

PLANNING COMMISSION MEETING

AUGUST 27, 2020

The meeting was called to order at 7:00 p.m. by Chairman Craig Pickerel. Commission members present were Greg Bade, Andy Lorenz, Mayor Mackin, Gilda Mitchell, Craig Pickerel, and John Wellstein (6). John Stout was absent (1). Also present were Brody Walters, Planning and Zoning Administrator, and Mark Easterling, Deputy Planning and Zoning Administrator, and Laura Alkire, Law Director.

APPROVAL OF MINUTES

Mr. Wellstein moved to approve the minutes of the July 30, 2020 meeting as written. Seconded by Ms. Mitchell. Ayes: Bade, Mitchell, Pickerel, and Wellstein (4). Nays: (0). Abstain: Lorenz and Mackin (2).

ADMINISTRATOR'S REPORT

Mr. Walters said that there will be just one agenda item for September.

***Preliminary & Final Site Plan
Cocina De Carlos
27072 Carronade Drive***

APPLICANT/OWNER/DEVELOPER

Tim O'Brien
Benchmark Engineers
3161 Republic Blvd N
Toledo, OH 43615

REQUEST

Chapter 1260.05 – Preliminary Site Plan Review
Chapter 1260.08 – Final Site Plan Review
Chapter 1250 – Site Design Standards

PROPERTY LOCATION & DESCRIPTION

Location: The subject parcel is located just south of the Carronade Drive and State Route 20 intersection, on the east side of the Carronade Drive just south of Kroger Marketplace.

Property Size: 3.6087 total acres

Parcel: Q61-400-090109005000

ANALYSIS

The applicants have provided the necessary documents to conduct both a Preliminary and Final Site Plan Review.

Preliminary Site Plan

- **Zoning:** C-3 (Community Shopping)
- **Setbacks** (minimums): Front: 50 ft.
Side (total): 20 ft.
Rear: 35 ft.
- **Adjacent Zoning/Uses:**
North: C-4 (Highway Commercial) Holiday Inn
South: C-3 (Community Shopping)
East: C-3 (Community Shopping) Kroger Marketplace
West: C-4 (Highway Commercial)
- **Land Use(s):** The requested use has been reviewed and determined to be a singular use.
 1. "Restaurant, Full Service" – **Permitted Use**
- **Site Layout:** The applicant is proposing to construct a permanent patio along the sidewalk just outside of the restaurant along the parking lot.

Final Site Plan

- **Parking:** The parking lot configuration shows 166 onsite parking spaces. Per Ch. 1250.03(c)(i), occupancy calculations were not able to be determined. Therefore, the number of spaces were calculated by requiring 1 space per 200 square feet. The required number of onsite parking spaces is 28. The proposed spaces are undersized and do not meet the standard size requirements (10'x20'). The current plan shows the current spaces as 9'x18' with both 24' and 30' drive aisles.
- **Landscape Islands:** The proposed plan shows no landscape islands. Per Ch. 1250.19(d), a landscape island will be provided at one (1) for every ten (10) spaces with two (2) shade trees per landscape island. The current proposed plan should have seventeen (17) landscape islands for 166 parking spaces. The current plan shows zero (0) shade trees in the parking lot.

- **Parking Lot Landscape:** No landscape plan has been provided, but after reviewing aerial imagery, the site currently has no intentional landscaping within the parking lot.
- **Site Landscaping:** No landscaping plan has been provided, but after reviewing aerial imagery, the site currently has no intentional landscaping on site.
- **Street Tree Plan:** The Street Tree Plan will be created for this property by the City's Street Tree Commission. The quantity of trees is determined by taking the frontage of the parcel, subtracting 35' (allowable driveway width) and dividing that length by 40' (the average spacing of street trees).

Site = Approximately 305' frontage – 0' driveway = 305' divided by 40' = 7 street trees (\$475 each)

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:** Any request for signage will be reviewed by the Zoning Inspector in accordance with Ch. 1250.29 prior to the issuance of any sign permits.
- **Lighting:** A lighting plan schedule and photometric has not been provided.
- **Building Materials:** An elevation was provided but no material list or percentages were provided.
- **Dumpster Enclosure:** The dumpsters are currently located behind the building in the parking (as shown on the site plan). Per Ch. 1250.58 "Waste receptacles shall be located in the rear yard or non-required side yard, and shall be as far away as practical, and in no case less than twenty (20) feet, from any residential district and placed in such a way that they are not easily damaged by the refuse vehicle. The location and orientation of the waste receptacle and enclosure shall minimize the potential for the waste receptacle to be viewed from a public street or adjacent residential district." The current location shows that the dumpsters located in the side yard with no screening from public view.
- **Sidewalks:** Public sidewalks are not shown across the frontage of the property.

RECOMMENDATION

The Planning and Zoning Deputy Administrator recommends that the Planning Commission disapprove the Preliminary and Final Site Plan. Although the changes are fairly minor, the site is almost completely out of compliance and would likely require that the site plan be significantly changed.

Mr. Easterling reviewed the above Staff Report regarding the Preliminary and Final Site Plan for Carlos De Cocina at 27072 Carronade Drive. Carlos Mendez, Carlos De Cocina, was present and added that the building owners have given approval for the restaurant to have a formal patio on the property. Mr. Bade confirmed that the three hundred five (305) feet of frontage is for the entire shopping mall, and Mr. Easterling added that this application is up to the Planning Commission's discretion, that they may choose to look at the entire site or just the restaurant. Mr. Lorenz confirmed that the sidewalk will remain. Mayor Mackin noted that the recommendations are for the entire lot, and asked Mr. Mendez about the purpose and necessity of the patio for the restaurant. Mr. Mendez said that in the summer month's patrons prefer to be outside, especially with COVID, and he said that outdoor seating is an anchor for the business. Mr. Wellstein confirmed that the permanent patio would be replacing the temporary patio, and what is currently there. There were no comments nor questions from the Commission or public.

Mr. Wellstein moved to approve the Preliminary and Final Site Plan for Cocina De Carlos at 27072 Carronade Drive as submitted. Seconded by Ms. Mitchell. Ayes: (6). Nays: (0).

Project Name: Perrysburg Senior Center Patio Addition

Location: 140 W. Indiana Avenue

Zoning: Institutional (INS)

Applicant(s): Thomas Stuckey (Poggemeyer Design Group), City of Perrysburg

Land Use: Club, Lodges, Fraternal and Civic Assembly

Parcels: Q61-000-902206007000

Request: Preliminary / Final Site Plan & Special Approval Use

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 1/2" caliper min)		x	
1230	Minimum Landscape Percentage of parcel		x	
1250.18(a)	Min. Landscape Percentage of Parking Lot (6%)		x	
1250.17(b)	Parking Lot landscape primarily shade trees		x	
1250.17(c)	Planting areas dispersed through parking lot		x	
1250.19(b)	5' landscape strip between parking lot and P/L		x	
1250.19(c)	1 tree for each 8 parking spaces		x	
1250.19(d)	Landscape island = 1 per ea. 10 parking spaces		x	
1250.19(d)	Shade trees located in islands		x	
1250.20	10' landscape strip between R/W and parking		x	
1250.20(d)	Hedge within 10' landscape (min 1.5' height)		x	
1250.27	Berms/Earth Mounds (if required)			x
1250.42	Fence/Screen Requirement (height & location)	x		
1250.43	Lighting (height & direction)	x		
Building Design		Compliant	Non-Compliant	Not Applicable
1250.44	Screening of Rooftop Mechanicals			x
1250.48	Building Material (allowable percentages)	x		
1250.481(a)	Customer entrance facing each street frontage	x		
1250.481(b)	Recesses/projections if > 100' in length	x		
1250.481(d)	Façade to have color/texture/material change	x		
1250.481(e)	Rooflines to change at least every 100'	x		
1250.481(f)	Façade colors – low reflectance and neutral	x		
1250.481(g)	Building trim to be non-illuminated	x		
Drives & Access		Compliant	Non-Compliant	Not Applicable
1250.51(a)	Driveway access onto public or private street	x		
1250.51(a)(2)	Drives enter perpendicular	x		
1250.51(a)(3)	Driveway grade less than 10%	x		
1250.51(a)(6)	Driveway – at least 100' from an intersection	x		
1250.51(a)(6)	Driveway – at least 80' from other driveways	x		
1250.51(c)	Driveway – alignment with existing drives	x		
1250.53	Deceleration Lanes if use > 1,000 trips per day			x
Sidewalks		Compliant	Non-Compliant	Not Applicable
1250.56(a)	Sidewalks across all frontages	x		
1250.56(a)	Sidewalks from R/W to entrance	x		
1250.56(a)	Sidewalk material through drive aisles	x		
Dumpster		Compliant	Non-Compliant	Not Applicable
1250.57	Waste Receptacle - Location	x		
1250.57	Waste Receptacles to be consolidated	x		
1250.57	Waste Receptacle – design/materials	x		

Acc. Buildings		Compliant	Non-Compliant	Not Applicable
1250.61(a)	Accessory Building – Location (rear yard)			x
1250.61(b)	Accessory Building – ≥ 5' from side or rear P/L			x
1250.61(b)	Accessory Building – ≥ 10' from main structure			x
1250.61(d)	Acc. Building – Height (20' or main structure)			x
1250.61(f)	Accessory Building – Size Limit (5% of lot size)			x
Traffic Study		Compliant	Non-Compliant	Not Applicable
1255.04	Traffic Study – if more than 100 trips/peak Hr.			x
1255.04	Traffic Study – if more than 750 trips per day			x
Miscellaneous		Compliant	Non-Compliant	Not Applicable
1260.15(a)(1)	Plan doesn't impeded normal development	x		
1260.15(a)(2)	Existing landscape preserved (as possible)	x		
1260.15(a)(5)	Emergency vehicle access to structures	x		
1250.26	Wall Location (if required)			x

Special Approval Use Checklist

General Requirements		No special approval use shall be approved by the Planning Commission unless it shall find the following:	
Section	Requirement	Compliant	Non-Compliant
1235.02(d)(1)	The establishment, maintenance or operation of the SAU will not be detrimental to or endanger the public health, safety, general welfare or the natural environment.	x	
1235.02(d)(2)	The SAU will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted nor shall it substantially diminish or impair property values within its neighborhood.	x	
1235.02(d)(3)	The establishment of the SAU will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.	x	
1235.02(d)(4)	Adequate utilities, access roads, drainage and necessary facilities have been or will be provided.	x	
1235.02(d)(5)	Adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.	x	
1235.02(d)(6)	The SAU shall, in all other respects, conform to the applicable regulations of the district in which it is located and to any additional conditions or procedures as specified in this Chapter.	x	

Notes:

1. There was no landscaping plan provided.
2. Based on aerial imagery it appears that the plantings are less than the overall 10% landscaping required for the site and 6% in the parking lot.
3. Parking lot has no shade trees.
4. The applicant was granted variances for both front and side yard setbacks.

Recommendation:

No recommendation provided.

Mr. Easterling reviewed the above Staff Report regarding the Preliminary, Final Site Plan & Special Approval Use for the Perrysburg Senior Center at 140 W. Indiana Avenue. Jon Eckel, Assistant City Administrator, was present and added that they have been working on this project for several years and confirmed that there will be plantings along the new structure, as has been discussed with Judy Hagen, Litter Control Coordinator. Tom Stuckey, Poggemeyer, was available by AT Conference System, and said that in talking with Ms. Hagen she proposed eight (8) Hostas and sixteen (16) Daylilies across the front for a total of twenty-four (24) plantings. Mr. Bade asked about the possibility of trees being planted in the front and rear of the property, and Mr. Eckel said that if there is room they will plant them. Mr. Pickerel confirmed that this property is not in the Historic District. There were no further comments nor questions from the Commission or public.

Mr. Bade moved to grant conditional approval with the additional landscaping as discussed for the Preliminary, Final Site Plan & Special Approval Use for the Perrysburg Senior Center at 140 W. Indiana Avenue. Seconded by Mr. Pickerel. Ayes: (6). Nays: (0).

Lot Split Appeal***Kroger Co.******Q61-400-090109001000***

In an effort to efficiently provide you information for the current Lot Split Appeal regarding land currently owned by the Kroger Company I have attached the following information for your review:

1. Procedural outline/authority of the Planning Commission to hear such appeal.

The Planning and Zoning Administrator has the authority to review and approve/disapprove the subdivision of parcels under 1295.04. Upon a denial, the developer has the ability to appeal the decision to the Planning Commission (1295.04 (c)). The Planning Commission is guided by the same principles as the Planning &

Zoning Administrator in their review. Such approval may include conditions relative to vehicular and pedestrian traffic, the location of specific points of ingress and egress to individual parcels, the size and shape of the parcels and other requirements for the protection of the health, safety and welfare of the owners and occupants of surrounding parcels or the public. Further noted under 1295.04(C) permits the Planning Commission to also include conditions as described in this Zoning Code in its approval, if granted.

2. The survey and legal descriptions of the requested lot split (split of gas station from the former Kroger site).

(See Attachments)

3. Reasons for denial of the original request.

The applicants propose to split the existing Kroger fuel center from the parcel ending in "1000" so that the remainder of the property (the former Kroger store) can be sold to an interested party for redevelopment. Both properties are currently zoned C3 – Community Shopping. The proposed lot split contains a dividing line which runs parallel to SR20 and would separate the former store from the fuel center. This dividing line creates a non-conforming setback for both the former store as well as the fuel center. It is my opinion that lot splits should not be used to create non-conforming building setbacks and that the requirements of Ch. 1230.01 should be used to determine the appropriateness of creating "new" parcels.

4. The intensity and dimensional standards for this zoning district.

C3 – Community Shopping

Min. Lot Area = 20,000 SF
Max. Lot Coverage = 25%
Min. Lot Width = 120 feet
Front Setback = 50 feet
Rear Setback = 35 feet

Side Setback = 0 feet
Side Setback (total) = 20 feet
Max. Height = 35 feet
Min. Landscape = 10%

After reviewing all of the details of the proposed lot split proposal the request was denied due to not meeting the minimum setback along the rear of the fuel center which would result in a non-conforming structure.

Mr. Walters reviewed the above Staff Report regarding the Lot Split Appeal for Kroger Co. at Parcel # Q61-400-090109001000. Attorney Lane Williamson, Eastman and Smith, was present, and representatives from Kroger Co. were available via the AT Conference System. Mr. Williamson said that Kroger would like to retain the Fuel Center and subdivide the old Kroger building in an effort to sell that property with new tenants,

and not tear the building down. He added that as proposed Lot 4 will connect the Fuel Center in the rear to the new Kroger building at 27322 Carronade Drive, and that proposed Lot 1 will be sold. Mr. Williamson noted the additional parking that has been shown if the Lot Split is approved, and added that there is also a reciprocal access agreement that bonds the properties that will be updated for this appeal. There was a brief discussion about a guarantee of a new tenant for the old Kroger building. Mr. Bade asked if the Commission could put conditions on the approval, and Mr. Walters added that this is a review with factual requirements, and so the Commission will decide that this appeal either meets the requirements or that it does not. Ms. Alkire stated that there is not a development agreement, and that this appeal is considered a minor decision. She added that the applicant has accommodated the parking concern, and there was a brief discussion about parking and maintaining the rear property. There were no further comments nor questions from the Commission or public.

Mr. Lorenz moved to approve the Lot Split Appeal for Kroger Co. at Parcel # Q61-400-090109001000 as submitted. Seconded by Mr. Bade. Ayes: (6). Nays: (0).

Code Amendment

Chapter 1215.02(180) – Specialized Animal Raising and Care

Chapter 1215.02(180.1) – Keeping of Chickens

Chapter 1225.08 – Land Use Table

APPLICANT/OWNER/DEVELOPER

Planning & Zoning Committee of Council
City of Perrysburg
201 W. Indiana Ave.
Perrysburg, OH 43551

REQUEST

Chapter 1285 – Changes and Amendments
Chapter 1215.02(180) – Specialized Animal Raising and Care
Chapter 1215.02(180.1) – Keeping of Hens
Chapter 1225.08 – Land Use and Base Zoning Table

DESCRIPTION

This series of Code Amendments would clarify that the land use for the raising or keeping of hens/chickens is now found in the land use chart under its own title of “Chicken Keeping.” In addition, it would permit this activity in A-1, R-1, R-2 and R-3 Zoning Districts providing that the specific performance standards are met (described below as “recommended regulations”).

BACKGROUND

The Raising of Chickens is currently only permitted by right in A-1 zoned areas of the City and may be permitted in R-1 zoned areas if a Special Approval Use is applied for and approved. Additionally, the City has several families currently raising chickens that are in either R-2 or R-3 zoned areas. These chickens were permitted to exist in these areas providing that they are microchipped and are not replaced once they are removed or expire. The compromised that was reached was that these chickens would not need to be removed per existing zoning laws and in exchange for that they would not be replaced and would eventually be phased out. The microchipping and registration process has been underway for several years and now there is a desire by some to consider allowing chickens on a more permanent basis without microchipping and/ or registration requirements. The proposed changes below are what have been suggested by citizens and members of the Planning and Zoning Committee of City Council.

ANALYSIS

Existing Code Language

1215.02(180) Specialized Domestic Animal Raising and Care

The use of land or buildings for the raising and care of fur-bearing animals, such as rabbits, stabling and care of horses, animal kennels, pigeon raising and the raising of any other animals or birds of a similar nature, for the purpose of boarding, distributing, or selling such animals or birds, excluding household pets.

Proposed Code Language

1215.02(180) Specialized Domestic Animal Raising and Care

The use of land or buildings for the raising and care of fur-bearing animals, such as rabbits, stabling and care of horses, animal kennels, pigeon raising and the raising of any other animals or birds of a similar nature, for the purpose of boarding, distributing, or selling such animals or birds, excluding household pets. (See “Keeping of Chickens” for specific requirements regarding the raising or keeping of hens).

1215.02(180.1) Keeping of Chickens

The raising or keeping of chickens (hereinafter “hens”).

Existing Code Language

1225.08 Land Use and Base Zoning Table

Agricultural	A1	R1	R2	R3	R4	R5	RM	C1	C2	C3	C4	OS	I1	I2	PBP	P	S1	INS
Farm Markets and Stands	P							S	S	S								
Kennels	P												S	S				
Plant Cultivation	P															P	P	P
Specialized Animal Raising	P	S																

Proposed Code Language

1225.08 Land Use and Base Zoning Table

Agricultural	A1	R1	R2	R3	R4	R5	RM	C1	C2	C3	C4	OS	I1	I2	PBP	P	S1	INS
Farm Markets and Stands	P							S	S	S								
Kennels	P												S	S				
Plant Cultivation	P															P	P	P
Specialized Animal Raising	P	S																
Chicken Keeping	P	P	P	P														

Proposed Regulations

Keeping of Chickens (code section/placement to be determined)

- (1) Buildings, structures and fenced areas used for the domestic raising of animals shall be confined to rear yards and shall not be maintained closer to any lot line than 10 feet.
- (2) Keeping of Chickens (hereinafter “hens”). The keeping of hens is only permitted within the following zoning districts: A-1, R-1, R-2 and R-3.
 - (a) Number. No more than six (6) hens shall be allowed for each single-family dwelling.
 - (b) Lot size and Setbacks. Minimum lot area to keep hens shall be 7,500 square feet. Lot area shall be determined based on the records of the Wood County Auditor. Coops and runs housing hens shall be kept at least fifteen (15) feet from the door or window of any dwelling or occupied structure other than the owner’s dwelling. Coops and runs shall not be located within ten (10) feet of a side-yard or rear-yard lot line. Coops and runs shall not be located in the front or side yards. (must be further from the street than the furthest most point of the primary structure)
 - (c) Enclosure. Hens shall be provided with a covered, predator-proof coop that is well-ventilated and designed to be easily accessed for cleaning. The coop shall allow for no more than four (4) square feet per hen with a maximum coop size of twenty-four (24) sq. ft. and maximum coop height

of six (6) feet. Hens shall have access to an outdoor run enclosure that is adequately fenced to contain the birds within the structure. The maximum size of the outdoor run enclosure shall be ninety (90) sq. ft. and the maximum height shall be six (6) feet. Hens must remain inside the coop and run enclosures at all times. Free-range hens shall not be permitted within the City of Perrysburg. Coops and runs must be entirely removed from property within 30 days of removal of hens.

- (d) Sanitation. The coop and outdoor enclosure must be kept in a sanitary condition and free from offensive odors. The coop and outdoor enclosure must be cleaned on a regular basis to prevent accumulation of waste. Eggs must be removed from coop and run areas daily.
- (e) Slaughtering. There shall be no outdoor slaughtering in the line of vision of any neighboring properties.
- (f) Food and Water. All food must be stored in sealed, rodent proof containers. Food and water must be dispensed from containers specifically designed for such purpose. Unless specifically designed to prevent rodent access, all food and water sources must be removed from the coop every night. Scattering feed over the ground shall be a prohibited method of feeding.
- (g) Roosters. It is unlawful for any person to keep roosters.
- (h) Composting. Composting of chicken waste must be done inside a rodent proof composting container.
- (i) Permit requirements for accessory buildings and fence permits are applicable.

RECOMMENDATION

No recommendation provided.

Further, it is recommended that a public hearing be set before City Council for October 6, 2020 at 6:15 p.m.

Anticipated Timeline:

August 27, 2020 – Planning Commission Recommendation

October 6, 2020 – Public Hearing

October 14, 2020 – PZ Committee Recommendation

October 20, 2020 – City Council Final Vote

Mr. Walters reviewed the above Staff Report regarding proposed Code Amendments to Chapter 1215.02(180) – Specialized Animal Raising and Care, Chapter 1215.02(180.1) – Keeping of Chickens, and Chapter 1225.08 – Land Use Table. There was a brief discussion about the size of the lots allowed for the keeping of chickens, and Mr. Walters referenced the proposed lot size and setback requirements with the proposed Code Amendment. Mayor Mackin noted that this is hard to enforce, and questioned how it would be enforced in the future, and Ms. Alkire added that the current draft falls in zoning enforcement, which lacks enforcement today. Mr. Bade asked if more language could be added to this proposal, and Mr. Walters asked that the Commission react to the proposal before them, and to bring forward their concerns to City Council. Ms. Alkire referenced the 2017 draft which she stated was reviewed prior to this proposed Code Amendment. Mr. Bade noted that other local municipalities allow the keeping of chickens, like Toledo, Oregon, and Rossford. Mayor Mackin asked about the status of the current legislation of the chickens in the City, and Mr. Walters noted that the actual number has decreased significantly since the original microchipping.

Krista Kiessling, 947 Maple Street, was present and added that she represents the families that originally proposed the Code Amendment change in 2016. She stated that two of the families that were non-compliant with the current legislation no longer have chickens. Ms. Kiessling said that she currently has three hens from her original flock that was microchipped, and that she has proposed the language to state that “hens are kept pets”. She asked that the Commission take her thoughts into consideration with the proposed Code Amendment.

Mr. Wellstein said that he lives downtown on a small lot, and that he feels that chickens belong on a farm. Mr. Lorenz said that he recommends no change to the Code. Mr. Bade questioned the definition of “eggs vs. pets” and added that he cannot support chickens being on a smaller lot. Mayor Mackin asked the Administration if the Commission needs to make a motion for or against, or what happens if no recommendation is made, and Mr. Walters said that the Planning and Zoning Committee of Council wants to know the Commission’s thoughts. There were no further comments nor questions from the Commission or public.

Mayor Mackin moved to approve the proposed Code Amendment with the concerns raised regarding setbacks, lot size, and enforcement. There was no second, and Mayor Mackin withdrew his motion.

Mr. Wellstein moved to deny the proposed Code Amendment. Seconded by Mr. Bade. Ayes: Bade, Lorenz, Mitchell, Pickerel, and Wellstein (5). Nays: Mackin (1).

Code Amendment
Chapter 1250.06(a) – Parking Space Layout, Standards, Construction, and Maintenance

APPLICANT/OWNER/DEVELOPER

City of Perrysburg
201 W. Indiana Ave.
Perrysburg, OH 43551

REQUEST

Chapter 1285.06 – Changes and Amendments
Chapter 1250.06(a) – Parking Space Layout, Standards, Construction and Maintenance

PROPERTY LOCATION & DESCRIPTION

The proposed Code Amendment to Chapter 1250.06(a) would affect all properties that currently have or will have a parking lot by clarifying the limitations of repair and maintenance that can be performed.

BACKGROUND

The Code as it currently exists does not provide an allowance for repair and maintenance of existing surfaces. The result of this exclusion has been that any owner of a non-conforming parking lot has been required to make application to the Planning Commission for Site Plan Review/Approval in order to do any repair or maintenance. The Site Plan Review Process can cause existing site deficiencies to be brought up to Code in order to approve the requested parking lot repairs. This Code Amendment intends to allow existing non-conforming parking lot areas to have some flexibility for repair and maintenance without going through the full Site Plan Review Process for minor repairs.

ANALYSIS

EXISTING

(a) Whenever the off-street parking requirements in this Chapter require the building of an off-street parking facility, such off-street parking lots shall be laid out, constructed and maintained in accordance with the following standards and regulations:

(1) No parking lot shall be constructed unless and until a permit therefore is issued. Applications for permit shall be submitted with three (3) sets of site plans for the development and construction of the parking lot and landscape layout showing that the provisions of this Chapter will be fully complied with.

- (2) Plans for the layout of off-street parking facilities shall be in accord with the following minimum requirements (Table 1250.06.b) except as modified by ADA.
- (3) All spaces shall be provided adequate access by means of maneuvering lanes. Backing directly onto a street is prohibited.
- (4) All maneuvering lane widths shall permit one (1) way traffic movement except that the ninety (90) degree pattern shall permit two (2) way movement.
- (5) All parking areas for commercial or industrial district uses shall be screened on all sides abutting or across a street or alley from a residential district. The screen shall be a wall or berm as provided in Section 1250.23 and may be provided as a landscape screen as may be approved by the City.
- (6) Each entrance to and exit from any off-street parking lot located in an area zoned for other than single-family residential use shall be at least twenty- five (25) feet distant from adjacent property located in any single-family residential district.
- (7) The entire parking and loading area including parking spaces and maneuvering lanes required under this Chapter shall provide surfacing in accordance with specifications approved by the City. The parking areas shall be surfaced within one (1) year of the date the Certificate of Occupancy is issued.
- (8) Off-street parking areas shall be drained so as to dispose of all surface water accumulated in the parking area to preclude drainage of water onto adjacent property or toward buildings.
- (9) All lighting used to illuminate any off-street parking area shall be so installed as to be confined within and directed onto the parking area only.

PROPOSED

(a) Whenever the off-street parking requirements in this Chapter require the building of an off-street parking facility, such off-street parking lots shall be laid out, constructed and maintained in accordance with the following standards and regulations:

- (1) No parking lot shall be constructed unless and until a permit therefore is issued. Applications for permit shall be submitted with three (3) sets of site plans for the development and construction of the parking lot and landscape layout showing that the provisions of this Chapter will be fully complied with.
- (2) Plans for the layout of off-street parking facilities shall be in accord with the following minimum requirements (Table 1250.06.b) except as modified by ADA.

- (3) All spaces shall be provided adequate access by means of maneuvering lanes. Backing directly onto a street is prohibited.
- (4) All maneuvering lane widths shall permit one (1) way traffic movement except that the ninety (90) degree pattern shall permit two (2) way movement.
- (5) All parking areas for commercial or industrial district uses shall be screened on all sides abutting or across a street or alley from a residential district. The screen shall be a wall or berm as provided in Section 1250.23 and may be provided as a landscape screen as may be approved by the City.
- (6) Each entrance to and exit from any off-street parking lot located in an area zoned for other than single-family residential use shall be at least twenty- five (25) feet distant from adjacent property located in any single-family residential district.
- (7) The entire parking and loading area including parking spaces and maneuvering lanes required under this Chapter shall provide surfacing in accordance with specifications approved by the City. The parking areas shall be surfaced within one (1) year of the date the Certificate of Occupancy is issued.
- (8) Off-street parking areas shall be drained so as to dispose of all surface water accumulated in the parking area to preclude drainage of water onto adjacent property or toward buildings.
- (9) All lighting used to illuminate any off-street parking area shall be so installed as to be confined within and directed onto the parking area only.
- (10) Repair and maintenance of existing pavement shall be encouraged. For the purposes of these requirements repair and maintenance work shall be exempt from the permitting requirements of this code section providing that the work is limited to the following:**
- (1) Seal coating of existing asphalt.**
 - (2) Removal and replacement of 10% or less of the existing area of the surface.**
 - (3) Leveling of an existing surface.**
 - (4) Filling pot holes or repairing areas around drainage structures.**

RECOMMENDATION

The Planning and Zoning Administrator recommends that the Planning Commission recommend approval of the proposed Code Amendment to City Council. Adoption of this Amendment would provide flexibility and would treat driveways and parking lots the same for the purposes of repair and maintenance.

Further, it is recommended that a Public Hearing be set before City Council for October 6, 2020 at 6:25 p.m.

Anticipated Timeline:

August 27, 2020 – Planning Commission Recommendation

October 6, 2020 – Public Hearing

October 14, 2020 – Planning & Zoning Committee Recommendation

October 20, 2020 – City Council Final Vote

Mr. Walters reviewed the above Staff Report regarding the proposed Code Amendment to Chapter 1250.06(a) – Parking Space Layout, Standards, Construction and Maintenance, and added that driveway requirements are different from parking lot requirements. Mr. Walters noted that currently there is no provision in the Code for the repair and maintenance of parking lots. Mr. Bade said that he supports the direction that the Administration is headed, and suggested the repair percentage be higher, like twenty (20) percent. Mr. Walters added that he is not opposed to the twenty (20) percent, and stated that he pulled the ten (10) percent to match the driveway section of the Code. Mayor Mackin referenced the update to the Land Use Plan, and encouraging renovations to include plantings for parking lots. Mr. Wellstein said that he is in favor for replacement of twenty (20) to twenty-five (25) percent for maintenance. There were no further comments nor questions from the Commission or public.

Mr. Wellstein moved to approve the proposed Code Amendment to Chapter 1250.06(a) – Parking Space Layout, Standards, Construction and Maintenance, and change the maintenance percentage from ten (10) percent (as proposed) to twenty (20) percent as approved. Seconded by Mr. Bade. Ayes: (6). Nays: (0).

OTHER BUSINESS

Mr. Walters noted that tonight is Ms. Alkire's last meeting as Law Director, and he thanked her for her guidance during her tenure. He added that the City is in the process of hiring for a new Law Director, and that Ms. Alkire's last day will be September 18, 2020.

There being no further business, the meeting adjourned at 8:33 p.m.

Respectfully submitted,

Heather Alfaro