

PLANNING COMMISSION

DECEMBER 13, 2018

The meeting was called to order at 7:01 p.m. by Chairman Chris Carry. Commission members present were Chris Carry, Mayor Mackin, Craig Pickerel, and John Wellstein (4). Seth Hudson, and Andy Lorenz were absent (2). Also present was Brody Walters, Planning and Zoning Administrator, and Mark Easterling, Deputy Planning and Zoning Administrator.

Approval of Minutes

Mayor Mackin moved to approve the minutes of the October 25, 2018 meeting as written. Seconded by Mr. Wellstein. Ayes: (4). Nays: (0).

Administrator's Report

No report.

Preliminary and Final Site Plan Checklist

Project Name: Starbucks
Location: 26465 N. Dixie Highway
Zoning: Highway Commercial (C-4)/Corridor Overlay
Applicant: Jerry Parker
Land Use: Restaurant, Drive-In
Parcel: Q61-400-180000024502
Request: Preliminary & Final Site Plan Approval

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	
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		
1245.33(e)	Wall Location (if required)		x	

Background:

Barney's, as the owner of both parcels, executed a lot split earlier this year with the intention of demolishing the car wash which resides just south of the current BP gas station. The intent was to replace the car wash with a stand-alone Starbucks that would also encompass a drive-thru.

Notes:

1. A variance was received for the front yard setback.
2. The parking area in the rear should be moved forward by at least 2.5 feet to meet the 5 foot setback from the property line.
3. There is one parking space in the front yard that was not approved by the Board of Zoning Appeals, but by expanding the two landscape islands on the east and west sides of the parking lot to meet the size requirements (10x20) this would remove the parking space from the front yard (loss of 2 parking spaces). Loss of 2 parking spaces still allows for the applicant to meet the parking requirements.
4. Add additional landscaping to the islands on the east and west sides of the parking lot.
5. No sidewalks are shown from right-of-way to the entrance.
6. Masonry screening wall not shown along SR-25 (Dixie Highway).
7. Lighting not shown on site plan.
8. A traffic study may be required if traffic is anticipated to be greater than 100 trips per hour or 750 trips per day.

9. Please note that if any building is going to have a rooftop vent hood, air conditioning unit, etc., then rooftop screening will be required.

Recommendation:

The Planning and Zoning Deputy Administrator recommends approval of the Preliminary and Final Site Plan with the following conditions:

1. Remove 2 parking spots on the north side parking area, and expand the 2 landscape islands to meet the 10' by 20' minimum requirement with additional landscaping.
2. Add wheel stops to all parking spaces.
3. Add a sidewalk connecting the entrance of the building to the right-of-way.
4. Add a masonry wall with a height of 38"-42" along the east side of the property (Dixie Highway).
5. Submit revised landscape plan for administrative review.
6. Submit a lighting plan for administrative review.

Mr. Easterling reviewed the above Staff Report. Jerry Parker, Gressley, Kaplan & Parker, was present on behalf of the application. Mr. Parker identified the site and the exterior quality of the new buildings, and said that he has only one issue with the staff recommendations. He noted the marked stripe area on the plans which will provide a clear walkway for pedestrian access from the entrance of the building to the city right-of-way. Mr. Parker stated that their issue is eliminating the two parking spaces, and he asked for relief in order to meet Starbucks requirements. He added that although there are two different buildings between Starbucks and Barney's that they are essentially one site, and therefore a parking space difference can be accommodated between the two buildings on site. Mr. Carry asked for clarification about the striped pedestrian walkway, and Mr. Easterling added that the Planning Commission would determine relief on striping versus a concrete walkway. Mr. Parker stated that he is willing to meet all of the staff recommendations, as long as the Commission is willing to grant relief on the two parking spaces in question. Mr. Wellstein asked if there was an issue with the masonry wall, and Mr. Parker stated that he only had questions about landscaping versus a masonry wall. Mr. Easterling confirmed that a masonry wall is a requirement within the corridor overlay, which this site encompasses. There was a brief discussion about the lighting plan. Mayor Mackin asked if the parking space swap between sites is acceptable, and Mr. Easterling noted that these are two separate sites so the landscaping percentages are only applicable per site, rather than combined. Mr. Easterling added that the current site plan shows the landscaping island requirement has not been satisfied for the amount of parking yet. Mr. Walters stated that the commission may consider a loss of one parking space instead of two because the parking space to the west is the least important of the two. There was a brief discussion about the code and parking spaces requirements. Mr. Carry offered a suggestion of

moving the dumpster enclosure to the north to open up the parking spaces and landscape requirements. Mr. Parker added that the retailer is pushing for parking in the front of the store. Mr. Carry reiterated that the commission needs to adhere to the code, as they have in past, and will continue to do no matter the project or location. There were no further comments or questions from the commission, nor the public.

Mr. Carry moved to approve the Preliminary and Final Site Plan for Starbucks with the conditions noted in this report. Seconded by Mr. Wellstein. Ayes: (4). Nays: (0).

Preliminary and Final Site Plan Checklist

Project Name: Barney's
Location: 26465 N. Dixie Highway
Zoning: Highway Commercial (C-4)/Corridor Overlay
Applicant: Jerry Parker
Land Use: Service Station
Parcel: Q61-400-180000024500
Request: Preliminary & Final Site Plan Approval

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)			
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		
1245.33(e)	Wall Location (if required)		x	

Background:

Barney's purchased this location in 2016 and is currently looking to rebuild and renovate the current location. The applicant performed a lot split with the intention of demolishing the existing car wash for a separate project (Starbucks).

Notes:

1. A variance was received for the front yard setback.
2. The parking area in the rear should be moved forward by at least 2.5 feet to meet the 5 foot setback from the property line.
3. Landscaping shows 1,650 SF (4,530 SF required).
4. Provide additional landscaping on the north side of the building that extends into a landscape island.
5. Turn some of the lawn area into planting areas to add to landscaping total.
6. One parking space can be removed on the south side of the building to widen landscape islands.
7. Add landscaping and trees to the islands in south parking lot.
8. No sidewalks shown from right-of-way to the entrance.
9. Masonry screening wall not shown along SR-25 (Dixie Highway).
10. Lighting not shown on site plan.
11. A traffic study may be required if traffic is anticipated to be greater than 100 trips per hour or 750 trips per day.
12. Please note that if any building is going to have a rooftop vent hood, air conditioning unit, etc., then rooftop screening will be required.

Recommendation:

The Planning and Zoning Deputy Administrator recommends approval of the Preliminary and Final Site Plan with the following conditions:

1. Remove 1 parking spot in the south side parking area and expand the 2 landscape islands to meet the 10' by 20' minimum requirement with additional landscaping.

2. Expand sidewalk area to the north of the building, and add landscaping on the north side of the building that would provide a landscape island (10' by 20') with a shade tree.
3. Add additional trees and landscaping to lawn areas.
4. Place landscaping and shade trees in each island.
5. Add wheel stops to all parking spaces.
6. Add sidewalk connecting the entrance of the building to the right-of-way.
7. Add a masonry wall with a height of 38" - 42" along the east side of the property (Dixie Highway).
8. Submit revised landscape plan for administrative review.
9. Submit a lighting plan for administrative review.

Mr. Easterling reviewed the above Staff Report. Jerry Parker, Gressley, Kaplan & Parker, was present on behalf of the application, and added that he has no issues with the report as written. Mr. Wellstein confirmed that the masonry wall would match the adjoining parcels wall. Mr. Pickerel confirmed that the sidewalk at Barney's will be concrete too, and Mr. Easterling added that is the code requirement. There were no further comments or questions from the commission, nor the public.

Mr. Pickerel moved to approve the Preliminary and Final Site Plan for Barney's with the conditions noted in this report. Seconded by Mr. Carry. Ayes: (4). Nays: (0).

Preliminary & Final Site Plan
Mayle Law Office
13026 Roachton Road

APPLICANT

Andrew Mayle
PO Box 263
Perrysburg, OH 43552

Michael Duket
Duket Architects Planners
830 N. Summit St.
Toledo, OH 43604

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 located on the northeast corner of the intersection at Roachton Road and Michael Owens Way. This is an orphaned property that is not included in the larger Levis Commons Development. The former use of the property appears to be exclusively residential. The current zoning of the property is C1 – Neighborhood Commercial and the property size is approximately .56 acres.

ANALYSIS

Land Use – The current and requested use of the property has been reviewed and determined to be “Office / Bank” and is therefore a permitted use on this property.

Dimensional Standards - The proposed new construction building is subject to the requirements for having two front yards, meaning that the side of the building facing Roachton Road and the side facing Michael Owens Way are both treated as front yards and require a 30 foot building setback. The drawings incorrectly show the rear yard setback along the northern property line rather than along the eastern property line but either way the placement of the building compliant. In the case of having two front yards, the rear yard is the side opposite of the narrowest frontage. Per Ch. 1230.01 all required building setbacks are adequate. The overall height of the building is shown to be 27 feet at the tallest point. The overall size of the building is approximately 1,848 SF (roughly 42' x 44') and at this size there is no concern about exceeding the maximum lot coverage of 20 percent.

Building Materials – The applicants have provided an elevation sheet (A6.1) and a small packet containing color renderings of the building which both show that the building would be constructed of primarily brick veneer and wood siding. The building is also shown to use aluminum panels in relatively small strategic locations to enhance the modern appearance of the building. The proposed building materials are consistent with Ch. 1250.48.

Access – The subject location currently has two existing curb cuts that are not proposed to change. Both of the existing drives will function as a right-in/right-out movements due to the raised medians that currently exist.

Parking – The total number of proposed parking spaces for this site is 11. The code requires a minimum of 7 so this requirement is easily met as shown.

Parking Landscaping – The code requires that at a minimum 6 percent of the parking lot area be landscaped. This is traditionally achieved through the use of landscape islands and parking lot perimeter landscaping. Any landscape adjacent to the parking lot can be counted towards this 6 percent requirement but if the landscape is used towards the 6 percent requirement it cannot also be used towards the 20 percent site landscaping requirement.

Site Landscaping – The code requires that at a minimum of 20 percent of the site be landscaped. This landscaped area does not include turf grass or detention areas. The landscape consultant has not provided any calculations to confirm the presence of adequate landscaping for this site. Per Ch. 1250.10(b) it is required that on site landscaping be irrigated due to the site being larger than ½ acre in size.

Street Trees – A street tree plan for this project will be created by the City's Street Tree Commission. The street trees will be placed in the City right-of-way and will be spaced approximately 40 feet on center along the street frontages of this property. The quantity of trees is calculated by taking the distance of street frontage (141' + 175') 316' and subtracting the width of approved driveways (2 @ 35') 70', then dividing that number by the tree spacing. For this project site there will be 6 total street trees planted and the species and placement will be decided by the Street Tree Commission. The cost of each tree shall be paid by the applicant ($\$475 \times 6 = \$1,900$).

Signage – A full review of signage will be conducted by the Planning and Zoning Division prior to the issuance of permits.

**Note: Relief for area, height and setback can be sought from the BZA. No relief can be provided for sign quantity.*

Lighting – Sheet A1.0 indicates 4 proposed parking lot pole lights but no other detail is provided. Parking lot lighting needs to be limited to 20 feet in height and should be directed internally to the property.

Sidewalks – Sidewalks and/or a multi-use path are shown across the frontage of the property and it is shown to travel through the driveway entrances. It is recommended to require the sidewalk that is currently shown at the head of the parking spaces be extended to the west to connect to the public sidewalk along Michael Owens Way.

Waste Receptacles – The property is shown to be serviced by a single dumpster enclosure located in the northeast corner of the property. The elevation of this enclosure is shown on sheet A1.1. While the design of the enclosure meets the requirements of the code, the pavement sections do not. Please see Ch. 1250.57(a)(5) to correct this issue.

General Engineering – The applicant shall submit and obtain City of Perrysburg construction review approval for drainage calculations and general engineering prior to a zoning permit being issued. Additionally, a pre-construction meeting must be conducted prior to the issuance of any zoning permit.

RECOMMENDATION

The Planning and Zoning Administrator recommends that the Planning Commission approve the Preliminary & Final Site Plan for the 13026 Roachton Road and require the following items to be addressed prior to the approval of the request:

1. Revise rear yard setback location for construction drawing submission to avoid confusion in the future. Currently shown along north property line, should be east property line.
2. Need R.L.A. to verify and provide landscape percentage for parking lot landscaping. Must meet or exceed 6 percent of the parking lot area.
3. Need R.L.A. to verify and provide landscape percentage for overall site. Must meet or exceed 20 percent of the overall site.
4. Provide irrigation for landscaping since site size is in excess of ½ acre.
5. Trees on each side of entrance drive off of Roachton Road may need to be relocated to accommodate the required street trees described in the above report.
6. Light pole details will need to be provided, including height and light output.
7. The sidewalk between the parking area and the building should be extended to the west to tie into the sidewalk along Michael Owens Way.
8. The dumpster enclosure does not meet all of the code requirements with regard to concrete surfacing.

Mr. Walters reviewed the above Staff Report, and noted that a revised landscaping plan with calculations has since been submitted. Andrew & Ronald Mayle, owners, and Mike Duket, Duket Architects Planners were present. Mr. Duket noted that the dumpster enclosure code requirements have been addressed, and that they have a cut sheet of LED lighting. He asked about the intent of the sidewalk off of Michael Owen's Way, and Mr. Walters added that it is referenced in the code. Mr. Andrew Mayle added that he does not anticipate foot traffic as they are a large class action litigation firm, and Mr. Walters stated that it's referenced in the code. He added that Levis Commons is known for its "Live, Work, Play" lifestyle, and Mr. Carry stated that the intent of Levis Commons is connectivity. There was a brief discussion about parking spaces that are required by code and traffic flow into the parking lot, and Mr. Duket confirmed that they will remove one spot in front, which will leave ten. Jim Hagen, 10741 Avenue Road, added that eliminating a sidewalk may be okay now, but twenty years from now that intention may change.

Mr. Wellstein moved to approve the Preliminary & Final Site Plan for Mayle Law with the conditions listed in this report. Seconded by Mayor Mackin. Ayes: (4). Nays: (0).

Special Approval Use
LiveFIT
12905 Eckel Junction Road

APPLICANT/OWNER/DEVELOPER

Ben Bruns
9844 Roachton Rd.
Perrysburg, OH 43551

REQUEST

PROPERTY LOCATION & DESCRIPTION

Location: The subject property is located on the south side of Eckel Junction Road between Southpoint Road and Flagship Drive.

Property Size: approximately 1.08 acres

Parcel(s): Q61-400-180000068001

Zoning: PBP – Planned Business Park

BACKGROUND

On November 1, 2016, City Council approved code amendments that allowed for Gym and Fitness Facilities to be established in commercially zoned districts and Planned Business Parks. It also further defined gyms/fitness facilities and commercial recreation uses.

On November 21, 2017, City Council passed ordinance 98-2017 which now permits Gyms and Fitness Facilities (by definition), of any size, to be located in PBP – Planned Business Park zoning districts with a Special Approval Use.

Ben Bruns is requesting the Planning Commission's consideration of a Special Approval Use for a "gym/fitness facility" at the former site of the Perrysburg Gymnastics Center. Attached to this report is a business description that was provided by the applicant. This proposal is only subject to general requirements of the Special Approval Use section.

This business is currently in operation at 26610 Eckel Road, Suite 1 and is looking to relocate to this new, larger facility.

ANALYSIS

This particular Special Approval Use does not provide "specific conditions" for approval so this application will only be subject to the "general conditions" for Special Approval Uses which are as follows:

SPECIAL APPROVAL USE

General Requirements

Ch.1235.02(d)

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.

RECOMMENDATION

The Planning and Zoning Administrator has reviewed the application for Special Approval Use for LiveFIT to be located at 12905 Eckel Junction Road and believes that the applicant has met the necessary requirements to be granted a Special Approval Use for a gym/fitness facility at this location and would further recommend the Planning Commission approve that request.

Mr. Walters reviewed the above Staff Report. Ben Bruns was present on behalf of the application. Mayor Mackin asked if this building was built before it was annexed into the city, and Mr. Walters confirmed that it was very likely. There were no further comments or questions from the commission, nor the public.

Mr. Pickerel moved to approve the Special Approval Use for LiveFIT as submitted. Seconded by Mayor Mackin. Ayes: (4). Nays: (0).

**Sanctuary In The Woods Phase 3
Preliminary Plat Extension****APPLICANT**

Jeff H. Ruch, P.E.
Engineers, Surveyors & Associates, LLC
5353 Secor Road
Toledo, Ohio 43623

OWNER/DEVELOPER

Retreat Associates, Inc.
4331 Keystone Drive
Maumee, OH 43537

Chapter 1295.06(i) – Preliminary Plats: Tentative Approval Time Limit; Plat Resubmission

PROPERTY LOCATION & DESCRIPTION

Sanctuary in the Woods Phase 3 is an R-1 residential subdivision consisting of 109 lots on approximately 90.3 acres and is a continuation of the existing Sanctuary residential development. It is located north of Roachton Road, west of Hull Prairie Road, south of SR65.

BACKGROUND

The Preliminary Plat was first approved December 4, 2003, and has been extended each year with the most recent request extending approval until January 26, 2019. The applicant has requested the extension prior to the upcoming expiration date. This requested extension would be for two (2) years until December 10, 2020.

Plat 1, consisting of 16 lots was finalized and recorded on January 6, 2004.

Plat 3, consisting of 21 lots was finalized and recorded on December 24, 2014.

Plat 4, consisting of 13 lots was finalized and recorded on January 19, 2018.

Plat 2, consisting of 25 lots was finalized and recorded on January 25, 2018.

ANALYSIS

There are 50 un-platted lots proposed in the remaining portion of Sanctuary in the Woods Phase 3. Of those 50 lots, 25 of the lots do not meet the minimum lot size of 22,000 square feet.

(The lot numbers that do not meet the minimum lot size requirement are as follows: 49, 50, 51, 52, 53, 76, 77, 82, 83, 91, 96, 97, 105, 106, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, and 121).

Preliminary Plat approval shall be effective for a maximum period of twenty-four (24) months unless, upon application of the developer, the Planning Commission grants an extension. If the Final Plat has not been recorded within this time limit, the Preliminary Plat must again be submitted to the Planning Commission for approval.

RECOMMENDATION

The Planning and Zoning Deputy Administrator recommends that the Planning Commission extend the Preliminary Plat approval until December 10, 2020. The developers have demonstrated a good faith effort to continue progress within the subdivision and will be finalizing additional plats in the near future. If development stalls

and does not progress on a reasonable timeline between now and the recommended expiration date, the Planning Commission should consider (during the next extension review) requiring the submission of a new Preliminary Plat that shows remaining lots at a size that meets or exceeds the minimum lot size requirement of 22,000 SF.

Mr. Easterling reviewed the above Staff Report. The applicant was not present on behalf of the application. Doug Pratt, 25810 Hull Prairie Road, stated that he is concerned with the fencing along the east side of the development that is adjacent to his property. Mr. Walters added that he understands Mr. Pratt's concerns but at this time it is an over-reach of authority for the Planning Commission. Mr. Walters encouraged Mr. Pratt to raise his concerns at a future meeting when the final plats are being reviewed. There were no further comments or questions from the commission, nor the public.

Mr. Wellstein moved to approve the Preliminary Plat Extension for Sanctuary In The Woods Phase 3 as submitted. Seconded by Mayor Mackin. Ayes: (4). Nays: (0).

Final Plat

Hawthorne Subdivision – Plat 5

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 as proposed contains 27 lots on approximately 10.010 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 5 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 4:

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.)	\$75,161.40
Curb Ramps: (@ \$1,000 each)	\$0
Street Lights: (@ TBDeach)	\$0
Street Signs: (# of signs x \$150)	<u>\$TBD</u>
Total Escrows	\$TBD

RECOMMENDATION

The Planning & Zoning Administrator recommends that the Planning Commission approve the Final Plat for Hawthorne subdivision Plat 5 subject to the deposit of escrows and payment of all other fees.

Mr. Walters reviewed the above Staff Report. Ms. Rich was present on behalf of the application, and the developer. Jim Hagen, 10741 Avenue Road, stated that he is concerned with the development cutting through the woods and mature trees. There were no further comments or questions from the commission, nor the public.

Mayor Mackin moved to approve to approve the Final Plat for Hawthorne Subdivision Plat 5 as submitted. Seconded by Mr. Carry. Ayes: (4). Nays: (0).

Final Plat
Horseshoe Bend – Plat 12

APPLICANT/OWNER/DEVELOPER

Mr. Brian Gruber
Fort Roach Developers, LLC
3102 Steeple Chase Lane
Perrysburg, OH 43551

REQUEST

Chapter 1295.07 – Final Plat

PROPERTY LOCATION & DESCRIPTION

Horseshoe Bend is an R-3 residential subdivision originally proposed to consist of 192 lots. This subdivision is located east of Perrysburg High School and south of Roachton Road / Michael Owens Way.

Past activity in this subdivision is as follows:

Plat 1, 22 lots – finalized on December 30, 1999

Plat 2, 12 lots – finalized on July 3, 2001

Plat 3, 16 lots – finalized on July 24, 2002

Plat 4, 15 lots – finalized on June 12, 2003

Plat 5, 14 lots – finalized on October 27, 2003

Plat 6, 11 lots – finalized on August 26, 2004

Plat 7, 14 lots – finalized on June 2, 2005

Plat 8, 14 lots – finalized on October 5, 2005

Plat 9, 19 lots – finalized on September 6, 2006

Plat 11, 12 lots – finalized on January 5, 2018

Plat 10, 24 lots – Preliminary Plat last reapproved on April 27, 2017

Plat 12, 17 lots – Preliminary Plat last reapproved on April 27, 2017

BACKGROUND

The Preliminary Plat of the remaining plats (Plats 10-12) in the Horseshoe Bend Subdivision was last reapproved (not renewed due to expiration) on April 27, 2017.

ANALYSIS

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

Open Space Fee Requirement = 7.5% value of 6.433 acres + \$100 per lot.

Notes: Value per acre = \$11,500.00

Value of 6.433 acres = \$73,979.50

Total Open Space Fee for Plat 12 (17 lots) = 6.433 acres x (\$11,500.00 x 7.5%) = \$5,548.46 + \$1,700 (\$100 x 17 lots) for a total of **\$7,248.46**.

Per Chapter 1295.07(d), the following payments or escrows shall be provided to the satisfaction of the city prior to signing the final plat of Plat 11:

Estimate of Construction Costs:

Roadway and Pavement	\$TBD
Drainage	\$TBD
Erosion Control	\$TBD
Waterline	\$TBD
Sanitary Sewer	\$TBD
Sidewalks (4'): (8,399.22 sq.ft. @ \$6.00/sq.ft.)	\$50,395.32
Curb Ramps: (# @ \$1,000 each)	<u>\$TBD</u>
Total Escrows (+ 20%)	\$TBD

Cash Payment Required:

Street Lights: (# @ TBD each)	\$TBD
Street Signs: (# of signs x \$150)	\$TBD
Open Space Fee	\$7,248.46
Total Cash Payment	\$TBD

RECOMMENDATION

The Planning & Zoning Administrator recommends that the Planning Commission approve the Final Plat for Horseshoe Bend Plat 12 with the condition that all escrows and payment items be paid to the city.

Mr. Walters reviewed the above Staff Report. Matt Gruber was present on behalf of the application. There were no further comments or questions from the commission, nor the public.

Mr. Wellstein moved to approve the Final Plat for Horseshoe Bend Plat 12 as submitted. Seconded by Mr. Carry. Ayes: (4). Nays: (0).

Other Business

There being no further business, the meeting adjourned at 8:06 p.m.

Respectfully submitted,

Heather Alfaro