

## **PLANNING COMMISSION MEETING**

**APRIL 25, 2013**

The meeting was called to order at 7:00 p.m. by Chairman Greg Bade. Commission members present were: Greg Bade, Chris Carry, Byron Choka, Mayor Evans, Tom Forquer, Seth Hudson, and Therese Witt. (7). Also present were: Tom King, Planning and Zoning Administrator and Brody Walters, Deputy Planning and Zoning Administrator.

### **APPROVAL OF MINUTES FROM THE MARCH 28, 2013 MEETING**

Mayor Evans moved to approve the minutes of the March 28, 2013 meeting as written. Mr. Forquer seconded and they were approved 5-0. Ayes: Bade, Carry, Evans, Forquer, Hudson (5). Abstain: Choka and Witt (2).

### **ADMINISTRATOR'S REPORT**

Mr. King reviewed the items for next month's meeting including a preliminary plat for the Northbrook Subdivision, a Site Plan from the Perrysburg Schools to add modular classrooms at Frank and Fort Meigs Schools, a Special Approval Use request from 5<sup>th</sup> Street Pub for an outdoor café, a Special Approval Use request from Revolver for Hooka Lounge to sell carry-out alcoholic beverages, and a rezoning request for 649 West Front Street.

#### ***Preliminary and Final Site Plan Approval Wendy's Restaurant 26630 N. Dixie Highway***

#### **APPLICANT**

Brookside Contracting  
P.O. Box 9007  
Maumee, OH 43537

#### **OWNER**

Rebecca Williams  
217 E. Front Street  
Pemberville, OH

#### **REQUEST**

Chapter 1260 – Preliminary and Final Site Plan Review

### **PROPERTY LOCATION & DESCRIPTION**

Remodeling of the Wendy's restaurant at 26630 Dixie Highway is proposed consisting of new facades and an expansion of the seating area. The expansion adds approximately 3500 sq ft and projects ten feet forward of the current face of building covering a landscape area, but inside of the existing front. The site is bordered by retail on the north and south. Village Square Drive is adjacent to the east and across Dixie Highway to the west is retail and office uses. The subject property is zoned C – 4 Highway Commercial as are all adjacent properties except RiverPlace which is zoned C - 3. All properties fronting Dixie Highway are within the Corridor Overlay District.

No site changes other than the floor area expansion of the restaurant were proposed by the plans accompanying the Site Plan Approval application. Revised plans in response to staff comments were received April 17.

## **ANALYSIS**

Staff comments on the original submitted plans were that Site Design Standards apply to the proposed project because of the request to add floor area as well as the Corridor Overlay requirements. Therefore, site changes are required to address deficiencies with current standards.

The submitted plans received April 17, 2013 consisting of two pages of store elevations and the one page landscape site plan have been found to be consistent with the Planning and Zoning Code except for the following qualifications and comments:

1230.01 – Intensity and Dimensional Standards – In compliance.

Chapter 1245.29 – 1245.34 – Corridor Overlay Standards – Revised plans add the screen wall of 42" height across the front of the property with masonry to match the building materials as required to screen parking lots. No change is proposed with the freestanding sign and none will be required unless there is a change to the sign structure. The front center landscape area as proposed could be utilized to receive a new ground, freestanding sign which is permitted to be six feet in height. The screen wall could have a 30 foot gap with a ground sign centered in the space and standing 30" higher than the screen wall. The gap would still provide screening to the parking rows on each side of the restaurant and accent a new ground sign.

1250.06 – Parking Standards – Parking stall widths are required to be 10 feet, so restriping is required as presently all stalls are nine feet in width.

1250.10-1250.22 – Landscaping – The attractive landscape area in front of the restaurant is being eliminated however the addition of the screen wall, crab apples, boxwood and roses will enhance the front yard landscaping. A landscape strip ten feet in width abutting the edge of Village Square Drive is required to screen the parking with a landscape barrier and two trees. Landscape islands are required within parking lots sufficient to add at least two trees for every ten parking spaces. Staff commented that two landscape islands with trees should be provided within each side row of parking.

The Tree Commission must review and approve the proposed spacing and planting of the street trees proposed. This location is under utility lines.

1250.29 – .39 – Signs – Plans were revised to eliminate a second wall sign on the north elevation of the restaurant. However, there are wall signs proposed on the front and the two side facades while code allows a sign on no more than two facades.

1250.48 – 1250.481 – Building Materials and Elevations – Code requires that the façade facing the street feature a customer entrance and the plans show only side entrances. Staff understands a vestibule can be added with a door toward the street. The existing building is brick with split face block accent bands. Proposed to be added is tile matching the existing brick, E.F.I.S. dryvit, and two types of metal panels: a horizontal ribbed panel and flat ACM aluminum coated flat panels. Metal sheet and panels are not an allowed exterior material. Staff notes that the proposed area of ACM flat panels is fairly small in comparison to the overall façade. The ribbed metal panels identified on the elevations as M – 2 cover existing brick with an inferior material. Planning Commission may want to consider allowing the ribbed metal on the front portion only of the south elevation together with the E.I.F.S. dryvit providing a sign area. This wall area is proposed for reconstruction reducing the window area. The roof equipment screening system matching wall colors is acceptable for an existing building provided the screen system wrap the rear elevation as well which faces Village Square Drive.

1250.56 – Sidewalks – Sidewalks are required to connect public sidewalks with building entrances and where pedestrian activity is reasonably expected. The sidewalk across driveways and parking lots must be continuous and extend through the proposed driveway differentiated by material or color and texture. Staff has requested a sidewalk protect pedestrians crossing the parking and drive through lane.

**With some significant changes still required with respect to building materials, a customer entrance facing the street, the location of internal site sidewalks, landscape islands and reduction of signage, staff is not recommending Final Site Plan approval at this time.**

## **RECOMMENDATION**

The Planning and Zoning Staff recommends that the Planning Commission approve Preliminary Site Plan approval of the restaurant addition, remodeling and site changes subject to the comments and recommendations outlined in this report. Staff summarizes following comments necessary to address for Final Site Plan approval:

1. That building elevations and floor plan be submitted which provide: a customer entrance facing Dixie Highway; the roof top screening system to enclose the rear façade; the ribbed metal siding reduced to only the front portion of the south elevation in conjunction with the E.F.I.S. and glazing; and walls signs be reduced to one sign displayed on no more than two elevations.

2. The site plan revised to show parking stall width increased to ten foot width, the addition of a total of 4 landscape islands with 4 trees or equivalent, the addition of sidewalks connecting to the public sidewalk in front and across the drive through and adjacent drive aisle.
3. The landscape plan revised to show required screening and trees on the Village Square Drive frontage, and parking lot islands.

Mr. King reviewed the above Staff Report and noted that the correct size of the proposed addition is 350 square feet, not 3,500 as shown in the Staff Report. Scott Rossi, architect for Wendy's presented the Commission with updated drawings. He stated that this is a very minor addition. He said the current building is only 2,700 square feet, but the extra site requirement improvements are adding \$90,000 to this project. He asked what triggers these extra requirements. Mr. King explained that any addition to the building's floor area triggers the site improvements.

Mr. Rossi presented the building materials they propose to use. He said that the door opens to the rear for safety reasons and it is a bad idea to have the door facing west. Mr. Bade noted that Mr. Rossi was presenting drawings that the Commission had not seen before. He asked Mr. Rossi if he is in agreement with the other proposed requests from the Staff Report. Mr. Rossi addressed several items in the Staff Report and there was a lengthy discussion regarding several site improvements including the screening of rooftop units, increasing the size of parking spaces from 9' to 10', landscape islands in the parking lot, the wall along SR25 to screen the parking areas, and an entrance facing SR 25.

Mr. Rossi noted that they are already below the number of parking spaces required by Code and if they made the spots larger and put in landscape islands, that number would be further reduced. He suggested that in lieu of the landscape islands, they enhance the existing landscape buffers. Mr. Rossi discussed the problems with screening the entire roof as it could create a dangerous situation with snow load. It was clarified that only the rooftop units need to be screened, not the whole roof. The Commission expressed concerns that they have not been presented with enough information to make a decision. Rebecca Williams, owner, apologized and said that they should have provided color photos of what it would look like. Mayor Evans encouraged them to work with the Planning and Zoning staff to clarify these issues before it is brought back to the Commission.

Mr. Forquer moved to table this issue. Mayor Evans seconded and it was unanimously approved.

## ***Code Amendment – Residential Land Use Chapter 1225.08***

### **APPLICANT/OWNER/DEVELOPER**

City of Perrysburg  
Planning and Zoning

201 W. Indiana Ave.  
Perrysburg, Ohio

## **REQUEST**

Chapter 1285 – Changes and Amendments  
Chapter 1225.08 – Land Use and Base Zoning District Table

## **PROPERTY LOCATION & DESCRIPTION**

The proposed code amendment to Chapter 1225.08 – “Residential” would affect properties that are currently zoned R5 (Two Family Residential), RM (Multi-Family Residential), OS (Office and Service), PBP (Planned Business Park), and INS (Institutional).

## **BACKGROUND**

Utilization of the Planning and Zoning code has revealed both inconsistencies with residential land uses and the potential for undesired residential land uses within zones other than residential. The examples below will identify a few of the inconsistencies which highlight the need for the proposed amendment:

1. The current code allows for two-family residences to be built in multi-family zones but does not permit single-family residences to be built.
2. The current code does not allow for single-family residences to be built in two-family zoning districts.
3. The current code permits apartments above the first floor of apartment buildings.
4. The current code permits bed & breakfast uses in multi-family zoning districts.
5. The current code permits several residential options to occur in PBP (Planned Business Park) zoning districts.
6. The current code does not permit assisted living developments to locate in INS (Institutional) zoning districts.

## **ANALYSIS**

The proposed code amendment would achieve the following goals;

1. To permit less intense uses to occur in areas that permit more intense uses. (e.g. single family residences in multi-family zoning) .
2. To align the residential use chart with the reality of current development options (eliminates uses that do not currently happen / not ever likely to happen or are generally undesirable).
3. To protect PBPs from residential uses and promote business uses in these areas.

## **RECOMMENDATION**

The Planning and Zoning staff recommends that the Planning Commission recommend to City Council approval of the proposed Code Amendment to Chapter 1225.08 of the Planning and Zoning Code in accordance with the attached Exhibit A.

**Further, it is recommended that a public hearing be set before City Council for June 18, 2013 at 6:20 p.m.**

## Current Version:

Current Version:

|                              | Ag  | Residential |     |     |     |     | Commercial |     |     |     | Office Industrial |    |     | Special |                | INS |     |     |
|------------------------------|-----|-------------|-----|-----|-----|-----|------------|-----|-----|-----|-------------------|----|-----|---------|----------------|-----|-----|-----|
| Residential                  | A-1 | R-1         | R-2 | R-3 | R-4 | R-5 | RM         | C-1 | C-2 | C-3 | C-4               | OS | I-1 | I-2     | PBP            | P   | S-1 | INS |
| One Family Dwelling          | P   | P           | P   | P   | P   |     |            |     | P   |     |                   |    |     |         |                |     |     |     |
| Two-Family Dwelling          |     |             |     |     |     | P   | P          |     | P   |     |                   |    |     |         | P              |     |     |     |
| Multiple-Family Dwelling     |     |             |     |     |     |     | P          |     |     |     |                   |    |     |         | P <sub>3</sub> |     |     |     |
| Adult Day Care Centers       |     | S           | S   | S   | S   |     | S          |     | S   |     | P                 | S  |     |         | P              |     |     |     |
| Apartments Above 1st Floor   |     |             |     |     |     |     | P          |     | P   |     |                   |    |     |         | P              |     |     |     |
| Bed & Breakfast              |     | S           | S   | S   | S   | S   | S          |     | S   |     |                   |    |     |         |                |     |     |     |
| Functional Equivalent Family | S   | S           | S   | S   | S   | S   | S          |     |     |     |                   |    |     |         |                |     |     |     |
| Home Occupation              |     | P           | P   | P   | P   | P   | P          |     |     |     |                   |    |     |         | P              |     |     |     |
| Reasonable Accommodation Use | S   | S           | S   | S   | S   | S   | S          |     |     |     |                   |    |     |         | S              |     |     |     |
| Assisted Living Units        |     |             |     |     |     |     | P          |     |     |     |                   |    |     |         | P              |     |     |     |
| Mobile Homes (1235.04w)      |     |             |     |     |     |     |            |     |     |     |                   |    |     |         |                |     |     |     |

## Proposed Version:

Proposed Version:

|                            | Proposed Version |             |     |     |     |     |            |     |     |     |                   |    |     |         |     |   |     |     |
|----------------------------|------------------|-------------|-----|-----|-----|-----|------------|-----|-----|-----|-------------------|----|-----|---------|-----|---|-----|-----|
|                            | Ag               | Residential |     |     |     |     | Commercial |     |     |     | Office Industrial |    |     | Special |     |   | INS |     |
| Residential                | A-1              | R-1         | R-2 | R-3 | R-4 | R-5 | RM         | C-1 | C-2 | C-3 | C-4               | OS | I-1 | I-2     | PBP | P | S-1 | INS |
| One Family Dwelling        | P                | P           | P   | P   | P   | P   | P          |     | P   |     |                   |    |     |         |     |   |     |     |
| Two-Family Dwelling        |                  |             |     |     |     | P   | P          |     | P   |     |                   |    |     |         |     |   |     |     |
| Multiple-Family Dwelling   |                  |             |     |     |     |     | P          |     |     |     |                   |    |     |         |     |   |     |     |
| Apartments Above 1st Floor |                  |             |     |     |     |     |            |     | P   |     |                   | \$ |     |         |     |   |     |     |
| Bed & Breakfast            |                  | \$          | \$  | \$  | \$  | \$  |            |     | \$  |     |                   |    |     |         |     |   |     |     |
| Assisted Living Units      |                  |             |     |     |     |     | P          |     |     |     |                   |    |     |         |     |   |     | \$  |
| Mobile Homes (1235.04w)    |                  |             |     |     |     |     |            |     |     |     |                   |    |     |         |     |   |     |     |

## EXHIBIT A

All orange boxes indicate a proposed change from the current code.

- An empty orange box was previously a Permitted or a Special Approval Use
- An orange box with a "P" was previously either not Permitted or was a Special Approval Use.
- An orange box with an "S" was previously either not permitted or was a Permitted use.

Mr. Walters reviewed the above Staff Report. He said that categories that look like they have been eliminated fall somewhere else on the land use chart. Mr. Bade asked what the thinking is in allowing assisted living units in Institutional zoning, and he asked if the City is looking to add more assisted living units. Mr. King stated that in his opinion, St. Clare Commons should be zoned Institutional instead of Multi-Family, and assisted living is being removed as a permitted use in Planned Business Park zoning so he does not think there is an effort to add more. Mr. Choka asked about the elimination of Adult Day Care. Mr. Walters explained that there were separate categories for Adult and Child Day Cares. They have been consolidated and are included in the Land Use Chart in Commercial areas.

Mayor Evans moved to recommend approval of the proposed Code Amendment to Chapter 1225.08 of the Planning and Zoning Code in accordance with the above Exhibit A and recommended that a public hearing be set before City Council on June 18, 2013 at 6:20 p.m. Mr. Carry seconded, and it was unanimously approved.

### ***Code Amendment – Animal Services Chapter 1215.02(10) & 1225.08***

#### **APPLICANT/OWNER/DEVELOPER**

City of Perrysburg  
Planning and Zoning  
201 W. Indiana Ave.  
Perrysburg, Ohio

#### **REQUEST**

Chapter 1285 – Changes and Amendments  
Chapter 1215.02 – Definitions  
Chapter 1225.08 – Land Use and Base Zoning District Table

#### **PROPERTY LOCATION & DESCRIPTION**

The proposed code amendment to Chapter 1225.08 – “Animal Hospital / Veterinary Clinic”, “Animal Services (outdoor)”, and “Animal Services (indoor)”, would affect properties that are currently zoned C1 (neighborhood commercial), C2 (central business), C3 (community shopping) and C4 (highway commercial).

#### **BACKGROUND**

During the last two years, the Planning and Zoning Division has received several inquiries from individuals interested in opening businesses that would provide specialty services for animals. The proposed activities include but may not be limited to grooming, training, supervised play, daycare, and overnight boarding. Currently, the Planning and Zoning Code land use chart seems to most appropriately classify these uses into the larger more general definition of “kennels” (which is currently a special approval use). Historically, kennels contained many cages and large outdoor runs for animals that were primarily kept outdoors and could potentially be noisy or otherwise

obnoxious. Because of the nature of these older style kennels, they were limited to either agriculturally or industrially zoned areas and required a minimum of 5 acres of land along with other Special Approval Use conditions. The requirements currently in place for kennels would be prohibitive for the more modern trend in animal services (e.g. “doggy day care”) and would not appear to be needed to protect surrounding properties from their uses. The requirements of the “Kennel” special approval use are as follows:

1. The lot area shall be at least five (5) acres in size and three hundred (300) feet in width.
2. Buildings where animals are kept, runs, and exercise areas shall not be located nearer than two hundred (200) feet to any adjacent lot line in a residential district or any adjacent building used by the general public. Runs and/or exercise areas and buildings where the animals are maintained shall be located in the rear yard only.
3. All kennels shall be operated in conformance with all applicable County, State and Federal regulations.
4. The main kennel building used to house the animals shall be insulated in such a manner that animal noises and odors are minimized.

## ANALYSIS

The proposed code amendment would add two additional uses to the land use chart. The two proposed additions include;

4. **“Animal Services (indoor)”** – Sales, grooming, services and care of dogs, cats, and similar animals. All activities to take place wholly indoors.
5. **“Animal Services (outdoor)”** – Sales, grooming, services and care of dogs, cats, and similar animals. Most activities to take place wholly indoors with limited/scheduled outside activities.

The use of “Kennels” would be retained and complimented by the above two additional uses. The use of “Animal Hospital / Veterinary Clinic” would be absorbed into either “Animal Services (outdoor)” or “Animal Services (indoor)” depending on the extent of services provided.

6. **“Kennels”** – Kennel services for dogs, cats and other small animals, including overnight care that is primarily provided outdoors, or where animal activities occur outdoors for more than 6 hours in any day.

## RECOMMENDATION

The Planning and Zoning staff recommends that the Planning Commission recommend to City Council approval of the proposed Code Amendment to Chapter 1225.08 of the Planning and Zoning Code in accordance with the attached Exhibit A and the newly created definitions of indoor / outdoor animal services and kennels (above).

**Further, it is recommended that a public hearing be set before City Council for June 18, 2013 at 6:25 p.m.**

## Current Version:

CALCULATED VERSION:

|                                     | Ag          |     |     |     |     |            |    |     |     |        |     |            |     |     |     |         | INS |     |
|-------------------------------------|-------------|-----|-----|-----|-----|------------|----|-----|-----|--------|-----|------------|-----|-----|-----|---------|-----|-----|
|                                     | Residential |     |     |     |     | Commercial |    |     |     | Office |     | Industrial |     |     |     | Special |     |     |
| Agriculture                         | A-1         | R-1 | R-2 | R-3 | R-4 | R-5        | RM | C-1 | C-2 | C-3    | C-4 | OS         | I-1 | I-2 | PBP | P       | S-1 | INS |
| Kennels                             | P           |     |     |     |     |            |    |     |     |        |     |            |     | S   | S   |         |     |     |
|                                     | Ag          |     |     |     |     |            |    |     |     |        |     |            |     |     |     |         | INS |     |
|                                     | Residential |     |     |     |     | Commercial |    |     |     | Office |     | Industrial |     |     |     | Special |     |     |
| Commercial                          | A-1         | R-1 | R-2 | R-3 | R-4 | R-5        | RM | C-1 | C-2 | C-3    | C-4 | OS         | I-1 | I-2 | PBP | P       | S-1 | INS |
| Animal Hospital / Veterinary Clinic |             |     |     |     |     |            |    | S   |     | S      | S   | S          |     |     |     | P       |     |     |

## Proposed Version:

Proposed version:

|                           | Ag          |     |     |     |     |            |    |     |     |        |     |    |            |     |     |         | INS |     |
|---------------------------|-------------|-----|-----|-----|-----|------------|----|-----|-----|--------|-----|----|------------|-----|-----|---------|-----|-----|
|                           | Residential |     |     |     |     | Commercial |    |     |     | Office |     |    | Industrial |     |     | Special |     |     |
| Agriculture               | A-1         | R-1 | R-2 | R-3 | R-4 | R-5        | RM | C-1 | C-2 | C-3    | C-4 | OS | I-1        | I-2 | PBP | P       | S-1 | INS |
| Kennels                   | P           |     |     |     |     |            |    |     |     |        |     |    |            | S   | S   |         |     |     |
|                           | Ag          |     |     |     |     |            |    |     |     |        |     |    |            |     |     |         | INS |     |
|                           | Residential |     |     |     |     | Commercial |    |     |     | Office |     |    | Industrial |     |     | Special |     |     |
| Commercial                | A-1         | R-1 | R-2 | R-3 | R-4 | R-5        | RM | C-1 | C-2 | C-3    | C-4 | OS | I-1        | I-2 | PBP | P       | S-1 | INS |
| Animal Services (outdoor) |             |     |     |     |     |            |    | S   | S   | S      | P   |    |            |     |     |         |     |     |
| Animal Services (indoor)  |             |     |     |     |     |            |    | P   | P   | P      | P   |    |            |     |     |         |     |     |

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Mr. Walters reviewed the above Staff Report. Mr. Bade asked about allowing outdoor animal services in the downtown area as a special approval use. He said that it could be an issue because there is not an ample outdoor area. Mr. Walters said that this amendment prescribes for if and when situations, not necessarily an area that exists now. Ms. Witt stated that there are a lot of dogs in town and questioned if we are limiting where services for pets can be located. Mr. Walters said that this proposal is actually friendlier towards animal services than the present Code.

Mr. Carry recommended approval of the proposed Code Amendment to Chapter 1225.08 of the Planning and Zoning Code in accordance with Exhibit A and the newly created definitions of indoor/outdoor animal services and kennels (above) and that a public hearing be scheduled before City Council on June 18, 2013 at 6:25 p.m. Mr. Bade seconded and it was unanimously approved.

There being no further business, Mayor Evans moved to adjourn the meeting at 8:53 p.m. It was seconded by Mr. Choka and was unanimously approved.

Respectfully submitted,

Mary Jo Sutton