

PLANNING COMMISSION MEETING

MARCH 28, 2013

The meeting was called to order at 7:00 p.m. by Chairman Greg Bade. Commission members present were: Greg Bade, Chris Carry, Mayor Evans, Tom Forquer and Seth Hudson. (5). Absent: Byron Choka and Therese Witt (2). Also present were: Tom King, Planning and Zoning Administrator and Brody Walters, Deputy Planning and Zoning Administrator.

APPROVAL OF MINUTES FROM THE FEBRUARY 28, 2013 MEETING

Mayor Evans moved to approve the minutes of the February 28, 2013 meeting as written. Mr. Bade seconded and they were unanimously approved.

ADMINISTRATOR'S REPORT

Mr. King reviewed the items that would be on next month's agenda including an addition to Wendy's, two Code Amendments, and possibly a preliminary plat for a development at the corner of Fort Meigs and Five Point Roads.

***Preliminary and Final Site Plan Approval
And Special Approval Use – Outdoor Café
V Couture
135 West Indiana Avenue***

APPLICANT AND OWNER

Mr. Valentine Ononye
V Couture
123 W. Indiana Avenue
Perrysburg, OH

REQUEST

Chapter 1235 – Special Approval Use
Chapter 1260 – Preliminary and Final Site Plan Review

PROPERTY LOCATION & DESCRIPTION

New construction of a retail building at 135 W. Indiana Avenue is proposed on a 10,890 sq ft parcel which contains a vacant single family dwelling. The site is bordered by retail personal services to the east (Salon Hazelton), a public alley and parking to the north, an office building to the west and across Indiana Avenue to the south is the Fire Station,

Perrysburg Senior Center and the City owned Schaller Building. The block containing the subject property is zoned C – 2 Central Business.

Proposed is a 3640 sq ft building footprint with the ground floor, second story and lower levels totaling 10,920 sq ft of building area. Plans show a vehicular drive accessing Indiana Avenue and the public alley to the rear. Three parking spaces are shown accessed from the alley. The clothing retailer V Couture is proposing to significantly expand and relocate from leased space at 123 W. Indiana Avenue.

ANALYSIS

Mr. Ononye describes his concept to be a cohesive set of retail services that surround the retailing of clothing he describes as a men's fashion lifestyle center. It will expand and bring on site several customer services which are offered by V Couture often off-site. The application includes the uses of a spa, women's retail, lounge and small café with indoor and outdoor seating which he describes as secondary and supportive of the men's fashion retailing. All the uses described are permitted within the C-2 zoning district though an outdoor café is a Special Approval Use.

Special Approval Use (1235.02(d) and (mm) - Criteria for Special Approval Use for an outdoor café include the general standard that the use not impact the surrounding properties and neighborhood and meet adequate ingress and egress. Special criteria (mm) include seasonal limits from March 15 to October 31 and noise limits. The proposed café will need to operate as a licensed restaurant.

The submitted plans dated February 4, 2013 and description for this project have been found to be consistent with the dimensional standards of Chapter 1230, and the Site Design Standards of Chapter 1250 except for the following qualifications and comments:

1230.01 – Intensity and Dimensional Standards – District C-2 has no limitations on minimum lot area, width of coverage, nor setbacks. The proposed structure height of 31 feet is permitted.

1250.02 - 1250.06 – Parking – There are no requirements for off-street parking within District C-2. Valet parking is proposed for this establishment, three parking spaces are proposed on site: two ADA. However, to be ADA compliant one space needs to be van accessible at least 16 feet in width, so given the present layout one space would be eliminated. On-street parking is available both on Indiana Avenue and Walnut Street.

1250.10-1250.22 – Landscaping – A landscape plan was submitted with the application, however a more detailed plan is required. With only 2 or 3 parking spaces provided there are no objective criteria to be met by this proposed development. Staff recommended that a landscape strip four feet in width between the driveway and the east property line be increased to five feet as shown on the current plan. While formal parking is not proposed on the drive, it may occur on occasion and this dimension can provide for a landscape screen. Staff recommends that shrubbery to achieve a height

of 3 feet be added within this five foot strip to screen vehicular use of the driveway and soften the appearance of the site adjacent to the parking area of the salon.

1250.29 – .39 – Signs – Plans show a free standing sign setback from the right of way 30 inches, although this setback dimension is proposed in the sign code amendment, the present code requires a ten foot setback in this district. The sign will need to conform prior to permit issuance.

1250.42 – Fences and walls – A six foot wall is proposed to screen a parking space along the west property line and is permitted at that height in a commercially zoned district.

1250.48 – 1250.481 – Building Materials and Elevations – Material percentages for District C - 2 apply and plans comply. Stone tile veneer of a charcoal color is proposed with white accents of white brick and stucco. The architect has proposed an alternative of metal panels to the stone tile veneer. The code prohibits use of metal of flat sheets, seamed or rib panels. An architectural grade finished metal panel was approved for the Ed Schmidt dealership and has a quality appearance. The architect will bring a material sample of the metal panel to the meeting.

1250.51 – Curb Cuts and Driveways – A gravel driveway for the former residence has accessed the garage from Indiana Avenue. The site plan shows the construction of an 11 foot wide driveway at the location of the existing gravel driveway that would provide ingress with exit at the alley to the rear. Code requires that vehicle ingress and egress points be at least 100 feet from a street intersection and no closer than 80 feet to an adjacent driveway in a commercial district. The Salon Hazelton driveway is approximately 4 feet from the subject property and the drive apron is essentially contiguous to the paving of the proposed plan. Consolidation of the two adjacent driveways for V Couture and Salon Hazelton into a common driveway would require site change on the Salon Hazelton property but would eliminate any safety conflict. The reason for the code requirement is to prevent conflict with turning movements with adjacent drives.

With the unique circumstances of the proposed use the potential for traffic safety conflict would appear minimal. Staff has proposed a legal agreement that would recognize the very low traffic nature of the proposed use and site plan, impose limitations upon the use of the driveway and stipulate that the driveway may not be used by a succeeding commercial use without the written approval by the City based on an evaluation that traffic impact would be of equal or less impact than the proposed use for V Couture. The property owner has hired a traffic consultant approved by the City to evaluate the proposed situation with development and express an opinion as to whether and how driveway access can be safely provided. The applicant has already agreed to restrictions running with the property that the drive must be no wider than one lane permitting ingress only and that right to continue use of the driveway rests solely with the City subject to a traffic safety analysis.

1250.56 – Sidewalks – The public sidewalk must be continuous and extend through the proposed driveway.

1250.57 – Waste Receptacles – The proposed trash receptacle enclosure is 8 x 9 feet with doors. The enclosure must be six feet in height and be of the same brick material as the building.

The Engineering Division has provided initial comments that the engineering plans must be submitted for the project and provide for on-site storm water detention for the increase in the impervious area from the present condition. The Fire Department will require a vertical clearance of at least 14 feet on the canopy overhanging the driveway.

With additional submittal information addressing the comments above, execution of an agreement limiting the use and continuance of the driveway accessing Indiana Avenue and the conditions cited within the suggested approval conditions, the Planning and Zoning staff finds that Final Site Plan criteria of Section 1260.15 would be met and the development will enhance this block of the downtown.

RECOMMENDATION

The Planning and Zoning Staff recommends that the Planning Commission approve the Special Approval Use of the outdoor café, preliminary and final site plan depicting the construction of an approximately 10,900 square foot building for a retail business subject to the comments and recommendations outlined in this report. Staff recommends the following Final Site Plan approval conditions:

1. That site plan development may occur only subject to an agreement executed with the City and recorded as a deed restriction limiting traffic access to Indiana Avenue solely to V Couture with the uses provided in the site plan approval application and continued use of the access drive is subject to the express approval of the City based on a traffic impact study and conclusion that the traffic impact is of equal or less impact than this approved site development.
2. Submittal of a Landscape Plan and Street Tree Plan by a registered Landscape Architect which includes shrubbery within the five foot buffer strip adjacent to the east property line.
3. Final approval of construction plans by the Departments/Divisions of Fire, Public Utilities, Service, and Engineering.



Memorandum

To: Planning Commission
Copies: Bridgette Kabat, Mathew Beredo
From: Thomas E. King, Planning and Zoning Administrator
Date: March 28, 2013

Re: V Couture, Site Plan Approval Request and Special Approval Use

This afternoon the applicant forwarded the results of a traffic impact analysis by Jean Hartline, P.E. of Mannik Smith, one of the three traffic engineers recommended by City Engineer Doug Dariano. Staff has recommended approval of the V Couture request with the condition that a traffic impact study and its conclusion be acceptable to the City and which found either that the use and driveway proposed for the requested approval would have no safety impact or given specific mitigating conditions it would not.

The provided calculations and conclusion by Ms. Hartline analyzes the number of trips from the use categories of the Institute of Transportation Engineers: Shopping Center; Specialty Retail Center; and Apparel Store. She states that the Apparel Store and Shopping Center are larger trip generators than the Specialty Retail Center and therefore concludes that 41 trips or about 20 customers could be expected at "peak traffic hour" in the afternoon. With one way traffic only inbound that would be 20 trips entering from Indiana Avenue. She concludes that this low level of traffic does not warrant further analysis.

The City Engineer has not reviewed this information. I recommend revised conditions from the staff report restating condition 1 to read instead:

1. That site plan development is approved only:
 - a. Upon acceptance by the City Engineer of a traffic impact study finding the proposed use and driveway is not expected to result in traffic safety problems or given conditions can be acceptably mitigated addressing the intent and purpose of the Planning and Zoning code requirement restricting the location of driveways; and
 - b. Subject to an agreement executed with the City and recorded as a deed restriction limiting traffic access to Indiana Avenue solely to V Couture with the uses provided in the site plan approval application and continued use of the access drive is subject to the express approval of the City based on a traffic impact study and conclusion that the traffic impact is of equal or less impact than this approved site development.

Mr. King reviewed the above Staff Report and memo to the Planning Commission. Mike Duket of Duket Architects was present along with Valentine Ononye of V Couture. Mr. Duket said they would like to use black granite on one side of the building but if the budget does not allow, they would like to use metal siding similar to what was used at Ed Schmidt. Mr. Bade asked if it would be silver. Mr. Duket said it would not be silver; they would prefer black but it is not allowed by Code. It was noted that the Code does not allow the use of metal and Ed Schmidt used the metal siding because it was a corporate franchise requirement.

Mayor Evans asked about the location of the storm water detention. Mr. Duket said they have not gotten into the construction phase yet, but if necessary, they would have to use underground tanks. Mayor Evans asked if the applicant has any problems with the recommendations made by the Planning and Zoning Administrator. Mr. Duket and Mr. Ononye said they would like to discuss the 14' required for the canopy with the Fire Division. Mayor Evans said he thinks the building looks great, but he asked why they chose to go with such a different style. Mr. Duket said that Mr. Ononye has strong ideas about branding and color schemes and that this design may be used in other areas in the future. Mr. Ononye said that this is a global company that just happens to be in Perrysburg. He said that the goal is to create a destination location.

Mr. Forquer asked about the restaurant aspect in relation to the traffic study. Mr. Duket explained that the main intent with the restaurant is to serve patrons that are there for other reasons. It is not intended to be a draw as a restaurant. Mr. Ononye said that this will be a lifestyle store. They are currently outsourcing many services and this new location will allow them to deal with everything in one building, but it will not be a full blown restaurant. Mr. Duket noted there is not room for a full blown restaurant.

Mr. Bade said he is happy that they have chosen Perrysburg, and he is impressed with their thinking regarding the building and it is very well laid out. He said he has concerns because there was no civil site plan, and he has concerns with approving it as a Final Site Plan at this time. Mayor Evans said that he does not have a problem moving forward with the Final Site Plan if they are going to use granite because the Construction Drawings still have to go through the review process, but if they are going to use the metal panel, he wants to see it before approving. There was discussion regarding the use of the metal siding instead of granite. Mr. Duket said that they are willing to withdraw the use of metal from the proposal.

Mayor Evans moved to approve the Special Approval Use of the outdoor café, and the Preliminary and Final Site Plan depicting the construction of an approximately 10,900 square foot building for a retail business subject to the comments and recommendations in the Planning and Zoning Administrator's report including:

1. That site plan development is approved only:
 - a. Upon acceptance by the City Engineer of a traffic impact study finding the proposed use and driveway is not expected to result in traffic safety problems or given conditions can be acceptably mitigated addressing the intent and purpose of the Planning and Zoning Code requirement restricting the location of driveways; and

b. Subject to an agreement executed with the City and recorded as a deed restriction limiting traffic access to Indiana Avenue solely to V Couture with the uses provided in the site plan approval application and continued use of the access drive is subject to the express approval of the City based on a traffic impact study and conclusion that the traffic impact is of equal or less impact than this approved site development.

2. Submittal of a Landscape Plan and Street Tree Plan by a registered Landscape Architect which includes shrubbery within the five foot buffer strip adjacent to the east property line.

3. Final approval of construction plans by the Departments/Divisions of Fire, Public Utilities, Service, and Engineering.

Mr. Carry seconded the motion and it was approved 4-1. Ayes: Carry, Evans, Forquer, Hudson (4). Nays: Bade (1).

The Final Site Plan for Easter Seals that was listed on the agenda had been removed from the agenda prior to the meeting.

There being no further business, the meeting adjourned at 7:47 p.m.

Respectfully submitted,

Mary Jo Sutton