

PLANNING COMMISSION MEETING

September 26, 2024

Vice Chair Megan Wolfinger called the meeting to order at 7:07 p.m. Commission members present were Greg Bade, Mathew Beredo, Andy Lorenz, Mayor Mackin, Becky Williams, and Megan Wolfinger (6). Rob Vela was absent (1). Also present were Brody Walters, Planning & Zoning Administrator, and Mark Easterling, Deputy Planning & Zoning Administrator.

APPROVAL OF MINUTES

Ms. Williams moved to approve the August 29, 2024 meeting minutes as written and seconded by Mr. Bade. Ayes: Bade, Beredo, Mackin, and Williams (4). Nays: (0). Abstain: Lorenz and Wolfinger (2).

ADMINISTRATOR'S REPORT

No report.

***Special Approval Use
RECO Equipment
JDE Property Holding, LLC
12171 Eckel Road***

APPLICANT/OWNER/DEVELOPER

Josh Gasber
JDE Property Holding LLC
50985 National Road, STE 2
St. Clairsville, OH 43950

Chio Corporation
55 Glenlake Parkway NE
Atlanta, GA 30328

REQUEST

Chapter 1225.08 – Land Use and Base Zoning District Table
Chapter 1235.02(d) – SAU – Standards
Chapter 1235.04(bb) – Outdoor Storage

PROPERTY LOCATION & DESCRIPTION

Location: The proposed location will be on the south side of Eckel Road just west of the Dixie Highway and Eckel Road intersection.

Property Size: 6.52 acres

Parcel: Q61-400-670404004001

Zoning: I-1 – Light Industrial

BACKGROUND

The applicant would like to utilize the outdoor space behind the building to store compact construction and lawn equipment.

ANALYSIS

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.

Ch.1235.04(bb)

1. A solid wall, earthen berm at least eight (8) feet in height shall be provided around all sides of the area abutting residential, office or commercial zoning district and shall be provided on all sides visible from public streets. Such wall or berm shall be of sound construction, painted or otherwise finished neatly and inconspicuously. Such fence, wall or berm shall be of permanent finish and construction.
2. Ingress and egress to the facility shall be only from an arterial street. The City may approve access to a collector street if the City finds that such access point will further minimize impacts on other properties.
3. The minimum lot or parcel size shall be five (5) acres.
4. Adequate parking and unloading facilities shall be provided at the site so that no loaded vehicles at any time stand on a public right-of-way awaiting entrance to the site.

RECOMMENDATION

The Planning and Zoning Deputy Administrator has reviewed the application for Special Approval Use for RECO Equipment at 12171 Eckel Road and it has been found that the applicant has met the requirements to be granted a Special Approval Use for outside storage at this location. The forestation provides screening to the neighboring commercial districts and there is 6' fencing surrounding the property. The fencing sits 188' from the front property line. Although the fencing is not 8', should a privacy screen be added to the fence at this distance, the screen will meet the spirit and intent of the code to screen from the public street view.

Mr. Walters reviewed the above Staff Report regarding the Special Approval Use for RECO Equipment (JDE Property Holding, LLC) at 12171 Eckel Road. Bob Mack, Signature Associates, and Holly Fillipovich, RECO Equipment, were present on behalf of the application. Mr. Mack said that this use of the property is consistent with other uses in the area. Ms. Wolfinger asked about the eight (8) foot fencing requirement and Mr. Easterling confirmed that it is to screen the area from public view. There was a brief discussion about the storage inside the screened area and Ms. Fillipovich said she understands the requirements.

Mr. Lorenz made a motion to recommend approval of the Special Approval Use for RECO Equipment (JDE Property Holding, LLC) at 12171 Eckel Road. Seconded by Ms. Williams, and the Rezoning Request was unanimously approved (6-0).

Preliminary Site Plan

Elcan and Associates, Inc. (on behalf of Dollar Tree)

Parcel Q61-400-070404030003 (o Eckel Junction Road)

Parcel Q61-400-070404031003 (o Eckel Junction Road)

APPLICANT/OWNER/DEVELOPER

Richard Ogburn
Elcan and Associates, Inc.
PO Box 230
Point Clear, AL

Art Hardin
Calibre Engineering, Inc.
7700 Paragon Road STE C
Centerville, OH 45459

Eckel River, LLC
5215 Monroe St. STE 8
Toledo, OH 43623

REQUEST

Chapter 1260 – Site Plan Review

PROPERTY LOCATION & DESCRIPTION

The subject property is located on the north side of Eckel Junction Road, just east of the Dixie Highway and Eckel Junction intersection. The potential site is also south of Black Diamond, and north of Buckeye State Bank. The property comprises two parcels totaling 1.83 acres and is zoned C-3 Community Shopping.

ANALYSIS

Intensity and Dimensional Standards

- In compliance with all required setbacks.

Parking Standards

- The number of parking spaces meets the minimum standard.
- All proposed parking spaces are shown to be 10' x 20' in size.
- The parking lot is located within the required front yard setback and requires approval from the Board of Zoning Appeals.
- Curb stops are shown throughout the parking lot.
- Drive aisles are shown exceeding the minimum width required.

Drives & Access

- The site has two drive entrances shown from the Black Diamond entrance drive.
- The southern drive aisle is out of compliance as it is less than 100' from the intersection (~65').

Sidewalks

- A sidewalk currently exists across the frontage of the property.
- The sidewalk is shown connecting from the right of way to the entrance.

Dumpsters

- Dumpsters are shown to be enclosed and located in the rear of the building.
- Enclosure details must be provided with the final site plan approval.

RECOMMENDATION

The Planning and Zoning Administrator recommends that the Planning Commission approve the Preliminary Site Plan with the conditions that the applicant removes the southernmost drive aisle that is shown to be out of compliance and receives a variance for parking in the required setback from the Board of Zoning Appeals.

Mr. Easterling reviewed the above Staff Report regarding the Preliminary Site Plan for Elcan and Associates, Inc. (on behalf of Dollar Tree) located along Eckel Junction Road including (2) parcels: Q61-400-070404030003 and Q61-400-070404031003. Richard Ogburn, Elcan and Associates, Inc., and Art Hardin, Calibre Engineering, Inc., were present on behalf of the application. Mr. Hardin said that they have worked with Planning & Zoning staff to iron out their proposal, provided a declaration of the drainage easement to Mr. Easterling, and passed out a presentation to the Commission regarding their request. Mr. Hardin referenced Chapter 1250.51 regarding clarification on public streets and noted that the private drive to Black Diamond off of Eckel Junction Road is not open 24 hours a day, 7 days a week. Mr. Walters referenced the staff recommendation to not allow for another entrance off of Eckel Junction Road and he advised the Planning Commission not to budge on the one hundred (100) foot drives as the applicant has created their hardship with two separate buildings. There was further discussion amongst the Commission related to safety, building size and elevations (specifically the front façade), a traffic study, and the business decision for the proposed southernmost drive aisle. Mr. Hardin spoke further on the drive aisle, stating functionality and their biggest concern with guiding their customer to the front of the store. Mr. Beredo asked if it would be possible to move the southern drive north and Mr. Easterling said that he is willing to work with the applicant to discuss additional site plan options, while potentially shifting the buildings to meet those needs.

Vicki Jueng, 1086 Running Brook Drive, was present and said that she is concerned with traffic and the timing of the signalized intersections nearby.

Ron Parry, 13 Callander Court, was present and said that they were told there would be no more curb cuts along Eckel Junction Road. He asked further about truck delivery and trash pickup times.

Mayor Mackin asked if this application would be appropriate to table, and Mr. Hardin confirmed that he would like to further discuss and see the other opportunities that Mr. Easterling may propose for Dollar Tree.

Ms. Wolfinger made a motion to table the Preliminary Site Plan for Elcan and Associates, Inc. (on behalf of Dollar Tree) located along Eckel Junction Road including (2) parcels: Q61-400-070404030003 and Q61-400-070404031003. Seconded by Mr. Lorenz. Ayes: Bade and Mackin (2). Nays: Beredo, Lorenz, Williams, and Wolfinger (4). The motion did not carry.

Ms. Wolfinger made a motion to disapprove the Preliminary Site Plan for Elcan and Associates, Inc. (on behalf of Dollar Tree) located along Eckel Junction Road including (2) parcels: Q61-400-070404030003 and Q61-400-070404031003. Seconded by Ms. Williams, and the Preliminary Site Plan was unanimously disapproved (6-0).

***Preliminary Site Plan
Tri-State Forest Products
13010 and 13100 Eckel Junction Road***

Project Name: Tri-State Forest Products
Location: 13010 & 13100 Eckel Junction Road
Zoning: I-2 (General Industrial)
Applicant(s): Doug Smith, Manager – Tri-State Forest Products
Tom Yurysta, P.E. – Proudfoot & Associates
Land Use: Sale & Storage of Building Materials
Parcel(s): Q61-100-654406005000 and Q61-100-654406004000
Request: Preliminary Site Plan Review

Preliminary Site Plan Checklist

Land Use		Permitted	Special Approval	Not Permitted
1225.08	Land Use Type	X		
Dimensional		Compliant	Non-Compliant	Not Applicable
1230	Front Setback	X		
1230	Side Setback	X		
1230	Rear Setback	X		
1230	Lot Coverage	X		
1230	Height	X		
1230.03(a)	Height Variance from BZA			X
1230.03(b)	Features above max height (exemptions)			X
Parking		Compliant	Non-Compliant	Not Applicable
1250.02(t)	Parking Lot Location	X		
1250.02(r)	Parking Relief			X
1250.03	Parking Quantity	X		
1250.05(b)	Parking lot design/layout	X		
1250.05(f)	Location of Driveways	X		
1250.06(a)(7)	Parking Lot Surface Material	X		
1250.06(b)	Parking Space Sizes		X	

Landscape		Compliant	Non-Compliant	Not Applicable
1250.17(c)	Planting areas dispersed through parking lot		X	
1250.19(b)	5' landscape strip between parking lot and P/L	X		
1250.19(d)	Landscape island = 1 per ea. 10 parking spaces		X	
1250.20	10' landscape strip between R/W and parking		X	
Drives & Access		Compliant	Non-Compliant	Not Applicable
1250.51(a)	Driveway access onto public or private street	X		
1250.51(a)(2)	Drives enter perpendicular	X		
1250.51(a)(6)	Driveway – at least 100' from an intersection	X		
1250.51(a)(6)	Driveway – at least 80' from other driveways		X	
1250.51(c)	Driveway – alignment with existing drives	X		
Sidewalks		Compliant	Non-Compliant	Not Applicable
1250.56(a)	Sidewalks across all frontages	X		
1250.56(a)	Sidewalks from R/W to entrance		X	
1250.56(a)	Sidewalk material through drive aisles	X		
Dumpster		Compliant	Non-Compliant	Not Applicable
1250.57	Waste Receptacle - Location	X		
1250.57	Waste Receptacles to be consolidated	X		
Acc. Buildings		Compliant	Non-Compliant	Not Applicable
1250.61(a)	Accessory Building – Location (rear yard)	X		
1250.61(b)	Accessory Building – ≥ 5' from side or rear P/L	X		
1250.61(b)	Accessory Building – ≥ 10' from main structure	X		
1250.61(f)	Accessory Building – Size Limit (5% of lot size)		X	
Miscellaneous		Compliant	Non-Compliant	Not Applicable
1260.15(a)(1)	Plan doesn't impede normal development	X		
1260.15(a)(5)	Emergency vehicle access to structures	X		

Notes:

- 1. Parking space size is not indicated on the provided site plan.**
- 2. The parking lot was not installed with landscaping within it, nor has it been retrofitted to accommodate the landscaping requirements.**
- 3. A small hedgerow along Eckel Junction Road that features arborvitae but it is less than the required 10' width.**
- 4. The driveways to this site are not proposed to change but the easternmost drive is within 80' of the neighboring driveway.**

5. **There are no sidewalks leading to the front entrance, but the code only requires these connections where pedestrian access is “reasonably expected.”**
6. **The height of the proposed accessory building does exceed 20’ but it does meet all the requirements of a main building so therefore the limiting height factor is the height of the main warehouse building. The height of the main warehouse building is not indicated on the site plan. (Aerial imagery suggests the height of the main building is 27’).**
7. **The following is an analysis of the proposed accessory building sizes.**

The total lot size is 16.28 acres or 709,157 SF

The allowable total size for accessory buildings is 5% or 4,000 SF whichever is less.

This request would result in 5 accessory buildings on site for a total of 44,780 SF which is less than 8% lot coverage.

The BZA may grant accessory building coverage up to 8% of the lot size, or 56,733 SF.

RECOMMENDATION

The Planning and Zoning Administrator recommends that any approval of this proposed Preliminary Site Plan should be conditional, pending the outcome of a variance request to the Board of Zoning Appeals for the maximum allowable size of combined accessory buildings, in addition to any other requirements imposed by the Planning Commission.

Mr. Walters reviewed the above Staff Report regarding the Preliminary Site Plan for Tri-State Forest Products located at 13010 and 13100 Eckel Junction Road. Tom Yurysta, Proudfoot & Associates, and the Assistant Manager of Tri-State (Perrysburg) were present on behalf of the application. Mr. Yurysta added that the existing building is dilapidated and that they are proposing a new building to store more lumber inside.

Mr. Yurysta further discussed Notes 1-7 as outlined above in the Staff Report:

1. Confirmed that the parking spaces are 10 feet x 20 feet.
2. Asked for relief on the landscaping requirement.
3. Referenced meetings in 2018 about the existing mound of Douglas Fir and Arborvitae.
4. Stated that the easternmost driveway is gated-off and no longer used.
5. Said that this location does not incur walk-in traffic.

6. Added that the proposed new building is twenty-seven (27) feet in height and the existing building is also twenty-seven (27) feet tall.
7. Confirmed that the total lot size percentage is 6.3% and agreed that they will need to submit to the Board of Zoning Appeals for relief.

Mr. Beredo asked if there has been any more thought to installing a permanent block to eliminate the easternmost driveway, and suggested that a planting of arborvitaes may also help to solve the landscaping requirement. Mr. Lorenz added that he was also on the Commission in 2018 and recalls hashing through the landscaping plan at that time. Mayor Mackin said that he prefers a greater landscaping effort along the front of the property that is more presentable and suggested an additional effort to comply with the landscaping requirement. Ms. Williams suggested that the easternmost gate be removed and that she is willing to waive the sidewalk requirement with an increase in landscaping. Mr. Bade confirmed that he drives by the property a lot and added that the drive entrance is in poor repair.

Jean Weaver, 13301 Eckel Junction Road, was present and asked if there would be irrigation for the additional landscaping maintenance.

Ms. Williams made a motion to grant conditional approval of the Preliminary Site Plan for Tri-State Forest Products located at 13010 and 13100 Eckel Junction Road, with the following conditions:

1. Submit to the Board of Zoning Appeals to seek relief for the maximum allowable size of combined accessory buildings.
2. Remove the gate and driveway at the easternmost entrance.
3. Work with the Planning & Zoning staff to plan for improved landscaping on-site.

Seconded by Mr. Lorenz, and the conditional approval of the Preliminary Site Plan was unanimously approved (6-0).

Rezoning Request

R-2 (Single Family Residential) to C-4 (Highway Commercial)

Bethel Assembly of God

Parcel Q61-400-180000007001 (o Eckel Junction Road)

Parcel Q61-400-180000056002 (o Eckel Junction Road)

Parcel Q61-400-180000008000 (o Eckel Junction Road)

Parcel Q61-400-180000056001 (o Eckel Junction Road)

APPLICANT/OWNER/DEVELOPER

Kevin Starr, Pastor
Bethel Assembly of God
665 W. Indiana Ave.
Perrysburg, OH 43551

REQUEST

Chapter 1225.08 – Use Regulations (R2 & C4)
Chapter 1285 – Changes and Amendments

PROPERTY LOCATION & DESCRIPTION

The subject properties are located immediately east of Costco Wholesale, on the south side of Eckel Junction Road. The subject properties collectively consist of approximately 23.66 acres currently zoned R2 (Single Family Residential). The properties are bordered to the west by C4 (Highway Commercial), the east by RM (Multi-Family Residential), and to the north by both RM (Multi Family Residential) and R3 (Single Family Residential).

Bethel Assembly of God desires to have the subject properties rezoned to C4 (Highway Commercial).

BACKGROUND

The subject properties were purchased by Bethel Assembly in 1994 and remain vacant. The applicant previously filed an application for rezoning in May of 2015, but it was later voluntarily withdrawn before any action was taken. The properties made part of this rezoning request were last a discussion topic when neighbors reported issues associated with Fox Tail Barley that had appeared in the field and were dispersed by the wind.

ANALYSIS

The following uses are permitted uses or allowed with a Special Approval Use (SAU) within **R2**:

Chicken Keeping
One-Family Dwelling
Bed & Breakfast (SAU)
Rooming House (SAU)
Accessory
Cemetery (SAU)
Child Day Care Center (SAU)
Essential Services
Non-Commercial Recreational Facility (SAU)
Parks and Recreation Facilities (SAU)
Part-time Child Day Care Centers (SAU)
Public Service Facility (SAU)
Public/Private Utility (SAU)

The following uses are permitted uses or allowed with a Special Approval Use (SAU) within **C4**:

Animal Services (outdoor)
Animal Services (indoor)
Automotive Oil and 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 Schools
Drive-in Commercial Uses
Entertainment and Spectator Sport Facilities
Grocery Stores
Gym/Fitness Facility
Motels and hotels
Neighborhood Business less than 10,000 SF
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
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

RECOMMENDATION

The Planning & Zoning Administrator recommends that the Planning Commission recommend to City Council the approval of the Rezoning Request for the above-mentioned 24 acres from R-2 (Single Family Residential) to C-4 (Highway Commercial).

Further, it is recommended that a Public Hearing be set before City Council for November 5, 2024, at 5:50 p.m.

Mr. Walters reviewed the above Staff Report regarding the Rezoning Request from R-2 (Single Family Residential) to C-4 (Highway Commercial) for Bethel Assembly of God, located on (4) parcels along Eckel Junction Road: Q61-400-180000007001, Q61-400-180000056002, Q61-400-180000008000, and Q61-400-180000056001. Mr. Lorenz noted that he would be abstaining from the discussion. Mr. Walters added that Pastor Kevin Starr, Bethel Assembly of God, was unable to be present for the meeting. Ms. Wolfinger asked why C-4 zoning was selected and Mr. Walters stated that C-4 provides the most flexibility with the widest range of uses and is contiguous to I-475 visibility. The Commission further discussed the uses allowed by right and Special Approval Use (SAU) in both zoning districts. Mr. Walters added that his office had received approximately 40 comments in letter form regarding this request. Mr. Beredo asked which category Topgolf would fit under and Mr. Walters stated Entertainment Facilities.

Jim Adray, 25 Callander Court, was present and said that he would be speaking on behalf of his condo association. He added that he understands the problem with the schools and that the city wants to invite more commercial development, but that they are concerned with the rumors that they've heard about the property and he asked where access would be. Mr. Adray noted that the public hearing scheduled for November 5, 2024, coincides with election night.

Doug Freeman, 311 Turnbury Lane, was present and said that he investigated the nearby area before buying his condo. He is concerned with the increased traffic, noise, and intrusive lighting of future use and development of the 24 acres. Mr. Freeman questioned the proposed C-4 zoning and if it was appropriate for Eckel Junction Road.

Mi'Chael Hoca, 390 Bridgeview Drive, was present and said that turning left at the traffic signal at Eckel Junction Road and SR-25 is miserable. She added that she is concerned with the proposed C-4 zoning concerning safety.

Joanne Tallarico, 12 Callander Court, was present and said that she researched Topgolf and asked what the future will hold with their business.

Lori Reffert, 720 Streamview Drive, was present and stated that C-4 zoning is not a proper use in a residential neighborhood and added that traffic is a concern. She asked how a Topgolf would be successful in the winter and added that the height of a Topgolf building is also a concern.

Andrew Carpenter, 617 Bridgeview Drive, was present and said that he is concerned with the noise of the future development. He added that there are six nearby Topgolf facilities.

Vicki Jueng, 1086 Running Brook Drive, was present and added that the 24 acres were bequeathed to Bethel Assembly of God from a parishioner. She asked if the Commission is aware of the amount of people who were turned away from tonight's meeting, and asked if there is a larger room available in the future to accommodate the public. Ms. Jueng also noted that microphones and better audio would be helpful because they can't hear the Commission in the audience.

Crystal Gavin, 591 Bridgeview Drive, was present and said that she previously attended Bethel Assembly of God and she was always told that the site would be developed as a church. She added that she is disappointed with the rezoning request.

Daniel Gavin, 591 Bridgeview Drive, was present and added that God's opinion counts when making the decision for this request.

Angela Stuck, 1246 Turnbury Lane, was present and stated that she moved here in March and that she is very disappointed with the decision to request this rezoning.

Mr. Beredo said that the vocal attacks towards the Planning Commission tonight are unacceptable. Mayor Mackin spoke to the audience members and reminded them that the majority of the Commission members are volunteers. He said that he understands their frustration and asked that everyone treat one another with respect and dignity.

Trish Spangler, 11911 Eckel Junction Road, was present and said that she has worked in logistics. She added that the traffic along Eckel Junction and SR-25 is terrible and deadly, and asked if the public hearing date of November 5, 2024, could be changed.

Mr. Beredo noted that City Council meets on November 5, 2024, hence the scheduled date of the public hearing, and Mayor Mackin noted that Ms. Spangler's request is fair. Mayor Mackin added that the property owner has rights too, that there is not a larger venue, but that the Administration will look into potential accommodations.

Jeff Haggdorn, 13301 Eckel Junction Road, was present and asked about the potential for a transition zone at this site. He added that there has to be something better for this property and that the lights will be a detriment.

Patty Freeman, 311 Turnbury Lane, was present and said that she is concerned with the entertainment facility with regard to the children that live nearby.

Lenore Pohlman, 9 Callander Court, was present and stated that she is opposed to this rezoning request; citing dangerous traffic. She added that the audio in Council Chambers is also a concern.

Robert Rowan, 935 Turnbury Lane, was present and said that this request would be a disaster and that he is severely opposed.

Mr. Bade clarified that this rezoning request is not an application for Topgolf and that he understands the concerns of the residents. He added that the property owner has a right to put in this request, and noted that the Commission has received pressure from the school board for commercial development instead of residential development.

Ms. Williams noted that C-4 zoning allows for a maximum building height of thirty-five (35) feet and a whole slew of acceptable uses. She added that the Commission does not know the end user and that it's best for the city to make a decision based on the code.

Mr. Beredo observed that the primary issue from nearby residents is traffic, and he added that Agricultural use is the only zoning class that would not cause traffic. He said that it was unfortunate that the applicant was not present tonight and added that Topgolf would be allowed in almost any commercial district.

Ms. Wolfinger added that procedurally the Planning Commission reviews this rezoning request with a recommendation that is passed along to City Council. Mr. Beredo confirmed that there will be three additional meetings to discuss this request. Ms. Williams added that there could be a conditional recommendation made by the Commission as there was when Costco was approved.

Leslie Turpening, 1453 Turnbury Lane, was present and said that she recommends safety and traffic studies for this area.

Mr. Beredo clarified that until there is an identified use there cannot be traffic. Mr. Walters added that he is looking at the facts of the rezoning request rather than emotion. He stated that the existing traffic means that more people are funding the improvements.

Ms. Wolfinger made a motion to recommend approval of the Rezoning Request from R-2 (Single Family Residential) to C-4 (Highway Commercial) for Bethel Assembly of God, located on (4) parcels along Eckel Junction Road: Q61-400-180000007001, Q61-400-180000056002, Q61-400-180000008000, and Q61-400-180000056001, and that a Public Hearing be set for November 5, 2024, at 5:50 p.m. before City Council. Seconded by Mr. Bade. Ayes: Mackin and Williams (2). Nays: Bade, Beredo, and Wolfinger (3). Abstain: Lorenz (1). Ms. Wolfinger asked that the Administration work together with City Council to try to change the November 5, 2024, public hearing date.

OTHER BUSINESS

***Preliminary Site Plan
V Enterprises, LLC
135 W. Indiana Avenue***

Project Name: V Enterprises, LLC
Location: 135 W. Indiana Ave.
Zoning: C2 - Central Business
Applicant(s): Valentine Ononye
Land Use: Vacant
Parcel(s): Q61- 000-902203019000
Request: Preliminary Site Plan Review

PRELIMINARY & FINAL SITE PLAN CHECKLIST

Land Use		Permitted	Special Approval	Not Permitted
1225.08	Land Use Type	x		
Dimensional		Compliant	Non-Compliant	Not Applicable
1230	Front Setback	x		
1230	Side Setback	x		
1230	Rear Setback	x		
1230	Lot Coverage	x		
1230	Height	x		
1230.03(a)	Height Variance from BZA			x
1230.03(b)	Features above max height (exemptions)			x
Parking		Compliant	Non-Compliant	Not Applicable
1250.02(t)	Parking Lot Location			x
1250.02(r)	Parking Relief			x
1250.03	Parking Quantity			x
1250.05(b)	Parking lot design/layout	x		
1250.05(c)	Wheel Stops			x
1250.05(f)	Location of Driveways			x
1250.06(a)(5)	Parking Lot Screening (near residential)			x
1250.06(a)(7)	Parking Lot Surface Material			x
1250.06(b)	Parking Space Sizes		x	
Landscape		Compliant	Non-Compliant	Not Applicable
1250.11	Planting Plan			x
1250.11(a)(1)	Landscape Architect (stamp/sign)			x
1250.11(a)(3)	Planting Schedule			x
1250.13(g)	Tree size (8' height, 2 1/2" caliper min)			x
1230	Minimum Landscape Percentage of parcel			x
1250.18(a)	Min. Landscape Percentage of Parking Lot (6%)			x
1250.17(b)	Parking Lot landscape primarily shade trees			x
1250.17(c)	Planting areas dispersed through parking lot			x
1250.19(b)	5' landscape strip between parking lot and P/L			x
1250.19(c)	1 tree for each 8 parking spaces			x
1250.19(d)	Landscape island = 1 per ea. 10 parking spaces			x
1250.19(d)	Shade trees located in islands			x
1250.20	10' landscape strip between R/W and parking			x
1250.20(d)	Hedge within 10' landscape (min 1.5' height)			x
1250.27	Berms/Earth Mounds (if required)			x

1250.42	Fence/Screen Requirement (height & location)			x
1250.43	Lighting (height & direction)			x
Building Design		Compliant	Non-Compliant	Not Applicable
1250.44	Screening of Rooftop Mechanicals			x
1250.48	Building Material (allowable percentages)	x		
1250.481(a)	Customer entrance facing each street frontage	x		
1250.481(b)	Recesses/projections if > 100' in length			x
1250.481(d)	Façade to have color/texture/material change			x
1250.481(e)	Rooflines to change at least every 100'			x
1250.481(f)	Façade colors – low reflectance and neutral	x		
1250.481(g)	Building trim to be non-illuminated	x		
Drives & Access		Compliant	Non-Compliant	Not Applicable
1250.51(a)	Driveway access onto public or private street			x
1250.51(a)(2)	Drives enter perpendicular			x
1250.51(a)(3)	Driveway grade less than 10%			x
1250.51(a)(6)	Driveway – at least 100' from an intersection			x
1250.51(a)(6)	Driveway – at least 80' from other driveways			x
1250.51(c)	Driveway – alignment with existing drives			x
1250.53	Deceleration Lanes if use > 1,000 trips per day			x
Sidewalks		Compliant	Non-Compliant	Not Applicable
1250.56(a)	Sidewalks across all frontages	x		
1250.56(a)	Sidewalks from R/W to entrance	x		
1250.56(a)	Sidewalk material through drive aisles			x
Dumpster		Compliant	Non-Compliant	Not Applicable
1250.57	Waste Receptacle - Location	x		
1250.57	Waste Receptacles to be consolidated	x		
1250.57	Waste Receptacle – design/materials			x
Acc. Buildings		Compliant	Non-Compliant	Not Applicable
1250.61(a)	Accessory Building – Location (rear yard)			x
1250.61(b)	Accessory Building – ≥ 5' from side or rear P/L			x
1250.61(b)	Accessory Building – ≥ 10' from main structure			x
1250.61(d)	Acc. Building – Height (20' or main structure)			x
1250.61(f)	Accessory Building – Size Limit (5% of lot size)			x
Traffic Study		Compliant	Non-Compliant	Not Applicable
1255.04	Traffic Study – if more than 100 trips/peak Hr.			x
1255.04	Traffic Study – if more than 750 trips per day			x
Miscellaneous		Compliant	Non-Compliant	Not Applicable
1260.15(a)(1)	Plan doesn't impede normal development	x		
1260.15(a)(2)	Existing landscape preserved (as possible)			x
1260.15(a)(5)	Emergency vehicle access to structures	x		
1250.26	Wall Location (if required)			x

Notes:

1. Although signs are not a part of the review, please be advised that the front freestanding sign is not permissible without approval from the Board of Zoning Appeals due to the location.
2. Parking, although not required, the handicapped space is undersized.

RECOMMENDATION

The Planning & Zoning Administrator recommends approval of the Preliminary Site Plan as submitted.

Mr. Walters reviewed the above Staff Report regarding the Preliminary Site Plan for V Enterprises, LLC at 135 W. Indiana Avenue. Valentine Ononye and Mike Duket, Duket Architects, were present on behalf of the application. Mr. Walters noted that it appears that the planter beds are in the city right-of-way. Mr. Duket noted that they made handicap adjustments to the plan and Ms. Williams questioned whether the handicap spot is the appropriate size.

Mr. Lorenz made a motion to approve the Preliminary Site Plan for V Enterprises, LLC at 135 W. Indiana Avenue. Seconded by Ms. Williams. Ayes: Bade, Lorenz, Mackin, Williams, and Wolfinger (5). Nays: (0). Abstain: Beredo (1).

There being no further business, the meeting adjourned at 9:47 pm.

Respectfully submitted,

Heather Alfaro
Zoning Clerk