

PLANNING COMMISSION MEETING

NOVEMBER 20, 2014

The meeting was called to order at 7:00 p.m. by Chairman Chris Carry. Commission members present were: Greg Bade, Chris Carry, Byron Choka, Tom Forquer, Seth Hudson, and Mayor Olmstead. (6). Absent: Therese Witt (1). Also present were: Brody Walters, Planning and Zoning Administrator, and Mathew Beredo, Law Director.

Approval of Minutes from the September 25, 2014 Meeting

Mr. Forquer moved to approve the minutes of the September 25, 2014 meeting as written. Mr. Hudson seconded and they were unanimously approved.

Administrator's Report

Mr. Walters stated that Mr. Bade has been representing the Planning Commission on the Housing Council and since his term will be expiring at the end of the year, a new representative will need to be appointed. Mr. Carry moved to nominate Mr. Hudson as the Planning Commission representative to the Housing Council. Mr. Bade seconded and it was unanimously approved.

Preliminary Plat Extension Bayshore Village Plats 2-8

APPLICANT/OWNER/DEVELOPER

Mr. Tim Gruber
Ridge Stone Builders
7015 Lighthouse Way, Suite 500
Perrysburg, OH 43551

REQUEST

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

PROPERTY LOCATION & DESCRIPTION

Bayshore Village is located on the north side of Five Point Road between SR25 and Fort Meigs Road. Bayshore Village subdivision is an R-4 (Single Family) residential subdivision with a CDP (Community Development Plan) overlay. The property consists of 75.4 acres which is planned to contain 7 - 115' lots, 91 - 75' lots and 57 - 50' lots for villas. Additionally, 116 multi-family units in 29 buildings are planned.

BACKGROUND

The Preliminary Plat was first approved June 6, 2005 and expires on November 21, 2014.

This extension would be a one (1) year extension for Plats 2-8.

The Final Plat for Plat 1, consisting of 7 lots was finalized on April 24, 2008.

RECOMMENDATION

The Planning and Zoning Administrator recommends that the Planning Commission grant a one-year extension (until November 21, 2015) for Bayshore Village Plats 2-8. Further, it is recommended to require updated preliminary plat drawings which indicate both the completed and proposed plat configurations prior to the issuance of any future plat extension approval.

Mr. Walters reviewed the above Staff Report. Tim Gruber, the applicant, was present and said that he has no problem with providing an updated preliminary plat. Mr. Forquer asked about Rolling Tide Lane. He said as shown on the preliminary plat it does not connect to the adjacent subdivision. Mr. Gruber said he will check into it, but it will connect in to Falls at Rivers Edge and the other stub will connect into Harbor Town Place.

Mr. Bade moved to approve a one year extension until November 21, 2015 for the Preliminary Plat of Bayshore Village Plats 2-8 subject to the comments and recommendations in the Planning and Zoning Administrator's report. Mr. Choka seconded and it was approved 5-1. Ayes: Bade, Carry, Choka, Hudson, Olmstead (5). Nays: Forquer (1).

Preliminary Plat Extension Horseshoe Bend Plats 10-12

APPLICANT/OWNER/DEVELOPER

Mr. Tim Gruber
Ridge Stone Builders
7015 Lighthouse Way, Suite 500
Perrysburg, OH 43551

REQUEST

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

PROPERTY LOCATION & DESCRIPTION

Horseshoe Bend is an R-3 and R-5 residential subdivision consisting of approximately 58.4578 acres located south of Roachton Road, directly south of Michael Owens Way. It is bordered on the west by Perrysburg High School. Plats 1 through 9 consisting of 137 lots have already been finalized. The Preliminary Plat for Plats 10 through 12 shows 54 lots.

BACKGROUND

The Preliminary Plat was first approved April 24, 2003 and was most recently approved on November 21, 2013. The Plat expires on November 21, 2014.

This extension would be a one (1) year extension for Plats 10 – 12.

RECOMMENDATION

The Planning and Zoning Administrator recommends that the Planning Commission grant a one-year extension (November 21, 2015) for Horseshoe Bend Plats 10-12. Further, it is recommended to require updated preliminary plat drawings which indicate both the completed and proposed plat configurations prior to the issuance of any future plat extension approval.

Mr. Walters reviewed the above Staff Report. Mr. Gruber said that he has no problem with providing an updated preliminary plat. Mr. Forquer asked about the Lighthouse Way connection. He said that Lot 121 on the preliminary plat is now a street. Mr. Gruber said that when the infrastructure was going in, the utilities department preferred a loop.

Mr. Carry moved to approve a one year extension until November 21, 2015 for the Preliminary Plat of Horseshoe Bend Plats 10-12 subject to the comments and recommendations in the Planning and Zoning Administrator's report. Mayor Olmstead seconded and it was approved 5-1. Ayes: Bade, Carry, Choka, Hudson, Olmstead (5). Nays: Forquer (1).

Preliminary Plat Extension Falls at Rivers Edge Plats 4-6

APPLICANT/OWNER/DEVELOPER

Mr. Tim Gruber
Ridge Stone Builders
7015 Lighthouse Way, Suite 500
Perrysburg, OH 43551

REQUEST

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

PROPERTY LOCATION & DESCRIPTION

The Falls at Rivers Edge is an R-4 (Single Family) subdivision with a CDP (Community Development Plan) overlay located immediately south of Perrysburg High School on approximately 34.773 acres. The development is for zero lot line units and traditional stand-alone residences and consists of six plats with 139 lots.

BACKGROUND

The Preliminary Plat was first approved March 28, 2002 and expires on November 21, 2014.

This extension would be a one (1) year extension for Plats 4-6.

The Final Plat for Plat 1, consisting of 35 lots was finalized on June 26, 2003. The Final Plat for Plat 2, consisting of 19 lots was finalized on October 28, 2004. The Final Plat for Plat 3, consisting of 36 lots was finalized on May 26, 2005.

RECOMMENDATION

The Planning and Zoning Administrator recommends that the Planning Commission grant a one-year extension (November 21, 2015) for The Falls at Rivers Edge Plats 4-6. Further, it is recommended to require updated preliminary plat drawings which indicate both the completed and proposed plat configurations prior to the issuance of any future plat extension approval.

Mr. Walters reviewed the above Staff Report. Mr. Gruber said that he has no problem with the recommendation. Mr. Forquer asked about the other side of Rolling Tide Lane which is the stub going nowhere. Mr. Gruber said that within the next month or so he will have updated preliminary plats showing the continuation of the stub streets.

Mr. Choka moved to approve a one year extension until November 21, 2015 for the Preliminary Plat of Falls at Rivers Edge Plats 4-6 subject to the comments and recommendations in the Planning and Zoning Administrator's report. Mr. Hudson seconded and it was approved 5-1. Ayes: Bade, Carry, Choka, Hudson, Olmstead (5). Nays: Forquer (1).

Preliminary Plat Extension Meadows at Rivers Edge Plats 2-3

APPLICANT/OWNER/DEVELOPER

Mr. Tim Gruber
Ridge Stone Builders
7015 Lighthouse Way, Suite 500
Perrysburg, OH 43551

REQUEST

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

PROPERTY LOCATION & DESCRIPTION

The Meadows at Rivers Edge is located off Five Point Road, west of SR25. It is located off the existing River's Edge Drive off Five Point Road into the Meadows at River's Edge subdivision and to the existing Otterbein Retirement Assisted Care Facility. These plats consist of R-4 (Single Family) with a CDP (Community Development Plan) overlay; C-1 (Neighborhood Commercial); and RM (Multiple Family).

Overall, the subdivision consists of 3 plats, 59 lots on approximately 24.408 acres.

BACKGROUND

The Preliminary Plat was first approved March 28, 2002 and expires on November 21, 2014.

This extension would be a one (1) year extension for Plats 2 and 3

The Final Plat for Plat 1 was finalized on August 27, 2009.

RECOMMENDATION

The Planning and Zoning Administrator recommends that the Planning Commission grant a one-year extension (November 21, 2015) for Meadows at Rivers Edge Plats 2 and 3. Further, it is recommended to require updated preliminary plat drawings which indicate both the completed and proposed plat configurations prior to the issuance of any future plat extension approval.

Mr. Walters reviewed the above Staff Report. Mr. Gruber said he has no issues with the recommendation. Mr. Forquer noted that the clubhouse is on one of the plats that has not been finalized. He asked how construction was authorized. Mr. Gruber said that the City authorized it. He worked with them in providing a lot to put in a pump station and saved the City a great deal of money by installing sewers for properties in that vicinity.

Mr. Hudson moved to approve a one year extension until November 21, 2015 for the Preliminary Plat of Meadows at Rivers Edge Plats 2-3 subject to the comments and recommendations in the Planning and Zoning Administrator's report. Mayor Olmstead seconded and it was approved 5-1. Ayes: Bade, Carry, Choka, Hudson, Olmstead (5). Nays: Forquer (1).

Preliminary Plat Extension Sanctuary in the Woods Phase III

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 December 19, 2014. This extension would be for one (1) year until December 19, 2015.

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

RECOMMENDATION

The Planning and Zoning Administrator recommends that the Planning Commission grant a one-year extension to December 19, 2015 for the Preliminary Plat of Sanctuary in the Woods Phase 3.

Mr. Walters reviewed the above Staff Report. Greg Boudouris of ESA, Dick Wehrle and Ed Bryant of Retreat Associates were present. Mr. Choka asked why Mr. Walters did not request updated preliminary plats as he did in the previous requests for extension. Mr. Walters stated that the Sanctuary preliminary plats are up to date. There was discussion regarding whether this preliminary plat extension is tied to other items on tonight's agenda.

Barry Knotts, Crandenbrook resident, said his principal concern is regarding infrastructure. He said that there is a lot of population in that area to supply police and fire service to and there is limited access from Roachton Road and River Road.

Sara Beach, 25990 Wood Creek Ct., said that she owns land that abuts the area being discussed. She said that there are other ways to get variances to make the lots bigger and she said that 46% of the lots in Sanctuary in the Woods Phase 3 are not in compliance with the minimum square footage of R1 lots. She said if the lots were brought up to R1 standards there would be fewer issues and the setbacks would not need to be changed. She said these items should be tabled until the developer has a meeting with the neighbors and their concerns are addressed. She suggested that it be tabled until after the first of the year so they don't have to deal with it during the holidays.

Mr. Wehrle and Mr. Bryant gave a history on the development of the Sanctuary. Mr. Bryant noted that they bought 400 acres and it has taken a while to market that much property. He said they want to build bigger homes; the plan was never to change lot sizes.

Bill Beach, 25990 Wood Creek Ct., said they don't meet the existing standards and he asked what the legal precedent is. Mr. Beach added that the value of his property has gone down with the Wood County Auditor because of Sanctuary Meadows.

Mayor Olmstead said that he is trying to approach this on a fundamental fairness level. He said that he has spoken with Mr. Walters and they will look at the policy of renewing preliminary plats going forward, but to yank a plan at this point would be bad business for Perrysburg.

Mr. Bade stated that the previous standard for R1 lots was 20,000 square feet and none of the lots are below that standard. He said we cannot expect them to do new drawings every time the Code changes; that is why they renew it each year.

Mr. Walters asked Mr. Boudouris for an estimate on the cost of developing plans for a preliminary plat. Mr. Boudouris said that it would be over \$1,000 per lot.

Mr. Forquer moved to grant a one year extension to December 19, 2015 for the Preliminary Plat of Sanctuary in the Woods Phase 3. Mr. Hudson seconded. Ayes: Carry, Choka, Forquer, Hudson, Olmstead (5). Nays: Bade (1).

Preliminary Plat Extension The Sanctuary Phase III

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

The Sanctuary Phase 3 is an R-1 residential subdivision consisting of approximately 98.44 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 and east of Willowbend subdivision.

BACKGROUND

The Preliminary Plat was first approved December 4, 2003, and has been extended each year with the most recent request extending approval until December 19, 2014. This extension would be for one (1) year until December 19, 2015.

Plat 5 consisting of 21 lots, Plat 6 consisting of 20 lots, Plat 6A consisting of 14 lots, Plat 7 consisting of 40 lots, and Plat 8A consisting of 6 lots have been finalized leaving 23 lots that are unplatted in Phase 3.

RECOMMENDATION

The Planning and Zoning Administrator recommends that the Planning Commission grant a one-year extension to December 19, 2015 for the Preliminary Plat of Sanctuary Phase 3.

Mr. Walters reviewed the above Staff Report. Mr. Forquer moved to approve a one year extension of the Preliminary Plat for Sanctuary Phase III to December 19, 2015. Mr. Hudson seconded and it was approved 5-1. Ayes: Carry, Choka, Forquer, Hudson, Olmstead (5). Nays: Bade (1).

Final Plat

Sanctuary in the Woods Plat 3

APPLICANT/OWNER/DEVELOPER

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

Engineers, Surveyors & Associates, LLC
5353 Secor Road
Toledo, OH 43623

REQUEST

Chapter 1295.07 – Final Plat

PROPERTY LOCATION & DESCRIPTION

Sanctuary Plat 3 is an R1 (Single Family Residential) subdivision consisting of 21 lots on approximately 14.143 acres and is a continuation of the existing Sanctuary in the Woods residential development. This plat is located immediately north of Roachton Rd. and immediately east of Wood Creek Rd.

BACKGROUND

December 4, 2003 – The preliminary plat was first approved
This overall subdivision plat has been renewed each year since 2003.

* Plat 1 was finalized on December 15, 2003

ANALYSIS

The design layout of Sanctuary in the Woods has not changed from the original preliminary plat first approved in 2003.

Per Chapter 1295.07(d), the following escrows shall be provided prior to signing the Final Plat:

Estimate of Construction Costs:

- | | |
|------------------------|----------------------|
| • Roadway and Pavement | \$(to be determined) |
| • Drainage | \$(to be determined) |
| • Erosion Control | \$(to be determined) |
| • Waterline | \$(to be determined) |
| • Sanitary Sewer | \$(to be determined) |

- Sidewalks: 2,693.84 linear feet, (13,469.20 SF @ \$7.00/SF) \$94,284.40
- Curb Ramps: 4 @ \$1,000 each = \$4,000.00
- Street Lights: 3 @ \$1,500 each = \$4,500.00
- Open space requirement = \$TBD
 7.5% of appraised value of 14.143 acres +
 \$100.00 per each lot.
 (7.5% of land value) + (\$2,100.00) =
- Street Signs (\$150.00 EA) \$TBD

Total Escrows

\$(to be determined)

(All work to be escrowed or completed prior to the signing of the final plat)

Additional Notes:

1. Revise the "Owners Certification" to declare that buffer lot A shall be dedicated to the City of Perrysburg upon recording of the final plat.
2. Street signs shall be paid for prior to the signing of the final plat. (\$150 per sign).
3. The applicant shall provide an open space fee to the City of Perrysburg for the improvement of open space or recreational areas within the city per the following formula: Open space requirement = 7.5% of appraised value of 6.732 acres + \$100.00 per each lot. (7.5% of land value) + (\$1,700.00) = \$TBD
4. Modify the signature block for the Municipal Planning Commission to read: Chris Carry - Chairman
5. Modify the signature block for the to read: Jon Eckel – Director of Public Service
6. The applicant shall provide an open space fee to the City of Perrysburg for the improvement of open space or recreational areas within the city per the above formula. Open space requirement = 7.5% of appraised value of 14.143 acres + \$100.00 per each lot. (7.5% of land value) + (\$2,10.00) = \$TBD
7. Additional comments may be provided by city departments after further review.

RECOMMENDATION

The Planning and Zoning Administrator recommends that the Planning Commission approve the Final Plat for Sanctuary in the Woods Plat 3 subject to the comments and recommendations in this report. City divisions shall review the final plat for compliance prior to recording.

Mr. Walters reviewed the above Staff Report. He added that #3 under Additional Notes should be deleted, #6 is the accurate note regarding open space. Mr. Boudouris said that the Final Plat was designed according to the preliminary plat. Mr. Wehrle said that he agrees with the recommendations in the Staff Report. Sarah Beach, 25990 Wood Creek Ct., asked about the Open Space requirement. Mr. Walters explained that this is not referring to open space on each lot, it is open space within the subdivision and it is up to the Planning Commission whether they want the land or cash in lieu of the land. The policy of the City has been to request the open space fee and put it towards

developing the larger, existing parks because it is difficult to maintain so many smaller parks within the subdivisions.

Mr. Forquer moved to approve the Final Plat of Sanctuary in the Woods Plat 3 subject to the comments and recommendations in the Planning and Zoning Administrator's report including deleting #3 under Additional Notes. Mr. Carry seconded and it was unanimously approved.

Code Amendment – Ch. 1230.01
Retreat Associates
R-1 Setbacks

APPLICANT/OWNER/DEVELOPER

Retreat Associates (Ed Bryant, Dick Wehrle, Steve Mitchell)
4331 Keystone Dr.
Maumee, Ohio 43537

REQUEST

Chapter 1285.06 – Changes and Amendments
Chapter 1230.01 – Intensity & Dimensional Standards

PROPERTY LOCATION & DESCRIPTION

The proposed code amendments to Chapter 1230.01 would affect all properties that are currently zoned R-1 (Single-Family Residential) by reducing the required rear yard setback on these lots.

BACKGROUND

Chapter 1230.01 Intensity & Dimensional Standards identifies the required dimensional lot requirements for each zoning classification included on the City of Perrysburg's zoning map. The applicants have requested to amend the zoning code to reduce the required rear yard setback of R-1 lots from 60' to 40'. All other dimensional requirements of the R1 zoning classification are proposed to remain the same. In the applicant's request, it is cited that they are "having difficulty fitting larger homes on some of the remaining lots in the developed plats."

ANALYSIS

The requested code amendment would result in the rear yard setback requirements for R1 and R2 zoned properties being the same (40').

RECOMMENDATION

The Planning and Zoning Administrator recommends that the Planning Commission consider the impact on all R-1 (single-family residential) zoned properties prior to making a recommendation to city council on this issue. Additionally, the Planning and Zoning Administrator would not recommend a general reduction of any required setback of more than 10'. The applicants are permitted to request relief from the Board of Zoning Appeals (BZA) on lots that pose unique challenges.

Further, it is recommended that a public hearing be set before City Council for January 6, 2015 at 6:20 p.m.

Mr. Walters reviewed the above Staff Report. Mr. Carry made a motion to table the request for a Code Amendment. The motion was seconded by Mr. Hudson. Ayes: Carry, Hudson, Olmstead (3). Nays: Bade, Choka, Forquer (3).

Mr. Choka asked what kind of notice was provided that this item was going to be on the agenda. Mr. Walters explained that for a Code Amendment, a general notice in the newspaper is required by the Code. However, as a courtesy, an email was sent to residents in the Sanctuary/Willowbend area who had requested notice about the rezoning request that Retreat Associates withdrew from the October Planning Commission agenda.

Mr. Wehrle stated that R-2 zoning allows larger homes to be built than in R-1 zoning; he said that it seems to be a quirk in the Code. Mr. Carry said that Mr. Wehrle is making the assumption that the lot size is the same, but the minimum lot size in R-2 zoning is smaller. Mr. Bade noted that this request would be across the whole city. Mr. Wehrle asked if in lieu of the requested Code amendment, they could be given blanket BZA approval to reduce the rear yard setbacks.

Becky Williams, 421 E. Sixth Street, said that she is currently on the BZA and was on the Planning Commission in 2006 when the Code change occurred. She said the change to R-1 was made because builders wanted bigger lots.

Amy Kincaid, 25581 Wood Creek Road, said that they built on the entire footprint of the lot and if this request is approved, their swimming pool would encroach on her neighbor's lot. She asked that they think of the impact.

Tim Alter, 25940 Wood Creek Court, said that he is opposed to the change. He said that his property borders a lot in Sanctuary in the Woods Plat 3, so he would be affected.

Mr. Bade moved to make a recommendation to City Council to deny the request to reduce rear yard setbacks in R-1 zoning from 60' to 40' and to schedule a public hearing before City Council on Tuesday, January 6, 2015 at 6:20 p.m. Mr. Carry seconded and the motion was unanimously approved.

Other Business

Mr. Walters gave an update about Social, 25818 N. Dixie Highway. He said that they are deficient in their site plan requirements and the Administration had a meeting with them. They have been given a two year extension to meet all requirements but the requirements dealing with health and general safety must be completed immediately.

Mr. Walters reported that with regards to the Code Amendment regarding changes to the Land Use Table and I1 zoning, he found that we break down our activities more specifically than many other communities. He said that the categories in question would

just be classified as commercial in most communities because they have fewer categories.

There being no further business the meeting adjourned at 9:42 p.m.

Respectfully submitted,

Mary Jo Sutton