

PERRYSBURG TOWNSHIP ZONING COMMISSION
26609 Lime City Road
Perrysburg, OH 43551

ZONING COMMISSION MEETING
November 13, 2006

The Perrysburg Township Zoning Commission held a meeting on November 13, 2006. Robert S. Black, Chairman, called the meeting to order at 6:00 p.m. A roll call was taken. Grant W. Garn, Zoning Inspector, was also present. The meeting was tape-recorded.

MEMBERS PRESENT: Robert S. Black, Jeff Schaller, Carol Warnimont, John J. Benavides, and Arthur Rometo.

MEMBERS ABSENT: Jeffrey Normand.

APPROVAL OF AGENDA: Mr. Black asked if there was a motion to approve the agenda. Mr. Rometo moved with a second by Mr. Benavides to approve the agenda. All members were in favor and none were opposed.

APPROVAL OF 10/10/06 MEETING MINUTES: Mr. Black asked if there was a motion to approve the minutes. Ms. Warnimont moved with a second by Mr. Schaller to approve the minutes. Mr. Black said he did not find any small items, and he asked if there was any discussion. There was none. A roll call vote was taken. Yes votes by Ms. Warnimont, Mr. Schaller, Mr. Rometo, and Mr. Black. Mr. Benavides abstained. Motion carried 4-0-1.

Mr. Black swore in all the persons who wished to address the commission this evening.

ZONING CHANGE APPLICATION NUMBER ZC 2006-04. CONTINUATION OF THE OCTOBER 10, 2006 PUBLIC HEARING. On September 18, 2006, an associate of Gary A. Yunker of the Timberstone Group, Inc., and George V. Oravec of Oravec Consulting and Engineering brought an application from a June Henry of Ronald Henry Properties, LP, Mark Allen Henry and Kathi Henry, and Patricia J. Lesniewski and Benedict Lesniewski, who all wish to have their properties rezoned. They refer to this as the Henry Farm which is located at 9240, 9244, and 9252 Fremont Pike. This property is located in Road Tracks 9 and 12 of Perrysburg Township, and is north of Fremont Pike, and west of Lime City Road. It is approximately 163.8325 acres in size. The property is presently zoned I-2 (General Industrial), and A-1 (Agricultural District). They are requesting that the zoning of the 59.9982 acres fronting Fremont Pike be changed to C-3 (Highway Commercial District). They are further requesting that the zoning of the remaining 103.8343 acres be changed to R-4 Suburban Residential District (Medium Density). As of 11/8/06 they have forwarded a revised drawing that

now includes approximately 70 acres of R-3 zoning, and a like reduction of R-4 zoning. Legal descriptions are to follow.

George Oravec addressed the commission regarding this application. He told the commission they were before them at their last meeting, and they had raised certain concerns about the requests they had made, and he believes the adjustments they have made to the plan have answered and have taken into consideration every one of their concerns.

He said he would like to point out some of the things that have been identified on the map for them. First of all, the area in pink, this particular line is the Rossford City corporation line. So they can see their entire eastern side as well as their northern side is adjacent to the Rossford corporation line. The other concern that was expressed was with respect to the request that they made for their commercial zoning, meaning the area in here which is on 20/23, and what part of that land would be subject to their overlay district review. And what they found in reading the code is that the entire area would. Their code says that the overlay district goes from the right-of-way line of 20/23 1,000 feet back, or to the rear of the property line for a parcel that fronts on 23 if the distance is greater. And in this particular case, since the Henry Farm is in one consolidated piece, then the entire parcel would be subject to the overlay district, not just the front 1,000 feet.

The other part of it that they investigated was where are the utilities, and whose utilities are they in order to determine whether or not they would be subject to annexation if they attempted to use the utilities and develop them. He had a discussion with Jerry Greiner. The water and the sanitary sewer that are on 20/23 in this area, and the water that is on Lime City Road that goes up to a point about here are utilities that are owned by Northwest Water and Sewer. They are not part of the City of Rossford system. They are not part of the City of Perrysburg system. Their intention was that they will be extending the utilities in the roadway that they will construct internally to their development and therefore service the sanitary and the water for this particular area all internally. The only external utility they will be extending will be the waterline from this point to here so that they can loop the system. Anything that is developed internally here, or here, or here, or in here will be looped back into the system itself, and they will not be constructing new utilities in Lime City Road with the exception, like he said, of the water for that short distance.

Now, in answer to the questions that they had with respect to the density that they were proposing, remember that they had expressed that they had asked for a zoning classification not because they wanted the density that was allowed under that, but because they were looking for a residential zoning classification that would meet some of the lot sizes that they anticipate this area will eventually be developed as. They had asked for R-4 zoning here, and R-4 zoning across this entire area, or about 103 acres of R-4. The legal descriptions that he provided for them and the map that he had

Poggemeyer prepare shows they are amending that application for the area in yellow to be R-3, and the area in blue to be R-4.

Now, the bottom line is they anticipate that when this area is developed with the people both he and Mr. Yunker have spoken to, they will probably be back to them. They will probably ask the commission to rezone this R-3 area, this R-3 area, and possibly this R-4 area all as PUD zoning. But the unfortunate circumstance that he has is he can't ask for a PUD unless he has a specific plan. He does not have a plan because he does not have a user yet. Mr. Yunker has been talking to quite a few clients who are interested in the development of this property along the lines that he had expressed to them. He met today with Mr. Sloan, and he is interested in this particular parcel. He built a lot of homes in Shawnee Trace that's off of Thompson Road on the other side of the township. He believes that's it. He built a lot of homes in that area. He is interested in this location. The people who did the four-family units on Thompson Road are interested in this. Both of those people historically develop at a density of about 4 units per acre which is even less than the R-3 would do. But what it does do for them under the PUD is there are variations that they will need within the width of the lot, the total area of the lot, the width of the side yards. So in order to build their product, they need a PUD to be able to do it. But until they sign on the bottom line and commit to development of the property, they are proposing that this area be zoned R-3, which is a far less density obviously than the R-4 is and provides the protection that the township is looking for with respect to what density this area would be developed.

They are going from industrial zoning to residential in both of these classifications, and commercial in this specific area. But they feel that from the questions and the concerns that the commission had, this certainly would address all of them. It addresses the utilities, where the corporation lines are, where the overlay district is that they will have overlay review of the commercial development when it occurs, and also that they anticipate that this will be developed under a PUD eventually when he does have a user.

Mr. Black asked if any of the members or Mr. Garn had any questions or comments. Mr. Garn said he is presuming that that road has nothing to do with the application. Mr. Oravec said no, it has nothing to do with the application. It's an 80 foot wide right-of-way that they are proposing that will be built in that area. The location of the road was picked for specific reasons. It's about 2,000 feet away from the intersection of Lime City Road, and it's about 2,000 feet away from the traffic signal, the first one into the development that Ramco Gresherson did to the east. So it's facing the intersections roughly about 2,000 feet apart, or almost a half-mile apart. Because with the development having both the residential development and commercial development having access to 20/23 at that location, and in all probability, as the development occurs, a traffic signal will be needed in that location as well and be warranted. And the spacing is extremely important in doing that, and that's why they did it in that location. It also provides the avenue and the conduit for them to build a boulevard

entry down through that area to create more of a streetscape and tree scape between the different residential uses, and the ability to bring utilities in from 20/23 throughout the development itself.

Mr. Black thanked him and asked if there was anyone who wished to address the commission this evening in opposition to the application. A question was asked, what is a PUD. Mr. Black said a planned unit development, and he asked Mr. Oravec to explain why he would come back in, and as he understands it, he would have to get his setbacks.

Mr. Oravec said right. Under the PUD there is a lot of things that the township controls with respect to that. They control the density, number one. He believes under the PUD they are allowed a maximum density of 4 units per acre. If they provide specific open space, whether it is a water open space or a natural area, they can increase that density if they meet specific criteria up to about 6 units per acre as a max. But what the PUD does afford them is that they can create lots that maybe are not 90 feet in width or 75 feet in width, they could create a lot 60 feet in width. They could create side yard setbacks that would maybe be 20 feet between the units as opposed to 30 feet between the units. It allows them to do clustering of the residential units in order to create the environment that they are looking for. If he remembers correctly, the quad unit development on Thompson Road was done under a PUD. In order to do that, that's another thing that a PUD affords them. They could have four condominium units in one specific building obviously all having their own entry, their own garages, everything else with the landscaping requirements around it, but they could do that under a PUD. Otherwise if they attempted to do it under straight zoning they would need an R-4 zoning because they would need multi-family zoning to be able to do that. Those are the things that are afforded them and the flexibility.

Mr. Black said in its very simplest form what that will allow the township to do is have more oversight on what the site specifically looks like. That's the very short story. Mr. Oravec agreed. Mr. Black said because they can't do what they want to do with straight R-3 zoning, so they can come in for a PUD. R-4 zoning they could do what they wanted to do, but the commission does not have as much oversight. So giving them the R-3, they still are going to have to come in for another zoning application for a very specific site. He asked if any of the members disagree with that, and none did.

Mr. Garn said there are certain subdivisions in the township that are PUD's all the way from the Hamlet on River Road. Those are PUD's. Oakmont subdivision is a PUD. The Woodmont subdivision which has apartments, also has the condominiums and the single-family houses are all PUD's. So there are a variety of things that give the commission more things they can do.

Mr. Black asked if that answered her question, and she said yes. He then asked if there were any other comments from the general public, and there were none. He asked if

there was a motion to approve the application as amended. Mr. Rometo moved with a second by Ms. Warnimont to approve the application as amended. Mr. Black asked if there was any further discussion from the members, and there was none. A roll call vote was taken. Yes votes by Mr. Rometo, Ms. Warnimont, Mr. Benavides, and Mr. Black. Mr. Schaller abstained. Motion carried 4-0-1.

Mr. Black said that concludes the public hearing for that application. Mr. Garn said just to make an announcement that this will come before the trustees, and they will have a separate hearing on this. Mr. Black said this is a unanimous recommendation from their commission that will go to the trustees, and they will have another public hearing on this application and vote on it. It was asked by an audience member if they could look at that plans for a minute. Mr. Black said sure, but to just remember that they are having a public meeting. He thanked Mr. Oravec.

Mr. Black asked if there was anyone in the audience that wanted to speak to the commission on anything other than what's on the agenda, and there was no one who did.

SITE PLAN REVIEW FOR WELDED CONSTRUCTION, SPR 2006-09. Continuation of the October 10, 2006 review. Welded Construction of 26933 Eckel Road would like to expand their office area into the shop area behind the present office building. The parking for this expansion would be across the street from this building. They would also like to build a new shop building. David B. Wilson of S2F is the construction manager and designer/planner for this project. He has included a letter concerning his timeliness. An independent engineering firm has reviewed the plans and checklist for compliance, and a copy of the letter is attached.

David Wilson addressed the commission regarding this site plan review. Mr. Black asked him if he had any comments he would like to make. Mr. Wilson said he believes basically from the previous meeting he had completed all the other items that had been on the earlier list from last month's meeting. He believes he turned everything in to Mr. Garn to turn into Feller Finch to do their final review. So whatever Mr. Garn got back from Feller Finch. Mr. Black said he also understood there was a nice letter that he addressed to the commission about the cooperation of Feller Finch in turning this around. Mr. Wilson said they were very helpful, and it just helped him move along with his client and made his job a little bit easier. Even as simple as it seemed, it was very helpful to get things accomplished so they could move ahead. Mr. Black said they appreciate the letter and thanked him for taking the time to write it. He deferred to Mr. Garn.

Mr. Garn said the only thing is he gave him sort of the go ahead. This is an existing site, and so he did not see any reason to really worry about the photometrics or the screening because it's a construction site with a lot of heavy equipment. He does not

know if they have ever been out there to see that it's filled with caterpillar tractors and just cranes and heavy-duty pipe building equipment.

Mr. Black asked if there were any comments from the members. Ms. Warnimont asked what happened to the parking up front alongside. Is he still eliminating what he added to that. Mr. Wilson said yes, he did. On the revised plan he just left what was in existence. He removed the additional parking. They had plenty of parking when he did the parking across the street plus behind, so they had plenty of parking to accomplish the numbers that they needed to have for parking spaces per square foot.

Mr. Black asked if anyone else had any comments, and no member did. He asked if there was a motion to approve the site plan as submitted. Mr. Benavides moved with a second by Mr. Rometo to approve the site plan. Mr. Black asked if there was any further discussion, and there was none. A roll call vote was taken. Yes votes by Mr. Benavides, Mr. Rometo, Ms. Warnimont, Mr. Schaller, and Mr. Black. Motion carried 5-0-0.

INFORMAL SITE PLAN REVIEW OF PERRYSBURG MARKET CENTER. Efrem Tennenbaum of DeBose and Associates would like to discuss a more detailed drawing which includes a proposed service drive and curb cut on Thompson Road. They are still working with the City of Perrysburg.

Efrem Tennenbaum addressed the commission regarding this informal site plan review. He told the commission that he believes each member has a small copy of the submittal, so he will just walk them through it. This is basically phase 3 of the overall Perrysburg Market Center project which is located south of US 20, west of Thompson Road. A couple of years back lot number 2, which is this retail structure which is slightly less than 10,000 square feet was submitted, approved, and built. Then about a year or so they submitted lot number 3 which was submitted to the township and the city, and this is the final stage. He just wants to point out lot number 3, although was approved and submitted, was never built. The idea was to get this going, then build the entire complex as one unit. This property is comprised of about 15 acres, and they have about 139,000 square feet of multiple users here as they can see in their exhibits, Best Buy on the west side close to Lowe's, and then Bed, Bath, and Beyond, Office Max, and a bunch of other tenants.

They went with this project to the city, and they attached the comments from the city. He hopes they have a chance to go over those. The items that are kind of remaining mainly with the city is their issue with the access from Thompson Road, and additional landscaping requirements, especially on the frontage of the parking areas here, and eliminating the 32 stalls here to improve the turn-around radius for the trucks. This is the preliminary landscape plan that was submitted, and they had a lot of trees here, and a lot of plantations, and he thinks they can come to some kind of solution regarding the additional islands here. The question is every ten spaces or every eight

spaces, it kind of depends, because how long these strips of parking stalls are, so it could be maybe eight versus ten or vice versa. He does not think they have any issues with that. And they have more parking spaces available than they actually require per the analysis, if they see that thing they put together. So even if they eliminate these parking stalls and had some more islands here, they still have sufficient parking. When this lot, lot number 3 was approved, it was a shared access plan with lot number 2 which had more parking than it actually required, so there should not be an issue with that.

These are the proposed architectural illustrations of some of the elevations, Bed, Bath and Beyond, Office Max. They have also he thinks one of them in color, the Best Buy proposed elevation which they provided them with.

Utility wise they are basically tying in, and they coordinated this with the Northwestern Water and Sewer District to obtain all the water and sanitary connections via the existing sanitary and water that's existing north of the Woodmont apartment complex. Those utilities were installed at the time. And as part of the lot 3 development they were required by the district to basically loop a 16 inch water line that Walgreen's extended on their side, and they are bringing it down all the way looping it with the 12 inch water line that runs along Woodmont. Now, that was submitted and approved by the EPA. For sanitary they also extended, just for this lot, basically all the way down to an existing manhole here. And because there is also a corporate line of service here, 2 units here will be able to tie into that manhole and will be approved for connections. They are also proposing a detention pond about 70 something thousand cubic feet which will be metered out to an existing 16 inch storm line that was installed a couple of years back along the west side of Thompson Road. And the way the storm was laid out is there are a couple of catch basins here tying into that large pond, and then the back yards will come here and filtrate any particles or whatnot to maintain water quality and then discharge into the 16 inch storm sewer. They are also coordinating some work with Buckeye Pipeline which has a 50 foot wide easement which shrinks down to a 32 foot wide easement over here, and they are coordinating with them on all the utility issues. That's about it he guesses. They have a couple of truck docks which they will go into detail on the final site plan.

Mr. Black asked him what are the issues that they have yet to resolve. Mr. Tennenbaum said the biggest issue, of course, at this point is Thompson Road, which he understood from the township the township does not object to that. The city has issues with that. And the developer is here. He is in contact with the mayor to see if they can resolve that. It might be resolved by maybe a lot split of these lots and then doing it administratively. He is not sure yet.

Warren Terrace addressed the commission regarding this informal site plan review. He told the commission that he talked to Mr. Steiner out at Wood County this morning, and he suggested they do a lot split which he can do administratively. Mr. Garn asked him

to identify himself which he did. He said it was suggested that the plat that they were pursuing did not have the driveway on it, so they would have to go back and revise everything. It was suggested that they do a lot split, and that could be done administratively and include the driveway. Mr. Steiner did not have any objection to the drive. Now, Mr. Theiland said that if the commission did not have any objection to the drive, he would not. So he talked to John Alexander, and he thinks he has everybody on the same page as far as that second service drive.

Mr. Black asked him to show them and explain to them exactly what the lot split does, and what that allows. Mr. Terrace said the service drive here was asked for and requested by Best Buy, and Bed Bath, and Office Max. It allows the truck traffic to stay out of the shopping center traffic. The original plats that they were pursuing did not have this driveway on it, and the process to have it approved would mean they have to resubmit everything. They could do a lot split a lot simpler is what Mr. Steiner told him. Mr. Black said so what is he splitting. Mr. Terrace said what they had originally planned was splitting this into 3 parcels so that the tenants had separate tax ID parcels so that they paid their own bills. So that's why they are splitting. It's all the same ownership, but it allows the tenants to pay their own bills. He will not even get the bills. They will go right to the tenants. Mr. Black said he said that will give them the same access road to Thompson, and Mr. Terrace said that would allow them to pursue this without any objection. That seems to be the consensus that he had as of this morning. The only one he did not talk to was Theiland, but Theiland and he traded phone calls and left messages for each other.

Ms. Warnimont said she had one comment. She understands when they went to the city, the lady that lives right across the street from that service drive was concerned because as the trucks come out of that, it's going to go right on into her bedroom area. And that she was willing to go ahead and do some type of screening, or she does not understand how they were going to address that. Mr. Terrace said they would be willing to work with them. The driveway is important. The fact is they have a signed Best Buy lease, and that driveway is in the lease. So if they don't get it, they have to go back, or they are going to have issues with Best Buy. They said they would work with her. Screening is relatively inexpensive. Ms. Warnimont said she did not understand whether they meant screening on her property, or something to do on their property there. That part she did not understand. All she understood was there was some problem there, and she was concerned. Mr. Tennenbaum said they have extensive trees and landscaping all around the pond there, and on the entire driveway also with trees.

Mr. Black asked if either Mr. Tennenbaum or Mr. Terrace were at that meeting where that lady brought up that issue. Mr. Tennenbaum said yes, and the other issue was, of course, the sanitary connections that the district promised her, and he told her they would take care of that. That was taken care of with the extension of the services. That took care of that damage. Mr. Black said what about the screening issue. Mr.

Tennenbaum said like he said, if they can see the landscaping plan, she was concerned about this area here. And as they can see, they have an abundance of trees, and more than actually what they need.

Mr. Black asked Ms. Warnimont if that addressed that. Ms. Warnimont said she does not know that. Where their drive comes out, and if you look at the other map, and it goes right smack dab into her property. Right across from it, that drive. Take the other one down there. The house on the other side, on the other side of Thompson. And she understood from that meeting that she was concerned about that, and the truck lighting. And she does not know how they could refigure that in any way, because the traffic coming from the other direction on Thompson you would have a blind spot, too much to angle it in any way. The comment was made that as it is, it is kind of angled.

Mr. Schaller asked if they had any idea what their traffic count would be in that situation. Their response was it would be minimal, and it would be during the day, so they really don't think there is an issue of lights. The majority of their deliveries are during business hours in the morning. They are not unloading a truck at 10:00 at night. Mr. Schaller said he questions the distance of that driveway from the driveway to the north as well as to the driveway to the south. Are there any questions there as far as the access in and out and that type of thing. Mr. Tennenbaum said does he mean the distance here and here, and Mr. Schaller said yes. Mr. Tennenbaum said not as far as they know. Mr. Schaller said he does not know, does anybody review that from a planning standpoint. Mr. Tennenbaum said as Mr. Terrace said, it's just a service drive for trucks. Mr. Terrace said it's not intended for normal traffic. Perrysburg market is the predominant traffic flow. This is for truck traffic, and the intention was to remove the truck traffic from the shoppers' traffic.

The township has asked them to do a traffic study, which they have recently engaged a contractor to perform a traffic study. Mr. Black asked if the trustees had requested that. Mr. Garn said this was the city. Mr. Black said the city. Okay. Mr. Garn said that was something that he was interested in also. Mr. Terrace said they will have a traffic report. Mr. Garn said just to sort of clarify, Mr. Steiner is not in favor of the curb cut, but he also said that the way that they could have that is just what they mentioned is doing it as a lot split with that. And then he did not use the words he could care less with that, but then they would have access on to Market Center Drive or anywhere else. And so it's just a strict lot split, and he does not look at the traffic impact, but he still suggested that it should have a traffic impact study and should be looked at by their independent engineer. Mr. Terrace said they have engaged a contractor, and that should be ready. Mr. Garn said it's something that Feller Finch could look at that since that's one of his specialty areas is traffic impact.

Mr. Black asked what decisions would be made after they receive the traffic impact study. Still they are building the access drive at this point. Mr. Garn said Mr. Rometo

would have a better idea on that. Mr. Black asked Mr. Rometo if he wanted to comment on that. Mr. Rometo said they will look at the traffic impact study, they will look at the level of services, and if they are looking at a reduction.

Mr. Terrace said he thinks it poses more of a safety issue commingling the delivery and truck traffic with the shopping traffic. Mr. Black asked if it was restricted just to deliveries. Mr. Tennenbaum said yes, that drive. Mr. Terrace said they are posting that. Mr. Schaller said that's only limited to people's ability to read the sign. They said that's true. Ms. Warnimont asked if that one area could be blocked off then. Because there is an area that they have an opening in order for people to pull into a drive right alongside Bed, Bath, and Beyond. Would that be closed off then. Mr. Terrace said blocked off what area. Talking about blocking which area. Ms. Warnimont said you know, from the service road there is an opening right alongside Bed, Bath, and Beyond. Mr. Tennenbaum said are you talking about right here. Ms. Warnimont said no, come up. It's right there. There you go. Right there. Could they block that off so people could not use it, or that would be more of a problem. Mr. Tennenbaum said he thinks it also serves the employee parking. Ms. Warnimont said if they are trying to keep the pedestrian or the regular people from going in there and leave it for just truck traffic.

Mr. Schaller said the front entrance of that store is on the north elevation, not on the east elevation, and wondered if that was correct. The response was the entrance is on the north elevation. They do have elevations if they would like to see them. Mr. Black said are you saying the employees would come in that entrance to the back of the buildings to park. Mr. Black asked are they coming in through there. Mr. Tennenbaum said they will be using the access on the drive. Mr. Black said they won't be coming in off Thompson Road. Mr. Tennenbaum said they will restrict it.

Mr. Black asked Mr. Terrace how he thinks it is going with the city. Mr. Terrace said good. Mr. Black said the access road. Mr. Terrace said the access road was a headache. At the preliminary meeting that they had with them it was not part of the approval. In fact, it was eliminated. So he is trying to work with Mr. Theiland on what the approval process is to put it back on. And now that he has done the circle and talked to everybody that's involved, he thinks he has gotten good feedback, and he thinks everybody is getting on the same page as far as supporting the driveway. They need to finish their traffic study and go back. He thinks their next meeting with them is December 28th. Mr. Black said and the parking areas, they have to put more landscaping in. That's not going to create any hardship. Mr. Terrace said in fact, the landscaping plan that they have now exceeds the code for both municipalities. Mr. Black said and yet does not affect their parking. Mr. Terrace said no. Mr. Black said the excess parking. Mr. Terrace said they have more parking than they need. They think they are in good shape. Mr. Black said so they expect to be on schedule. Mr. Terrace said he expects to be on schedule. Mr. Black asked him when they expect to come back to the commission, in December or January. Mr. Terrace said he thinks it's

going to have to be January before they can come back for final approval from the township.

Mr. Black deferred to Mr. Garn. Mr. Garn said two different things. He said the trustees looked at these drawings this morning, and they gave their, he will call it, unvoted approval as a safety measure. Then in talking to Mr. Steiner, he said when this is done as a lot split, then the ultimate authority will be the township ZC as to allowing the driveway in the back.

Mr. Black asked if any of the members had any other questions. Mr. Schaller said where that drive comes out, the service drive, that area just to the south there is kind of a triangular shaped piece of property. What will they do with that. Mr. Tennenbaum said this area here. Mr. Schaller said no, that's the detention pond. The area as it continues. The comment was made, right here. Mr. Schaller said yeah, is that part of their parcel. Their response was that's not their property.

Mr. Black asked if there were any other comments. He asked Mr. Terrace if there was anything else he would like to share with them. Mr. Terrace said they are making good progress. He has a signed Best Buy lease. Bed Bath and Office he expects to have signature copies next week. So that should give him the three tenants. They will build just the three. He does not have anybody else. Marshall's is the other one that he is waiting for. They have had several soft openings, so he has not gotten a commitment from them yet. He is talking to a number of other parties, he just does not have anybody to announce yet. Mr. Black said they will plan to see them in January. Mr. Terrace said yes. Mr. Black thanked them for updating them.

INFORMAL SIDE PLAN REVIEW OF THE BEXFIELD BUILDING. Brian L. Romp would like to build a commercial structure at 7212 Avenue Road. Larry D. McCreery, PE, will discuss the new configurations.

Brian L. Romp addressed the commission regarding this informal site plan review. He told the commission that he talked with Mr. Garn. It appears that they have submitted a fairly deficient original site plan review submittal. Some fairly simple items, some that require some more detail. What he wanted to do was identify really one minor and/or major change depending on how they look at it regarding the layout of the structure.

As of the previous conceptual submittal, they are planning to work within the zoning requirements and lay it out requesting no variances, going with the required setbacks, frontage, and so on. The difference on the submittal versus the conceptual when they were here a few months ago was originally they had a single dock on the southwest corner of the building facing 795, and there were some constructive comments on that as far as aesthetics and some other issues. They have changed that to moving the docks and putting a double dock slip on the backside here. Based on their familiarity or unfamiliarity with the lot, the parcels, it's a very difficult piece of property to work with

based on some of the limitations east/west. So based on this layout, they are able to achieve the proper turning radiuses to get the 53 foot trailers and/or city delivery trucks in if need be. Their business is not a truck heavy business, but they do need to seek deliveries periodically. So that is the major change.

The plan still is to construct a 12,000 square foot building, opportunity for a future building on the northwest corner of the property. Mr. Black asked what is your business. Mr. Romp said they are into material handling, loading dock equipment, in-plant equipment, and just a variety of door dock type products. They will have a show room, a working show room. They are headquartered in Cincinnati, but they have locations in Toledo, Dayton, Columbus, Cincinnati, Washington, and Louisville. Three of those facilities they have functional show rooms, and that's their plan here, a combination of office, show room, and warehouse.

Mr. Black said the ditch that goes through there, what's the slope on that. Mr. Romp said on the detention ditch, and Mr. Black said yes. Mr. Romp said without going back and studying the elevations, he believes it was a ballpark of two to three feet below grade. It's a landscapable, as in the idea to have cuttable, mowable, but a pretty gradual grade. Off the top of his head he can't tell them exactly what that grade is off of the driveway. Mr. Black asked if all their drainage is going into that ditch, all their roof drainage. Mr. Romp said yes. Mr. Black said and surface drainage, and Mr. Romp said yes. Chief flow is this way. So everything is coming into this area. Mr. Black said and to have drainage, the engineer that did this, is he a civil engineer. Mr. Romp said Mr. McCreery is who they partnered with on this, and he is a structural engineer. Mr. Black said one of their requirements is that a civil engineer review the surface water. Mr. Romp said with the feedback they got from Feller Finch, that's the glowing area where they need to provide more data and details. He thinks unless he is misreading the feedback he got from Mr. Garn late last week, that's where they need to firm a few things up.

Mr. Black asked if there were any comments. Mr. Schaller said he is not sure it's the final design, but he has a foot of slope he believes from the beginning of that ditch all the way out to the front. So they have quite a distance for only having a foot of slope on there. The other thing is is that what they are utilizing as detention. So in the heavy rainfall he assumes that's going to be metered out. If that full of water. Is that a maintenance issue. And the adjacent property there, he believes there is a swale there. So although this is only however deep it is, the existing property is built up 3, 4 feet, so in effect it's a deeper ditch. That looks like a little bit of a challenge, especially if they are going to just try to surface drain to that and then have that drain out. That's a challenge for the site, he guesses. Is the intention to build their commercial facility there, and what do they do with the house and the garage.

Mr. Romp said right now they don't have any firm plans with it. Depending on where this goes, they really have not confirmed anything up with it. One of the interesting

questions from the Feller Finch commentary was what do you plan to do with the existing residence and garage, or have they applied for a zoning variance, which he is assuming he is saying they would apply for a variance to revert this back to R-1 he is assuming is what he was asking, since this is R-1, this is R-1, and this is R-5. So right now they don't have any firm plans on that.

Mr. Schaller said but you have a single parcel, and you have commercial and R-1 on the same parcel. The response was right. They actually have two parcels. Two parcels here. Mr. Schaller said oh, there is now. Mr. Romp said yeah, two separate parcels. Mr. Schaller said if that was the case, they would have a property line or something like that showing there, and Mr. Romp said correct, which isn't one of the notes on here is it's not noted, the parcel separation line. That's something that needs to be noted. It's actually in this area, Mr. Schaller, between the two parcels.

Mr. Black asked him if he feels they had enough guidance with Feller Finch to make the changes necessary. Mr. Romp said he had his eyeballs on this sometime Thursday, kind of late in the scenario, and somewhat delegated some of this to some other people. There are some very simple things on here that they did not furnish that they need to furnish. But overall he had a couple of preliminary conversations with Mr. McCreery, and they will have to get some other people involved. There are just a couple things on here that he discussed with Mr. Garn earlier were issues relating to the terminology. It was asking for ODOT approval of the driveway permit. They have talked with ODOT, they have shown them their requested curb cut area, and he does not know the person they did that with, but it's been done. They don't have anything firm, so it goes back to the idea of a permit. Do they just need something saying that this has been discussed and preliminarily approved conceptually. Obviously they would not apply for a permit until they were further down the road.

Mr. Black asked Mr. Garn what would be the requirements on that. Mr. Garn said on that they don't have to have that permit for them, but they would have to at least apply as giving them a clue on the areas that they need to look at.

Mr. Schaller said just being familiar with somebody else trying to look at that property, he thinks they are aware of it that ODOT (end of side one) that there were some things to address the access in on and off the road, and they were talking about a service drive. A relatively complicated kind of approach to it, but certainly not just a direct drive off, especially when you see that they were anticipating using that with semi traffic and that type of thing for probably both access in and then coming out. Mr. Romp said the way it was presented to ODOT was their intention was a single direction from the east entrance presentation to them, and they had no discussions regarding any median cuts or anything. He thinks that came into play with some of the preliminary people that may have an interest in this property. But right now there is a median cut here. It's pretty substantial going into the restaurant area. That can't be extended. So they are basically, whether they wanted to be or not, stuck with an east

direction, which for their business is fine. It's no different than a number of other businesses on that side of 795. So with that presentation that way to ODOT, the feedback they had was positive. It sounded like they may need to get some documentation with that on the next submittal.

Mr. Black said so two of the larger issues are the storm drainage issue as well as the house. Mr. Black asked if anyone else had any other comments, and there were none. He thanked Mr. Romp.

Mr. Black asked Mr. Garn if he had any other items he would like to share with them. Mr. Garn said he has not had anything come back from Wal-Mart. They had some discussions, and evidently they are even thinking of a further downsizing of something with that store. If anything like that comes in, he thinks he will also take it by Mr. Kuhn to make sure that everything is okay, because it's something that normally could be handled administratively. Mr. Black asked is there anything on their outlots, and Mr. Garn said no discussions on their outlots, no discussion on the gas station or anything like that. The signage was supposed to come in, and they are holding back. He thinks they are still working also with the city going back to them to try and work this out. But now this is the second downsizing as far as he can tell without seeing anything. They have not seen anything at all, just verbal discussions. Corporate decisions as they had with Lowe's years ago when they kept changing their store.

Mr. Black asked if he had anything else he would like to share with them. Mr. Garn said just so the other members know, he took it to the trustees this morning about they had an application for an alternate, and they said that they would rather wait until next Monday to vote on that at the public meeting. So they had the one person that was interested. Mr. Black said so they should have their second alternate by the next trustee meeting. Mr. Garn said right, and that he may even ask that they approve them for additional months because the year is just about over. So he did not look to see who is coming up this next year. Mr. Black said he was not sure which one of them is up. He asked if anyone remembered. Ms. Warnimont said she did not have the book with her.

Mr. Black asked if there were any other comments from any other members. Mr. Garn said the only other comments he might make are like what Mr. Wilson was trying to get across, that Welded Construction, that he had everything to them. But he thinks both Mr. Kuhn and he thought that things were going to be a lot smoother and quicker and easier, and it just did not prove that way. So things got down to the last minute before the last meeting, and he was trying to comply with everything that he could, it just did not quite work out. He was very good at trying to get everything to them. He is a very efficient person on that.

Mr. Black asked if there was a motion to adjourn. Ms. Warnimont moved with a second by Mr. Benavides to adjourn. All members were in favor, and none were opposed. The

motion carried. Mr. Black asked what the next date is and asked Mr. Garn if he had a calendar. Ms. Warnimont said the 11th. Mr. Garn agreed. Mr. Black said he would see everybody then, and he asked if everybody could attend on the 11th. The meeting was adjourned at 6:57 p.m.

Respectfully submitted,

Grant W. Garn,
Recording Secretary