

PLANNING COMMISSION MEETING

March 31, 2022

The meeting was called to order at 7:02 p.m. by Chairman Andy Lorenz. Commission members present were Greg Bade, Andy Lorenz, Mayor Mackin, John Wellstein, and Becky Williams (5). Craig Pickerel and Rob Vela were absent (2). Also present was Brody Walters, Planning and Zoning Administrator.

APPROVAL OF MINUTES

Ms. Williams moved to approve the minutes of the February 24, 2022 meeting as written. Seconded by Mayor Mackin. Ayes: (5). Nays: (0).

ADMINISTRATOR'S REPORT

Mr. Walters added that a Public Hearing needs to be scheduled to include the satellite properties (Schaller Memorial Building – 130 W. Indiana Avenue, Fort Megis State Memorial – 29100 W. River Road, City of Perrysburg Engineering Building – 127 W. Fifth Street, and Spafford House – Perrysburg Area Historic Museum – 27340 W. River Road) to officially be included in the Historic District Boundaries. Mayor Mackin made a motion that a Public Hearing be set for May 3, 2022 at 5:55pm. Seconded by Ms. Williams. Ayes: (5). Nays: (0).

***Special Approval Use
Relax & Renew Spa Services LLC
418 Louisiana Avenue***

APPLICANT/OWNER/DEVELOPER

Rebekah Geisler
26724 Sheringham Rd.
Perrysburg, OH 43551

REQUEST

Chapter 1225.08 – Land Use and Base Zoning District Table
Chapter 1235.02(d) – SAU – Standards

PROPERTY LOCATION & DESCRIPTION

Location: The subject property is located on the south side of W. Front Street between Louisiana Avenue and Walnut Street.

Property Size: 0.125 acres

Parcel: Q61-000-902206017000

Zoning: C-2 – Central Business

BACKGROUND

The applicant has recently moved into the space and would like to open a spa business that includes both personal services and massage. This location has housed similar business types for since 2011. Relax & Renew Spa Services, LLC will contain three suites for state of Ohio Licensed Professionals to provide therapeutic massage, skin care, waxing, and reiki services.

ANALYSIS

This particular Special Approval Use does not provide “specific conditions” for approval so this application will only be subject to the “general conditions” for Special Approval Uses which are as follows:

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.

Notes:

1. Chapter 1235.04(u)(4) listed exemptions to the special requirements for a Special Approval Use (SAU). Section 1235.04(u)(4)(B) states that due to all massage therapists being licensed by the State of Ohio Medical Board, Relax & Renew Spa Services, LLC would be exempt from the specific SAU special requirements for Massage Establishments but would still be subject to the general requirements.

RECOMMENDATION

The Planning and Zoning Deputy Administrator has reviewed the application for Special Approval Use for Relax & Renew Spa Services, LLC located at 418 Louisiana Street. It has been found that the applicant has met the necessary requirements to be granted a Special Approval Use for a massage establishment at this location.

Mr. Walters reviewed the above Staff Report regarding the Special Approval Use for Relax & Renew Spa Services LLC at 418 Louisiana Avenue. Rebekah Geisler was present. There were no comments or questions from the Commission, nor the public.

Mr. Bade made a motion to recommend approval of the Special Approval Use for Relax & Renew Spa Services LLC at 418 Louisiana Avenue. Seconded by Ms. Williams. Ayes: (5). Nays: (0).

Special Approval Use – Landmark Feature/Signage Waterhouse Bath & Kitchen Studio 125 E. Indiana Avenue

APPLICANT/OWNER/DEVELOPER

Amy Siders
Showroom Manager
Waterhouse Bath & Kitchen Studio
125 E. Indiana Ave.
Perrysburg, OH 43551
amy.siders@waterhousebks.com

REQUEST

Chapter 1215.02 – Definitions: “Landmark Feature/Signage”
Chapter 1235.04(zz) – Landmark Feature & Signage

PROPERTY LOCATION & DESCRIPTION

Location: The applicant has proposed to paint a large (16.5' x 30') wall mural on the east façade of the storefront which faces the Speedway gas station.

Property Size: .25 acres

Parcel: Q61-000-902202020000

BACKGROUND

See attached project scope and explanation.

ANALYSIS

Special Approval Uses generally require that two sets of criteria be met in order to grant approval. The first set of requirements is what is referred to as the “general conditions” and the second set is referred to as the “specific conditions”.

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(zz) Landmark Feature/Signage

Landmarks featuring signage are exempt from the provisions of the zoning code (including the sign code) but shall require City Council approval in accordance with the

criteria of the Special Approval Use (SAU). No Landmark Feature/Signage shall be approved by the Planning Commission unless it shall find the following:

1. The feature utilizes materials that are of high quality, and are arranged in a way to be complementary to its surroundings.
2. The feature provides a broad interest or benefit to the public. Any signage or promotion of private enterprise does not in any way dominate the visual impact of the structure or property.
3. Any signage or promotion of private enterprise does not in any way dominate the visual impact of the structure or property.
4. The features shall provide landscaping at its base where possible.
5. If signage is present, the location of the structure is reasonable in relation to the messages provided on it.
6. Landmark feature/signage shall not be placed closer than 1,000' to other established landmark features/signs.
7. The proposed structure shall not pose a danger to visibility or pedestrian/vehicular traffic.
8. Details shall be provided outlining the relief/deviation from the Zoning Code that an approval would grant the applicant.
9. After review, the Planning Commission shall make a recommendation to the City Council. City Council shall hold a public hearing with respect to the proposed use, in accordance with the same procedures as provided for in Chapter 1285, shall review and decide whether or not the use will be permitted in accordance with the criteria of this Zoning Code.

The applicant has provided a colored proof of the proposed artwork that is being considered but has not indicated the relief/deviation from the zoning code that this approval would permit. After reviewing the zoning code it appears approval of this request as a landmark feature/sign would allow the applicant to create a sign that would be larger than otherwise permitted by the code. The code currently allows signage at a size of 10% of the area of the wall on which it's placed but no larger than 75 SF.

There are not currently any other Landmark Features or Signage that would fall within the 1,000' distance of this location.

RECOMMENDATION

A recommendation for approval or denial has not been provided. It is however recommended that the applicant be required to submit a maintenance agreement to the City of Perrysburg prior to any final approval. This maintenance agreement should clearly define the maintenance responsibility and a removal clause in the event the mural is damaged or not maintained.

Further, it is recommended that a Public Hearing be set before City Council for May 3, 2022 at 6:05 p.m.

Mr. Walters reviewed the above Staff Report regarding the Special Approval Use – Landmark Feature/Signage for Waterhouse Bath & Kitchen Studio at 125 E. Indiana Avenue. Ms. Williams said that she will abstain from the vote. Amy Siders, Waterhouse Bath & Kitchen Studio, was present and said that they would like to build on the history of the community. She noted that Sherwin Williams has already examined the wall, that they will be using an anti-graffiti sealant on top of the mural, and that they have received approval from Speedway at 145 E. Indiana Avenue. Mr. Wellstein said that the mural does not fit in downtown, and Mayor Mackin added that he is in favor of public art. Mr. Bade clarified that a maintenance agreement would be required, and Mr. Lorenz asked who was responsible for the mural if Waterhouse Bath & Kitchen Studio vacates their space. Mr. Walters noted that questions were received from the Way Public Library about the mural, but no comments were provided. There were no comments or questions from the Commission, nor the public.

Mr. Lorenz moved to grant conditional approval based upon the City of Perrysburg receiving an approving a maintenance agreement for the Special Approval Use – Landmark Feature/Signage for Waterhouse Bath & Kitchen Studio at 125 E. Indiana Avenue, and that a Public Hearing be set for May 3, 2022 at 6:05pm. Seconded by Mayor Mackin. Ayes: Bade, Lorenz, Mackin (3). Nays: Wellstein (1). Abstain: Williams (1).

Rezoning Request

***C4 (Highway Commercial) to RM (Multiple Family Residential)
Q61-400-090105008000***

APPLICANT/OWNER/DEVELOPER

Greg Langsdorf (owner)
Mary Miller Family Limited Partnership
6661 Buck Creek Road
Maumee, OH 43537

Rob Shouhayib (applicant)
2265 Livernois Avenue, Suite 500
Troy, MI 48083
rshouhayib@choiceproperties.com

REQUEST

Chapter 1285 - Changes and Amendments

PROPERTY LOCATION & DESCRIPTION

The subject property is located along Lake Vue Drive and Hulls Trace Drive (south of the intersection of these two streets). Immediately to the east of this parcel is Candlewood

Suites Hotel. This property is zoned C4 (Highway Commercial) and the applicant is hereby requesting a rezoning to RM (Multi-Family Residential).

Adjacent zoning:

1. North: C3 and C4 – vacant land in Perrysburg Township
2. East: – C4 – Candlewood Suites Hotel, Holiday Inn
3. South: RM – Residences at Carronade, Single-Family residential (Perrysburg Township)
4. West: RM – Lake Vue Apartments

The area of the property is approximately .03 acres and is currently vacant land.

BACKGROUND

Limited background information available.

ANALYSIS

The City recently began the process of updating its Land Use Plan and while the final plan has not yet been adopted by the city, the initial draft (which is not anticipated to change) has indicated a proposed use classification of “Commercial Mixed Use” for this parcel. Commercial mixed use is defined as an area for medium to large-scale commercial uses that serve the regional community, as well as the option to provide multi-family residential. The focus in this district is primarily 60% commercial. This use category is shown to recommend the following uses: multi-family, retail, office, public, semi-public uses.

Per Ch. 1220.03 C4 zoning is defined per the following:

C4 (Highway Commercial) – Areas fronting on major roadways and utilized for all types of businesses, especially those that serve the traveling motorist and patrons throughout the community.

The following uses are permitted uses or may be allowed with a Special Approval Use (SAU) within:

C4 (Community Shopping)

Animal Services (outdoor)

Animal Services (indoor)

Automotive Oil & Lube Service Facilities

Automotive Repair – General (SAU)

Automotive Repair – Light

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

Auto Wash (SAU)

Carry-Outs/Other Business, Alcoholic Beverages (SAU)
Commercial Recreational Facilities (SAU)
Commercial Schools
Drive-in commercial uses
Entertainment and Spectator Sport Facilities
Grocery Stores
Gym/Fitness Facility (<5,000 GSF)
Gym/Fitness Facility (>5,000 GSF)
Motels and Hotels
Neighborhood Business less than 10,000 GSF
Office and Banks
Personal Services
Printing
Restaurant carry-out only
Restaurant drive-in
Restaurant Fast Food
Restaurant Outdoor Café (SAU)
Restaurant Full Service
Retail business: less than 60,000 GSF
Retail business: more than 60,000 GSF (SAU)
Sale and Storage of Building Materials (SAU)
Self-Service Storage (SAU)
Service Station
Shopping Center
Hospitality Facilities (SAU)
Transient Habitation (SAU)
Repair Services, Consumer
Nursery/Green House
Medical Offices
Medical Urgent Care Facilities
Accessory Use
Child Day Care Centers (SAU)
Club, Lodges, Fraternal and Civic Assembly
Essential Services
Mortuaries/Funeral Homes (SAU)
Part-Time Child Day Care Centers (SAU)
Public and Private Schools (SAU)
Public Service Facility
Public/Private Utility
Wireless Telecommunication Facility (SAU)
Wholesale Business

Per Ch. 1220.03, RM – Multi-family zoning is defined as “areas intended to provide for multiple-family dwellings.”

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

One family dwelling
Two family dwelling
Multiple family dwelling
Assisted Living Units
Rooming Houses (SAU)
Accessory Uses
Child Day Care Centers (SAU)
Convalescent and Nursing Homes (SAU)
Essential Services
Non-Commercial Recreational Facilities (SAU)
Parks and Recreation Facilities (SAU)
Part-time Child Day Care Centers (SAU)
Public Service Facility (SAU)
Public/Private Utility (SAU)

RECOMMENDATION

The Planning and Zoning Administrator recommends that the Planning Commission recommend to City Council approval of the zoning amendment from C4 (Highway Commercial) to RM (Multi-Family Residential) for the subject parcel.

Further, it is recommended that a Public Hearing be set before City Council for May 3, 2022 at 6:15 p.m.

Mr. Walters reviewed the above Staff Report regarding the Rezoning Request from C4 (Highway Commercial) to RM (Multiple Family Residential) for Parcel Q61-400-090105008000. Rob Shouhayib was present on behalf of the request. The Commission briefly discussed the current zoning of C4 (Highway Commercial) and interest in the parcel for development, and Mr. Walters noted that there has not been commercial interest thus far.

Attorney Jeff Stopar, 1625 Eaglecrest Road was present, and added that he represents the owners of the RM parcel to the south (Q61-400-090301006001). He referenced page 56 of the proposed Land Use Plan and noted that this area was indicated at commercial and mixed use. Mr. Stopar asked if there was enough infrastructure to sustain the development.

Greg Rufty, 26671 Foxton Court was present, and added that a residential buffer is a good thing for future development. He noted that Lake Vue Drive and Hulls Trace Drive need to be fixed, as he is also a school bus driver for Perrysburg Schools.

There were no further comments or questions from the Commission, nor the public.

Mr. Wellstein made a motion to recommend approval of the Rezoning Request from C4 (Highway Commercial) to RM (Multiple Family Residential) for Parcel Q61-400-090105008000, and that a Public Hearing be set for May 3, 2022 at 6:15pm. Seconded by Ms. Williams. Ayes: (5). Nays: (0).

***Rezoning Request
C4 (Highway Commercial) to RM (Multiple Family Residential)
Parcel Q61-400-090105003000***

APPLICANT/OWNER/DEVELOPER

Greg Langsdorf (owner)
Mary Miller Family Limited Partnership
6661 Buck Creek Road
Maumee, OH 43537

Rob Shouhayib (applicant)
2265 Livernois Avenue, Suite 500
Troy, MI 48083
rshouhayib@choiceproperties.com

REQUEST

Chapter 1285 - Changes and Amendments

PROPERTY LOCATION & DESCRIPTION

The subject property is located south of the intersection of Lake Vue Drive and Hulls Trace Drive. Immediately to the east of this parcel is Candlewood Suites Hotel. This property is zoned C4 (Highway Commercial) and the applicant is hereby requesting a rezoning to RM (Multi-Family Residential).

Adjacent zoning:

1. North: C3 and C4 – vacant land in Perrysburg Township
2. East: – C4 – Candlewood Suites Hotel, Holiday Inn
3. South: RM – Residences at Carronade, Single-Family residential (Perrysburg Township)
4. West: RM – Lake Vue Apartments

The area of the property is approximately 3.4 acres and is currently vacant land.

BACKGROUND

Limited background information available.

ANALYSIS

The City recently began the process of updating its Land Use Plan and while the final plan has not yet been adopted by the city, the initial draft (which is not anticipated to change)

has indicated a proposed use classification of “Commercial Mixed Use” for this parcel. Commercial mixed use is defined as an area for medium to large-scale commercial uses that serve the regional community, as well as the option to provide multi-family residential. The focus in this district is primarily 60% commercial. This use category is shown to recommend the following uses: multi-family, retail, office, public, semi-public uses.

Per Ch. 1220.03 C4 zoning is defined per the following:

C4 (Highway Commercial) – Areas fronting on major roadways and utilized for all types of businesses, especially those that serve the traveling motorist and patrons throughout the community.

The following uses are permitted uses or may be allowed with a Special Approval Use (SAU) within:

C4 (Community Shopping)

Animal Services (outdoor)
Animal Services (indoor)
Automotive Oil & Lube Service Facilities
Automotive Repair – General (SAU)
Automotive Repair – Light
Automotive Sales or Lease for New and Used Vehicles – outdoors (SAU)
Auto Wash (SAU)
Carry-Outs/Other Business, Alcoholic Beverages (SAU)
Commercial Recreational Facilities (SAU)
Commercial Schools
Drive-in commercial uses
Entertainment and Spectator Sport Facilities
Grocery Stores
Gym/Fitness Facility (<5,000 GSF)
Gym/Fitness Facility (>5,000 GSF)
Motels and Hotels
Neighborhood Business less than 10,000 GSF
Office and Banks
Personal Services
Printing
Restaurant carry-out only
Restaurant drive-in
Restaurant Fast Food
Restaurant Outdoor Café (SAU)
Restaurant Full Service
Retail business: less than 60,000 GSF
Retail business: more than 60,000 GSF (SAU)
Sale and Storage of Building Materials (SAU)
Self-Service Storage (SAU)
Service Station

Shopping Center
Hospitality Facilities (SAU)
Transient Habitation (SAU)
Repair Services, Consumer
Nursery/Green House
Medical Offices
Medical Urgent Care Facilities
Accessory Use
Child Day Care Centers (SAU)
Club, Lodges, Fraternal and Civic Assembly
Essential Services
Mortuaries/Funeral Homes (SAU)
Part-Time Child Day Care Centers (SAU)
Public and Private Schools (SAU)
Public Service Facility
Public/Private Utility
Wireless Telecommunication Facility (SAU)
Wholesale Business

Per Ch. 1220.03, RM – Multi-family zoning is defined as “areas intended to provide for multiple-family dwellings.”

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

One family dwelling
Two family dwelling
Multiple family dwelling
Assisted Living Units
Rooming Houses (SAU)
Accessory Uses
Child Day Care Centers (SAU)
Convalescent and Nursing Homes (SAU)
Essential Services
Non-Commercial Recreational Facilities (SAU)
Parks and Recreation Facilities (SAU)
Part-time Child Day Care Centers (SAU)
Public Service Facility (SAU)
Public/Private Utility (SAU)

RECOMMENDATION

The Planning and Zoning Administrator recommends that the Planning Commission recommend to City Council approval of the zoning amendment from C4 (Highway Commercial) to RM (Multi-Family Residential) for the subject parcel.

Further, it is recommended that a Public Hearing be set before City Council for May 3, 2022 at 6:20 p.m.

Mr. Walters reviewed the above Staff Report regarding the Rezoning Request from C4 (Highway Commercial) to RM (Multiple Family Residential) for Parcel Q61-400-090105003000. Rob Shouhayib was present on behalf of the request. The Commission briefly discussed the current zoning of C4 (Highway Commercial) and interest in the parcel for development, and Mr. Walters noted that there has not been commercial interest thus far.

Attorney Jeff Stopar, 1625 Eaglecrest Road was present, and added that he represents the owners of the RM parcel to the south (Q61-400-090301006001). He referenced page 56 of the proposed Land Use Plan and noted that this area was indicated at commercial and mixed use. Mr. Stopar asked if there was enough infrastructure to sustain the development.

Greg Rufty, 26671 Foxton Court was present, and added that a residential buffer is a good thing for future development. He noted that Lake Vue Drive and Hulls Trace Drive need to be fixed, as he is also a school bus driver for Perrysburg Schools.

There were no further comments or questions from the Commission, nor the public.

Mr. Wellstein made a motion to recommend approval of the Rezoning Request from C4 (Highway Commercial) to RM (Multiple Family Residential) for Parcel Q61-400-090105003000, and that a Public Hearing be set for May 3, 2022 at 6:20pm. Seconded by Ms. Williams. Ayes: (5). Nays: (0).

***Rezoning Request
C3 (Community Shopping) and C4 (Highway Commercial) to
RM (Multiple Family Residential)
Parcel Q61-400-090105002000***

APPLICANT/OWNER/DEVELOPER

Greg Langsdorf (owner)
Mary Miller Family Limited Partnership
6661 Buck Creek Road
Maumee, OH 43537

Rob Shouhayib (applicant)
2265 Livernois Avenue, Suite 500
Troy, MI 48083
rshouhayib@choiceproperties.com

REQUEST

Chapter 1285 - Changes and Amendments

PROPERTY LOCATION & DESCRIPTION

The subject property is located along Carronade Drive and Hulls Trace Drive, directly next to the Residences at Carronade. This parcel is unique in that it is divided by Carronade Drive resulting in a small corner of the property being located on the opposite side of Carronade from the larger portion. The small corner of this property is zoned C3 (Community Shopping) while the larger portion is zoned C4 (Highway Commercial). The applicant is hereby requesting a rezoning of both portions of the property to RM (Multi-Family Residential).

Adjacent zoning:

1. North: C3 and C4 – vacant land, Holiday Inn,
2. East: C3 – retail shopping plaza
3. South: RM and C3 – Multi-Family Residential, vacant, Residences at Carronade
4. West: C4 and RM – Highway Commercial, Residences at Carronade

The area of the total property is approximately 3.48 acres (including both parts) and is currently vacant land.

BACKGROUND

Limited background information available.

ANALYSIS

The City recently began the process of updating its Land Use Plan and while the final plan has not yet been adopted by the city, the initial draft (which is not anticipated to change) has indicated a proposed use classification of “Commercial Mixed Use” for this parcel. Commercial mixed use is defined as an area for medium to large-scale commercial uses that serve the regional community, as well as the option to provide multi-family residential. The focus in this district is primarily 60% commercial. This use category is shown to recommend the following uses: multi-family, retail, office, public, semi-public uses.

Per Ch. 1220.03, C3 and C4 zoning is defined per the following:

C3 (Community Shopping) – Areas adaptable for planned shopping centers with uses restricted to the types normally included in such developments.

C4 (Highway Commercial) – Areas fronting on major roadways and utilized for all types of businesses, especially those that serve the traveling motorist and patrons throughout the community.

The following uses are permitted uses or may be allowed with a Special Approval Use (SAU) within:

C3 (Community Shopping)

Farm Markets and Stands (SAU)
Animal Services (outdoor) (SAU)
Animal Services (indoor)
Automotive Oil & Lube Service Facilities
Carry-Outs/Other Business, Alcoholic Beverages (SAU)
Commercial Schools
Entertainment and Spectator Sport Facilities
Grocery Stores
Gym/Fitness Facility (<5,000 GSF)
Gym/Fitness Facility (>5,000 GSF)
Motels and Hotels
Neighborhood Business less than 10,000 GSF
Office and Banks
Personal Services
Printing
Restaurant carry-out only
Restaurant drive-in (SAU)
Restaurant Fast Food
Restaurant Outdoor Café *
Restaurant Full Service
Retail business: less than 60,000 GSF
Retail business: more than 60,000 GSF (SAU)
Service Station (SAU)
Shopping Center
Repair Services, Consumer
Medical Offices
Accessory Use
Child Day Care Centers (SAU)
Club, Lodges, Fraternal and Civic Assembly
Essential Services
Mortuaries/Funeral Homes (SAU)
Part-Time Child Day Care Centers (SAU)
Public and Private Schools (SAU)
Public Service Facility (SAU)
Public/Private Utility

**with the exception of those commercial centers zoned C3 that are adjacent to residential properties. In those situations Chapter 1235 – Special Approval Use, specifically, Chapter 1235.04(mm) shall apply.*

C4 (Community Shopping)

Animal Services (outdoor)
Animal Services (indoor)
Automotive Oil & Lube Service Facilities
Automotive Repair – General (SAU)
Automotive Repair – Light
Automotive Sales or Lease for New and Used Vehicles – outdoors (SAU)
Auto Wash (SAU)
Carry-Outs/Other Business, Alcoholic Beverages (SAU)
Commercial Recreational Facilities (SAU)
Commercial Schools
Drive-in commercial uses
Entertainment and Spectator Sport Facilities
Grocery Stores
Gym/Fitness Facility (<5,000 GSF)
Gym/Fitness Facility (>5,000 GSF)
Motels and Hotels
Neighborhood Business less than 10,000 GSF
Office and Banks
Personal Services
Printing
Restaurant carry-out only
Restaurant drive-in
Restaurant Fast Food
Restaurant Outdoor Café (SAU)
Restaurant Full Service
Retail business: less than 60,000 GSF
Retail business: more than 60,000 GSF (SAU)
Sale and Storage of Building Materials (SAU)
Self-Service Storage (SAU)
Service Station
Shopping Center
Hospitality Facilities (SAU)
Transient Habitation (SAU)
Repair Services, Consumer
Nursery/Green House
Medical Offices
Medical Urgent Care Facilities
Accessory Use
Child Day Care Centers (SAU)
Club, Lodges, Fraternal and Civic Assembly
Essential Services
Mortuaries/Funeral Homes (SAU)
Part-Time Child Day Care Centers (SAU)
Public and Private Schools (SAU)
Public Service Facility
Public/Private Utility
Wireless Telecommunication Facility (SAU)
Wholesale Business

Per Ch. 1220.03, RM – Multi-family zoning is defined as “areas intended to provide for multiple-family dwellings.”

The following uses are permitted uses or allowed with a Special Approval Use (SAU) within **RM**.

One family dwelling
Two family dwelling
Multiple family dwelling
Assisted Living Units
Rooming Houses (SAU)
Accessory Uses
Child Day Care Centers (SAU)
Convalescent and Nursing Homes (SAU)
Essential Services
Non-Commercial Recreational Facilities (SAU)
Parks and Recreation Facilities (SAU)
Part-time Child Day Care Centers (SAU)
Public Service Facility (SAU)
Public/Private Utility (SAU)

RECOMMENDATION

The Planning and Zoning Administrator recommends that the Planning Commission recommend to City Council approval of the zoning amendment from C3 (Community Shopping) and C4 (Highway Commercial) to RM (Multi-Family Residential) for both portions of the subject parcel.

Further, it is recommended that a Public Hearing be set before City Council for May 3, 2022 at 6:25 p.m.

Mr. Walters reviewed the above Staff Report regarding the Rezoning Request from C3 (Community Shopping) and C4 (Highway Commercial) to RM (Multiple Family Residential) for Parcel Q61-400-090105002000. Rob Shouhayib was present on behalf of the request. The Commission briefly discussed the current zoning of C3 (Community Shopping) and C4 (Highway Commercial) and interest in the parcel for development, and Mr. Walters noted that there has not been commercial interest thus far.

Attorney Jeff Stopar, 1625 Eaglecrest Road was present, and added that he represents the owners of the RM parcel to the south (Q61-400-090301006001). He referenced page 56 of the proposed Land Use Plan and noted that this area was indicated at commercial and mixed use. Mr. Stopar asked if there was enough infrastructure to sustain the development.

Greg Rufty, 26671 Foxton Court was present, and added that a residential buffer is a good thing for future development. He noted that Lake Vue Drive and Hulls Trace Drive need to be fixed, as he is also a school bus driver for Perrysburg Schools.

There were no further comments or questions from the Commission, nor the public.

Mr. Wellstein made a motion to recommend approval of the Rezoning Request from C3 (Community Shopping) and C4 (Highway Commercial) to RM (Multiple Family Residential) for Parcel Q61-400-090105002000, and that a Public Hearing be set for May 3, 2022 at 6:25pm. Seconded by Ms. Williams. Ayes: (5). Nays: (0).

***Rezoning Request
C3 (Community Shopping) and C4 (Highway Commercial) to
RM (Multiple Family Residential)
Parcel Q61-400-090105001000***

Greg Langsdorf (owner)
Mary Miller Family Limited Partnership
6661 Buck Creek Road
Maumee, OH 43537

Rob Shouhayib (applicant)
2265 Livernois Avenue, Suite 500
Troy, MI 48083
rshouhayib@choiceproperties.com

REQUEST

Chapter 1285 - Changes and Amendments

PROPERTY LOCATION & DESCRIPTION

The subject property is located along Carronade Drive across the street from the Residences at Carronade, behind the plaza that currently contains China City Buffet and Cocina de Carlos restaurant. This parcel is unique in that it is divided by Carronade Drive resulting in a small corner of the property being located on the opposite side of Carronade from the larger portion. The small corner of this property is zoned C4 (Highway Commercial) while the larger portion is zoned C3 (Community Shopping). The applicant is hereby requesting a rezoning of both portions of the property to RM (Multi-Family Residential).

Adjacent zoning:

1. North: C3 and C4 – vacant land, Holiday Inn, retail shopping plaza
2. East: – existing township residential use
3. South: RM – Multi-Family Residential, vacant, Residences at Carronade
4. West: C4 and RM – Highway Commercial, Residences at Carronade

The area of the total property is approximately 9.5 acres (including both parts) and is currently vacant land.

BACKGROUND

Limited background information available.

ANALYSIS

The City recently began the process of updating its Land Use Plan and while the final plan has not yet been adopted by the city, the initial draft (which is not anticipated to change) has indicated a proposed use classification of “Commercial Mixed Use” for this parcel. Commercial mixed use is defined as an area for medium to large-scale commercial uses that serve the regional community, as well as the option to provide multi-family residential. The focus in this district is primarily 60% commercial. This use category is shown to recommend the following uses: multi-family, retail, office, public, semi-public uses.

Per Ch. 1220.03, C3 and C4 zoning is defined per the following:

C3 (Community Shopping) – Areas adaptable for planned shopping centers with uses restricted to the types normally included in such developments.

C4 (Highway Commercial) – Areas fronting on major roadways and utilized for all types of businesses, especially those that serve the traveling motorist and patrons throughout the community.

The following uses are permitted uses or may be allowed with a Special Approval Use (SAU) within:

C3 (Community Shopping)

Farm Markets and Stands (SAU)
Animal Services (outdoor) (SAU)
Animal Services (indoor)
Automotive Oil & Lube Service Facilities
Carry-Outs/Other Business, Alcoholic Beverages (SAU)
Commercial Schools
Entertainment and Spectator Sport Facilities
Grocery Stores
Gym/Fitness Facility (<5,000 GSF)
Gym/Fitness Facility (>5,000 GSF)
Motels and Hotels
Neighborhood Business less than 10,000 GSF
Office and Banks

Personal Services
 Printing
 Restaurant carry-out only
 Restaurant drive-in (SAU)
 Restaurant Fast Food
 Restaurant Outdoor Café *
 Restaurant Full Service
 Retail business: less than 60,000 GSF
 Retail business: more than 60,000 GSF (SAU)
 Service Station (SAU)
 Shopping Center
 Repair Services, Consumer
 Medical Offices
 Accessory Use
 Child Day Care Centers (SAU)
 Club, Lodges, Fraternal and Civic Assembly
 Essential Services
 Mortuaries/Funeral Homes (SAU)
 Part-Time Child Day Care Centers (SAU)
 Public and Private Schools (SAU)
 Public Service Facility (SAU)
 Public/Private Utility

**with the exception of those commercial centers zoned C3 that are adjacent to residential properties. In those situations Chapter 1235 – Special Approval Use, specifically, Chapter 1235.04(mm) shall apply.*

C4 (Community Shopping)

Animal Services (outdoor)
 Animal Services (indoor)
 Automotive Oil & Lube Service Facilities
 Automotive Repair – General (SAU)
 Automotive Repair – Light
 Automotive Sales or Lease for New and Used Vehicles – outdoors (SAU)
 Auto Wash (SAU)
 Carry-Outs/Other Business, Alcoholic Beverages (SAU)
 Commercial Recreational Facilities (SAU)
 Commercial Schools
 Drive-in commercial uses
 Entertainment and Spectator Sport Facilities
 Grocery Stores
 Gym/Fitness Facility (<5,000 GSF)
 Gym/Fitness Facility (>5,000 GSF)
 Motels and Hotels
 Neighborhood Business less than 10,000 GSF
 Office and Banks
 Personal Services
 Printing
 Restaurant carry-out only
 Restaurant drive-in
 Restaurant Fast Food

Restaurant Outdoor Café (SAU)
Restaurant Full Service
Retail business: less than 60,000 GSF
Retail business: more than 60,000 GSF (SAU)
Sale and Storage of Building Materials (SAU)
Self-Service Storage (SAU)
Service Station
Shopping Center
Hospitality Facilities (SAU)
Transient Habitation (SAU)
Repair Services, Consumer
Nursery/Green House
Medical Offices
Medical Urgent Care Facilities
Accessory Use
Child Day Care Centers (SAU)
Club, Lodges, Fraternal and Civic Assembly
Essential Services
Mortuaries/Funeral Homes (SAU)
Part-Time Child Day Care Centers (SAU)
Public and Private Schools (SAU)
Public Service Facility
Public/Private Utility
Wireless Telecommunication Facility (SAU)
Wholesale Business

Per Ch. 1220.03, RM – Multi-family zoning is defined as “areas intended to provide for multiple-family dwellings.”

The following uses are permitted uses or allowed with a Special Approval Use (SAU) within **RM**.

One family dwelling
Two family dwelling
Multiple family dwelling
Assisted Living Units
Rooming Houses (SAU)
Accessory Uses
Child Day Care Centers (SAU)
Convalescent and Nursing Homes (SAU)
Essential Services
Non-Commercial Recreational Facilities (SAU)
Parks and Recreation Facilities (SAU)
Part-time Child Day Care Centers (SAU)
Public Service Facility (SAU)
Public/Private Utility (SAU)

RECOMMENDATION

The Planning and Zoning Administrator recommends that the Planning Commission recommend to City Council approval of the zoning amendment from C3 (Community Shopping) and C4 (Highway Commercial) to RM (Multi-Family Residential) for both portions of the subject parcel.

Further, it is recommended that a Public Hearing be set before City Council for May 3, 2022 at 6:10 p.m.

Mr. Walters reviewed the above Staff Report regarding the Rezoning Request from C3 (Community Shopping) and C4 (Highway Commercial) to RM (Multiple Family Residential) for Parcel Q61-400-090105001000. Rob Shouhayib was present on behalf of the request. The Commission briefly discussed the current zoning of C3 (Community Shopping) and C4 (Highway Commercial) and interest in the parcel for development, and Mr. Walters noted that there has not been commercial interest thus far.

Attorney Jeff Stopar, 1625 Eaglecrest Road was present, and added that he represents the owners of the RM parcel to the south (Q61-400-090301006001). He referenced page 56 of the proposed Land Use Plan and noted that this area was indicated at commercial and mixed use. Mr. Stopar asked if there was enough infrastructure to sustain the development.

Greg Rufty, 26671 Foxton Court was present, and added that a residential buffer is a good thing for future development. He noted that Lake Vue Drive and Hulls Trace Drive need to be fixed, as he is also a school bus driver for Perrysburg Schools.

There were no further comments or questions from the Commission, nor the public.

Mr. Wellstein made a motion to recommend approval of the Rezoning Request from C3 (Community Shopping) and C4 (Highway Commercial) to RM (Multiple Family Residential) for Parcel Q61-400-090105001000, and that a Public Hearing be set for May 3, 2022 at 6:10pm. Seconded by Mr. Lorenz. Ayes: (5). Nays: (0).

Code Amendment

Chapter 1215.02 – Definitions

Chapter 1225.08 – Land Use & Base Zoning District Table

APPLICANT/OWNER/DEVELOPER

Greg Rufty
Extra Virgin Food Services
25661 Fort Meigs Rd., Suite E
Perrysburg, OH 43551

REQUEST

Chapter 1215.02 – Definitions
Chapter 1225.08 – Land Use Chart
Chapter 1225.06 – Unlisted Uses

PROPERTY LOCATION & DESCRIPTION

The proposed Code Amendment to Chapter 1215.02 proposes to create two new land use definitions including; “Catering – on premise” and “Catering – off premise.”

The proposed Code Amendment to Chapter 1225.08 proposes to amend the land use chart to include the two new use definitions and define their uses as either permitted, special approval use or prohibited in each zoning category.

BACKGROUND

The Planning and Zoning Division recently identified several food service businesses operating in an industrially zoned area of the city (Fort Meigs Road, behind/west of Schuetz Container). The three businesses include; Extra Virgin Food Services, 7 Little Cup Cakes and Super Suppers, all of which are operating out of the same facility. The current classification of these businesses is as follows:

Extra Virgin Food Services = ‘Food Processing’ and is therefore a **permitted** use in I1 (Light Industrial) zoning (the applicant still needs to obtain an occupancy/land use permit from the Planning and Zoning office).

7 Little Cup Cakes = ‘Restaurant – Fast Food’ and is therefore **not permitted** in I1 (Light Industrial) zoning.

Super Suppers = ‘Restaurant – Fast Food’ and is therefore **not permitted** in I1 (Light Industrial) zoning.

ANALYSIS

EXISTING

Chapter 1215.02 – Definitions

Restaurant Drive-in - A restaurant at which any patrons are served from a drive-by window or while within a motor vehicle or where food is consumed within the motor vehicle on the premises.

Restaurant Fast Food - A restaurant at which patrons are served from a counter and the food or beverage is served in disposable containers or wrappers for consumption on or off the premises.

Restaurant Full Service - An establishment maintained, operated, and or advertised or held out to the public as a place where food and beverage are served to the public on demand from a menu during stated business hours, served in and on reusable containers and dinnerware, to be consumed on the premises primarily inside the building at tables, booths, or counters, with chairs, benches, or stools.

Food Processing - The preparation processing, or canning and packaging of food products.

Chapter 1225.08 – Land Use Table

	A1	R1	R2	R3	R4	R5	RM	C1	C2	C3	C4	OS	I1	I2	PBP	P	S1	INS
Restaurant Drive-in										S	P				P			
Restaurant Fast Food									S	P	P				P			
Restaurant Full Service									P	P	P		S		P			
Food Processing													P	P	P			

PROPOSED

Chapter 1215.02 – Definitions

Restaurant Drive-in - A restaurant at which any patrons are served from a drive-by window or while within a motor vehicle or where food is consumed within the motor vehicle on the premises.

Restaurant Fast Food - A restaurant at which patrons are served from a counter and the food or beverage is served in disposable containers or wrappers for consumption on or off the premises.

Restaurant Full Service - An establishment maintained, operated, and or advertised or held out to the public as a place where food and beverage are served to the public on demand from a menu during stated business hours, served in and on reusable containers and dinnerware, to be consumed on the premises primarily inside the building at tables, booths, or counters, with chairs, benches, or stools.

Food Processing - The preparation processing, or canning and packaging of food products.

Catering On-Premise - The production of food for the consumption at a function such as a banquet, reception or event that is held on the physical premises of the establishment of facility that is producing the food.

Catering Off-Premise - The production of food for the consumption at a location away from the caterer's food production facility. One example of an off-premise catering food facility is a freestanding commissary, which is a kitchen facility used exclusively for the preparation of foods to be served/consumed at other locations. Food may be picked up at this location by the customer but may not be consumed on the premises.

	A1	R1	R2	R3	R4	R5	RM	C1	C2	C3	C4	OS	I1	I2	PBP	P	S1	INS
Restaurant Drive-in										S	P				P			
Restaurant Fast Food									S	P	P				P			
Restaurant Full Service									P	P	P		S		P			
Food Processing													P	P	P			
Catering On-Premise									P	P	P		S		P			
Catering Off-Premise									P	P	P		P		P			

RECOMMENDATION

The Planning and Zoning Administrator does not recommend the passage of this Code Amendment. Chapter 1225.06 Unlisted Uses states that if an application is submitted for a use type that is not classified in the Land Use Table of this Chapter, the Planning Commission is authorized to classify the new or unlisted use type into an existing land use category that most closely fits the new or unlisted use. If no similar use determination can be made, the Planning Commission may initiate an amendment to the text of the Zoning Code. It is the position of the Zoning Administrator that the currently available use types adequately describe the two business in question (7 Little Cup Cakes and Super Suppers). Further, this Code Amendment essentially seeks to create an exception to the code to allow what are by definition fast food restaurants in areas zoned for industrial uses. Amendments such as this also create issues of competitive advantage among other similar businesses that have potentially paid more to purchase or rent property located in an appropriate zoning district. Lastly, the location of a fast food restaurant in an industrial area reduces the available space for an actual industrial business to locate within the City of Perrysburg. Industrial users have very limited options for locating in the city while businesses like these two have many options for retail space. In conclusion, it is recommended to affirm that the two businesses in question are by definition fast food restaurants and further it would be recommended that full service restaurants also be amended in the land use chart to be prohibited in I1 zoned areas of the city.

Further, it is recommended that a Public Hearing be set before City Council for May 3, 2022 at 6:00 p.m.

Mr. Walters reviewed the above Staff Report regarding the proposed Code Amendment to Chapter 1215.02 – Definitions and Chapter 1225.08 – Land Use and Base Zoning District Table. Mr. Walters stated that he and Law Director, Kate Sandretto, recently toured the facility and that the issues at Extra Virgin Food Services at 25661 Fort Meigs Road, Suite E, stem from an absence of Use Permits at that location. Greg Rufty, Extra Virgin Food Services, was present on behalf of the proposed Code Amendment and distributed packets to the Commission. He said that they have been operating at their Fort Meigs Road location for ten years and he was told that Wood County handles and reviews the permits. Mr. Rufty said that there are a few businesses that also operate within that same location: 7 Little Cupcakes – contract bakery and individual cookies, Super Suppers – subscription service with items that are all frozen and include instructions to finish the cooking process, and Extra Virgin – catering. He added that he has proposed this code amendment language to benefit the future growth and development of his catering business at this location. The Commission discussed the Special Approval Use language in the I-1 (Light Industrial) Zoning District and the proposed definitions for “Catering On-Premise” and “Catering Off-Premise”. Mr. Rufty confirmed that each business that operates at this location shares 9,000 SF of contiguous space that they use for production and warehousing, as they all use the same equipment. He added that they plan to expand their offices to a separate facility within the same business park to make room for future food service expansion within Suite E. Ms. Williams noted that she was able to visit the location, ordered and paid directly at the counter, rather than online, for same-day service of goods. Mr. Walters asked if there was also a bread business operating within this location, and Mr. Rufty said that was an agreement that his business partner had arranged. The Commission briefly discussed the business model that Extra Virgin offers, and Mr. Rufty confirmed that it is not intended to be a walk-up service. Ms. Williams asked about Occupancy, and Mr. Walters added that it is a City requirement which is heavily valued to have those records on file. Mr. Walters confirmed that the code language is currently written to be generic enough that businesses fit within certain uses and zoning districts within the City. He added that if Extra Virgin’s retail business is forced to the commercial district, like at Lamplight Café & Bakery at 121 W. Indiana Avenue, then that would solve the majority of the logistical issues. Mr. Walters referenced the advertisements in the Perrysburg Messenger Journal for the businesses in question. Mr. Bade said that he supports the catering aspect of the business model for Extra Virgin Food Services, but that he would opt for the Special Approval Use to be removed in the I-1 Zoning District; Ms. Williams and Mr. Lorenz agreed. Mr. Wellstein said that pick-up in I-1 (Light Industrial) is not preferred.

There were no further comments or questions from the Commission, nor the public.

Mr. Lorenz made a motion to deny the proposed Code Amendment to Chapter 1215.02 – Definitions and Chapter 1225.08 – Land Use and Base Zoning District Table as submitted, and that a Public Hearing be set for May 3, 2022 at 6:00pm. Seconded by Mr. Lorenz.

Ayes: (5). Nays: (0). The Commission recommended that Planning and Zoning Committee of Council review the proposed language with these changes:

- Remove the Special Approval Uses in I-1 (Light Industrial) Zoning District Chart – listed under “Restaurant Full Service” and “Catering On-Premise”
- Note that catering is allowed without walk-up/carry-out service
- Add language: “Retail counter sales are dis-allowed.”

OTHER BUSINESS

Mr. Walters noted that Wright Tire & Auto is moving forward with progress at their property at 26914 Eckel Road.

There being no further business, the meeting adjourned at 9:20 p.m.

Respectfully submitted,

Heather Alfaro