

PLANNING COMMISSION

DECEMBER 14, 2017

The meeting was called to order at 7:00 p.m. by Chairman Chris Carry. Commission members present were Chris Carry, Andy Lorenz, Eric Nicely, Mayor Olmstead and John Wellstein (5). Seth Hudson was absent (1). Also present were Karlene Henderson, Law Director, Brody Walters, Planning and Zoning Administrator, and Mark Easterling, Deputy Planning and Zoning Administrator.

Approval of Minutes

Mr. Lorenz moved to approve the minutes of the October 26, 2017 meeting. Seconded by Mr. Carry. Ayes: (5). Nays: (0).

Administrator's Report

Mr. Walters stated that the Planning Commission needs to appoint a representative to the CRA Housing Council. The current representative is Seth Hudson and his term expires December 31, 2017. Mr. Carry moved to reappoint Mr. Hudson to the CRA Housing Council. Seconded by Mr. Wellstein. Ayes: (5). Nays: (0).

Final Site Plan

Perrysburg Fire Division – 2nd Station
26082 Fort Meigs Rd.

Final Site Plan Checklist

Project Name: Perrysburg Fire Division – 2nd Fire Station

Location: 26082 Fort Meigs Rd.

Zoning: I2 (General Industrial) in Perrysburg Township

Applicant(s): City of Perrysburg (Bridgette Kabat – City Administrator)(Rudy Ruiz – Fire Chief)

KZF Design, Inc. (Mark Shoemaker)

The Collaborative (Christopher Jarrell)

Land Use: Public Service Facility

Parcel(s): P60-100-130000022000

Request: Final Site Plan Review

Final Site Plan

Applications shall require the following items:

- 1) 12 copies of submission application
- 2) 12 copies of preliminary site plan at a scale of not less than 1:100
- 3) In addition to the items required for a preliminary site plan submission final site plan applications must also include or identify;
 - a. Project description
 - b. Building elevations
 - c. Landscape Plan

- d. Street Tree Plan
- e. Sidewalks
- f. Drive widths
- g. Parking Spaces (size and quantity)
- h. Vicinity sketch showing location of the site to surrounding street system
- i. Location of utilities
- j. Trash receptacle details
- k. Lighting details

Final Site Plan Checklist (blue)

Land Use		Permitted	Special Approval	Not Permitted
1225.08	Land Use Type (Public Service Facility)	x		
Dimensional		Compliant	Non-Compliant	Not Applicable
1230	Front Setback (50')	x		
1230	Side Setback (50')	x		
1230	Rear Setback (50')	x		
1230	Lot Coverage (max 60%)	x		
1230	Height (max 45')	x		
1230.03(a)	Height Variance from BZA			x
1230.03(b)	Features above max height (exemptions)			x
Parking		Compliant	Non-Compliant	Not Applicable
1250.02(t)	Parking Lot Location	x		
1250.02(r)	Parking Relief			x
1250.03	Parking Quantity	x		
1250.05(b)	Parking lot design/layout	x		
1250.05(c)	Wheel Stops	x		
1250.05(f)	Location of Driveways	x		
1250.06(a)(5)	Parking Lot Screening (near residential)	x		
1250.06(a)(7)	Parking Lot Surface Material	x		
1250.06(b)	Parking Space Sizes	x		
Landscape		Compliant	Non-Compliant	Not Applicable
1250.11	Planting Plan	x		
1250.11(a)(1)	Landscape Architect (stamp/sign)	x		
1250.11(a)(3)	Planting Schedule	x		
1250.13(g)	Tree size (8' height, 2 ½" caliper min)		x	
1230	Minimum Landscape Percentage of parcel		x	
1250.18(a)	Min. Landscape Percentage of Parking Lot (6%)		x	
1250.17(b)	Parking Lot landscape primarily shade trees	x		
1250.17(c)	Planting areas dispersed through parking lot	x		
1250.19(b)	5' landscape strip between parking lot and P/L	x		
1250.19(c)	1 tree for each 8 parking spaces	x		
1250.19(d)	Landscape island = 1 per ea. 10 parking spaces	x		
1250.19(d)	Shade trees located in islands	x		
1250.20	10' landscape strip between R/W and parking		x	
1250.20(d)	Hedge within 10' landscape (min 1.5' height)		x	

1250.27	Berms/Earth Mounds (if required)			x
1250.42	Fence/Screen Requirement (height & location)	x		
1250.43	Lighting (height & direction)	x		
Building Design		Compliant	Non-Compliant	Not Applicable
1250.44	Screening of Rooftop Mechanicals			x
1250.48	Building Material (allowable percentages)	x		
1250.481(a)	Customer entrance facing each street frontage	x		
1250.481(b)	Recesses/projections if > 100' in length	x		
1250.481(d)	Façade to have color/texture/material change	x		
1250.481(e)	Rooflines to change at least every 100'	x		
1250.481(f)	Façade colors – low reflectance and neutral	x		
1250.481(g)	Building trim to be non-illuminated	x		
Drives & Access		Compliant	Non-Compliant	Not Applicable
1250.51(a)	Driveway access onto public or private street	x		
1250.51(a)(2)	Drives enter perpendicular	x		
1250.51(a)(3)	Driveway grade less than 10%	x		
1250.51(a)(6)	Driveway – at least 100' from an intersection	x		
1250.51(a)(6)	Driveway – at least 80' from other driveways			x
1250.51(c)	Driveway – alignment with existing drives	x		
1250.53	Deceleration Lanes if use > 1,000 trips per day			x
Sidewalks		Compliant	Non-Compliant	Not Applicable
1250.56(a)	Sidewalks across all frontages	x		
1250.56(a)	Sidewalks from R/W to entrance	x		
1250.56(a)	Sidewalk material through drive aisles			x
Dumpster		Compliant	Non-Compliant	Not Applicable
1250.57	Waste Receptacle - Location	x		
1250.57	Waste Receptacles to be consolidated	x		
1250.57	Waste Receptacle – design/materials	x		
Acc. Buildings		Compliant	Non-Compliant	Not Applicable
1250.61(a)	Accessory Building – Location (rear yard)			x
1250.61(b)	Accessory Building – ≥ 5' from side or rear P/L			x
1250.61(b)	Accessory Building – ≥ 10' from main structure			x
1250.61(d)	Acc. Building – Height (20' or main structure)			x
1250.61(f)	Accessory Building – Size Limit (5% of lot size)			x
Traffic Study		Compliant	Non-Compliant	Not Applicable
1255.04	Traffic Study – if more than 100 trips/peak Hr.			x
1255.04	Traffic Study – if more than 750 trips per day			x
Miscellaneous		Compliant	Non-Compliant	Not Applicable
1260.15(a)(1)	Plan doesn't impeded normal development	x		
1260.15(a)(2)	Existing landscape preserved (as possible)	x		
1260.15(a)(5)	Emergency vehicle access to structures	x		
1250.26	Wall Location (if required)			x

Notes:

1. This property is currently owned by the City of Perrysburg (upon a gift by Owens Illinois) but is located within the jurisdictional boundary of Perrysburg Township. The City of Perrysburg has been working in partnership with Perrysburg Township to allow this project to be reviewed through city processes. All site plan information is planned to be shared with the Perrysburg Township Planning Commission for informational purposes only.
2. Sheet L1.00 is the Overall Landscape Plan and Sheet L2.00 contains the Planting Schedule. Per the schedule, the trees are listed as 2" caliper while the code requires 2 ½" caliper trees and 6' tall evergreens/arborvitae.
3. The landscape architect has not calculated or otherwise provided confirmation that at least 10% of the site is landscaped.
4. The landscape architect has not calculated or otherwise provided confirmation that at least 6% of the parking lot area is landscaped.
5. The hedge row shown between the south parking lot and Ft. Meigs Road is shown as Gro-Low Sumac (*Rhus aromatica*) which is described in by several botanical sources as only reaching 1 ½' to 2' height at maturity in well drained soils. It is recommended to explore other options for plant material in this location to better screen the parking of vehicles in this area and to provide a more defined landscaped street presence.
6. As was indicated on the preliminary site plan, there is adequate room to provide for a 10' landscape buffer between the south parking lot and Ft. Meigs Road but only minor landscaping is shown in this area which is significantly undersized. The intent of this requirement is to provide a hedge row (typically 36-42" in height) along the parking lot and then provide for lower landscaping at the remaining depth of the 10' wide strip.
7. The location of the waste receptacle is assumed to be within the large enclosure off of the northeast corner of the apparatus bay. Previous discussions indicated that this enclosure would be used to house a generator and due to seeing no other obvious dumpster location on site it is assumed to also contain the trash receptacle. The code requires that dumpster enclosures be located in a rear yard or a non-required side yard (this is compliant).

Recommendation:

The Planning and Zoning Administrator recommends that the Planning Commission approve the request for a final site plan with the following conditions:

1. Tree sizes be increased to 2 ½" caliper (planting schedule)
2. Arborvitae/evergreens to be increased in size to a minimum of 6' in height.
3. Parking lot landscaping percentage to be shown and verified to be at least 6% of the parking lot area.
4. On site landscaping percentage to be shown and verified to be at least 10% of the site. Only intentionally landscaped areas will be counted and turf grass will not be included.

5. The area between the south parking lot and Ft. Meigs Road should be revised to consider another species for the hedge row and in addition, additional landscape should be provided to meet the 10' landscape strip requirement. This strip can consist of a proper hedge row with lower growing plant species beyond that to fill the minimum 10 wide area.

Mr. Walters reviewed the above Staff Report. Chris Jarrell of the Collaborative said that they have taken care of the outstanding issues and have no problems with Mr. Walters' recommendations. Mayor Olmstead moved to approve the Final Site Plan for the Fire Station building on Fort Meigs Road subject to the conditions in the Planning and Zoning Administrator's report. Seconded by Mr. Carry. Ayes: (5). Nays: (0).

**Final Site Plan Amendment & SAU
Perrysburg Area Historic Museum, Inc.
27340 W. River Road**

Preliminary and Final Site Plan Checklist

Project Name: Perrysburg Area History Museum
Location: 27340 W. River Rd.
Zoning: Institutional (INS)
Applicant(s): Judith Justus
Land Use: Institutional Use (accessory)
Parcel(s): Q61-100-644001025000, Q61-100-644001001000
Request: Final Site Plan Amendment with Special Approval Use

Preliminary Site Plan

Applications shall require the following items:

- 1) 12 copies of submission application
- 2) 12 copies of preliminary site plan at a scale of not less than 1:100
- 3) Preliminary site plan must include or identify;
 - a. Project description
 - b. Survey including property dimensions
 - c. North arrow
 - d. A scaled plan showing the location of all existing and proposed buildings/structures
 - e. Topography at two foot intervals
 - f. Significant vegetation
 - g. Watercourses, bodies of water, detention/retention facilities
 - h. Rights of Way
 - i. Easements
 - j. Setbacks
 - k. Existing and Proposed Uses
 - l. Name and address of firm preparing the plans
 - m. Impact Assessment (if specifically asked for)

Final Site Plan

Applications shall require the following items:

- 1) 12 copies of submission application
- 2) 12 copies of preliminary site plan at a scale of not less than 1:100
- 3) In addition to the items required for a preliminary site plan submission final site plan applications must also include or identify;
 - a. Project description
 - b. Building elevations
 - c. Landscape Plan
 - d. Street Tree Plan
 - e. Sidewalks
 - f. Drive widths
 - g. Parking Spaces (size and quantity)
 - h. Vicinity sketch showing location of the site to surrounding street system
 - i. Location of utilities
 - j. Trash receptacle details
 - k. Lighting details

Preliminary & Final Site Plan Checklist

Land Use		Permitted	Special Approval	Not Permitted
1225.08	Land Use Type		x	
Dimensional		Compliant	Non-Compliant	Not Applicable
1230	Front Setback	x		
1230	Side Setback		x	
1230	Rear Setback	x		
1230	Lot Coverage	x		
1230	Height	x		
1230.03(a)	Height Variance from BZA			x
1230.03(b)	Features above max height (exemptions)			x
Parking		Compliant	Non-Compliant	Not Applicable
1250.02(t)	Parking Lot Location	x		
1250.02(r)	Parking Relief			x
1250.03	Parking Quantity	x		
1250.05(b)	Parking lot design/layout	x		
1250.05(c)	Wheel Stops	x		
1250.05(f)	Location of Driveways	x		
1250.06(a)(5)	Parking Lot Screening (near residential)	x		
1250.06(a)(7)	Parking Lot Surface Material		x	
1250.06(b)	Parking Space Sizes	x		
Landscape		Compliant	Non-Compliant	Not Applicable
1250.11	Planting Plan	x		
1250.11(a)(1)	Landscape Architect (stamp/sign)	X		
1250.11(a)(3)	Planting Schedule	X		
1250.13(g)	Tree size (8' height, 2 ½" caliper min)	x		
1230	Minimum Landscape Percentage of parcel		x	
1250.18(a)	Min. Landscape Percentage of Parking Lot (6%)	x		

1250.17(b)	Parking Lot landscape primarily shade trees	x		
1250.17(c)	Planting areas dispersed through parking lot	x		
1250.19(b)	5' landscape strip between parking lot and P/L	x		
1250.19(c)	1 tree for each 8 parking spaces	x		
1250.19(d)	Landscape island = 1 per ea. 10 parking spaces			x
1250.19(d)	Shade trees located in islands	x		
1250.20	10' landscape strip between R/W and parking	x		
1250.20(d)	Hedge within 10' landscape (min 1.5' height)	x		
1250.27	Berms/Earth Mounds (if required)			x
1250.42	Fence/Screen Requirement (height & location)			x
1250.43	Lighting (height & direction)	x		
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1250.44	Screening of Rooftop Mechanicals	x		
1250.48	Building Material (allowable percentages)	x		
1250.481(a)	Customer entrance facing each street frontage	x		
1250.481(b)	Recesses/projections if > 100' in length			x
1250.481(d)	Façade to have color/texture/material change			x
1250.481(e)	Rooflines to change at least every 100'			x
1250.481(f)	Façade colors – low reflectance and neutral	x		
1250.481(g)	Building trim to be non-illuminated	x		
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1250.51(a)	Driveway access onto public or private street	x		
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1250.51(a)(6)	Driveway – at least 100' from an intersection			x
1250.51(a)(6)	Driveway – at least 80' from other driveways			x
1250.51(c)	Driveway – alignment with existing drives			x
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1250.57	Waste Receptacles to be consolidated	x		
1250.57	Waste Receptacle – design/materials			x
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1250.61(b)	Accessory Building – ≥ 10' from main structure	x		
1250.61(d)	Acc. Building – Height (20' or main structure)	x		
1250.61(f)	Accessory Building – Size Limit (5% of lot size)	x		
Traffic Study		Compliant	Non-Compliant	Not Applicable
1255.04	Traffic Study – if more than 100 trips/peak Hr.			x
1255.04	Traffic Study – if more than 750 trips per day			x
Miscellaneous		Compliant	Non-Compliant	Not Applicable

1260.15(a)(1)	Plan doesn't impeded normal development	x		
1260.15(a)(2)	Existing landscape preserved (as possible)	x		
1260.15(a)(5)	Emergency vehicle access to structures	x		
1250.26	Wall Location (if required)			x

Special Approval Use Checklist

General Requirements		No special approval use shall be approved by the Planning Commission unless it shall find the following:	
Section	Requirement	Compliant	Non-Compliant
1235.02(d)(1)	The establishment, maintenance or operation of the SAU will not be detrimental to or endanger the public health, safety, general welfare or the natural environment.	x	
1235.02(d)(2)	The SAU will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted nor shall it substantially diminish or impair property values within its neighborhood.	x	
1235.02(d)(3)	The establishment of the SAU will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.	x	
1235.02(d)(4)	Adequate utilities, access roads, drainage and necessary facilities have been or will be provided.	x	
1235.02(d)(5)	Adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.	x	
1235.02(d)(6)	The SAU shall, in all other respects, conform to the applicable regulations of the district in which it is located and to any additional conditions or procedures as specified in this Chapter.		x
Specific Requirements		Additional "use specific" requirements:	
Section	Requirement	Compliant	Non-Compliant
1235.04(yy)(1)	It is consistent with adopted plans of the City and the stated purposes of this Zoning Code.	x	
1235.04(yy)(2)	Complies with all applicable standards of this Zoning Code.		x
1235.04(yy)(3)	Will not result in significant adverse impacts to other property in the vicinity of the subject property or to the natural environment.	x	
1235.04(yy)(4)	Any differences in appearance or scale from the surrounding area will be mitigated through setbacks, screening, landscaping or other design features.	x	
1235.04(yy)(5)	Has adequate mitigation measures for any other identified adverse impacts.	x	
1235.04(yy)(6)	Uses shall be subject to site plan review to assure compatibility with surrounding areas.	x	
1235.04(yy)(7)	Any such use shall be so located and developed so as not to create a nuisance to abutting property, and so as to be neither injurious to the surrounding neighborhoods nor contrary to the spirit and purpose of this Zoning Code.	x	

1235.04(yy)(8)	All buildings shall be harmonious in appearance with the surrounding area and shall be similar in design and appearance to other buildings on the same development site.	x	
1235.04(yy)(9)	Lighting of outdoor activities shall be shielded from adjacent residential areas.	x	
1235.04(yy)(10)	No building or outdoor storage area shall be closer than fifty (50) feet to any property or street right-of-way line.	x	
1235.04(yy)(11)	Facilities shall provide off-street parking and passenger loading areas at least twenty-five (25) feet from residential lot lines.	x	
1235.04(yy)(12)	Will not have significant adverse impacts on the livability of nearby residential property due to: noise, glare from lights, late-night operations, odors, litter, privacy, traffic and other safety issues.	x	
1235.04(yy)(13)	After review, the Planning Commission shall make a recommendation to the City Council.	REQUIRED	

Background:

Perrysburg Area Historic Museum currently has an approved final site plan, but it shows a 30'X40' building. As a result of the larger building and its location, a site plan amendment is necessary.

Notes:

1. The primary structure resides 20' within the side yard setback. The minimum side yard setback is 50'.
2. The landscape architect has not calculated the minimum landscape percentage of the parcel. The minimum landscape area of this parcel is required to be at least 10%.
3. The parking lot uses gravel surface. As this surface is pervious it does not conform to the requirements of Ch. 1250.06(a)(7).
4. The accessory size of the accessory structure has been approved by the Board of Zoning Appeals.
5. The non-compliant portions of the SAU are a result of the identified site plan deficiencies.

Recommendation:

It is recommended that the Planning Commission provide conditional approval for the final site plan amendment and special approval use, and to permit the Planning and Zoning Administrator to review the plan revisions below for compliance and permitting.

1. Paving of the parking area with an impervious surface in accordance with Ch. 1250.06(a)(7).
2. Provide landscape plan that displays the site landscape percentages.

Further, it is recommended that a public hearing be set before City Council for February 6, 2018 at 6:05 p.m.

Mr. Easterling reviewed the above Staff Report. Judy Justus was present on behalf of the Perrysburg Area Historic Museum. Mr. Carry asked if Ms. Justus has any issues with the recommendations in the report. Ms. Justus said that she does not. Mr. Wellstein asked what they planned to do with the parking area. Ms. Justus said that she was not aware that it had to be impervious, but they will do it.

Dawn Hoover, 1481 Rivercrest Drive, said that she lives behind the museum. She said that she loves history and loves the museum, but expressed concern about the size of the building she will have to look at. Mr. Hoover referenced a Memorandum of Understanding between the museum and their neighbors. She said that they are supposed to have a good neighbor policy but the neighbors weren't notified by the museum about this building. She said that they feel like they are not being heard.

Linda Fatica, 1521 Rivercrest Drive, said that she attended many meetings in the past and an agreement was reached between the neighbors and the museum. She said that the accessory structure was supposed to be 30' x 40' and now they're requesting 30' x 60'. She said that size is more like a warehouse, and she is concerned about the aesthetics.

Ms. Hoover said that the building is supposed to be historical and the new material is not historical.

Mayor Olmstead moved for conditional approval for the Final Site Plan Amendment with the recommendations in the Staff Report. Seconded by Mr. Carry. Ayes: Carry, Lorenz, Nicely, and Olmstead (4). Nays: Wellstein (1).

Mayor Olmstead recommended approval of the Special Approval Use for the Perrysburg Area Historic Museum and to set a public hearing before City Council on February 6, 2018 at 6:05 p.m. Seconded by Mr. Carry. Ayes: (5). Nays: (0).

**Code Amendment – Chapter 1225.08
“Massage Establishment” SAU in C-4 Zoning**

APPLICANT/OWNER/DEVELOPER

Kyle & Lori Brodie
840 W. Boundary St., Ste. 1
Perrysburg, OH 43551

Breane Lieske
702 Commerce Dr.
Perrysburg, OH 43551

REQUEST

Chapter 1285 – Changes and Amendments
Chapter 1225.08 – Land Use and Base Zoning District Table

DESCRIPTION

The proposed code amendment to Chapter 1225.08 – “Massage Establishments” would allow for a special approval use within C-4 (Highway Commercial) zoning districts.

BACKGROUND

In October of 2017, a massage therapy business was in the process of finding a permanent location to establish their business in the City of Perrysburg. The owners of Brodie Optometry were interested in leasing the vacant space in their plaza to the business, but the use was not permitted in C-4 districts. The applicants would like to allow for massage establishments (specifically state licensed massage therapy practices) to be permitted in C-4 districts with a special approval use. The Planning and Zoning administration would further like to recommend that the same land use types be permitted in C-3 (Community Shopping) and OS (Office Services) with a special approval use.

ANALYSIS

Existing Code Language

1225.08 LAND USE REGULATIONS

(See Exhibit A)

Proposed Code Language (Applicant)

1225.08 LAND USE REGULATIONS

(See Exhibit B)

Proposed Code Language (PZ Staff)

1225.08 LAND USE REGULATIONS

(See Exhibit C)

RECOMMENDATION

The Planning and Zoning Deputy Administrator recommends that the Planning Commission approve the proposed code amendment. As medical offices are permitted in all commercial districts, this would allow for those similar state licensed medical massage establishments to find suitable locations that fit within the definitions of commercial districts and office services. Furthermore, the special approval use process still allows for massage establishments to go through a thorough approval process before a business can be established.

Further, it is recommended that a public hearing be set before City Council for February 6, 2018 at 6:25 p.m.

Exhibit A

	Ag	Residential						Commercial				Office	Industrial		Special		INS	
Commercial	A-1	R-1	R-2	R-3	R-4	R-5	RM	C-1	C-2	C-3	C-4	OS	I-1	I-2	PBP	P	S-1	INS
Grocery Stores									P	P	P							
Gym / Fitness Facility (< 5,000 GSF)								P	P	P	P	P			S			
Gym / Fitness Facility (> 5,000 GSF)										P	P				S			
Massage Establishments									S									
Motels and Hotels											S				S			
Neighborhood Business (<10,000 SF)								P	P	P	P	S						
Office and Banks								P	P	P	P	P			P			
Personal Services								P	P	P	P	S						

Exhibit B

	Ag	Residential						Commercial				Office	Industrial		Special		INS	
Commercial	A-1	R-1	R-2	R-3	R-4	R-5	RM	C-1	C-2	C-3	C-4	OS	I-1	I-2	PBP	P	S-1	INS
Gym / Fitness Facility (< 5,000 GSF)								P	P	P	P	P		S	S			
Gym / Fitness Facility (> 5,000 GSF)										P	P			S	S			
Massage Establishments									S		S			S	S			
Motels and Hotels											S				S			
Neighborhood Business (<10,000 SF)								P	P	P	P	S						
Office and Banks								P	P	P	P	P			P			

Exhibit C

	Ag	Residential						Commercial				Office	Industrial		Special			INS
Commercial	A-1	R-1	R-2	R-3	R-4	R-5	RM	C-1	C-2	C-3	C-4	OS	I-1	I-2	PBP	P	S-1	INS
Gym / Fitness Facility (< 5,000 GSF)								P	P	P	P	P		S	S			
Gym / Fitness Facility (> 5,000 GSF)										P	P			S	S			
Massage Establishments									S	S	S	S		S	S			
Motels and Hotels											S				S			
Neighborhood Business (< 10,000 SF)								P	P	P	P	S						
Office and Banks								P	P	P	P	P			P			

Mr. Easterling reviewed the above Staff Report. Breanne Lieske was present. There were no questions or comments from the Commission or the audience. Mr. Lorenz moved to recommend approval of the proposed Code amendment as reflected in Exhibit C, and to set a public hearing before City Council on February 6, 2018 at 6:25 p.m. Seconded by Mr. Carry. Ayes: (5). Nays: (0).

Special Approval Use Tranquil Touch Massage 330 Louisiana Ave. Suite A

Special Approval Use Application Information

Project Name: Tranquil Touch Massage & Wellness, LLC

Location: 330 Louisiana Avenue Suite A

Zoning: Central Business (C-2)

Applicant(s): Breanne Lieske

Land Use: Massage Establishment

Parcel(s): Q61-000-902203027000

Request: Special Approval Use

Description of use: Tranquil Touch Massage & Wellness would like to utilize this space to open a massage therapy practice. The business would consist of 6 state licensed massage therapists and could potentially house up to 12 to provide massage therapy to clients.

Special Approval Use Checklist

General Requirements		No special approval use shall be approved by the Planning Commission unless it shall find the following:		
Section	Requirement	Compliant	Non-Compliant	N/A
1235.02(d)(1)	The establishment, maintenance or operation of the SAU will not be detrimental to or endanger the public health, safety, general welfare or the natural environment.	X		

1235.02(d)(2)	The SAU will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted nor shall it substantially diminish or impair property values within its neighborhood.	X		
1235.02(d)(3)	The establishment of the SAU will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.	X		
1235.02(d)(4)	Adequate utilities, access roads, drainage and necessary facilities have been or will be provided.	X		
1235.02(d)(5)	Adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.	X		
1235.02(d)(6)	The SAU shall, in all other respects, conform to the applicable regulations of the district in which it is located and to any additional conditions or procedures as specified in this Chapter.	X		

Notes:

- Chapter 1235.04(u)(4) listed exemptions to the special requirements for a special approval use (SAU). Section 1235.04(u)(4)(B) states that due to all massage therapists being licensed by the State of Ohio Medical Board, Tranquil Touch would be exempt from the specific SAU special requirements for Massage Establishments but would still be subject to the general requirements.

Recommendation:

The Planning and Zoning Deputy Administrator has reviewed the application for a Special Approval Use for Tranquil Touch Massage & Wellness, LLC and recommends approval of the request as submitted.

Mr. Easterling reviewed the above Staff Report. Breanne Lieske was present and said that she would have liked to locate in the C4 district, but her lease was up and she could not wait. Mayor Olmstead moved to approve the Special Approval Use for Tranquil Touch Massage and Wellness LLC at 330 Louisiana Avenue, suite A. Seconded by Mr. Lorenz. Ayes: (5). Nays: (0).

**Final Plat
Sanctuary in the Woods – Plat 4**

APPLICANT/OWNER/DEVELOPER

Greg Boudouris
Engineers, Surveyors & Associates, LLC
5353 Secor Road
Toledo, Ohio 43623

Dick Wehrle, Ed Bryant, Steve Mitchell
Retreat Associates, Inc.
4331 Keystone Drive
Maumee, OH 43537

REQUEST

Chapter 1295.07 – Final Plat

PROPERTY LOCATION & DESCRIPTION

Sanctuary in the Woods Plat 4 is an R-1 residential subdivision proposed to consist of 13 lots. This plat is contained within the larger area previously referred to as Sanctuary in the Woods Phase III. This plat is located directly south of the plat 2 (Chapel Creek Drive) and is approximately 9.131 acres in size.

BACKGROUND

The most recent preliminary plat for this subdivision was extended on February 23, 2017 and at that time the area that this plat is contained within was referred to as Sanctuary in the Woods Phase III. Sanctuary in the Woods Plat 4 is located just south of Plat 2.” So far this subdivision has had three different plats finalized within it including: Plat 1 (16 lots in 2004), Plat 2 (25 lots in 2017), and Plat 3 (21 lots in 2014). The preliminary plat for “Phase III” will remain active until February 23, 2019.

ANALYSIS

The plat layout for Plat 4 is substantially compliant with the preliminary plat that is currently active for this area. The number of lots, street layout and arrangement of lots are the same as originally proposed. All lots currently meet the minimum lot depth to width ratio. However, there are 7 lots that do not meet the minimum lot size of 22,000 SF (lots 64, 65, 66, 67, 70, 71, and 75). The plan shows what should be Hunting Creek Drive as Riverwood Drive. The staff has reviewed the final plat for Plat 4 and approved with the following comments:

Open space requirement = There are three ways to satisfy the open space requirement for subdivision development. The first option is to provide 5% of the area of

the subdivision as open space (cannot include detention/retention areas). The second option is to provide a cash in-lieu payment in an amount equal to 7.5% of the value of the undeveloped land and the third option is to dedicate an equivalent amount of land (5%) elsewhere in the city. Per the layout of this plat the developers will be required to provide a payment for 7.5% of the value of the undeveloped land. A recent appraisal (within the last 5 years) will be required to determine the value of this property. The open space fee calculation must also include \$100 per lot for the final plat.

Total Open Space Fee for Plat 4 (13 lots) = 9.131 acres x (Appraisal Value x 7.5%) = TBD + \$1,300 (\$100 x 13 lots) for a total TBD.

Per Chapter 1295.07(d), the following escrows and fees attached to this report shall be provided to the satisfaction of the city prior to releasing the signed copy of the final plat:

ESCROWS

Roadway & Pavement
Drainage
Erosion Control
Waterline
Sanitary Sewer
Sidewalks
Curb Ramps
Street

PAYMENT ITEMS

Street Signs
Street Lights
Open Space Fee
Inspection Deposit

RECOMMENDATION

The Planning & Zoning Deputy Administrator recommends that the Planning Commission approve the Final Plat for Sanctuary in the Woods Plat 4 subject to the comments and recommendations in this report including replacing Riverwood Drive with Hunting Creek Drive, deposit of escrows, payment of open space fees and other fees as required.

Mr. Easterling reviewed the above Staff Report. Mr. Walters added that the conservation easement and drainage and utility easements were done for the benefit of the residents of Carrington Woods. Greg Boudouris of ESA was present on behalf of the applicant and said that they agree with everything in the Staff Report. Mayor Olmstead moved to approve the Final Plat of Sanctuary in the Woods Plat 4 subject to the conditions and recommendations in the Staff Report. Seconded by Mr. Carry. Ayes: (5). Nays: (0).

**Site Plan Amendment & SAU
Perrysburg Schools – High School Athletic Fields
13385 Roachton Road**

APPLICANT/OWNER/DEVELOPER

Perrysburg Schools
140 East Indiana Avenue
Perrysburg, Ohio

The Collaborative
One SeaGate, Park Level 118
Toledo, Ohio 43604

REQUEST

Chapter 1260.18 Site Plan Amendment

PROPERTY LOCATION & DESCRIPTION

The subject property is located at 13385 Roachton Road and is part of the existing Perrysburg High School complex located just west of Horseshoe Bend subdivision (R3 – Single Family Residential) and directly north of River's Edge subdivision (R4 – Single Family Residential).

The current zoning of the subject property is INS – Institutional and is approximately 70.03 total acres with approximately 38.5 acres associated with the athletic facilities.

ANALYSIS

On April 28, 2011 the Planning Commission reviewed and approved the master plan (attached) and associated Special Approval Uses for the Perrysburg High School athletic facility.

On January 22, 2015 the Planning Commission approved an amendment to the original site plan (attached). The first amendment allowed for reorientation/rearrangement of previously shown features. The requirements for the previously approved Special Approval Uses are listed below for reference: The Special Approval Uses that were considered were for; "Institutional Uses" and "Non-Commercial Recreational Facilities."

The current request is to amend the site plan to allow for a 12' x 16' storage building to be built to store track and field equipment when not in use.

General Requirements

Ch. 1235.02 – Standards

1. The establishment, maintenance or operation of the special approval use will not be detrimental to or endanger the public health, safety, or general welfare or the natural environment.
2. The special approval use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted nor shall it substantially diminish and impair property values within its neighborhood.

3. The establishment of the special approval use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
4. Adequate utilities, access roads, drainage and necessary facilities have been or will be provided.
5. Adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.
6. The special approval use shall, in all other respects, conform to the applicable regulations of the district in which it is located and to any additional conditions or procedures as specified in this Chapter.

Specific Requirements

Ch. 1235.04(yy) – Institutional Use.

The following provisions shall apply:

- (1) *It is consistent with adopted plans of the City and the stated purposes of this Zoning Code.*
- (2) *Complies with all applicable standards of this Zoning Code.*
- (3) *Will not result in significant adverse impacts to other property in the vicinity of the subject property or to the natural environment.*
- (4) *Any differences in appearance or scale from the surrounding area will be mitigated through setbacks, screening, landscaping or other design features.*
- (5) *Has adequate mitigation measures for any other identified adverse impacts.*
- (6) *Uses shall be subject to site plan review to assure compatibility with surrounding areas.*
- (7) *Such use shall be so located and developed so as not to create a nuisance to abutting property, and so as to be neither injurious to the surrounding neighborhoods nor contrary to the spirit and purpose of this Zoning Code.*
- (8) *All buildings shall be harmonious in appearance with the surrounding area and shall be similar in design and appearance to other buildings on the same development site.*
- (9) *Lighting of outdoor activities shall be shielded from adjacent residential areas.*
- (10) *No building or outdoor storage area shall be closer than fifty (50) feet to any property or street right-of-way line.*

- (11) *Facilities shall provide off-street parking and passenger loading areas at least twenty- five (25) feet from residential lot lines.*
- (12) *Will not have significant adverse impacts on the livability of nearby residential property due to: noise, glare from lights, late-night operations, odors, litter, privacy, traffic and other safety issues.*

Ch. 1235.04(cc) – Non-Commercial Recreational Facilities.

The following provisions shall apply:

- (1) *Parks, parkways and recreation facilities shall be subject to site plan review to assure compatibility with residential areas.*
- (2) *Any such use shall be so located and developed so as not to create a nuisance to abutting property, and so as to be neither injurious to the surrounding neighborhood nor contrary to the spirit and purpose of this Zoning Code.*
- (3) *The development of parks, parkways or recreational facilities on waterfront sites shall be so developed as not to create visual barriers to other residential waterfront property or in any way restrict the use of residential waterfront property.*
- (4) *Any use of land created by filling of water areas for parks and/or recreational use shall only be allowed upon the issuance of a permit by the City. Such permit shall be issued only if it can be shown that such filling of water areas will not in any way obstruct the view or hinder access to open water or which could in any way create any hazard to health or in any other way diminish the amenity enjoyed by land abutting the water area.*
- (5) *No building or outdoor storage area should be closer than fifty (50) feet to any property or street right-of-way line.*
- (6) *Facilities shall provide off-street parking and passenger loading areas at least twenty- five (25) feet from residential lot lines.*
- (7) *All sports fields shall be a minimum of one hundred (100) feet from any lot line and two hundred (200) feet from any dwelling.*
- (8) *All buildings shall be harmonious in appearance with the surrounding area and shall be similar in design and appearance to other buildings on the same development site.*
- (9) *Lighting of outdoor activities shall be shielded from adjacent residential areas.*

ANALYSIS (Continued)

The new plan appears to meet the requirements of the special approval use with the exception of Ch. 1235.04(cc)(8) and Ch. 1235.04(yy)(8) which are the same and require that "All buildings shall be harmonious in appearance with the surrounding area and shall be similar in design and appearance to other buildings on the same development site." The proposed storage building is proposed to be constructed by Penta Career Center and will be clad entirely with vinyl siding unlike other buildings on the property. In the prior site plan applications the applicants stated that "structural facilities, building materials will be coordinated with the existing Perrysburg High School building with regard to color, materials and design."

Site Layout: The applicant has provided an amended Final Site Plan which includes the following uses:

1. Baseball field
 2. Softball field
 3. Concession building
 4. Soccer field
 5. Tennis courts
 6. Track Facility
 7. Pavilion
 8. Batting cages
 9. Shot Put / Discus
 10. Bleachers / Press box
 11. Other incidental uses
- **General Engineering:** The applicant shall not be required to submit construction plans to the city of Perrysburg due to the lack of any utilities to the proposed structure, however a Zoning Permit is required prior to Wood County issuing a Building Permit.
 - **Building Design:** The code does permit buildings in INS zoned districts to be up to 100% vinyl siding but when combined with the special approval use requirements this is seemingly an inappropriate use of materials based on the materials of the surrounding structures.
 - **Landscaping:** During the previous amendment a landscape plan was submitted to satisfy the requirements of the Site Plan review and the street tree requirement.
 - **Site Lighting:** No additional lighting is proposed as part of this amendment request.

- **Impact Assessment:** The subject property is the existing Perrysburg High School. There will be no significant change as to access and/or level of service in this location as a result of this project that does not already exist during High School operating hours, existing indoor athletic events and/or existing performing arts events.

RECOMMENDATION

The Planning and Zoning Administrator recommends that the Planning Commission approve the Final Site Plan Amendment for the proposed Perrysburg High School Athletic Fields located at 13385 Roachton Road.

Additionally the Planning and Zoning Administrator recommends that the Planning Commission recommend approval of the Special Approval Use, subject to the following comments:

1. Resubmit an updated master plan sheet that incorporates all aspects of the previously approved plan along with the changes requested as part of this amendment. Since this amendment is not intended to be a replacement master plan it is necessary to update the previous master plan to reflect these newest amendments so that the master plan can exist on one document. During this update it is expected that all unaffected aspects of the previous master plan will be reincorporated on the revision so that the city has 1 updated sheet on file for this project.
2. The building materials be revised to satisfy the requirements of both the general and specific requirements of the special approval use criteria by matching the colors and materials of other existing buildings on site within reason.

Further, it is recommended that a public hearing be set before City Council for February 6, 2018 at 6:15 p.m. for the Special Approval Use.

Mr. Walters reviewed the above Staff Report. Tom Hosler, Superintendent of Perrysburg Schools, and Dave Serra of The Collaborative were present. Mr. Walters said that his office received a phone call from a resident of the Horseshoe Bend subdivision regarding lighting, but there is no new lighting proposed with this project. Mr. Nicely asked if they had any objection to resubmitting an updated master plan. Mr. Serra said they were agreeable to that request. There was discussion regarding the proposed building materials. Mr. Serra said that the press box has siding and some dugouts have siding. Mr. Wellstein asked Mr. Walters for further explanation of his comments about the building materials. Mr. Walters said that when looking at the campus overall, you would not see grey siding, it should be earth colors, and if you take a more strict interpretation of the Code, it would probably require some masonry. Mr. Serra said that they would prefer using vinyl siding and they can work with Mr. Walters on the color. Mr. Carry said that the applicant came in several months ago regarding the athletic fields and parking lot at the Junior High School. The Commission told the applicant no, yet they still went ahead and

did what they wanted. Mr. Hosler said that they have had a great relationship with the City, but the Ohio Supreme Court gives them the right to make decisions on behalf of their constituents. He said that they felt the Planning Commission's request was unreasonable.

Nelson Evans, Falling Waters Lane, said that from his backyard they look at the ballfields. He said that he has no problem with the building, but he is concerned what it will look like because it will be very visible. He said that with the wind, he is concerned that vinyl siding will not hold up. One of the audience members stated that there is thick vinyl siding that is high end and although it's more expensive, it won't fall apart in the wind.

Mr. Lorenz and Mr. Nicely said that they would like to see this request come back to the Commission. Mr. Wellstein moved to table the Final Site Plan Amendment and Special Approval Use. Mr. Carry seconded. Ayes: (5). Nays: (0).

Mr. Wellstein said that when they come back it would be beneficial to not just have a picture of the building materials but also a sample.

**Preliminary Site Plan
Tri-State Forest Products
13010 & 13100 Eckel Junction Road**

Preliminary Site Plan Checklist

Project Name: Tri-State Forest Products

Location: 13010 & 13100 Eckel Junction Road

Zoning: I2 (General Industrial)

Applicant(s): Doug Smith – Manager, Tri-State Forest Products
Tom Yurysta – Proudfoot Associates, Inc.

Land Use: Sale and Storage of Building Materials (Permitted Use)

Parcel(s): Q61-100-654406005000 & Q61-100-654406004000

Request: Preliminary Site Plan Review

Preliminary Site Plan

Applications shall require the following items:

- 1) 12 copies of submission application
- 2) 12 copies of preliminary site plan at a scale of not less than 1:100
- 3) Preliminary site plan must include or identify;
 - a. Project description
 - b. Survey including property dimensions
 - c. North arrow
 - d. A scaled plan showing the location of all existing and proposed buildings/structures
 - e. Topography at two foot intervals
 - f. Significant vegetation
 - g. Watercourses, bodies of water, detention/retention facilities
 - h. Rights of Way
 - i. Easements
 - j. Setbacks

- k. Existing and Proposed Uses
- l. Name and address of firm preparing the plans
- m. Impact Assessment (if specifically asked for)

Project Overview: The applicant is proposing to remove vegetation and install asphalt millings on site to provide for additional storage and drive aisles to the rear (north) of the 64'x160' warehouse building.

Preliminary Site Plan Checklist

13010 Eckel Junction

Land Use		Permitted	Special Approval	Not Permitted
1225.08	Land Use Type	x		
Dimensional		Compliant	Non-Compliant	Not Applicable
1230	Front Setback 60'	x		
1230	Side Setback 25' each	x		
1230	Rear Setback 40'	x		
1230	Lot Coverage 60%	x		
1230	Height 45' max	x		
1230.03(a)	Height Variance from BZA			x
1230.03(b)	Features above max height (exemptions)			x
Parking		Compliant	Non-Compliant	Not Applicable
1250.02(t)	Parking Lot Location		x	
1250.02(r)	Parking Relief			x
1250.03	Parking Quantity		x	
1250.05(b)	Parking lot design/layout		x	
1250.05(f)	Location of Driveways	x		
1250.06(a)(7)	Parking Lot Surface Material		x	
1250.06(b)	Parking Space Sizes		x	
Landscape		Compliant	Non-Compliant	Not Applicable
1250.17(c)	Planting areas dispersed through parking lot		x	
1250.19(b)	5' landscape strip between parking lot and P/L		x	
1250.19(d)	Landscape island = 1 per ea. 10 parking spaces		x	
1250.20	10' landscape strip between R/W and parking		x	
Drives & Access		Compliant	Non-Compliant	Not Applicable
1250.51(a)	Driveway access onto public or private street	x		
1250.51(a)(2)	Drives enter perpendicular	x		
1250.51(a)(6)	Driveway – at least 100' from an intersection	x		
1250.51(a)(6)	Driveway – at least 80' from other driveways	x		
1250.51(c)	Driveway – alignment with existing drives			x
Sidewalks		Compliant	Non-Compliant	Not Applicable
1250.56(a)	Sidewalks across all frontages	x		
1250.56(a)	Sidewalks from R/W to entrance (if required)			x
1250.56(a)	Sidewalk material through drive aisles			x
Dumpster		Compliant	Non-Compliant	Not Applicable
1250.57	Waste Receptacle - Location			x
1250.57	Waste Receptacles to be consolidated			x

Acc. Buildings		Compliant	Non-Compliant	Not Applicable
1250.61(a)	Accessory Building – Location (rear yard)		x	x
1250.61(b)	Accessory Building – $\geq 5'$ from side or rear P/L	x		
1250.61(b)	Accessory Building – $\geq 10'$ from main structure	x		
1250.61(f)	Accessory Building – Size Limit (5% of lot size)		x	
Miscellaneous		Compliant	Non-Compliant	Not Applicable
1260.15(a)(1)	Plan doesn't impeded normal development	x		
1260.15(a)(5)	Emergency vehicle access to structures	x		

Background:

This property is currently owned by Tri-State Forest Products for the sale and storage of building materials. This business has been in existence at this location for many years and while the use is permitted in this zoning district the property has enjoyed legal non-conforming site plan status as a result of being annexed into the City of Perrysburg from Perrysburg Township. An on-site meeting with Manager Doug Smith revealed that the long term plan for this business involves vacating the existing offices and moving them to the building on the property to the west. If this happens the argument could be made that this property would not be subject to the minimum parking requirements due to a lack of any truly occupied spaces since this property would become exclusively an outdoor yard.

Notes:

1. The parking lot area of this site does not contain the proper setbacks from the front or side property lines. Code requires a minimum of a 5' setback between the parking lot and the side property line and a minimum 10' setback between the right-of-way of Eckel Junction Road and the parking lot.
2. The number of parking spaces for this use is non-compliant because the site plan indicates that there is only "unmarked parking" available on site. To be code compliant the parking spaces should be at least 10' x 20' in size and should be positioned on an impervious and dustless surface (not including road grindings or gravel). The code requires minimum parking spaces in accordance with the following formula:
5 parking spaces plus 1 for every employee in the largest working shift or 5 plus 1 for every 1,700 SF of usable floor area, whichever is the greater. Space on site shall also be provided for all construction workers during periods of construction.
3. The existing parking area is listed as "stone and asphalt" and the proposed area (yellow #1) is indicated to be asphalt road grindings. Parking surfaces other than concrete, paved asphalt or pavers are not permitted by code.
4. The site and the parking lot does not currently feature any significant landscape that would count towards the parking lot landscape percentage requirement of 6%. Additionally, there are no landscape islands on site.

5. As indicated above, the parking lot does not feature the required setback from the side property lines and therefore the required landscape strip does not exist.
6. The parking lot also does not provide for the required 10' setback from the R/W so the required landscape in this area also does not exist.
7. Parking lots are required to provide landscape islands at a ratio of 1 for each 10 parking spaces. There are no designated parking spaces shown, nor any landscape islands shown in or around possible parking areas.
8. This existing site is legal non-conforming in terms of its accessory building placement by having an accessory building located in the side yard rather than exclusively in the rear yard. While this is not a concern of the current application it is important to note that this building could not be rebuilt in its current location without approval from the Board of Zoning Appeals.
9. The current combined size of the accessory buildings on site is 36,886.28 SF. The code allows for up to 5% of the site to be covered with accessory buildings by right and up to 8% with the approval of the Board of Zoning Appeals. 5% of the site would be 20,081.16 SF, 8% would be 32,129.86 SF.
10. If the preliminary plan is approved or approved and modified the applicant will be permitted to submit a request for final site plan review at a future meeting. After the approval of a final site plan, construction plans can be submitted to the city for review, approval and permitting.

Recommendation:

Typically the Planning and Zoning office recommends that non-conforming sites be brought up to current code requirements upon a significant site plan change. The fact that this plan was initiated and nearly completed prior to any review or approval places the applicant, the Planning Commission and the City in a difficult position. In past cases where work has been completed prior to going through the Planning Commission process the applicants have been given the option of restoring the newly completed site work back to its original condition or coming to an agreement with the Planning Commission about how the completed work will need to be modified if at all. Unfortunately in this case, the magnitude of the changes is so large that it may not be possible to restore the site or to bring it in to conformance with current code. This issue is further complicated by the fact that the previous land owner at 13100 Eckel Junction Road was unable to make significant changes to the property due to concern about having to bring elements of the site into compliance with current code.

Preliminary Site Plan Checklist

13100 Eckel Junction

Land Use		Permitted	Special Approval	Not Permitted
1225.08	Land Use Type	x		
Dimensional		Compliant	Non-Compliant	Not Applicable
1230	Front Setback 60'	x		

1230	Side Setback 25' each	x		
1230	Rear Setback 40'	x		
1230	Lot Coverage 60%	x		
1230	Height 45' max	x		
1230.03(a)	Height Variance from BZA			x
1230.03(b)	Features above max height (exemptions)			x
Parking		Compliant	Non-Compliant	Not Applicable
1250.02(t)	Parking Lot Location		x	
1250.02(r)	Parking Relief			x
1250.03	Parking Quantity	x		
1250.05(b)	Parking lot design/layout		x	
1250.05(f)	Location of Driveways	x		
1250.06(a)(7)	Parking Lot Surface Material		x	
1250.06(b)	Parking Space Sizes		x	
Landscape		Compliant	Non-Compliant	Not Applicable
1250.17(c)	Planting areas dispersed through parking lot		x	
1250.19(b)	5' landscape strip between parking lot and P/L		x	
1250.19(d)	Landscape island = 1 per ea. 10 parking spaces		x	
1250.20	10' landscape strip between R/W and parking		x	
Drives & Access		Compliant	Non-Compliant	Not Applicable
1250.51(a)	Driveway access onto public or private street	x		
1250.51(a)(2)	Drives enter perpendicular	x		
1250.51(a)(6)	Driveway – at least 100' from an intersection	x		
1250.51(a)(6)	Driveway – at least 80' from other driveways	x		
1250.51(c)	Driveway – alignment with existing drives	x		
Sidewalks		Compliant	Non-Compliant	Not Applicable
1250.56(a)	Sidewalks across all frontages	x		
1250.56(a)	Sidewalks from R/W to entrance			x
1250.56(a)	Sidewalk material through drive aisles			x
Dumpster		Compliant	Non-Compliant	Not Applicable
1250.57	Waste Receptacle - Location			x
1250.57	Waste Receptacles to be consolidated			x
Acc. Buildings		Compliant	Non-Compliant	Not Applicable
1250.61(a)	Accessory Building – Location (rear yard)	x		
1250.61(b)	Accessory Building – ≥ 5' from side or rear P/L	x		
1250.61(b)	Accessory Building – ≥ 10' from main structure	x		
1250.61(f)	Accessory Building – Size Limit (5% of lot size)	x		
Miscellaneous		Compliant	Non-Compliant	Not Applicable
1260.15(a)(1)	Plan doesn't impeded normal development	x		
1260.15(a)(5)	Emergency vehicle access to structures	x		

Background:

This property is now also owned by Tri-State Forest Products (as of 5-1-2017) for the sale and storage of building materials (a permitted use). This business has been in existence next door at

13010 Eckel Junction Road for many years and has recently expanded to the west onto this property. Similar to the neighboring property this property has enjoyed legal non-conforming site plan status as a result of being annexed into the City of Perrysburg from Perrysburg Township.

Notes:

1. The parking lot on this property does not currently have the proper setback from the R/W line of Eckel Junction Road. The code requires a minimum setback of 10' to allow for turf and other landscape. While not part of this specific request it is also important to mention that this property as well as the one to the east both have non-conforming barbed wire chain-link fences located in the front yard.
2. The square footage of this particular building (38,800 SF) requires a minimum of 23 parking spaces which according to the provided site there is more than sufficient space to meet this.
3. Currently this site's drives and parking areas are a mixture of stone and asphalt. The code speaks to having parking lots and driveways constructed of impervious and dustless surfaces so stone would be non-compliant. Areas in yellow on the included site plan also show a proposed increase in stone area.
4. Although there are currently more parking spaces than are necessary, the existing spaces don't meet the 10' x 20' standard size. Increasing the size of the existing spaces would somewhat reduce the overall quantity on site.
5. The parking lot does not currently feature any landscape within it. There is a small area of landscape identified as "grass" near the southeast corner of the building. Parking lot landscaping is typically achieved through landscape islands, perimeter landscape with hedges and shade trees.
6. This site does have the available area for a 5' landscape strip between property lines but does not currently have landscaping within this area.
7. A landscape island is to be provided for each 10 parking spaces on site. The minimum parking count is 23 so at least 3 landscape islands would be required per code.
8. The asphalt area between the building and the Eckel Junction Road R/W extends continuously from the building to the property line so the required 10' landscaped setback is not present.
9. If the preliminary plan is approved or approved and modified the applicant will be permitted to submit a request for final site plan review at a future meeting. After the approval of a final site plan, construction plans can be submitted to the city for review, approval and permitting.

Recommendation:

Same as recommendation above.

Mr. Walters reviewed the above Staff Report. Rob Latham and Doug Smith of Tri State Forest Products, and Tom Yurysta of Proudfoot Associates were present. Mr. Latham stated that they have been at 13010 Eckel Junction for a long time and have operated as Tri State at that location for nine years. He said that they have always had a severe water problem and this year they bought the property next door. He said they addressed the standing water, cleared the drainage ditches, and brought in road grindings to firm up the ground to allow them to store building materials outside. He said that they are not open to the public. Mr. Latham said their plan is to move their offices next door to 13100 Eckel Junction by the middle of January, and 13010 will remain for the storage of building materials. He said that their intention is to do visual improvements on 13100. He said that in the greenspace between the two properties, he would be willing to put up some trees. He said that the parking spaces are 9' wide, and he offered to seal the pavement and re-stripe them. He said that the area that is on the west side of the property where the pavement stops, the City wants the pavement continued to the loading dock. He said that he would be willing to asphalt that area, but with the nature of their business that includes forklifts and large pieces of material, he feels that landscape islands would be a safety issue.

Mr. Wellstein asked how this came to the Planning and Zoning Division. Mr. Easterling said that the paving company came in to see if a permit was needed to pave the parking lot. When they visited the site, they found that grindings had been placed on top of greenspace. Mr. Latham said that they have been bringing in stone for years and they thought the grindings were a step up.

Mr. Carry asked if this could be phased into compliance, and he said that he does not feel they have a detailed enough plan to vote on. Mr. Latham asked if it makes any difference that they used to be in the township. Mr. Carry said that they have required others to come into compliance. Mr. Latham said that with the purchase of the building, there is no way they can bring it into compliance. Mr. Carry said that he would be willing to compromise, and to him, the view from the street is the most important. Mr. Wellstein agreed and added that his vision is for Eckel Junction Road to eventually look more like retail/office from the road.

Mr. Carry moved to table this issue until the March meeting. Seconded by Mr. Wellstein. Ayes: (5). Nays: (0).

John Lock, 1571 Indian Creek, said that there is a chain link fence that runs the length of the property. He said that the vegetation along the tracks has been removed and they can now see product being brought in and stacked. He would like to see that view blocked. Mr. Lorenz asked if the vegetation was on the railroad's property. Mr. Lock said he believes it was on Tri State's property. Mr. Latham said that any vegetation that they have removed was inside the fence and the tree line along the tracks is railroad property.

Other Business

Diane Friess, 311 W. Indiana Avenue, said that the Code was recently changed regarding the permitted size of accessory structures and the amount of a variance that the Board of Zoning Appeals could approve. She said that she and her husband would like the maximum percentage allowed with approval of a variance to be 12%. She said that if their garage is destroyed by natural disaster, they should be able to rebuild it. Mr. Walters said that although he sympathizes with the Friess' situation, he would not recommend increasing this percentage. He said that the City's interest is best served by properties coming into compliance with the Code. Ms. Friess said that their house is only five feet off the property line and they would not be able to rebuild that either. Mr. Walters said that there are provisions in the Code to deal with the uniqueness of the old part of town regarding setbacks. Mr. Nicely said that he is not willing to support moving forward with a change at this time, and the majority of the Commission members agreed.

Mr. Easterling said that Wright Tire and Auto will be back next month. He said that he took pictures of the junk and damaged vehicles that were there on November 20. He returned on December 13, and the same vehicles were still there. This is contrary to the applicant's statement that vehicles would be there less than a week.

Mr. Carry said that unless there was any objection, the March meeting would be moved up a week to March 22, 2018 to avoid any conflict with Perrysburg Schools' spring break.

There being no further business, the meeting adjourned at 9:00 p.m.

Respectfully submitted,

Mary Jo Sutton