

PLANNING COMMISSION MEETING

APRIL 25, 2019

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, John Stout, and John Wellstein. Also present were: Brody Walters, Planning and Zoning Administrator and Mark Easterling, Deputy Planning and Zoning Administrator.

APPROVAL OF MINUTES FROM THE FEBRUARY 28, 2019 MEETING

Mr. Pickerel moved to approve the minutes of the February 28, 2019 meeting as submitted. Seconded by Mayor Mackin. Ayes: (7). Nays: (0).

ADMINISTRATOR'S REPORT

Mr. Walters stated that to date he has received three items for the May meeting. He added that he will not be present at the meeting, but Mr. Easterling will be there.

Preliminary and Final Site Plan Colonial Acres Apartments 1353 Fremont Pike

APPLICANT

James E. Delph
436 E. Boundary 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 proposed project site is located along Sandusky Place which runs parallel to Sandusky Street. This location is known as "Colonial Acres Apartments." There are no significant site plan changes proposed to this location but the zoning code does require Planning Commission review of all site changes in all zoning districts with the exception of R1-R4 Single Family Residential. The property currently consists of four single-story apartment buildings built in approximately 1969. The subject property is approximately 2.5 acres (3 total parcels) in size and is currently zoned RM Multi-Family Residential. All immediately adjacent properties are also zoned RM. Other nearby (nonadjacent) zoning includes C1 – Neighborhood Commercial and OS Office and Service.

The applicants request for this submission is to install a gazebo structure for the enjoyment of the residents of this apartment development. The gazebo would be centrally located on the site, in between the two interior buildings within the courtyard area.

ANALYSIS

Zoning – RM (Multi-Family Residential)

Land Use – The requested use has been reviewed and determined to be “Multiple Family Dwellings” which is an approved use in C-4 zoning districts and therefore would allow for an accessory structure such as the proposed gazebo.

Dimensional Standards - The proposed gazebo is 11’ x 13’ in size with a height of 10’ and is consistent with the dimensional standards of Chapter 1230 with regard to setbacks.

Building Materials – The existing buildings on site are constructed of brick and this proposed gazebo would be constructed out of cedar with a standing seam metal roof. The materials of the gazebo meet the requirements of the zoning code.

Access – The proposed site plan access would remain unchanged with three points of access coming off of Sandusky Place, a private drive.

Parking – The parking requirement for this site requires that there be parking spaces for each apartment unit. This site has parking provided in an outdoor parking lot as well as within a semi-enclosed garage/car port.

Landscape Islands – Due to the age of the construction the current parking lot area does not meet the current requirements of the zoning code for landscape islands.

Parking Lot Landscape – Parking lot landscape is required to meet or exceed 6% of the area of the parking lot. Landscaping within and immediately adjacent to the parking lot can count towards this percentage but any adjacent landscape used in this calculation cannot also be used towards the calculation of the site landscaping. A detailed site plan has not been provided to be able to quantify the landscape for this requirement.

Site Landscaping: No landscape plan has been provided. Per Ch. 1230.01 Intensity & Dimensional Standards at least 8% of the site must be intentionally landscaped.

Street Trees – This site currently features a considerable amount of mature trees along its frontages to the public right-of-way so no additional trees are required.

Signage – Not applicable for this review.

Lighting – No additional lighting proposed with this updated plan.

Sidewalks – Public sidewalks are present across all frontages of this project with the only lacking item being the sidewalk through the private drive of Sandusky Place.

Waste Receptacles – No additional waste receptacles or changes to the existing are proposed. Current waste receptacles do not appear to be exposed to public view.

RECOMMENDATION

The Planning and Zoning Administrator recommends approval of the preliminary and final site plan with the following conditions:

1. A review of the current landscape on site as well as the amount of parking lot landscape be discussed with the applicant.
2. The next time that Sandusky Place is resurfaced, a sidewalk shall be required to run through the driveway to connect the two areas of truncated domes within the cross walk area.

Mr. Walters reviewed the above Staff Report. Jim Delph, property owner, was present and said that he had nothing to add to Mr. Walters' comments. Mr. Lorenz asked if the proposed structure had already been built. Mr. Delph said that it has been.

Mr. Wellstein moved for approval of the Preliminary and Final Site Plan of Colonial Acres subject to the conditions stated in the Planning and Zoning Administrator's report. Seconded by Mr. Lorenz. Ayes: (7). Nays: (0).

***Preliminary and Final Site Plan
Yark Automotive Group
26997 N. Dixie Highway***

APPLICANT/OWNER/DEVELOPER

Jerry Parker
Gressley, Kaplin & Parker, LLP
1 Seagate, Suite 1645
Toledo, OH 43604
jparker@gkplaw.net

REQUEST

Chapter 1250 – Site Design Standards
Chapter 1260.05 – Preliminary Site Plan Review
Chapter 1260.08 – Final Site Plan Review
Chapter 1245.33 & 1245.34 – Corridor Overlay

PROPERTY LOCATION & DESCRIPTION

The proposed project site is located on the west side of SR 25 at the intersection of Findlay Street. This property is immediately north of the existing Perrysburg Auto Mall (Ed Schmidt). The parcels included in this request are: Q61-400-6704012000 and Q61-400-6704013000 which together contain approximately 19.933 acres of property that is zoned C-4 Highway Commercial, within the corridor overlay.

Adjacent zoning:

North – I-1 Light Industrial (Southeastern Equipment)

East – C-4 Highway Commercial, R-5 Two-Family Residential, R-3 Single Family Residential

South – C-4 Highway Commercial (Ed Schmidt Dealership)

West – PBP Planned Business Park

BACKGROUND

This project came before the Planning Commission for the first time on February 28, 2019 for both preliminary site plan approval and a request for a special approval use for a car dealership in a C4 (highway commercial) zoning district. During that meeting the Planning Commission offered a conditional approval on the preliminary site plan and recommended to City Council that if the conditions of the preliminary site plan approval were met that they should ultimately approve the request for a special approval use. A public hearing was held on April 2nd prior to a regularly scheduled City Council meeting.

ANALYSIS

Land Use – The proposed use has been reviewed and determined to be “Automotive Sales or Lease for New and Used Vehicles – Outdoors.” This use is permitted in the C-4 zoning district with an approved Special Approval Use.

Dimensional Standards - The proposed site plan shows a portion of two different parcels being used to accommodate a proposed car dealership. The setbacks that will apply to this project site are as follows:

Front Yard – 50’

Rear Yard – 30’

Side Yard (min) – 10’

Max Height – 35’

The site plan indicates a principal building to be used for the sale of automobiles as well as an accessory building located to the southwest of the main building.

Access – The proposed access to the property is shown to be from the newly reconfigured, stub-access at the fully signalized intersection at Findlay Street and SR 25.

Parking – The proposed site plan indicates 436 standard parking spaces (10’x20’). This quantity of parking will serve customers, employees and inventory. The provided parking is expected to far exceed any required parking needs (although it is unknown at this time how many vehicles are planned to be stored at this location). The exact parking requirement for this use was not able to be calculated due to not having the square footage size of the dealership’s showroom and the fact that the number of vehicles stored on site for sale has the potential to fluctuate significantly.

Landscaping – The overall site (the area of the site minus the parking lot area) is required to provide at least ten (10) percent of its area as intentional landscape. Turf grass is not considered intentional landscape. The applicant has provided a landscaped plan with a detailed calculation that was completed by a landscape architect. This plan and calculation shows a total site area of 339,026 SF of which 55,672 SF is shown to be landscaped. This equates to 16.4% of the “site” being landscaped. An important note from the previously considered preliminary site plan is that the Planning Commission recognized that while car dealerships are unique and deserve special consideration on landscaping they are not simply exempt from these requirements. In accordance with prior conversation regarding this site it is believed that the site landscape percentage was increased to make up for the lack of landscaping within the parking lot / display area that would otherwise be required if this were a different use. When reviewing the landscape calculation Parcel A refers to the portion of land that is being developed as the car dealership while Parcel B refers to the half-circle island near the entrance drive. Irrigation is also required on lots larger than 1 acre but does not appear to be included in the proposed plan.

Parking Lot Landscape – The code generally requires parking areas of project sites to be landscaped in accordance with a minimum percentage. The minimum percent in C4 zoning is 6%. As mentioned above, the Planning Commission acknowledged the uniqueness of a car dealerships display area as it relates to typical landscape requirements. The commission urged the applicant to provide the proper percentage of landscape but agreed that it may be located outside of the “parking lot area” and somewhere else on site. While there is some landscape within the parking lot (in front of the building) the landscape architect has not broken the calculation down to a level where the exact percentage can be calculated.

Street Trees – A 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 738’ frontage – 35’ driveway = 703’ divided by 40’ = **17 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.

Lighting – A lighting plan schedule and photometric has been provided. The site features LED lighting that is 12’ high and LED lighting that is 23’ high. Unfortunately the photometric shows a considerable amount of light spillage beyond the property lines. The code requires that lighting be shielded and directed inward towards project sites so as not to spill into roadways or nearby residential districts. The Planning and Zoning office has only received one concern over this project and it relates to lighting. The residential apartment owner/operator immediately to the east requested that extra attention be paid

to ensuring acceptable light levels are being maintained (see attached letter). Overall, the proposed lighting meets the height requirements but may require additional shielding of a different fixture to meet the requirements of the code or the expectations of adjacent neighbors.

Building Elevations and Materials – The building as proposed features EIFS, split-face block and aluminum composite metal panels. Two of these three materials are permitted by code in this zoning district (EIFS and split-face block) while metal panels are not permitted. Although EIFS and split-face are permitted they are limited to 50% and 75% respectively. The elevations for the accessory structure were not provided so those details are unable to be reviewed at this time but that accessory structure must also conform to the material percentages similarly to the main building. This property is subject to the requirements of the corridor overlay and one of those requirements states that buildings must feature the same/similar quality and arrangement of materials on all sides in an effort to prevent one or more sides from being of a lesser quality or appearance. After reviewing the provided elevation sheet for the building it could be argued that the rear (west elevation) and the back half of the side elevations (both north and south facades) has not be designed and planned to be of the same visual or general quality of the other three facades. Additional concerns about the building come from Chapter 1250.481 subsections (e) and (f). Subsection (e) requires that the rooflines of buildings be varied every 100 linear feet through the use of various architectural features. This section also requires that any and all rooftop equipment be screened from public view and since there doesn't appear to be any ground mounted equipment area it is assumed the roof would house this needed equipment. Lastly, is subsection (f) which in addition to the prohibition of metal panels states that façade colors shall be of low reflectance, subtle, neutral or earth tone colors. The use of high intensity colors, metallic colors, black or fluorescent colors is prohibited. The building elevations indicate the use of "bright aluminum" metal panels (a sample is on file and will be provided at the meeting for review) as well as "Chevrolet Blue" on the main entrance and other building trim areas along the north and south facades.

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. Particular attention should be paid to the "Certified Service" sign as well as the "Yark" name badge located on the building as these signs would cause the allowable signage on the east façade to exceed the maximum.

Sidewalks – Public sidewalks are required and shown across all frontages on the site plan. These sidewalks are required to be continuously 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). The code also requires sidewalks/pedestrian connectivity from the public sidewalk to the entrance of the business where pedestrian access is reasonably expected. This requirement was discussed previously with the Planning Commission but was seemingly unresolved during the last meeting.

Waste Receptacles – The Preliminary Site Plan indicates a separate outdoor trash receptacle located in the middle of the north side of the building but the specific construction details of the enclosure have not been provided. This dumpster enclosure will at a minimum be required to meet the requirements of Ch. 1250.57. Verification of this requirement will be required prior to the issuance of a zoning permit.

Corridor Overlay

Ch. 1245.33

- (a) Utility Lines: All utility lines such as electric, telephone, CATV or other similar lines shall be installed underground. This requirement shall apply to lines serving individual sites as well as to utility lines necessary within the project. All junction and access boxes shall be screened with appropriate landscaping. All utility pad fixtures and meters should be shown on the site plan. The necessity for utility connections, meter boxes, etc., should be recognized and integrated with the architectural elements of the site plan.
- (b) Loading Areas: Sites shall be designed and buildings shall be oriented so that loading areas are visually screened from any of the project perimeters adjoining any agricultural or residential district or any public right-of-way. Screening shall be in accordance with landscaping requirements specified within this Zoning Code.
- (c) Building Materials: No building facade (whether front, side or rear) shall consist of architectural materials which differ in composition, appearance or detail from any other facade of the same building. The intent of this requirement is not to preclude the use of different materials on different building facades (which would be acceptable if representative of good architectural design), but rather to preclude the use of inferior materials on sides which face adjoining property and thus might adversely impact pedestrian activity, existing or future development and property values. Mechanical equipment, whether ground-level or rooftop, shall be shielded and screened from public view and designed to be perceived as an integral part of the building.
- (d) Exterior Lighting: All exterior lights shall be arranged and installed to comply with the exterior lighting provisions of this Zoning Code.
- (e) Parking Lots Adjacent to Public Right-of-Way: Parking lots, which have frontage along a public right-of-way, shall be screened with a wall and landscaping. The screen wall shall be located at least three (3) to four (4) feet from the property line and this area is to be landscaped with small shrubs and perennial flowers. The height of the screening wall shall be thirty-eight (38) to forty-two (42) inches in height.
- (f) Landscaping Along Corridor: The area of land between the property line and the curb, typically known as the terrace, shall be landscaped with street trees. The spacing of these trees will depend on the species and the distance between trees and the species shall be determined by the City.
- (g) Driveways and Parking Areas: Driveways and parking areas shall be paved with concrete, bituminous concrete or other similar material. Concrete curb and gutters shall be installed around the perimeter of all driveways and parking areas. Drainage shall be designed so as not to interfere with pedestrian traffic.

- (h) Outside Storage Areas: Outdoor storage shall be as permitted by the outdoor storage standards of underlying zoning districts; provided, that all outdoor storage areas shall be visually screened from public streets, internal roadways and adjacent property. Screening shall consist of materials specified in this Zoning Code. All such screening shall be of sufficient height to screen storage areas from view. Outdoor storage shall include the parking of all company-owned and operated vehicles with the exception of passenger vehicles.

Ch. 1245.34

The purpose and intent of this Chapter is to regulate the use of publicly visible displays or graphics; to protect and enhance the character of arterial roadways and surrounding areas; to prevent diminishing property values within these areas; to safeguard the public use and nature of arterial roadways; and to minimize visual distractions to motorists along public roads.

- (a) The following shall apply to all signs in the Corridor Overlay:
- (1) Signs and advertising structures shall not obstruct any window, door, fire escape, stairway, ladder or opening intended to provide light, air or ingress and egress for any building or structure.
 - (2) Sign lighting shall be positioned and shielded so as not to impair the vision of any motor vehicle operator or cause any direct glare into or upon any property other than the property to which the sign may be accessory.
 - (3) A unified system of signage and graphics shall be designed for each individual development. Letter style, graphic display and color shall be analogous for all signage and graphics within an individual development. Signage concepts should be considered during the design of buildings so that signage and graphics are architecturally incorporated into those buildings and the site they inhabit. Size, height, location, material and color should strongly relate to building and site design.
 - (4) All new and replacement signs within the Corridor Overlay from the effective date of this Zoning Code shall be limited to a freestanding sign no higher than six (6) feet, pursuant to the specifications outlined in the sign standards of Section 1250.29 - 1250.39.

Other Considerations:

Intersection contribution fees will be assessed to this project based on the traffic counts associated with the development. These fees will be function as a reimbursement to the City of Perrysburg for previous improvements to Eckel Junction Road and SR 25.

RECOMMENDATION

The Planning and Zoning Administrator recommends **APPROVAL** of the preliminary site plan as submitted and **CONDITIONAL** approval of the Final Site Plan with the following conditions:

1. Site lighting be modified to reduce/eliminate light spillage off the property. This can likely be accomplished through the use of a different light fixture or through the use of shields on the sides of the proposed fixture.
2. Building materials should all comply with the code requirements of Ch.1250.48, 1250.481 and 1245.33. (inclusive of material selection, color and arrangement)
3. Signage needs to be addressed for size and quantity as shown on the current plan. This will be addressed more specifically during permitting but there is an obvious issue than can be identified at this point of the review.
4. Resolve the outstanding issue with the Planning Commission of whether or not a pedestrian walkway will be required.
5. Dumpster enclosure details shall be provided for review. Must meet code specifications.
6. Plan to screen any rooftop equipment must be provided if applicable.

Mr. Walters reviewed the above Staff Report. Attorney Jerry Parker was present on behalf of the applicant, as was Mark Shambarger, architect. Mr. Walters stated that the Planning and Zoning Committee of Council considered the Special Approval Use at their April 22, 2019 meeting, but the vote on the Special Approval Use hinges on the Planning Commission's vote on the Preliminary and Final Site Plan. Mr. Walters called attention to the revised lighting plan that was provided to the Commission this evening. Mr. Walters said that revised plan shows the light spillage has been contained on site and meets the requirement and intent of the Code, therefore the first item in his list of outstanding issues has been satisfied. Mr. Parker said that they have no problem with the dumpster or roof top screening and they understand the signage will have to comply. He said that with regards to the pedestrian walkway, they do not foresee a significant amount of pedestrian traffic so they would propose that if the property ceases to be a dealership, then the walkway would be installed. Mr. Parker said that he feels the two outstanding issues are building materials and roof lines. Mr. Shambarger said that there is one elevation that exceeds the 100' requirement to vary the roof line and that is in the back of the building and it won't be seen from the right of way. Mr. Shambarger also addressed the siding panels that are proposed. He said that GM specifies the color, materials, and design. He explained that this is a superior material and is composite. Mr. Pickerel said that he is familiar with it, and it is a high end material. There was further discussion about the walkway, and Mr. Bade said that he does not necessarily see a need for the walkway, but they should provide some type of access for pedestrians so they can maneuver the parking lot without getting hit. Mr. Parker said that they can widen the driveway somewhat to accommodate for pedestrians. Mr. Bade said that he can go along with the rear roof line that is 100', and regarding the panels on the front of the building, he believes that the intent of the Code is to prevent shiny metal panels, and that's not what they are proposing. Mr. Lorenz asked if this should cease to be an auto dealership, what would trigger the installation of pedestrian walkway. Mr. Walters said that if the site plan were re-worked it would trigger a review. Mr. Pickerel said that he feels some type of pedestrian walkway or some form of pedestrian access is warranted. Mr. Pickerel asked about accessible parking spaces, and Mr. Shambarger said they will meet the Code. Mr. Wellstein said that he has no problem with the front of the building, and he agrees that there will be minimal

pedestrian traffic, but there should be some safe area for pedestrians. Mr. Parker said that he will work with Mr. Walters on it.

Mr. Bade moved to approve the Preliminary Site Plan for Yark Automotive as submitted, and to grant conditional approval of the Final Site Plan subject to addressing the outstanding issues as discussed, including providing safe pedestrian access, and allowing the building materials as submitted. Seconded by Mr. Lorenz. Ayes: (7). Nays: (0).

***Special Approval Use
Wimsatt Building Materials
13006 Eckel Junction Road***

APPLICANT/OWNER/DEVELOPER

Mr. Robert Hoffman
36340 VanBorn Road
Wayne, MI 48184
rlhoffman@wimsattdirect.com

REQUEST

Chapter 1225.08 – Land Use and Base Zoning District Table
Chapter 1235.02(d) – SAU – Standards
Chapter 1235.04(oo) – Sale and Storage of Building Materials

PROPERTY LOCATION & DESCRIPTION

Location: The subject property is located on the north side of Eckel Junction Road three properties to the east of the CSX railroad tracks. This property is currently the home of and owned by Johnstone Machinery Movers, Inc.

Property Size: approximately 5.92 acres

Parcel(s): Q61-400-070302019000

Zoning: I2 – General Industrial

BACKGROUND

This property and building were formerly located in Perrysburg Township and have been owned by Johnstone Machinery Movers, Inc. since at least 1996 according to the Wood County Auditor's website. Mr. Hoffman of Wimsatt Building Materials currently owns and operates a building material supply business located at 26440 Southpoint Road which located on the south side of Eckel Junction Road a short distance east of the subject property. Mr. Hoffman desires relocate and expand his business in Perrysburg and has been in negotiations with the Johnstone's to purchase their property as his businesses new location. In order to proceed with the sale and closing of the property Mr. Hoffman

needs to secure a special approval use to ensure that the subject property can be used for his business of storing and selling building materials.

ANALYSIS

This particular Special Approval Use includes both “general conditions” from Ch. 1235.02(d) and a set of “specific conditions” from Ch. 1235.04(oo) as outlined below.

SPECIAL APPROVAL USE

General Requirements

Ch.1235.02(d)

1. The establishment, maintenance or operation of the special approval use will not be detrimental to or endanger the public health, safety, or general welfare or the natural environment.
2. The special approval use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted nor shall it substantially diminish and impair property values within its neighborhood.
3. The establishment of the special approval use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
4. Adequate utilities, access roads, drainage and necessary facilities have been or will be provided.
5. Adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.
6. The special approval use shall, in all other respects, conform to the applicable regulations of the district in which it is located and to any additional conditions or procedures as specified in this Chapter.

Specific Requirements

Ch.1235.04(oo)

1. Outdoor storage of materials shall not be permitted in any yard abutting a public street.
2. Outdoor display of items for sale shall not be located on any required parking area.
3. An obscuring wall, fence or berm not less than six (6) feet high shall be provided when abutting a residential or office district.

RECOMMENDATION

The Planning and Zoning Administrator has reviewed the application for Special Approval Use along with the existing site plan and recommends that the Planning Commission approve the request for a special approval use for Wimsatt Building Materials.

Mr. Walters reviewed the above Staff Report. The applicant, Bob Hoffman, was present. Mr. Hoffman said that he had nothing to add to Mr. Walters’ report. Mr. Bade stated that

they store a lot of materials outside, and he wondered if they would do that at this site also. Mr. Hoffman said they currently have 8,000 square feet and this is 30,000 square feet so there will be more room. He added that there will be roofing materials outside but they won't be very visible from the road. Mr. Bade asked about the Specific Requirement #3 and asked for confirmation that all surrounding properties are zoned industrial. Mr. Walters said that is correct. Mr. Wellstein asked Mr. Walters if he sees the outside storage being an issue. Mr. Walters said he does not see it as an issue, and he feels the area where it will be stored is the ideal situation.

Mr. Wellstein moved to approve the Special Approval Use for Wimsatt Building Materials at 13006 Eckel Junction Road as proposed. Seconded by Mr. Lorenz. Ayes: (7). Nays: (0).

***Preliminary Plat
Mutchler Farms***

APPLICANT/OWNER/DEVELOPER

Steve Mitchell
Summerfield Perrysburg Development, Ltd.
3150 Republic Blvd., Suite 3
Toledo, OH 43615

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

REQUEST

Chapter 1295.01 – Preliminary Plat

PROPERTY LOCATION & DESCRIPTION

Mutchler Farms is a proposed subdivision consisting of 154 lots 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).

BACKGROUND

This application was recently seen by the Planning Commission on February 28, 2019. At this meeting the proposed layout and access to the subdivision was discussed and ultimately tabled. Since the last application the developer has met and discussed the project with both the City Engineer and the Planning and Zoning Administrator. After reviewing the project details it was determined that the sanitary sewer route should differ from the sanitary sewer master plan, thereby affecting the layout of the subdivision. Originally the sanitary sewer currently located east of Fort Meigs Road was planned to be extended to the west along Five Point Road. The revised plan would extend the sanitary sewer to the west through the subdivision roadway.

ANALYSIS

Normally due to the north-south distance of the subdivision along an existing roadway with established intersections on the east side it would be recommended to require this subdivision to provide two points of access along Fort Meigs Road. These access points would be recommended to line up with the existing Falling Waters Lane and the portion of property located further south and indicated as “Lot N” on the preliminary drawing. Connectivity is important between subdivisions and other developments but in this case the task of providing the sanitary sewer extension will need to be prioritized above a second entrance on Fort Meigs Road. In an effort to see that the northern portion of this subdivision has a future second access to Fort Meigs Road the developer has indicated that the proposed stub street to the north of this subdivision is intended for future access to Fort Meigs Road. While this notation does not dictate when that stub will be installed it does provide a memorialized planning note that can be used in the future to require this access to be installed when the property’s use to the north is changed.

The zoning code states, “Where future parks or other open spaces are not specifically shown on the Comprehensive Plan to be within a proposed residential subdivision of ten (10) acres or more, the Planning Commission shall determine which of the following options shall be required to best meet the needs of the community:

1. Dedicate to the City a minimum of five percent (5%) of the area of the subdivision as open space. Open space shall not be considered to include required detention/retention areas.

The subdivision plan shows a 2.54 acre park in the center of the subdivision and the open space calculation also includes 1.32 acres for a multi-use path. Based on the function of sidewalks and multi-use paths it is not recommended to include required infrastructure in the open space calculation.

2. Dedicate to the City other suitable land outside the subdivision equal to five percent (5%) of the area of the proposed subdivision.

3. Deposit in escrow with the City a fee equivalent to 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.

The Code requires a minimum lot area of 11,600 S.F. for R-3 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:

- Lots must have at least 65' of frontage along a street, unless approved by Planning Commission. In no case shall a lot have a width less than 65' at the building line.
- Sidewalks shall be 5' wide.
- Any future revisions to this subdivision will need to retain the area dedicated for a Multi-Use Path.
- Crosswalks to be provided where blocks exceed 900' in length.
- The name "The Preserve at Fort Meigs" appears on the 11x17 version of the preliminary drawings. Due to the frequency of use of the word "Reserve" the word "Preserve" will need to be replaced with a less similar name.

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 approve the newest revision of the overall Preliminary Plat drawing for the Mutchler Farms subdivision as submitted.

Mr. Walters reviewed the above Staff Report. Steve Mitchell, the applicant, was present. Mr. Mitchell said that they are agreeable to changing the name. There was discussion regarding the sewer line and Fort Meigs Road access. Mr. Bade asked about the height of the proposed mound. Mr. Mitchell said that it will be 3'-4' with pine trees on top on the other side of the pathway.

Mayor Mackin moved to approve the Preliminary Plat of the Mutchler Farms subdivision as submitted subject to the comments and recommendations in the Staff Report. Seconded by Mr. Bade. Ayes: (7). Nays: (0).

Driveway

Sara Halaoui

816 Louisiana Avenue

Sara Halaoui of 816 Louisiana Avenue shares a driveway with her neighbor, but the shared driveway once had two different materials (concrete and stone). Ms. Halaoui had the concrete on her side removed and had stone put down to match her neighbor's side. The Code as written does not allow for stone driveways. Ms. Halaoui was instructed by our office to remove the stone and replace it with an approved material. After first attempting to seek an appeal through the Board of Zoning Appeals, she had reached out to several contractors about putting in concrete, but only one contractor was willing to reconstruct the driveway. Ms. Halaoui then attended the March 2019 Planning and Zoning Committee meeting to see if City Council had any interest in a Code Amendment that would allow for a stone driveway to be allowed through the variance process. The Committee referred this issue to the Planning Commission to consider a potential

amendment to the Planning and Zoning Code regarding shared driveways of different materials.

Mr. Easterling provided background information to the Commission regarding the driveway at 816 Louisiana Avenue, as stated above. Ms. Halaoui was present and stated that she did not know it was against the Code to remove the concrete driveway. She said there were issues with water and trip hazards with the driveway so she had it removed and put down stone to match her neighbor's side of the driveway. She said that she contacted Toledo Paving and they have refused to do the driveway. Perrysburg Asphalt said they would do it, but when she asked them about flooding, they said it would drain one way or another. Mr. Lorenz asked if the concrete went all the way to the garage. Ms. Halaoui said it did not, and it did not go all the way to the house. Mr. Bade asked if the property line shown on the attachment to the Staff Report was accurate. Mr. Walters said that he thinks the grass strip would be a more accurate indicator of the property line. Mr. Bade asked if the driveway was re-graded when the stone was put down. Ms. Halaoui said she did not know, but she does not have a flooding problem anymore. Mr. Bade clarified that the grass area shown in the center of the driveway on the before picture was also covered in stone. Ms. Halaoui said it was. Mr. Bade said that he sympathizes with Ms. Halaoui, but he is not in favor of changing the Code so shared driveways can be stone. He said that if drainage tile is installed, the water issue can be solved and it won't cost thousands of dollars. Mr. Stout said that he agrees with Mr. Bade. Mayor Mackin added that he understands Ms. Halaoui's plight, but the City has been very consistent that gravel cannot be dumped to create parking spaces and we have made others remove it. He said that if we allowed this it would open up other issues. Mr. Wellstein and Ms. Mitchell said that they also would not be in support of changing the Code. Mr. Pickerel asked if a vote was needed. Mr. Walters explained that without the Commission or the Planning and Zoning office sponsoring the Code Amendment, it would not move forward.

OTHER BUSINESS

Mr. Bade asked about progress on the Perrysburg Boat Club in light of the deadlines for their variances and permits. Mr. Walters stated that they have to begin construction by early October for the permits to be valid. He added that the Boat Club has indicated that work has begun, but he has not verified that yet.

There being no further business, the meeting adjourned at 8:12 p.m.

Respectfully submitted,

Mary Jo Sutton