

MINUTES OF PUBLIC HEARING

PERRYSBURG CITY COUNCIL

MARCH 13, 2014

Mayor Olmstead called the public hearing to order at 6:00 p.m. Present were Council Members Todd Grayson, John Kevern, Tom Mackin, Tim McCarthy, Rick Rettig and Barry VanHoozen (6). Jim Matuszak arrived at 6:10 p.m. but was not part of the discussion due to a conflict of interest. Also present were Bridgette Kabat, City Administrator, David Creps, Clerk of Council, Mathew Beredo, Law Director and Brody Walters, Planning and Zoning Administrator.

Mayor Olmstead said that the purpose of the meeting is to consider Costco's Special Approval Use request. He introduced Planning and Zoning Administrator Brody Walters who explained that according to our Code, retail uses greater than 60,000 square feet have to go through the Special Approval Use process. He stated that the Planning Commission approved the Preliminary Site Plan for Costco and recommended approval of the Special Approval Use by a vote of 5-2. He said that the Planning and Zoning Committee will consider the Special Approval Use request at their meeting Thursday, March 20, 2014 at 5:30 p.m. City Council will have a special meeting on Tuesday, March 25, 2014 at 6:30 p.m. to vote on the Special Approval Use, and the Planning Commission will consider the Final Site Plan at their meeting on Thursday, March 27, 2014.

Mayor Olmstead then introduced Ted Johnson of TJ Design Strategies who represented Costco. Mr. Johnson gave a brief presentation. He said that this project was presented to the Planning Commission in November, but was then delayed at the request of Costco because they did not want to move forward without an agreement with Columbia Gas Transmission regarding the gas line on the site. Mr. Johnson said that Columbia Gas Transmission has approved the site plan layout and now they are in discussions regarding more specific details like the thickness of the pavement. He said that the pipeline will be relocated sometime in the near future; he is not sure when, as it will be determined by the gas company. Until they relocate the line, they will bridge over the existing pipeline. He said that all of the engineers agree on the design and safety of the plan. Mr. Johnson said that the revised site plan addresses some requests made by the City including additional landscaping and sidewalk. Mr. Johnson said that construction will probably not begin until next spring. He said that part of their agreement with Columbia Gas Transmission is that they will not sell or develop the outlots until the pipeline is relocated.

Mr. Beredo explained that the issue for City Council's consideration is the Special Approval Use. He said that Special Approval Uses are reviewed by the Planning Commission, but a small group of them go on to City Council for further review. The Code also requires a public hearing before City Council and this meeting fulfills that requirement. Mr. Beredo explained what will and won't be subject to Council review. He said that this property has been zoned Highway Commercial (C4) since the property was annexed to the City ten years ago. Mr. Beredo said accordingly, this is not the time to argue for or against commercial use, and he reviewed the list of permitted uses under C4 zoning. He said that there is no question that development of this property will have some impact on the City and surrounding properties. The issue to be decided by City Council is whether Costco will be more of a burden than what would be permitted under C4 zoning.

Mayor Olmstead then opened the floor for public comment.

Larry Small, 18 Callander Court, spoke on behalf of Callander Court residents. He said that their biggest concern is traffic. He asked City Council to consider how they might vote if they lived on Callander Court. He said that he is not aware of any data that property values would be affected, but he believes that they will have difficulty in selling their homes. Mr. Small also said that the traffic study says that the intersection of Eckel Junction and SR25 will be rated a D after improvements which is allowable, but not desirable.

Carol Shepard, 270 Southwood Drive, said that she has been told this is a done deal but she hopes that City Council considers the environmental impact to the area. Costco will have sixteen gas pumps and there is also a Circle K and BP in the area. She said that according to ODOT, the SR199/Eckel Junction Road intersection is only in the discussion stages. She said that community spirit should not be compromised.

Brian Craig, attorney representing Craig Transportation, said that his company's trucks use the intersection and they are concerned about the traffic. He referred to Section 1235.04 (nn)(1)(B) which states that the zoning lot shall not abut an R-1 through R-5 district unless the existing use of such district is for other than residential purposes. He said that he believes RM (Multi-Family Residential) should be included in this restriction.

Lori Reffert, 720 Streamview Drive, said that she is concerned with congested residential areas.

Ellen Bernal, 350 Coventry Court, referred to the traffic study and said that she would like to know exactly how much traffic is going to increase, and she prefers a visual comparison.

Mr. Mackin asked if we can publish the traffic study. Ms. Kabat said that she will talk to IT about providing a link to it on the City's website.

Doug Bortz, 13390 Eckel Junction Road, said that this is the right store, but in the wrong place. He asked if any other projects proposed for this site have been turned down. He also asked if there are alternate sites for Costco.

Mayor Olmstead said that the issue to be considered is Costco at this location. Mr. Grayson said that a lot of comments refer to an alternate location for Costco. He stated that this property is owned by a private citizen and it is zoned C4. They have a right to sell the property as C4 and all possibilities will come with issues. He said that when a private property is sold and it is zoned that way, we are going to get a business.

Dave Kienzle, Riverplace, said that he too is concerned about traffic. However, he cautioned to be careful what you wish for. He said that this site contains 26.34 developable acres and we all had a chance to buy the property and we did not. He said that we could have a Walmart, or Pilot or Love's truck stop in this location, so he wants Costco. He said that the intersection improvements will cost \$2.2 million dollars and taxpayers will be paying for all of it if Costco doesn't go in. He said the property is there, this is one of the alternatives, and he is very accepting of this one.

Walt Churchill, White Road, said that he is concerned about traffic backing up on the expressway.

Melissa Clark stated that good fences make good neighbors. She said that Council was voted in and they are expected to follow the law and the real law says that no retail store greater than 60,000 square feet should abut residential property. She

said that the City has plenty of money and plenty of businesses want to come here.

Mr. Mackin said that the issue has been raised a couple of times about residential property abutting this site. He asked Mr. Beredo to issue a legal opinion regarding this issue for the Planning and Zoning Committee meeting. Mr. Beredo said that he can give his legal opinion right now. He said the Code is very clear in stating that it cannot be R-1 through R-5. Mr. Grayson noted that Callander Court is zoned RM.

Brian McMahon disclosed that he represents the owners of Costco's two alternate sites, and he spoke of his involvement with developing Spring Meadows Shopping Center and the problems they encountered with traffic. He said that if Costco is not allowed to locate at this site, they will not leave the market. He feels this property could be developed as a medical clustered site.

Lenore Pohlman, 9 Callander Court, asked if a study was done regarding property values. Ms. Kabat said it has not. Ms. Pohlman asked what the rush is to approve this until details regarding the gasline are approved and plans for intersection improvements are known. Mr. Walters explained that the City's process is not involved with the pipeline. Ms. Kabat added that the pipeline issue is a transaction between two private parties.

Mr. Grayson stated that with regards to the property value issue, he personally looks at this issue as the property is zoned C4, and the question to be answered is does Costco have more of a negative effect than what is a permitted use.

Arika Dennison, 11975 Eckel Junction Road, said that they have to back-up on Eckel Junction Road and they don't have the money to reroute their driveway to back-up onto another street. Ms. Dennison asked about the delivery trucks. Mr. Johnson explained the truck route that Costco delivery trucks will take. He said there will be about twelve a day and their normal delivery time is 4:30 a.m. to 9:30 a.m. He noted that the store opens at 10:00 a.m. so the retail portion does not affect morning peak traffic.

Vince Roberts, 196 Birchcrest, asked if there will be one lane or two going into the gas station. Mr. Johnson said there will be one going in and one going out. Mr. Roberts asked if they have considered two lanes and a retaining wall. Ms. Kabat said that ODOT has purview and Costco is working with them. Mr. Roberts asked if consideration has been given to future traffic. Ms. Kabat noted that the traffic study takes us out to 2029.

Gary Samples, 26525 Fort Meigs Court, said that he is a Costco member, and he will be happy to have the store close but he feels this is the wrong location. However, the devil you know is better than the one you don't know. He said that the two outlots should be done away with and should be zoned agricultural as they threaten the neighborhood.

The resident of 28281 Simmons Road stated that he is in favor of Costco because he thinks that they are a better employer than many of the permitted uses in C-4. He said that Costco is a good fit for Perrysburg.

Mr. Kevern said that someone spoke about alternate sites for Costco, and he wondered how Costco chose this site. Mr. Johnson said that the location is right off the interstate and it will keep customers from driving through town to get to their site. He said they have worked with ODOT and engineers and the traffic study takes into account future development including the expansion of Mercy and the development of vacant land. He said they feel the intersection will work for them and they have a vested interest in making sure that traffic can get

through the intersection. Their members will be driving through it every day and if their members cannot get in and out, they won't come to the store.

Mayor Olmstead thanked everyone for coming. There being no further comments from City Council or the audience, the public hearing adjourned at 7:40 p.m.

David D. Creps, Clerk

Michael J. Olmstead, Mayor