

PLANNING COMMISSION

SEPTEMBER 27, 2018

The meeting was called to order at 7:00 p.m. by Chairman Chris Carry. Commission members present were Chris Carry, Seth Hudson, Andy Lorenz, and John Wellstein (4). Absent: Mayor Mackin, Eric Nicely, and Craig Pickerel (3). Also present was Brody Walters, Planning and Zoning Administrator.

Approval of Minutes

Mr. Lorenz moved to approve the minutes of the July 26, 2018 meeting as written. Seconded by Mr. Hudson. Ayes: Carry, Hudson, and Lorenz (3). Abstain: Wellstein (1).

Administrator's Report

No report.

Rezoning Request Schroeder Property W. River Road

APPLICANT/OWNER/DEVELOPER

Sara Zahradnik
360 W. Dussell Drive
Maumee, OH 43537

REQUEST

Chapter 1285 - Changes and Amendments

PROPERTY LOCATION & DESCRIPTION

The proposed rezoning is located along the south side of West River Road directly adjacent to 27024 West River Road, just west of Riverford Drive. It is currently zoned A-1 (Agricultural).

Adjacent zoning:

1. East: R-3 (Single Family Residential)
2. North: A-1 (Agricultural)/Perrysburg Township Property
3. South: R-3 (Single Family Residential)
4. West: Perrysburg Township Property

The property is approximately 16.907 acres (746,468 square feet).

BACKGROUND

It is the applicants desire to utilize this property for a new plat in the Riverford Subdivision.

ANALYSIS

The current applicant has requested a zoning change from the current zoning of A-1 (Agricultural) to R-3 (Single Family Residential).

Per Ch. 1220.03(c), R-3 zoning is defined as: Medium density residential development that has ready access to most community services. Includes land with little or no topographical problems.

The following uses are permitted uses or allowed with a Special Approval Use (SAU) within R-3.

One Family Dwelling
Bed & Breakfast **(SAU)**
Rooming House **(SAU)**

The Comprehensive Plan – Conservation and Development Map indicates “Controlled Growth Area/Traditional Neighborhood Area” and “Natural Resources” for the subject site.

Controlled Growth/Traditional Neighborhood Area: Areas that are appropriate for a variety of development types because of their proximity to planned or existing roadways and utilities. They include both a traditional neighborhood pattern (walkable with a district center and edge) and an open space development pattern.

Natural Resources: Areas that preserve and reserve lands. Preserve lands are permanently protected by federal, state, and local regulations. These lands include nature preserves, parks, and outdoor recreation areas. Reserve lands are not a part of the preserve areas, but due to the environmental constraints and limitations, their development potential should be considered for future preservation. Reserve lands include floodplain areas, hydric soils with steep slopes (over 12 percent), and wetlands, all of which could be developed, but without additional effort or cost.

RECOMMENDATION

The Planning and Zoning Deputy Administrator recommends that the Planning Commission recommend to City Council approval of the zoning request for the above mentioned 16.907 acres from A-1(Agricultural) to R-3 (Single Family Residential). After a review of the zoning map and current and future land use patterns, the R-3 (Single

Family Residential) zoning fits the mold of the future land use patterns and development.

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

Mr. Walters reviewed the above Staff Report. Ed Schroeder, Developer, and Sara Zahradnik, The JDI Group, were present on behalf of the application. Mr. Hudson asked about the zoning on the east and south side of the subdivision, and it was confirmed that the zoning is R-3 (Single Family Residential). There were no further questions from the board.

Michael Searle, 1919 Ottawa Lane, stated that he has been aware over the last 20 years that the remainder of the subdivision would eventually be developed. He also said that he is in favor of the rezoning request.

Mr. Hudson moved to approve the Rezoning Request from A-1 (Agricultural) to R-3 (Single Family Residential) for the above mentioned 16.907 acres, and that a public hearing be scheduled for November 6, 2018 at 6:05 p.m. Seconded by Mr. Carry. Ayes: (4). Nays: (0).

**Rezoning Request PBP to I-2
Ohio CAT
(Eckel Junction Road)**

APPLICANT

David Blocksom
Chief Financial Officer
Ohio CAT
Broadview Heights, OH 44147

Chris Copeland, P.E.
Mark Smoley, P.E.
Mannik Smith Group
Beachwood, OH 44122

REQUEST

Chapter 1285 - Changes and Amendments

PROPERTY LOCATION & DESCRIPTION

The proposed project site is located on the south side of Eckel Junction Road, west of SR25, along the CSX Railroad Track. The parcels included in this request are: Q61-100-130000008003, Q61-100-130000004000, Q61-100-130000003000, Q61-100-

130000002000, and Q61-100-130000001000. Four of the five parcels are owned by Mr. Robert Farley and the remaining parcel is owned by the City of Perrysburg.

The total property is approximately 39.4 acres in size and is currently zoned (PBP) Planned Business Park.

Adjacent zoning:

North – Eckel Junction Road, Tri-State Forest Products (I-2)

East – Brig Niagara Business Park (PBP)

South – I-475

West – CSX Rail line, Rotary Park (P), B&O Railroad property (A-1)

The applicant is currently in negotiations with the current property owners to acquire the 5 parcels. Successful rezoning and site plan approval is a condition of the purchase. All parties are aware of the rezoning request as well the proposed use of the site.

ANALYSIS

The applicant has requested a zoning change from the current (PBP) Planned Business Park zoning to (I-2) General Industrial for the purposes of relocating the existing Ohio CAT dealership that is located on SR25 (across from Levis Commons). In addition to the relocation of the existing business the applicant intends to expand that operation with additional products and services including a rental service and a Peterbilt Truck Dealership.

Per Ch. 1220.06(b), I-2 is defined as “Areas which, because of their access to transportation and community services and relative isolation from other uses, provide good sites for most types of industry. Industries are limited to the types which would have little detrimental effect upon surrounding development.

The following uses are permitted uses or permitted with a Special Approval Use **(SAU)** within a **PBP** district:

Automotive Oil & Lube Service Facilities

Automotive Repair (Light)

Automotive Sales or Lease for New and Used Vehicles – Outdoors **(SAU)**

Auto Wash **(SAU)**

Carry-Outs/Other Business, Alcoholic Beverages **(SAU)**

Commercial Recreational Facilities **(SAU)**

Commercial Schools

Drive-in commercial uses **(SAU)**

Entertainment and Spectator Sport Facilities

Grocery Stores

Gym/Fitness Facility < 5,000 GSF **(SAU)**

Gym/Fitness Facility > 5,000 GSF **(SAU)**

Massage Establishment **(SAU)**

Motels and Hotels

Neighborhood business less than 10,000 SF
 Office and Banks
 Personal Services
 Printing
 Restaurant carry-out only
 Restaurant drive-in
 Restaurant fast food
 Restaurant outdoor café
 Restaurant Full Service
 Retail business; less than 60,000 GSF
 Retail business; more than 60,000 GSF **(SAU)**
 Sale and Storage of Building Materials **(SAU)**
 Self-service storage
 Service station
 Hospitality Facilities
 Transient Habitation
 Repair Services, consumer
 Medical Offices
 Medical Urgent Care Facilities
 Child Day Care Centers **(SAU)**
 Club, Lodges, Fraternal and Civic Assembly
 Essential Services
 Hospital
 Institutional Use
 Mortuaries/Funeral Homes
 Non-Commercial Recreation Facilities **(SAU)**
 Parks and Recreation Facilities **(SAU)**
 Part-time child day care centers
 Postal Service
 Public Service Facility
 Public/Private Utility
 Wireless Telecommunication Facility **(SAU)**
 Food Processing
 Laboratories **(SAU)**
 Manufacturing: Light
 Outside Storage (if permitted by development standards)
 Publishing
 Research & Testing
 Warehousing
 Wholesale Business

The following uses are permitted uses or permitted with a Special Approval Use **(SAU)** within an **I-2** district:

Kennels **(SAU)**
 *Agriculture, Construction, Semi-Truck Sales/Service

Automotive Repair – General
 Automotive Sales or Lease for New and Used Vehicles Outdoors **(SAU)**
 *Commercial semi-truck sales/service
 *Agriculture, Construction, Semi-Truck Sales/Service
 Automotive Repair – General
 Automotive Sales or Lease for New and Used Vehicles Outdoors **(SAU)**
 Commercial semi-truck sales/service
 Gym/Fitness Facility < 5,000 GSF **(SAU)**
 Gym/Fitness Facility > 5,000 GSF **(SAU)**
 Massage Establishment **(SAU)**
 Printing
 Recreational Vehicles/Equipment outdoor sales **(SAU)**
 Sale and Storage of Building Materials **(SAU)**
 Self-service storage
 Shopping Center
 Nursery/Green House
 Medical Urgent Care Facilities
 Essential Services
 Institutional Use **(SAU)**
 Non-Commercial Recreational Facility **(SAU)**
 Public Service Facility
 Public/Private Utility
 Wireless Telecommunication Facility **(SAU)**
 Auto & Metal Salvage, Junk Yards **(SAU)**
 Excavation of Sand, Gravel, Clay, Stone and Topsoil **(SAU)**
 Food Processing
 Laboratories
 Manufacturing, Sale/Storage of Building Materials
 General Manufacturing
 Light Manufacturing
 Oil & Gas Wells **(SAU)**
 Outside Storage **(SAU)**
 Publishing
 Research & Testing
 Transport & Trucking **(SAU)**
 Warehousing
 Wholesale Business
 Wind Generator/Turbine **(SAU)**

The Comprehensive Plan – Conservation and Development Map indicates “Controlled Growth, Traditional Neighborhood Area.”

RECOMMENDATION

The Planning and Zoning Administrator recommends that the Planning Commission recommend to City Council approval of the rezoning request to I-2 (General Industrial) for the approximately 39.4 acres of property (5 parcels) identified in the above report.

Further, it is recommended that a public hearing be set before City Council on November 6, 2018 at 6:15 p.m.

Mr. Walters reviewed the above Staff Report. Chris Copeland and Mark Smoley, Mannik Smith Group, were present on behalf of the application. Mr. Smoley noted that the current zoning of PBP was changed back in 2010 from I-2. He added that after speaking with Mr. Walters it was determined that an I-2 zoning would best fit the use of the property with regards to Ohio CAT. Mr. Hudson asked if the I-2 zoning would be the least impactful for the applicant to achieve their goals, and Mr. Walters added that he agreed. There was a brief discussion about the zoning of the surrounding properties. Mr. Carry asked about the increase of traffic, and Mr. Walters added that the traffic counts and impact to the intersection studies are currently being revised to accurately reflect these proposed changes. Mr. Walters noted that calculations are based on frequency of use, as opposed to weight. Mr. Carry confirmed that Peter Built will be a part of the new facility. Mr. Smoley added that Peter Built will be an expansion onto the new Ohio CAT facility, and that it is not currently serviced out of the existing facility on S.R. 25. There were no further comments or questions from the board, or the public.

Mr. Hudson moved to approve the Rezoning Request from PBP (Planned Business Park) to I-2 (General Industrial) for parcels Q61-100-130000008003, Q61-100-130000004000, Q61-100-130000003000, Q61-100-130000002000, and Q61-100-130000001000 for Ohio CAT, and that a public hearing be scheduled for November 6, 2018 at 6:15 p.m. Seconded by Mr. Carry. Ayes: (4). Nays: (0).

**Preliminary Site Plan
Ohio CAT
(Eckel Junction Road)**

APPLICANT

David Blocksom
Chief Financial Officer
Ohio CAT
Broadview Heights, OH 44147

Chris Copeland, P.E.
Mark Smoley, P.E.
Mannik Smith Group
Beachwood, OH 44122

REQUEST

PROPERTY LOCATION & DESCRIPTION

The proposed project site is located on the south side of Eckel Junction Road, west of SR25, along the CSX Railroad Track. The parcels included in this request are: Q61-100-130000008003, Q61-100-130000004000, Q61-100-130000003000, Q61-100-130000002000, and Q61-100-130000001000. Four of the five parcels are owned by Mr. Robert Farley and the remaining parcel is owned by the city of Perrysburg.

The total property is approximately 39.4 acres in size and is currently zoned (PBP) Planned Business Park.

Adjacent zoning:

North – Eckel Junction Road, Tri-State Forest Products (I-2)

East – Brig Niagara Business Park (PBP)

South – I-475

West – CSX Rail line, Rotary Park (P), B&O Railroad property (A-1)

The applicant is currently in negotiations with the current property owners to acquire the 5 parcels. Successful rezoning and site plan approval is a condition of the purchase. All parties are aware of the rezoning request as well the proposed use of the site. Due to the timing of this preliminary site plan request all approvals shall be conditional upon the rezoning, approval of any and all needed variances as well as the acquisition of the property.

ANALYSIS

Preliminary Site Plan

Land Use – The proposed use has been reviewed and determined to be “Agriculture, Construction, Semi-Truck Sales/Service” and/or “Commercial semi-truck sales/service.” Neither of these land uses are permitted uses in current PBP zoning but both would be permitted if the property is successfully rezoned, as requested to I2 zoning.

Dimensional Standards - The proposed site plan shows two separate parcels (“Lot 1” and “Lot 2”). All dimensional requirements for both lots would be met with the proposed site plan if the site is successfully rezoned to I-2.

Front Yard – 60’

Rear Yard – 40’

Side Yard (min) – 25’

Max Height – 45’

There are six buildings shown across the two lots, three of which are primary/principal buildings and three that are classified as accessory buildings. A variance will be necessary to allow for more than one main building on “Lot 2” (per Ch. 1275.02(b)(6). Additionally the placement of accessory structures “wash bay” and “cold storage” in the side and in front of the “Heavy Equipment” building will require a variance (per Ch. 1250.61(a).

Currently, elevations have not yet been submitted but the maximum height of the primary buildings is listed above at 45’ (unless approval from the Board of Zoning Appeals is granted) and the maximum height of accessory buildings is 20’ or the height of the main building, whichever is less.

The requirement for accessory buildings is that they are limited in size to 5% of the overall property size. Both lots are compliant in terms of the square footage of accessory buildings.

Access – The proposed access to the properties is shown to be from two separate curb cuts onto Eckel Junction Road. This distance between the proposed driveways is sufficient per code. A site distance study has been completed and it was determined that the western most driving serving “Lot 2” is sufficiently far enough from the CSX at grade crossing to be safely accessed. The site distance study used a 35 mph speed limit and the elevation of the crossing to make its calculation. The city’s SR25 Corridor Study had always assumed this property would be developed as a Planned Business Park and therefore recommended that this property have only one point of access. It is likely that the recommendation for one point of access was to create a planned business park layout similar to those parks located to the east of this property. Being that this site is proposed to be used by a single/split user it is believed that accommodating two driveways would be reasonable and would not conflict with the SR25 Corridor study as it was intended.

Parking – The parking requirement for this “Lot 1” was calculated at 34 required spaces with 34 spaces provided. The parking requirement for “Lot 2” was calculated at 57 spaces with 66 provided. All of the indicated parking is beyond the required front yard so no variance will be necessary for the parking located in the front of each building.

Landscape Islands – The landscape islands that are shown on site are not sufficient as shown. Lot 1 requires 4 landscape islands and currently only shows 2. In order to comply with this requirement the concrete islands that are shown directly in front of the building should be converted to landscape islands with the proper landscape to be shown on the final site plan. Lot 2 has a similar issue and in both size, quantity and arrangement. Lot 2 has 66 parking spaces and is required to include at least 7 landscape islands. The current layout of the parking is acceptable providing that the islands that are shown as gravel or concrete are converted to landscaped islands.

Street Trees – A street tree plan will be created for these properties by the City’s Street Tree Commission. The quantity of trees is determined by taking the frontage of each

parcel, subtracting 35' (allowable driveway width) and dividing that length by 40' (the average spacing of street trees).

Lot 1 = 386' frontage – 35' driveway = 351' divided by 40' = **9 street trees (\$475/ea)**

Lot 2 = 549' frontage – 35' driveway = 514' divided by 40' = **13 street trees (\$475/ea)**

The Street Tree Commission will select the species and placement of these trees. Fees for required street trees will be collected at the time the zoning permit is obtained. All trees will be planted by the city.

Signage – A full review of signage will be conducted by the Planning and Zoning Division prior to the issuance of permits. The current sign code allows for variances to address height restrictions as well as size restrictions but no allowance for increasing the quantity of signs is available.

Lighting – None currently shown on preliminary site plan.

Sidewalks – Public sidewalks are required across all frontages but are not shown on the site plan. These sidewalks are required to be continuous poured through each driveway and the backside of the 5' sidewalk should be located 1' from the property line (within the public right-of-way). Due to the nature of this business no sidewalk shall be necessary leading to the entrances of the building from the public sidewalk as pedestrian traffic is not reasonably expected.

Waste Receptacles – The preliminary site plan does not indicate any separate outdoor trash receptacles. If any shall be required at a later point they shall be in accordance with Ch. 1250.57 and may require additional landscaping to screen their enclosures.

Other – Two important site features to mention is the use of “gravel storage areas” and the lack of detail on the size of the provided parking spaces on each lot. Parking areas shall feature parking spaces that are at least 10' x 20' in size. Additionally the code requires that parking areas and driveways be a paved surface of concrete, asphalt or (in some cases) pavers. The site is predominantly gravel for the parking or storage of large equipment. There should be additional conversation with the applicant regarding the use of gravel as opposed to an approved impervious surface.

RECOMMENDATION

The Planning and Zoning Administrator recommends **CONDITIONAL** approval of the preliminary site plan with the following modifications:

1. Parking lot islands be added and the existing islands be properly converted to landscaped islands rather than gravel or concrete islands.
2. Parking space size to be resized to 10' x 20' if not currently planned that way.
3. The addition of public sidewalks across the frontage of the property including through the entrance drives.

Any motion for approval of this site plan should be made conditional upon the acquisition of the property, the granting of any and all necessary variances, and the successful rezoning of the property.

Mr. Walters reviewed the above Staff Report, and recommended conditional approval. Mark Smoley, Mannik Smith Group, was present on behalf of the application. Mr. Wellstein asked about the function of each of the buildings, and Mr. Smoley briefly explained the unique site plan design, and the use of heavy equipment. He added that the city's pavement requirement is a concern for Ohio CAT, and their use of the property, whereas they have a heavy wash-down process that is site specific. Mr. Smoley stated that there is a very specific and thick concrete base that is used. He added that the base is a very high add mix of fiber reinforcement that is eight (8) pounds per cubic yard, whereas the standard is two (2) pounds per cubic yard to withstand traffic. Mr. Smoley said it is not economically feasible to pave the entirety of the site as it would be destroyed within months. He added that the use is not as a parking lot, but rather an equipment storage area. Mr. Wellstein asked about the parking area in the rear of the existing Ohio CAT facility on S.R. 25, and Mr. Smoley stated it is concrete with gravel storage areas. Mr. Wellstein asked about the greenspace mentioned in the front of the property, and Mr. Smoley added that the landscaping goal is to meet the city's requirements. Mr. Lorenz asked about the distance between the two driveways, and Mr. Walters confirmed that it meets and exceeds the minimum requirement of eighty (80) feet. Mr. Hudson asked about the specific use of the business, as related to sidewalk traffic as it is not being required, and Mr. Smoley added that there is an ADA requirement, and that sidewalks will be installed for pedestrian traffic. There was a brief discussion about the use and purpose of gravel compared to pavement on site. Mr. Carry reminded the commission of the city's standards, and the basis of being fair across the board. He added that he understands the economic viability of the project, but that in the past the commission has not been very lenient of new gravel being installed. There was a brief discussion about the exposed aggregate and concrete pavement areas with regards to dusting in these areas, as well as the cost involved.

Mark Ricchiuto, Marous Brothers Construction, stated that the current cost of the entire project is estimated at \$30 – \$35 million. He stated that he understands the concern of dust, and the aesthetics of the stone. Mr. Ricchiuto added that the Mannik Smith Group has created an engineered stone product that will remain as stone, without turning into a muddy stoned lot. He stated that there is a similar new project in Canton, Ohio that uses the engineered stone. Mr. Ricchiuto added that Caterpillar International holds a very high standard for safety purposes for the equipment. He stated that from an operational standpoint certain portions of the lot will not be a usable space for Ohio CAT if they are required to be concrete, rather than the engineered stone product. Mr. Carry raised concerns about the existing easements, and a future additional need for greenspace due to an excess of topsoil associated with this project.

Rick Huff, 964 Little Creek Drive, stated his traffic concerns as he drives that stretch of Eckel Junction Road every day. He asked that the commission consider the aesthetics of Ohio CAT's proposed facility, and the additional traffic and left turns that will be necessary into the lot.

Mr. Carry asked about the administration's concern with the proposed aggregate lot, and Mr. Walters added that from a storm water perspective it is advantageous to do so. There was further discussion about the code language and concerns with regards to parking areas and storage areas.

Mr. Hudson moved to grant conditional approval of the Preliminary Site Plan for Ohio CAT with the proposed modifications as indicated in the Planning & Zoning Administrator's recommendation, and upon the acquisition of the property, the granting of any and all necessary variances, and the successful rezoning of the property. Seconded by Mr. Carry. Ayes: (4). Nays: (0).

Preliminary Site Plan Checklist

Project Name: Tri-State Forest Products

Location: 13010 & 13100 Eckel Junction Road

Zoning: I-2 (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	
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 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 storage yard.

Notes:

1. The parking lot/storage area of this site does not contain the proper setbacks from the side property lines. Code requires a minimum of a 5' setback between the parking lot/storage area and the side property line to accommodate a landscape buffer.
2. The applicant proposes that the parking calculation not be applied to this parcel due to its subordinate use to the property to the west. The applicant is not proposing to have any occupied structure on this property and therefore requests that the parking requirement not be applied.
3. The existing storage area is listed as "stone and asphalt" and the proposed area is indicated to be asphalt road grindings. Parking surfaces other than concrete, paved asphalt or pavers are not permitted by code.
4. The zoning requires that a minimum of 10% of the site be intentionally landscaped. Aside from the proposed mounding with Douglas Fir trees there is not any significant landscape that would count towards the landscape percentage.
5. As indicated above, the parking lot/storage area does not feature the required setback from the side property lines and therefore the required landscape strip does not exist.
6. 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.
7. 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.
8. 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.

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 – $\geq 5'$ 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 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.
4. 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.
5. This site does have the available area for a 5' landscape strip between property lines but does not currently have landscaping within this area.
6. 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.
7. 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.
8. 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.

Mr. Walters reviewed the above Staff Report. Doug Smith, Tri-State Forest Products, and Tom Yurysta, Proudfoot Associates were present on behalf of the application. Mr. Wellstein asked what had changed since the last "other business" review on June 28, 2018, and Mr. Yurysta noted that the landscaping has changed to one long island. He added that the parking against the building has a setback for a walkway, and that the chain link fence has been partially painted, and will be repaired with new fencing. Mr. Yurysta asked if the commission would approve landscaping now so that Tri-State can get started on the project before winter. There was further discussion about the existing site, and future plans. Mr. Carry asked about the demolition of the old office building, and Mr. Smith confirmed that it will be torn down in early October. Mr. Wellstein asked specifically about Site #1 and if it was grass at one time, and it was noted that this area is already stone and grindings. Mr. Smith confirmed that trucks will drive around the side of the building, and along the back of the property. He added that the fencing is about eighty (80) percent fixed, and will be completed soon with replacement fencing. Mr. Hudson questioned what the lot will be replaced with once the old office building is demolished, and Mr. Smith stated that they would like to use it for storage, so it would be an aggregate surface. There was a brief discussion on how the trucks enter and exit the site, as well as a concern for an interlocking left-hand turn between Tri-State Forest Products and Ohio CAT.

Stephanie Johnstone, Johnstone Machinery Movers, stated that Mr. Smith always tries to be accommodating and that he's making a great effort to try to get the site to be uncompromised with the City. She added her concerns about the Ohio CAT site regarding their unwillingness to be in compliance with the gravel portion of their site. Ms. Johnstone also stated that she is concerned with the left-hand turn into the proposed Ohio CAT dealership, and that she has no objections with Tri-State Forest Products proposal. Mr. Wellstein added that he does have a major concern with an increase in traffic along Eckel Junction Road, especially near the rail road tracks. There was further discussion about Ohio CAT's traffic study, and whether or not the City could require them to pay for the widening of Eckel Junction Road.

Mr. Wellstein moved to grant conditional approval as noted in this report for the Preliminary Site Plan for Tri-State Forest Products located at 13010 Eckel Junction Road, and to wave the setback requirements as noted in #1. Mr. Carry added that the accessory building square footage will change in note #7 once the office building is demolished. Seconded by Mr. Lorenz. Ayes: (4). Nays: (0).

Mr. Lorenz moved to grant conditional approval as written in this report for the Preliminary Site Plan for Tri-State Forest Products located at 13100 Eckel Junction Road, with the understanding that the eastern portion will be paved, and the western portion will remain as is, and including landscaping relief. Seconded by Mr. Hudson. Ayes: (4). Nays: (0). It was confirmed that Tri-State could go ahead with their landscape plans now.

Code Amendment – Illuminated Tubing Chapter 1250.481(g)

APPLICANT/OWNER/DEVELOPER

David Kienzle (owner of RiverPlace Shopping Center)
28321 W. River Rd.
Perrysburg, OH 43551

REQUEST

Chapter 1285 – Changes and Amendments
Chapter 1250.481– Building Facades, Storefronts, Rooflines and Colors

DESCRIPTION

The proposed code amendment to Chapter 1250.481(g) allows commercial properties in the city to utilize illuminated tubing around building perimeters, trim, rooflines, doors and/or windows.

BACKGROUND

The codified ordinances of the City of Perrysburg have had long standing language in Chapter 1250.481 that prohibits the use of illuminated tubing on commercial buildings. The current version of this language indicates that it was passed in 2011. Prior to 2011 the code had similar language but referred to the “illuminated tubing” as “neon tubing.” Due to the changing technology in the lighting industry this section was revised to provide for the more general term of “illuminated tubing” since LED lighting was quickly replacing traditional neon lighting. This code section has been responsible for keeping the green perimeter lighting off of the ProMedica building in Levis Commons, as it is the only known ProMedica building not to feature their signature green lighting.

ANALYSIS

Existing Code Language

1250.481(g) Building Facades, Storefronts, Rooflines and Colors.

Building trim may feature brighter colors than façade colors, but illuminated tubing is prohibited. (Ord. 137-2011. Passed 6-21-11)

Proposed Code Language

~~1250.481(g) Building Facades, Storefronts, Rooflines and Colors.~~

~~Building trim may feature brighter colors than façade colors, but illuminated tubing is prohibited. (Ord. 137-2011. Passed 6-21-11)~~

RECOMMENDATION

The Planning and Zoning Administrator recommends that the Planning Commission should set a public hearing for 6:00pm on November 6th, 2018 if there is support to delete or modify the current code section language.

Mr. Walters reviewed the above Staff Report. Dave Kienzle, RiverPlace Shopping Center, was present. Mr. Kienzle gave a back story to the lighting dating back to 1995, where they were stringing conventional Christmas lights on the façade store fronts. He noted that they were replacing the Christmas lighting materials quite frequently due to the weather, and normal wear and tear. Mr. Kienzle said that in 2016 improvement renovations began, and that is also when he decided to invest in \$30,000 of illuminated tube lighting to replace the dated lighting materials. He added that he even received a permit from Wood County for the work. Mr. Kienzle stated that the tube lighting is computer operated with attractive accents, and intended to be illuminated solely during the holidays. He noted that sub-section (g) of Chapter 1250.481 speaks to building trim, and he added that the tube lighting was never intended to be building trim. Mr. Kienzle noted trim lighting at Social Gastropub and Marco's Pizza as current examples. Mr. Wellstein asked about the application from Wood County Building Inspection, and he clarified that the county approved two circuits for the work, rather than approving the

overall tube lighting. There was a brief discussion about Planning & Zoning Committee's thoughts and/or understanding of Mr. Kienzle's code amendment change request. Mr. Wellstein asked about the details of the multiple complaints that were received related to this lighting, and Mr. Walters added that a nearby vape shop expressed their concerns. Mr. Walters confirmed that Marco's Pizza has canopy lighting, and that Social Gastropub was granted legal non-conforming status as the property was initially Perrysburg Township, and then annexed into the City limits during construction. Mr. Wellstein added that he is opposed to a code language change. Mr. Lorenz asked about a conditional difference in the lighting. Mr. Hudson asked when the lights were installed, and Mr. Kienzle stated that it was between December of 2017 and February of 2018. There was a brief discussion about commercial changes to buildings, permitting, and the overall process. Mr. Hudson asked if the lighting is on a timer, and stated that he is troubled with the honest communication. He noted that the pictures provided are date stamped from April 2018, and that Mr. Kienzle has previously stated that the lighting is solely for the holidays. Mr. Lorenz added that the commission did not give permission to Burger King for illuminated perimeter lighting. Mr. Carry noted that the commission has been consistent across the board and has not granted permission to ProMedica, Burger King, Taco Bell, and Costco. Mr. Hudson asked if there would be a way to consider an exception to grant temporary relief. Mr. Wellstein added that you cannot outline the roof line, but that looping may make a difference. Mr. Kienzle added that he does not intend to remove the existing language from the code. There was a brief discussion about a compromise, rather than changing the existing code language.

Becky Williams, Council Woman, stated that at the Planning & Zoning Committee meeting on July 11, 2018 the lighting was presented as a permanent fixture that would only be illuminated around the holidays, rather than all year long. Mr. Kienzle noted that they did not want it permanent as building trim, but permanent as a nice fixture. There was further discussion about time limits on the lighting, whereas it is perceived as holiday lighting, rather than a permanent fixture.

The Commission agreed that there would be no recommendation at this time.

Other Business

There being no further business, the meeting adjourned at 9:15 p.m.

Respectfully submitted,

Heather Alfaro