

PLANNING & ZONING COMMITTEE

FEBRUARY 18, 2015

The meeting was called to order at 5:35 p.m. by Acting Chairman Tom Mackin. Committee members present were John Kevern and Tom Mackin. Tim McCarthy arrived at 5:36 p.m. Also present were Bridgette Kabat, City Administrator, Mathew Beredo, Law Director, and Brody Walters, Planning and Zoning Administrator.

APPOINTMENT TO BOARD OF ZONING APPEALS

Craig Pickerel was present to be considered for appointment to the Board of Zoning Appeals. Mr. Walters stated that he had a meeting with Mr. Pickerel and Mayor Olmstead and Ms. Kabat and the Mayor will be recommending that Mr. Pickerel be appointed to the Board of Zoning Appeals for the term ending December 31, 2017. Mr. Mackin thanked Mr. Pickerel for his willingness to serve and the Committee agreed 2-0 to recommend approval of the appointment.

REZONING REQUEST – HAWTHORNE LAND SWAP

Mr. McCarthy stated that this rezoning request was the subject of a public hearing before City Council on February 3, 2015. He said that he received several e-mails, most of which objected to the extension of Ringle Road through the Howald property south of Coe Court and/or objected to the overall development of the Hawthorne residential subdivision, neither of which is the issue before Council. The issue is whether to re-zone just under three acres of land from S1 to R3. The land is part of a 17.589-acre parcel zoned S1 (open space) that is owned by the City.

The 17.589-acre parcel was sold to the City at a discount in 2007 by Jerry Howald. Although there were no deed restrictions imposed, the intended use was to be open space. The rezoning request is associated with development of a residential subdivision known as Hawthorne, which occupies approximately 106 acres of land zoned R3 surrounding the S1 land that had been sold by the Howald family to the developer.

In connection with development of the subdivision, the City in 2013 approved a land swap with the developer. The City agreed to transfer the S1 land to be rezoned to R3 (less than three acres), and the developer dedicated 2.83 acres to the City as open space. The developer submitted a preliminary plat for the subdivision that was approved by the Planning Commission on July 25, 2013, which was premised upon the land swap and anticipated that the less than three acres transferred by the City could be used for residential purposes. The remainder of the original 17.589 acres would remain S1, and would be supplemented with the 2.83-acre open space dedication by the developer. The preliminary plat approved by the Planning Commission included the extension of Ringle Road, and also approved the overall 241-lot Hawthorne subdivision.

Mr. McCarthy stated that both Ringle and Dwyer were stubbed off of Coe Court when the McKinley Woods subdivision was approved and constructed. This would suggest that both roads would be extended as development occurred to the south.

Mr. Mackin asked where the flooding is that has been discussed. Ms. Kabat said that it is in the Dwyer area. Mr. Kevern asked about the stub street that is shown off of Dwyer. Mr. Walters said it was included for future vehicular or pedestrian access should that S1 area be developed as a passive park. He added that the Planning Commission said that the developer does not have to pave that stub street so it will stay as green space. Mr. Mackin asked if there is a less obtrusive way to extend Ringle Road. Mr. Walters said that originally Ringle was proposed as straight, but it was snaked intentionally to preserve the wooded area.

Mr. McCarthy reviewed the history of this property and said that if we were using all of the S1 property, then perhaps it might be considered a breach of trust. He said that, although at the time the property was purchased by the City the former Law Director may have said it was going to be a park, there were no specific plans for the property and he believed the specific configurations would play out over time. Mr. Mackin said that he thinks the intent was to preserve a large chunk of trees for passive use.

There was a discussion regarding the benefits from a safety aspect of multiple access points by extending both Ringle and Dwyer. In addition, the roads provide better connectivity from an urban planning perspective, as well as facilitate looping of water and sewer lines. Finally, the Hawthorne developer will pay the cost of the extended roadways, exceeding \$225,000.

Shannon Hammond, 1417 Ridge Cross Road, said that Ringle Road will be 155' from the rear of her property. She said that S1 zoned property is not supposed to be developed and a road is development. She said that she has safety concerns about the road because of the number of children who go through her yard to get to the wooded area. She said that it is the only flat wooded area not developed in the City of Perrysburg and animals would be disturbed. She said that Ridgewood Crossing only has one access point so she does not believe Hawthorne needs multiple access points.

Erin & Ryan Hafner, 2318 Coe Court, said that they are opposed to the rezoning for the same reasons stated by Ms. Hammond. She said that they were told S1 could not be developed and that the stub streets were put in just in case a parking lot was installed. Mr. McCarthy said that he does not think the streets were stubbed with a park in mind because the City did not own the property at the time McKinley Woods was developed. Mr. Walters noted that the Comprehensive Plan calls for this area to be single family residential.

Greg Bade, Cedarwood Lane, said that his biggest concern is that S1 was supposed to be special and "thou shalt not change that." He said that because it is the only flat, wooded area the City should not be able to trade it. He added that he does not feel the City has the right to deforest it and put in a road.

Mr. McCarthy questioned the notion that S1 zoning should not be changed. He clarified that there is nothing in the Code that precludes it from being changed. Mr. Beredo said that S1 zoning has been changed before. Mr. Walters said that S1 is working the way it should and that is why we're having this discussion. Mr. McCarthy agreed that S1 zoned property deserves extra care and consideration, but it can be changed.

Jim Hagen, Avenue Road, said that he does not want to see a road through the woods. He said other subdivisions only have one access point.

Mr. Walters explained that there is a methodology when looking at a subdivision. Although there is not a minimum number of access points required, you look for reasonable connectivity.

Shelly Grycza, 1431 Ridge Cross Road, said that the woods are in her backyard and she was told it would never develop. She said that extending Ringle Road does not make sense, Dwyer makes sense, and she does not want lights in her backyard.

Mr. Beredo said that these issues are not intertwined. The ordinance authorizing the land swap also authorized the road. The majority of the road will pass through the part of the City-owned property that will not be rezoned. The portion of property to be rezoned along Ringle Road is only a 15' strip.

There was further discussion about extending Ringle Road. Ms. Kabat pointed out that there is already a signed agreement regarding the land swap and the road construction. Mr. Beredo stated that when City Council approved the ordinance, the Preliminary Plat showing the extension of both roads had already been approved by the Planning Commission.

The Committee agreed 3-0 to recommend approval of the rezoning request. In addition, they requested that the Administration take the open space fee that will be received from the developer and earmark it specifically for this open space. They suggested that it be made a high quality passive park and that more trees be planted to ensure that it stays S1. Mr. Walters noted that to use it as a park, it would have to be rezoned to Park. Ms. Kabat said the Administration understands the Committee's feelings regarding the open space fee.

There being no further business, the meeting adjourned at 7:02 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, Chairman
Planning and Zoning Committee

Next regular meeting: Wednesday, March 18, 2015 at 5:00 p.m.