

PLANNING & ZONING COMMITTEE

MARCH 2, 2022

The meeting was called to order at 5:30 p.m. by Chairperson Tim McCarthy. Committee members present were Tim McCarthy, Barry VanHoozen, and Cory Kuhlman. Also present were Brody Walters, Planning and Zoning Administrator, and Mark Easterling, Deputy Planning and Zoning Administrator.

CITIZEN'S CONCERNS

None.

APPROVAL OF PRIOR MONTH'S MINUTES

There being no objections, the minutes of the February 10, 2022 meeting were approved 3-0.

LAND USE PLAN UPDATE

Leah Ponce Delao, 25614 Broad Street, stated that she and other residents of the Heights have done a ton of research and reached out to legal and development organizations nationwide in the last month. She stated that they don't care what people do with their homes, but that they want to stop commercial development from encroaching in their neighborhood. Ms. Ponce Delao stated that they will develop their own plan and that the City will have to answer to them. She said that the City should deny any annexation into the City, if it is for commercial use. Mr. McCarthy asked why the City should tell those who want to annex into the City how they should develop their property.

Anita Sanchez Serda, 12265 Harold Street, read a statement that she sent to City Council and the Mayor earlier that day. She stated that it is important to retain the existing character of the neighborhood, along with the short and long term interest of the community. She asked that the Planning and Zoning Committee amend the Land Use Plan to recognize the Heights as a residential area with very limited flexibility.

Erin Bilski, 1798 Arrow Lane, is saddened and distraught over this. She stated that Perrysburg is for everyone and should be inclusive. This is the first time she has not been proud to be a member of this community.

Mr. McCarthy stated that the City is not using utility service to force annexations and that the City will not be using eminent domain. The City is not a commercial developer, and is instead trying to adopt a Land Use Plan that works best for the overall good of the community.

A gentleman from the audience asked what he and his wife should do when their property is taken for a commercial development. Mr. McCarthy responded that the way he would prevent that from occurring is by not selling his property.

Theresa Acocks, 400 East Fifth Street, stated that she does like parts of the Land Use Plan. She is appalled by the naïve statement of "don't sell." Ms. Acocks stated that this will force people out of their homes and essentially end their community. She wants to know how much the City will make off of rezoning the community.

Mr. Walters stated that the Land Use Plan is planning for the City in the future. The plan consultants and Steering Committee chose to include the water sewer service area of the City in the Land Use Plan. Mr. Walters stated that it is appropriate to plan for areas outside of the City. It was a direct request of Paul Belazis that the Heights be included in the Land Use Plan.

Mr. Walters explained that the City is not an actor engaging in commercial development. Rather, its role is to respond to requests by private parties seeking to annex their property and/or seeking a zoning change to accommodate the use they feel would be best for their property. The Land Use Plan is a guide for the City to use in responding to such requests in an orderly and planned fashion that best serves overall community interests.

Mr. Kuhlman stated that he would respect the wishes of residents if the Heights does not want to be a part of the Land Use Plan. He encouraged them to do their due diligence in creating their own plan and getting that locked in with the Township Trustees.

Paul Belazis, 503 West Front Street, stated that he never requested that the Land Use Plan include the expansion of commercial development in the Heights. Also, he never requested that the Heights be turned over to high-end expensive residential development, as was envisioned in the first version of the Land Use Plan. As he put it, that version was dripping with greed. He stated that homeownership has always been a high priority in the Heights community. Mr. Belazis added that not a single person in the community has spoken in favor of this.

Mr. VanHoozen stated that is clear the Heights does not want to be a part of the Plan. However, he feels inclined to include them, in order to protect them.

The Committee agreed 3-0 to recommend the removal of the Heights as a focus area from the Land Use Plan. The Committee agreed 0-3 to not recommend the limited commercial development or so-called “Brody plan” in which a straight line to the east of the existing commercial development constitutes a boundary beyond which there would be no more commercial development, as that would mean 33 current homes potentially being affected in the future. There is a potential third option of leaving only existing commercial development, which was not voted on.

When the Land Use Plan as a whole proceeds to Council for consideration, all options will be presented for discussion. After some discussion of procedure, it was explained that the Land Use Plan will be presented to Council at its second meeting in April at the earliest or perhaps in May. Both Lea Delao and Paul Belazis will be given advance notification of the date Council will take up this matter.

The Committee made a motion for a recess at 7:07 p.m. The Planning and Zoning Committee meeting resumed at 7:29 p.m.

PROPOSED CODE AMENDMENTS

Proposed Code Amendments to Chapter 1215.02 would change the square footage distinction between small gyms and large gyms from ‘more or less than 5,000 SF’ to ‘more or less than 12,000 SF’. Currently, gyms less than 5,000 square feet are permitted in Office/Service or OS zoning districts, but anything larger is not. The amendments would categorize gyms up to 12,000 square feet as permitted in OS.

At a prior meeting, Matt Temby, owner of Vault Health and Fitness, discussed changes in the gym/fitness industry that now include a type of gym on the order of 10-12,000 square feet in which

participants are actively assisted and trained by fitness personnel as opposed to the “big-box” gyms like Planet Fitness that simply provide exercise equipment for self-use. Mr. Temby had urged that this new version of gyms would be compatible with a wider range of zoning districts, including OS.

Mr. Walters stated that each of the proposals achieve what Matt Temby, owner of Vault Health and Fitness, is looking for. Mr. Temby agrees that the changes get the job done, and accomplishes the goals and protects the neighbors at 12,000 SF. He also stated that the City could be more business friendly, as he has faced added steps throughout this entire process.

Mr. Walters stated that a Public Hearing will be needed on April 5, 2022. The Committee agreed 3-0 to recommend the modification to City Council.

SPECIAL APPROVAL USE –ROTARY COMMUNITY PARK MASTERPLAN

The Planning Commission, at its January 27, 2022 meeting, made a motion to grant conditional approval for the Site Plan Amendment and Special Approval Use for Rotary Community Park Masterplan (Pickleball Court Addition) pending the parking lot update and review. This was voted on, 4 ayes, 0 nays, and 2 abstaining by the Planning Commission. The Committee agreed 2 (Kuhlman, McCarthy)-0 to recommend this approval of the Special Approval Use to City Council, with Mr. VanHoozen abstaining.

OTHER BUSINESS

None.

There being no further business, the meeting adjourned at 8:12 p.m.

Respectfully submitted,

A handwritten signature in black ink that reads "Timothy G. McCarthy". The signature is written in a cursive, flowing style.

Tim McCarthy, Chairperson
Planning & Zoning Committee

Next meeting: Wednesday, April 6, 2022 at 5:30 p.m.