months. Mr. Easterling noted that the adjacent parcel that has been housing the Great Lakes Rental equipment in the front yard, and added that parcel needs a Special Approval Use for outdoor storage. Mr. Wellstein said that he would like to see no equipment stored outside on the separate parcel, and Mr. Bade noted that the previous lot was a mess and that Great Lakes Rental will need to come back to the Planning Commission for a Special Approval Use for outdoor storage.

Ms. Wolfinger made a motion to recommend conditional approval of the proposed Code Amendment – Agriculture, Construction, Semi-Truck Sales/Service, with regards to

Chapter 1225.08 (Land Use Table) and Chapter 1235.04(b) (Special Approval Use), with the condition that (2) parts of the proposed language be changed to read as written:

- Chapter 1235.04(b)(2)(A) No agricultural or construction related equipment shall be (i) parked or stored within the front yard, or (ii) on arterial streets within twenty-five (25) feet of the thoroughfare right of way.
- Chapter 1235.04(b)(2)(D)(2) If items are displayed outside in a front yard, they shall only be on display during business hours and removed each day at the close of business.

And, that a Public Hearing be set for July 18, 2023 at 6:25 p.m. Seconded by Mr. Lorenz. Ayes: (6). Nays: (0).

Preliminary & Final Site Plan

Carronade Park (Parking Additions)

26555 Carronade Drive (Parcels Q61-400-080401001001, Q61-400-080401002004, and Q61-400-090302001005)

APPLICANT/OWNER/DEVELOPER

Aaron Schoen
Schoen Builders
134 W. South Boundary Street, Suite B
Perrysburg, Ohio

REQUEST

Chapter 1260.05 – Preliminary Site Plan Review
Chapter 1260.08 – Final Site Plan Review
Chapter 1250 – Site Design Standards

PROPERTY LOCATION & DESCRIPTION

The subject property is comprised of three separate parcels: Q61-400-080401001001, Q61-400-080401002004, and Q61-400-090302001005. These parcels are bounded by I-75, Blue Jacket Rd., Kenton Trail, and Lake Vue Apartments. Collectively this site is approximately 22.77 acres in size and all three properties are zoned R-5 (Two-Family Residential).

BACKGROUND

On April 4, 2017 the applicant was approved by City Council in a 7-0 vote to create the PUD for the Carronade Park Multi-Family Residential Complex. This complex consists of 120 residential units across 29 buildings. Throughout this process, the applicant has determined a need for additional parking and would like to add approximately 84

spaces along the private road. These additional parking spaces are permissible with the approval from Planning Commission as the new parking spaces have no effect on the PUD agreement.

ANALYSIS

Land Use – The proposed use has been reviewed and determined to be “R-5 Two Family Residential” with an approved Planned Unit Development.

Dimensional Standards – The proposed site plan shows 30 multi-family buildings across three parcels. The required setbacks are as follows:

Front Yard – 35’
Rear Yard – 30’
Side Yard (min.) – 6’
Max Height – 35’

The Site Plan meets and exceeds the minimum setback distances required.

Access – The proposed project has one access drive to the property shown from Carronade Drive.

Parking – The proposed site plan would add 84 parking spaces in addition to the 120 spaces approved in the previous plan (204 total). The applicant has expressed a need for visitor parking. There are no dimensions for the additional spots listed, but please be advised parking spaces are required at 10’x20’. Some spaces do appear to be placed in the easement.

Landscaping – The overall site landscaping plan was included in the PUD agreement. The site plan currently shows new parking spaces in locations in which there should be trees or plantings. These plantings would need to be relocated on the property per the contract agreement on landscaping.

Street Trees – Street trees are already present at the current location in accordance with the requirements in Chapter 1250.14.

Sidewalks – Public sidewalks are shown across the front of the property.

General Engineering – The applicant shall submit and obtain City of Perrysburg Construction Review approval (minor review) from the City of Perrysburg Engineering and Public Utilities Departments prior to the issuance of a Zoning Permit.

RECOMMENDATION

The Planning and Zoning Deputy Administrator recommends conditional approval of the Preliminary and Final Site Plan for the Carronade Park development at 26555 Carronade Drive with the following conditions:

1. The applicant provides written permission from the owner of the easement to allow for the parking spaces to be placed within the easement.
2. The applicant provides an updated landscaping plan showing planting material affected by the parking spaces relocated on site in accordance with the PUD agreement.

Mr. Easterling reviewed the above staff report for the Preliminary & Final Site Plan for Carronade Park (Parking Additions) at 26555 Carronade Drive (Parcels Q61-400-080401001001, Q61-400-080401002004, and Q61-400-090302001005). Aaron Schoen, Schoen Builders, was present and added that he did not realize the need for visitor parking within this development, and that he has worked with Mr. Easterling to shift the landscaping. Mr. Wellstein asked if there is an issue with the owner of the easement, based upon the recommendation, and Mr. Schoen said that he has not yet heard back from them. There was a brief discussion about the width and depth of the parking spots and landscaping, and Mr. Schoen said that he estimates that ten (10) plantings will be affected. Mr. Bade asked about the easements and the run-off numbers, and Mr. Easterling noted that Stormwater Technician (Lauren Rush) will review those plans during the Construction Review process.

Mr. Lorenz made a motion to grant conditional approval for the Preliminary & Final Site Plan for Carronade Park (Parking Additions) at 26555 Carronade Drive (Parcels Q61-400-080401001001, Q61-400-080401002004, and Q61-400-090302001005), with the following conditions:

1. The applicant provides written permission from the owner of the easement to allow for the parking spaces to be placed within the easement.
2. The applicant provides an updated landscaping plan showing planting material affected by the parking spaces relocated on site in accordance with the PUD agreement.

Seconded by Ms. Williams. Ayes: Lorenz, Vela, Wellstein, Williams, and Wolfinger (5). Nays: Bade (1).

Rezoning Request

A-1 (Agricultural) to C-4 (Highway Commercial)

Parcel Q61-400-300000005000 (o N. Dixie Highway)

APPLICANT/OWNER/DEVELOPER

Mark Kopcienski
RHM Real Estate Group/Pride One Construction
5845 Landerbrook Drive
Lyndhurst, OH 44124
mkopcienski@rhmarealestategroup.com

REQUEST

Chapter 1285- Changes and Amendments

PROPERTY LOCATION & DESCRIPTION

The subject property is located at the southeast corner of the intersection of Five Point Road and Dixie Highway just behind the electrical substation. This parcel is currently zoned A1 (Agricultural) and the applicant is hereby requesting a rezoning of the property from A1 to C4 (Highway Commercial).

Adjacent zoning:

1. North: I2 – Perrysburg Township
2. East: RM – Multi-Family Residential (St. Clair Commons)
3. South: INS – Institutional (Saint John XXIII Catholic Church)
4. West: R1/RM/C4/OS – Single Family Residential, Multi-Family Residential (Southview Estates), Highway Commercial, Office and Service

The area of this property is approximately 24.3 acres and does not currently contain any structures.

BACKGROUND

This property was annexed from Perrysburg Township into the City in 2009 under the A-1 “Agricultural” use designation. This has remained an undeveloped parcel in the City since its annexation, and the ownership would like to change the zoning to a more fitting use for future development.

ANALYSIS

The Land Use Plan states that this parcel is located in the subject area defined as the “Suburban Corridor”. This designation would allow for a mix of uses as the commercial districts should primarily serve the residents within the surrounding neighborhoods.

The plan advises that the development should be medium to large scale and utilize open spaces to add character to any development. Building coverage for this designation is expected to be at 30%-50%.

Also, when looking at this specific property along with the neighboring parcels it could make for a well-positioned Planned Unit Development (PUD) that could facilitate a more creative use of the land for a mixed-use scenario where commercial uses could line the Corridor Overlay District when creatively combined with residential options.

Per Ch. 1220.02, A1- The Agricultural district is intended to retain agricultural and other compatible low intensity uses, areas where soil and topographic conditions are suitable for these uses and into which the intrusion of urban uses would be inappropriate or untimely due to a lack of urban services and facilities. Agricultural districts are more specifically defined as land which is level or gently rolling, possesses productive soil characteristics and is best preserved for agricultural purposes.

The following uses are permitted uses or allowed with a Special Approval Use (SAU) within **A1**:

Farm Markets and Stands
Kennels
Plant Cultivation
Specialized Animal Raising
Chicken Keeping
One Family Dwelling
Agriculture, Construction, Semi-Truck Sales/Service **(SAU)**
Sale and storage of building materials **(SAU)**
Nursery/green house **(SAU)**
Accessory Use
Cemetery **(SAU)**
Essential Services
Non-Commercial Recreation Facilities **(SAU)**
Parks and Recreation Facilities **(SAU)**
Public Service Facility **(SAU)**
Public/Private Utility **(SAU)**
Wireless Telecommunication Facility **(SAU)**
Auto & Metal Salvage, Junk Yards **(SAU)**
Excavation of Sand, Gravel, Clay, Stone and Topsoil **(SAU)**
Outside Storage **(SAU)**
Wind Generator (turbine) **(SAU)**

Per Ch. 1220.03, C4 – Highway Commercial zoning is typically defined as “areas fronting on major highways and utilized for all types of businesses, especially those that serve the traveling motorist and patrons throughout the community.”

The following uses are permitted uses or allowed with a Special Approval Use (SAU) within **C4**:

Animal Services (outdoor)
Animal Services (indoor)
Automotive Oil and Lube Service Facilities
Automotive Repair – General **(SAU)**
Automotive Repair – Light
Automotive Sales or Lease for New and Used Vehicles Outdoors **(SAU)**
Auto Wash **(SAU)**
Carry-Outs / Other Business, Alcoholic Beverages **(SAU)**
Commercial Schools
Drive-in Commercial Uses
Entertainment and Spectator Sport Facilities
Grocery Stores
Gym/Fitness Facility
Motels and hotels
Neighborhood Business less than 10,000 SF
Personal Services
Printing
Restaurant Carry-Out only
Restaurant Drive In
Restaurant Fast Food
Restaurant Outdoor Café **(SAU)**
Restaurant Full Service
Retail Business less than 60,000 GSF
Retail Business more than 60,000 GSF **(SAU)**
Sale and Storage of Building Materials **(SAU)**
Self-Service Storage **(SAU)**
Service Station
Shopping Center
Hospitality Facilities **(SAU)**
Transient Habitation **(SAU)**
Repair Services, Consumer
Nursery / Green House
Medical Offices
Medical Urgent Care Facilities
Accessory
Child Day Care Centers **(SAU)**
Club, Lodges, Fraternal and Civic Assembly
Essential Services
Mortuaries / Funeral Homes **(SAU)**
Part-Time Child Day Care Centers **(SAU)**
Public and Private Schools **(SAU)**
Public Service Facility
Public/Private Utility
Wireless Telecommunication Facility **(SAU)**
Wholesale Business

RECOMMENDATION

The Planning and Zoning Deputy Administrator recommends that the Planning Commission recommend to City Council approval of the Rezoning Request from Agricultural (A1) to Highway Commercial (C4) for the subject parcel: Q61-400-300000005000 (o N. Dixie Highway).

Further, it is recommended that a Public Hearing be set before City Council for July 18, 2023 at 6:15 p.m.

Mr. Easterling reviewed the above staff report for the Rezoning Request from A-1 (Agricultural) to C-4 (Highway Commercial) for Parcel Q61-400-300000005000 (o N. Dixie Highway). Mark Kopcienski, RHM Real Estate Group/Pride One Construction, was present and noted that he has been talking with staff the last few months regarding this proposal. Mr. Easterling noted that the C-4 (Highway Commercial) zoning is in accordance with the approved Land Use Plan, and will also allow for the applicants to apply for a PUD (Planned Unit Development). Ms. Wolfinger asked about the intention for the development, and Mr. Kopcienski said that commercial uses are appropriate for the frontage along N. Dixie Highway, and added that there will be a transition to residential/PUD for the remainder of the parcel.

Mr. Lorenz made a motion to recommend the Rezoning Request from A-1 (Agricultural) to C-4 (Highway Commercial) for Parcel Q61-400-300000005000 (o N. Dixie Highway), and that a Public Hearing be set for July 18, 2023 at 6:15 p.m. Seconded by Ms. Williams. Ayes: (6). Nays: (0).

OTHER BUSINESS

Mr. Easterling referenced Chapter 1250.38 (Nonconforming Signs) and the caveat that was passed by City Council in 2013 that allowed for a ten (10) year grace-period for nonconforming signs to come into compliance. He noted that the caveat includes bringing updated signage such as nameplates into compliance after the December 31, 2022 date. Mr. Easterling noted that the Law Director, the Mayor, and the Planning & Zoning Division are in agreement that businesses have had ten (10) years to remedy their nonconforming signage, and added that he is bringing this discussion forward to the Planning Commission for their opinion on a proposed Code Amendment. He added that there are a few potential options related to this discussion: (1) extend the compliance date or (2) no longer allow for sign variances to force businesses to come into conformance with the code. Mr. Easterling added that there have been two to three businesses per month that have come before the Board of Zoning Appeals for a sign variance related to Chapter 1250.38 (Nonconforming Signs). He stated that the intent of this portion of the

code is to continue with a universal look across the city while bringing signage as a whole into compliance. There was a brief discussion about the variances that have recently been requested and approved, such as a change to nameplates, signs in an easement, or signage setbacks off of the property line. Ms. Wolfinger asked if the variance process was grandfathering in the old sign, and Mr. Easterling confirmed that was the case. Ms. Williams asked about the Law Director's opinion, and Mr. Easterling noted that the Law Director would prefer no variances for nonconforming signage as businesses have had ten years. Mr. Bade said that he supports enforcing the code, added that the signs in the right-of-way need to be removed, and noted that there will be a public outcry related to this change to City Council. Mr. Easterling clarified that there are mechanisms in place for conformance within the city. Ms. Williams referenced the upcoming code re-write, and asked about a timeline for this change. Mr. Easterling said that the change would be forthcoming as the Board of Zoning Appeals is continuously granting variances. Ms. Williams asked if the Law Director had recently spoken with the members of the Board of Zoning Appeals, and Mr. Easterling said not yet, but that it would be coming, as well. Mr. Vela agreed that the signage in the right-of-way will need to move, and questioned the code language related to a change in nameplates. Mr. Easterling noted that a majority of the ownership of business complexes in city limits have been for at least ten years. Mr. Lorenz and Mr. Wellstein said that they are in favor of enforcing the compliance date as it is currently written when signage is changed. Mr. Easterling clarified that the Law Director requested a formal vote from the Planning Commission tonight, so that it can then be taken to Planning & Zoning Committee. Mr. Vela said that he is disheartened that variances have been granted these past five months related to this portion of the code, and wishes that the December 31, 2022 deadline date would have been a firm cutoff point.

Ms. Williams made a motion to recommend to City Council removal of Chapter 1250.38 (Nonconforming Signage) for variances to be applied for to the Board of Zoning Appeals. Seconded by Mr. Wellstein. Ayes: (6). Nays: (0).

There being no further business, the meeting adjourned at 7:54 p.m.

Respectfully submitted,

Heather Alfaro
Zoning Clerk

