

PLANNING COMMISSION MEETING

MAY 27, 2021

The meeting was called to order at 7:00 p.m. by Chairman John Wellstein. Commission members present were Greg Bade, Gilda Mitchell, John Wellstein, and Becky Williams (4). Andy Lorenz, Mayor Mackin, and Craig Pickerel were absent (3). Also present were Brody Walters, Planning and Zoning Administrator, and Mark Easterling, Deputy Planning and Zoning Administrator.

APPROVAL OF MINUTES

Ms. Williams moved to approve the minutes of the April 15, 2021 meeting as written. Seconded by Mr. Wellstein. Ayes: Bade, Wellstein, and Williams (3). Nays: (0). Abstain: Mitchell (1).

ADMINISTRATOR'S REPORT

No report.

Final Plat Coventry Pointe Subdivision Plat 2

APPLICANT/OWNER/DEVELOPER

Steve Mitchell
MB Investments, LLC.
3150 Republic Boulevard, Suite 3
Toledo, OH 43615

Feller Finch and Associates, Inc.
1683 Woodlands Drive, P.O. Box 68
Maumee, Ohio 43537

REQUEST

Chapter 1295.07 – Final Plat

PROPERTY LOCATION & DESCRIPTION

The overall Coventry Pointe Subdivision is proposed to consist of 155 lots and is located north of Five Point Road and west of Fort Meigs Road. The subject property (74.86 acres) is currently zoned R-3 (Single Family Residential).

Plat 1 consists of 22 lots on approximately 12.759 acres and was finalized on October 24, 2019.

Plat 2 as proposed contains 30 lots on approximately 25.083 acres.

BACKGROUND

The active Preliminary Plat for Coventry Pointe was approved on April 25, 2019.

ANALYSIS

The plat layout for Plat 2 is substantially compliant with the approved Preliminary Plat approved in April 2019. The number of lots, street layout, and arrangement of lots is the same as originally proposed within the subdivision Preliminary Plat. All lots shown meet the minimum depth to width ratio with the exception of Lots 47, 48, and 49 (due to being on the outside of a curve). In addition, lots 37-39 and 47-49 each have frontages less than the minimum 75' requirement, and it is unknown if these lots will be able to provide the 75' frontage at the building line. The Final Plat also shows lot length inconsistencies for lots 41 and 42. By scale, they measure the same distance, but show a difference on both lots of eight (8) feet for each side of the lot. The acreage and square footage also appear different than what was shown in the survey. All other lots conform to all necessary dimensional requirements.

Open Space Requirement = There are three ways to satisfy the open space requirement for subdivision development. The first option is to provide 5% of the area of the subdivision as open space (cannot include detention/retention areas). The second option is to provide a cash in-lieu payment in an amount equal to 7.5% of the value of the undeveloped land and the third option is to dedicate an equivalent amount of land (5%) elsewhere in the city. Per the layout of this plat the developers will be required to provide a payment for 7.5% of the value of the undeveloped land. A recent appraisal (within the last 5 years) will be required to determine the value of this property.

The staff has reviewed the Final Plat for Plat 2 and approved with the following comments:

- Buffer Lots "C" and "D" are to be dedicated to the City of Perrysburg at the time of Final Plat approval/recording.
- Provide Open Space Fee payment (in accordance with equation below).
- Lot dimensions for lots 41 and 42 are corrected.
- Acreage corrected to match existing survey.

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

ESCROWS

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

PAYMENT ITEMS

Street Signs
Street Lights
Open Space Fee

RECOMMENDATION

The Deputy Planning & Zoning Administrator recommends that the Planning Commission approve the Final Plat for Coventry Pointe Plat 2 subject to the comments and recommendations in this report including the deposit of escrows, payment of open space fees and other fees as required.

Mr. Easterling reviewed the above Staff Report regarding the Final Plat for Coventry Pointe Subdivision – Plat 2, and added that Feller Finch has updated the acreage and that no Open Space Fee is required as the subdivision has donated in excess of five (5) percent of land to the City. Greg Feller, Feller Finch and Associates, was present and said that he agrees with the recommendations, and that the updated drawings have been updated and submitted. There was a brief discussion about buffer lots C and D meeting the Open Space Requirement, and the seventy-five (75) foot width dimension. There were no further comments or questions from the Commission, nor the public.

Mr. Bade moved to approve the Final Plat for Coventry Pointe Subdivision – Plat 2 per the recommendations in the Staff Report. Seconded by Ms. Williams. Ayes: (4). Nays: (0).

***Site Plan Amendment
Schuetz Container – Silos and pavement widening
2105 S. Wilkinson Way***

APPLICANT

Schuetz Container
2105 S. Wilkinson Way
Perrysburg, OH 43551

Poggemeyer Design Group
1168 N. Main Street
Bowling Green, OH 43402
SHuntley@kleinfelder.com

Lathrop
28 N. St. Clair St., Suite 200
Toledo, OH 43604
jclevelend@tcco.com

REQUEST

Chapter 1250 – Site Design Standards
Chapter 1260.18 Site Plan Amendment

PROPERTY LOCATION & DESCRIPTION

The proposed Amendment pertains to the portion of Schuetz container located south of Spafford Drive. The applicants propose two relatively minor changes to the approved site plan:

1. The adding of an additional five (5) feet of pavement on the south end of the southernmost building.
2. The adding of a new silo pad which would also include two new sixty (60) foot tall silos immediately next to and east of the existing silos (for a total of 4). This location is near the railroad tracks along Ft. Meigs Road between the two buildings.

This property is located north of Roachton Road and east of Ft. Meigs Road. It is located within an I-2 – General Industrial zoning category on a 19.48 acre parcel.

BACKGROUND

The request is to amend a portion of the Final Site Plan that was approved by the Planning Commission on June 25, 2020 as part of the “Drum” and “IBC” building addition project.

ANALYSIS

Land Use – The requested use has been reviewed and determined to be “Manufacturing – General” which is a permitted use in this zoning district.

Dimensional Standards – Per Ch. 1230.03(b) The height regulations of Chapter 1230 “Intensity & Dimensional Standards” shall not apply to communication towers, monuments, water/cooling towers, ornamental towers and spires, chimneys, silos, elevator bulkheads, smoke stacks, conveyors and other similar items as determined by the Planning and Zoning Administrator.

RECOMMENDATION

The Planning and Zoning Administrator has reviewed the proposed site plan changes and recommends that the Planning Commission approve the Final Site Plan Amendment as submitted.

Mr. Walters reviewed the above Staff Report regarding the Site Plan Amendment for Schuetz Container at 2105 S. Wilkinson Way. Joe Cleveland, Lathrop, and Shane Huntley, Poggemeyer Design Group, were present. Mr. Cleveland added that the drive issue has been coordinated with the Fire Division. There were no comments or questions from the Commission, nor the public.

Mr. Wellstein moved to approve the Site Plan Amendment for Schuetz Container at 2105 S. Wilkinson Way. Seconded by Ms. Mitchell. Ayes: (4). Nays: (0).

Preliminary & Final Site Plan Local Roots 310 Elm Street

APPLICANT/OWNER/DEVELOPER

Ashley Balester
310 Elm Street
Perrysburg, OH 43551

REQUEST

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

PROPERTY LOCATION & DESCRIPTION

The subject property is located at 310 Elm Street near the corner of East Third Street and Elm Street on the western side of Elm directly south of Local Roots Juice Company. The property in question is zoned C-2 (Central Business) and currently houses a small single family residence. This property is surrounded by C-2 (Central Business) and R-4 (Single Family Residential) zoning districts. The applicant is seeking approval to expand the front patio and add a freestanding pergola to the patio.

ANALYSIS

Land Use – The current use of the property has been reviewed and determined to be “printing” and is therefore an approved use in the C-2 district.

Dimensional Standards – The C-2 zoning district does not have a setback requirement so this parcel is treated as a zero lot line property. The only dimensional requirement is that the building cannot exceed a height of 35’ which is not an issue for this application.

Building Materials – The applicant’s building is finished in vinyl siding and is considered legal nonconforming at this time.

Access – The property currently has no driveway access on to Elm Street.

Parking – The C-2 zoning district does not require on-site parking but the site does currently utilize public parking along Elm Street.

Parking Landscaping – Not applicable.

Site Landscaping – C-2 zoning does not have a minimum landscape percentage requirement so no landscape plan is necessary.

Street Trees – Due to the location of this property and adjacent right-of-ways, no street tree plan is required.

Signage – Not applicable.

Lighting – No new light fixtures are shown.

Sidewalks – Sidewalks are shown across the entirety of this property.

Waste Receptacles – No exterior trash receptacle on-site.

Other – The applicant will required to submit current and future pervious and impervious calculations to make sure they are meeting the SWP3 requirements.

RECOMMENDATION

The Planning and Zoning Deputy Administrator recommends that the Planning Commission approve the Preliminary and Final Site Plan as submitted for the property located at 310 Elm Street.

Mr. Easterling reviewed the above Staff Report regarding the Preliminary and Final Site Plan for Local Roots at 310 Elm Street. The applicant was not present, and Mr. Easterling added that he would try to answer any questions that the Commission may have. There was a brief discussion about occupancy on the patio, and Mr. Bade asked about trash receptacles for the business. Mr. Bade said that he would prefer that the trash enclosure be screened, and Ms. Williams confirmed that the project has already been started. There was a brief discussion about what is existing with the project. There were no further comments or questions from the Commission, nor the public.

Mr. Bade moved to approve the Preliminary and Final Site Plan for Local Roots at 310 Elm Street with the condition that the trash enclosure be screened. Seconded by Mr. Wellstein. Ayes: (4). Nays: (0).

***Preliminary Plat Extension
Sanctuary in the Woods – Phase 3***

APPLICANT/OWNER/DEVELOPER

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

OWNER/DEVELOPER

Ed Bryant / Dick Wehrle
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 10, 2020. The applicant failed to request the extension prior to the expiration date due to office schedules related to the Covid-19 pandemic. If honored, this requested extension would be for two (2) years until May 27, 2023.

Plat 1, consisting of 16 lots was finalized and recorded on January 6, 2004.
Plat 3, consisting of 21 lots was finalized and recorded on December 24, 2014.
Plat 4, consisting of 13 lots was finalized and recorded on January 19, 2018.
Plat 2, consisting of 25 lots was finalized and recorded on January 25, 2018.

ANALYSIS

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

(The lot numbers that do not meet the minimum lot size requirement are as follows: 76, 77, 78, 79, 80, 82, 83, 88, 89, 92, 96, 97, 98, 100, 105, 106, 114, 115, 119, 120, 121, 122, 123, 124, and 125).

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

RECOMMENDATION

The Planning and Zoning Deputy Administrator recommends that the Planning Commission extend the Preliminary Plat approval for Sanctuary in the Woods – Phase 3 until May 27, 2023. The developers have demonstrated a good faith effort to continue progress within the subdivision and will be finalizing additional plats in the near future. If development stalls and does not progress on a reasonable timeline between now and the recommended expiration date, the Planning Commission should consider (during the next extension review) requiring the submission of a new Preliminary Plat that shows remaining lots at a size that meets or exceeds the minimum lot size requirement of 22,000 SF.

Mr. Walters reviewed the above Staff Report for the Preliminary Plat Extension for Sanctuary in the Woods – Phase 3. Ed Bryant and Dick Wehrle, Retreat Associates, Inc., were present. Mr. Bryant said that overall they have fifty lots left to develop, and that they are looking to develop Plat 5 this year. There was a brief discussion about the three week lapse in expiration of this Preliminary Plat, and Mr. Bryant noted the infrastructure that has already been installed and the underground sewers. Ms. Williams asked the applicants if they are prepared to re-submit if their development stalls, and Mr. Bryant said that the problem to meet the correction would still be the same. There were no comments or questions from the Commission, nor the public.

Mr. Bade moved to approve the Preliminary Plat Extension for Sanctuary in the Woods – Phase 3. Seconded by Mr. Wellstein. Ayes: (4). Nays: (0).

Preliminary Plat Five Point Villas

APPLICANT/OWNER/DEVELOPER

DS Developers LLC
5135 S. Main Street
Sylvania, OH 43560
Schmit7605@aol.com

5 Points Partners LLC
3618 King Road
Toledo, OH 43617

Feller Finch and Associates, Inc.
1683 Woodlands Drive, P.O. Box 68
Maumee, Ohio 43537

REQUEST

Chapter 1295.01 – Preliminary Plat

PROPERTY LOCATION & DESCRIPTION

Five Point Villas is a proposed subdivision consisting of 77 lots that are intended to provide a two-family living unit (total of 154 units). The subject parcel is located west of Southview Estates mobile home park and east of Shepherd of the Valley Church. The property (31.668 acres) is currently zoned R-5 (Two Family Residential).

BACKGROUND

July 7, 2011, the Annexation into the City of Perrysburg was completed.

September 29, 2011, at the request of the property owner the Planning Commission recommended R-3 (Single Family Residential) zoning.

January 26, 2011, the property owner decided to change his preferred zoning request to R-5 (Two Family Residential).

March 28, 2012, the Planning & Zoning Committee of Council voted 2-1 (in favor of) for zoning the property as R-5 (Two Family Residential).

April 3, 2012, City Council passed Ordinance 83-2012 effectively rezoning this property to R-5 (Two Family Residential).

December 14, 2017, an application for Rezoning from R-5 (Two Family Residential) to RM (Multiple Family Residential) was submitted and withdrawn prior to the meeting.

ANALYSIS

The Code requires a minimum lot area of 10,000 S.F. for R-5 Zoning. All proposed lots currently meet or exceed the minimum lot size.

The subject property shall be subject to Chapter 1295 – Subdivision Regulations.

Planning & Zoning:

- Minimum lot width is 90’.
- Ch. 1295.05(a)(6)(G) - Lots shall not have a depth of less than 120’.
- Rear yards of “pond lots” to have an access easement of 16’ for maintenance purposes.
- Various lots appear to have typos or incorrect frontage measurements indicated on the plans.
- Sidewalks shall be 5’ wide.
- Lots 75 and 76 indicate property lines extending into the Retention Pond presumably to achieve the minimum lot size. Property lines shall follow the perimeter of the pond.
- Crosswalks to be provided where blocks exceed 900’ in length.
- All streetlights are now required to be LED rather than HPS (5 total).
- Move stub street to the north between lots 22 and 23. This centers the stub on the street and fixes the straight-line distance issue with the intersection at this location.
- Approaches to intersections should maintain a straight-line distance of at least 100’. (Both intersections have this issue on the south legs as shown.)
- Ch. 1295.05(a)(6)(D) - All lots shall be designed to provide desirable building sites. A larger lot size may be required in particular cases in order to meet the desirable requirements for a subdivided area. It is recommended to provide an example plot plan showing the proposed unit layout on Lot 37 due to its size and proposed easements. **The applicant’s own design and layout of lots in this preliminary plat shall not be justification for future variance requests due to being unable to meet setback requirements for the proposed residential unit.**
- A land appraisal will need to be provided for any future final plat request for calculation of the Open Space Fee. The developer will be required to provide payment for the “before developed” appraised fair market value of seven and one-half percent (7.5%) of the land in the subdivision immediately prior to its development, plus one hundred dollars (\$100.00) per recorded lot in the final plat. Such deposit shall be allocated for acquisition and improvement of open space and recreational lands and may be expended only for such purposes at the discretion of the City.

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

RECOMMENDATION

The Planning and Zoning Administrator recommends that the Planning Commission deny the overall Preliminary Plat drawing for the Five Point Villas as submitted.

Mr. Walters reviewed the above Staff Report regarding the Preliminary Plat for Five Point Villas. Greg Feller, Feller Finch, was present, and addressed comments under the Analysis portion of the Staff Report. Mr. Feller noted that comment #1 has already been addressed with conflicting Code language, and requested that the Planning Commission approve this plat with comment #2 “as is” with the lot depth at 115 feet so that they can fit the buildings on the lots and be able to give as much space towards detention. He added that typos have been corrected with regards to comment #4 and agreed with comments #5, #7, #8, #9, and #10. Mr. Feller said that the pond is the controlling factor with comment #6 and that they will not need any variances with regards to comment #11. He said that his main concern is the lot depth, and Mr. Walters noted that he has since received Mr. Feller’s updated plat but that he has not had ample time to review it and so his recommendation stands as is. There was a brief discussion about the reduced dimensions, and the rear pond lots being stretched to their limits. Mr. Feller confirmed that the site is narrow, but that it will not need variances on the setbacks, and Mr. Bade added that blanket variances are not permitted. Ms. Mitchell asked what options the Planning Commission has for this submission moving forward, and Mr. Walters added that there are three possible options: (1) approve with conditions – as revised, (2) deny as submitted, or (3) table to give the Administration more time to review. There was a brief discussion about how often the entire plat does not meet the minimum depth, and Mr. Walters noted that there are also EPA concerns related to the detention and retention requirements. Mr. Wellstein said that he is concerned with this many lots not meeting the minimum requirement, and Ms. Williams said that she is in partial agreement with Mr. Wellstein. She said that she recommends to table or resubmit the application, and Mr. Bade stated that quality control has become an issue.

Robert Friedley, 12983 Five Point Road, was present and asked about the scope of the plat. He added that his main concern is with the incoming drive and the new manhole covers on the street. Mr. Friedley added that the topcoat is rough on Five Point Road, and Mr. Walters said that he would look into this concern with Rob Ross, Director of Public Service.

Mr. Bade moved to deny the Preliminary Plat for Five Point Villas as submitted. Seconded by Mr. Wellstein. Ayes: Bade, Mitchell, and Wellstein (3). Nays: Williams (1).

OTHER BUSINESS

There being no further business, the meeting adjourned at 7:56 p.m.

Respectfully submitted,

Heather Alfaro