

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

ZONING COMMISSION MEETING
March 10, 2008

The Perrysburg Township Zoning Commission held a meeting on March 10, 2008. Robert S. Black, Chairman, asked Mr. Garn to do a roll call. Grant W. Garn was also present. The meeting was tape-recorded. The meeting began at 6:00 p.m.

MEMBERS PRESENT: Robert S. Black, Jeff Schaller, Carol Warnimont, John J. Benavides, Arthur Rometo, and Ronald M. Hanna was present in the audience.

MEMBERS ABSENT: Jeffrey Normand.

APPROVAL OF AGENDA: Mr. Black said for their agenda this evening, they would like to move Item E, informal review for proposed zoning change to the Henry Farm, to the top of the agenda after they approve the minutes. He asked if there was a motion to approve the agenda subject to that change. Mr. Schaller moved with a second by Mr. Benavides to approve the amended agenda. A roll call vote was taken. Yes votes by Mr. Schaller, Mr. Benavides, Ms. Warnimont, Mr. Rometo, and Mr. Black. Motion carried 5-0-0.

APPROVAL OF THE 2/11/08 MEETING MINUTES: Mr. Black asked is there a motion to approve their February 11th, 2008, meeting minutes. Ms. Warnimont moved with a second by Mr. Rometo to approve the minutes. A roll call vote was taken. Yes votes by Ms. Warnimont, Mr. Rometo, Mr. Benavides, Mr. Schaller, and Mr. Black. Motion carried 5-0-0.

Mr. Black said at this point they take comments from the general public, and he asked if there was anyone present who would like to make any comments. He said seeing that there were members of the public, but there was no one present who wanted to make any comments, they moved on to the next item on the agenda.

INFORMAL REVIEW FOR PROPOSED ZONING CHANGE TO THE HENRY FARM.

Gary A. Yunker of Timberstone and George Oravec of OCES would like to discuss the proposed amendment to the present zoning on the Henry Farm. They will also be applying to the BZA for Conditional Use (Multi-Family) on the R-4 part of this property. Your comments and guidance would be appreciated.

Gary A. Yunker addressed the commission regarding this informal review. He told the commission that he appreciated them moving this up on the agenda. He has another

zoning meeting at 7:00, and Mr. Oravec has another zoning meeting he thinks in Monclova. So he appreciates that.

They are here to discuss the project before them which is one that they had gotten rezoning on for the majority of the property a few months ago, and they are back to he guesses supplement that with the addition of the hatched area there which is almost 5 acres. 4.86 acres to be exact. They are doing this because they are adding this parcel because it was a portion of the R-3 that is not affected by the rock that they found when they did the subsurface investigation on the 65 acres of the R-3 to the east, and they have the Kimmelman Group out of Cleveland that is interested, and has the balance of the property under contract, and now has this subject parcel also under contract to do a multi-family development. The addition of this would add about 5 percent he guesses to the zoning parcel that they are requesting both originally and in conjunction with this parcel. They think that the addition of this parcel would take them to the rock ledge that is along the east property line of this five-acre parcel, and they would, he guesses, ask for, ultimately when they come before them, to approve this. They plan to extend the East Compass Drive as part of this project, and also for the future development of the multi-family out front that was previously rezoned all the way over to Lime City Road to allow for prudent traffic access management by having a frontage road that would connect the boulevard to Lime City Road and give them the access for both the residential development and the future commercial development. He thinks, as the write-up mentioned, they will be applying to the BZA for the multi-family use in the R-4 district which is a requirement of the R-4 zoning. And if they are successful with their application to the BZA, they would come back with a preliminary site plan for discussion with this group before they do engineered plans to have an informal review of that site plan.

Mr. Black asked Mr. Yunker to share with them where in his map on the left the map on the right fits in. Mr. Yunker said sure. This would become the multi-family parcel here which would be this. Mr. Black said and the shaded area is the additional. Mr. Yunker said yes, this is. Originally they rezoned the parcel that was a little irregular. Mr. Black said correct. Mr. Yunker said, and the reason they did that was just because this was, and at the time they obviously did not know the rock conditions that existed, but the ledge kind of runs about like that right down the parcel. So while this parcel is affected, they think ultimately they can develop that commercially. But residentially it's almost impossible based on the fact that the rock is within in most places no deeper than 2 feet in that 65 acres. And so this part of the ledge is pretty much right here. This is developable for residential to run the necessary utility lines, so they would like to include that in the R-4. Previously it was in the R-3 section.

Mr. Black asked, is all of that land the only part that's R-4, or is there more R-4 still there. The current part is R-4, and then they want that extra 5 percent. Mr. Yunker said this is all R-3 right now. Mr. Black said right. Mr. Yunker said yes. All of this is R-4. Mr. Black said right, is there any other that's R-4, and Mr. Yunker said no. Mr. Black

said okay. That's what he wanted to make clear. So there is not another portion of this property that's R-4 also. He forgot what they did. Mr. Yunker said only this little piece right here which is part of that. Mr. Black said it is. Okay. Mr. Yunker said that was made R-4. Mr. Black said so they are not looking to expand. There will be no more R-4 on the Henry property, the so-called Henry property than what's already there plus that shaded area. Mr. Yunker said plus the 4.68 acres. Mr. Black said now will they be requesting R-4 at some time in the future for any of this property, and Mr. Yunker said no. Mr. Black said so this is the extent of their expansion of R-4, and Mr. Yunker said this is the extent. Correct.

Mr. Black asked if any of the members had any comments. Mr. Schaller said he guesses at the time, if he recalls, that it was somewhat undecided what the R-4 would ultimately consist of. And so at this point in time this is the concept right now that Kimmelman has as far as how that will be developed, and Mr. Yunker said yes. Mr. Schaller asked if he could explain that a little bit what the thought is there. Mr. Yunker said well, it's similar to the project that they did off of 795. Mr. Schaller said the one by Walgreen's, and Mr. Yunker said yes. Mr. Schaller said okay. Mr. Yunker said he thinks as was mentioned before, and Mr. Oravec is in the process of working on their site plan right now, so he does not have a lot of that, but it will have green area and mounding. And other than that, the units will be somewhat similar, but he thinks the finish of them will be an upgraded décor from the previous project. Mr. Schaller said, now are those units for sale, or for rent. Mr. Yunker said no, they are for lease. Mr. Schaller said okay. Mr. Yunker said it's a product that they have been successful with in pretty much northern Ohio, all the way from Cleveland over this way. They have a couple projects in Findlay.

Mr. Black said, and this would be joined up with the entire property, these people, and Mr. Yunker said just for the residential portion, or the multi-family portion. Mr. Black said okay. Not all the property. That's where he was confused. Not all the residential is them, only the R-4. Mr. Yunker said only the R-4, and this parcel now has pretty much been decided that that cannot be developed residential. Mr. Black said okay. Mr. Yunker said the other 65 acres that would take them from here, that's about 65 acres. Mr. Black said, and that's the R-3, and Mr. Yunker said that's the R-3. Mr. Black said they did R-4, R-3, and then commercial, and Mr. Yunker said that's correct. So this will not be developed. He can tell them that based on the rock, it's been determined that it cannot be developed residential.

Mr. Schaller said, and if it's not developed residentially, what's the thought there. It's R-3 now. Mr. Yunker said well, there is interest from the township about looking at it for parkland, a portion of it, or all of it. Those are talks that they are kind of facilitating, the Henrys and the township to get together to talk about what's best. They don't know yet, but he knows that they are working on a little piece here that will accommodate the police and fire project that they have going.

Mr. Black asked if that was complete. Is that transaction complete. Mr. Yunker said its pretty close. It will be complete shortly. Mr. Black said okay. They have a site plan they are reviewing later. Mr. Yunker said they have an agreement. Mr. Black said okay. Mr. Yunker said yeah, they've got an agreement. They are just working on documents right now. Mr. Black said this is the first time they have talked to their side of the transaction. That's why it's nice to know, because it's on the agenda for later this evening. Mr. Yunker said okay.

Mr. Schaller said, is it Compass Drive he mentioned. Mr. Yunker said East Compass is what right now had the boulevard, and has been, he guesses, committed to about 1,200 feet in the Miller property. Miller Diversified. From there to here they have worked out an arrangement with Mr. Miller and Rossford to figure out how to get at least the utilities over to that point, and the right-of-way which has been agreed to be dedicated to that point. Then they would be taking it from here to here, and doing a tiff on that portion of the roadway. And that would give them a connection from the boulevard here to Lime City Road.

Mr. Black said so that access road would go all the way from Lime City to Simmons Road. Mr. Yunker said all the way to Simmons you could go. Mr. Black said he guesses maybe even beyond, because it goes to Wal-Mart. Mr. Yunker said well, it actually goes across the Wal-Mart, middle of the Wal-Mart, and out to 20, yeah.

Mr. Black asked the members if they had any other comments, and there were none. He then asked Mr. Garn if he had any comments, and he said no. He said he has taken the zoning change application down to the WCPC so they could have that at their next meeting. Their meeting is April 1st, so coming back here April 14th.

Mr. Black said so what would they like to present to them a month from now. He mentioned about not having engineered drawings yet or whatever. Mr. Yunker said that would be after it comes out of the BZA, they would be back here with a site plan that would be more than probably this, but would not be fully engineered until they had discussions. Mr. Black asked, when are they planning to go to the BZA. Mr. Garn said that would be April 15th. Mr. Yunker said that would be April 15th. Mr. Black said that's the night after, and Mr. Garn said the night after the meeting here. Mr. Black asked him if they answered all of his questions. Mr. Yunker said yes, he believes they have for now, until they get into the site plan. Mr. Black asked if there were any other questions, and there were none. He then thanked Mr. Yunker, and Mr. Yunker said, you bet. He thanked them very much for accommodating their request. Mr. Black said you're welcome, and they were glad to do it for him.

SITE PLAN REVIEW FOR PERRSYBURG TOWNSHIP FIRE AND EMS ADDITION, SPR-2008-01. Perrysburg Township owns the property at 26711 Lime City Road. They would like to build a new fire and EMS station on the north and west sides of the police building. The police department would like to build an addition to the east side

of the building which fronts Lime City Road. Jeff Waldron, PE, of the Mannik & Smith Group, is doing the site engineering work, and the Vetter Design Group is the architect for the project. An independent engineering firm is reviewing the plans and checklist for compliance. His review and memo are attached. Our fire inspector has also reviewed this submission, and his compliance review is attached.

Jeff Waldron addressed the commission regarding this site plan review. Mr. Black asked Mr. Waldron to come up to the microphone to record what he is saying so they can get it transcribed. Mr. Waldron said they had an informal meeting before the planning commission to discuss this. Since then, with the exception of he thinks they discussed about pulling the ponds back a little bit. They have done that since then. And they have met with the fire department and made a few minor adjustments to a hydrant, although he does not know if that was there the last time they saw the plans or not. But with the exception of that, it's pretty much the same thing they presented the last time.

Mr. Black said as they heard from Mr. Yunker, the property transfer is in the process. Mr. Waldron said yes, it's in the process. He is not sure where it is. Mr. Black asked him if he could show the commission where that property is on this. Mr. Waldron said yes, there is actually a line right here that goes to it. It's a 50 foot strip off of this side, and 50 foot strip off this side. Essentially all that is used for really is green space and some detention area. Mr. Black said, and that's the part that they are going to have the transaction with Mr. Yunker. Mr. Waldron said yes, that's what they will need. Mr. Black told him to go ahead, and that he was sorry that he interrupted. He just wanted to clear that up while Mr. Yunker was still present. Mr. Waldron said no problem.

Mr. Waldron continued said since that time, they have also met with the engineer, went over the plans with the reviewing engineer, and he believes at the time they have resolved all his issues. He has not got the letter back yet confirming that, but the meeting they had, he believes they have resolved everything with the exception of the property transfer. Obviously that was one of the issues. With the exception of that, it's pretty much the same as what they saw before.

Mr. Black asked him when they expect to start the project. Mr. Waldron said they had a meeting last week to discuss the finances. He has not seen anything from that to affect their plan with the site work portion of it. So he believes that still at this point is going pretty well. He knows that they would like to, at the end of the month, start getting things moving. At least go out to bids and things. He believes in the next week or so they would like to get a bid out. So he is not sure if they still have planned for that, but that was the intent initially.

Mr. Black asked if there were any comments from the members or Mr. Garn. Mr. Garn said no, he thinks they have complied with everything. Mr. Black asked if there was a motion to approve the site plan. Mr. Rometo moved with a second by Ms. Warnimont

to approve the site plan. Mr. Black asked if there were any other comments, and there were none. A roll call vote was taken. Yes votes by Mr. Rometo, Ms. Warnimont, Mr. Benavides, Mr. Schaller, and Mr. Black. Motion carried 5-0-0. Mr. Black said thank you to Mr. Waldron.

SITE PLAN REVIEW FOR AMERICAN ROADHOUSE PATIO, SPR 2008-03. Jeff Bollin has opened up the American Roadhouse at 27096 Oakmead Drive. He would like to add a patio area to the front of the existing building. This is in an area where Mr. Beefy's had temporarily started a fenced patio years earlier. An independent engineering firm is reviewing the plans and checklist for compliance. A copy of his review is attached. Our fire inspector has also reviewed this submission.

Jeff Bollin addressed the commission regarding this site plan review. Mr. Black said just a second to Mr. Bollin. They were waiting on Mr. Garn. Mr. Bollin said he figured that. Mr. Bollin introduced himself to the commission. He said that's what they had planned is to put a patio on the front of the building at 27096 Oakmead Drive. Mr. Black asked Mr. Bollin if he had the letter from Feller Finch dated March 4th. Mr. Bollin said he got it today, yes. He sent it over to them. Mr. Black said okay. He talks about 5 points. He wanted to make sure he had seen that one. Mr. Bollin said he just received it and read it over very quickly. Mr. Black asked him if he had it with him. Mr. Bollin said actually it's out in the car, and wondered if they had another copy. Mr. Black said he did not know and asked Mr. Garn if he had any comments. Mr. Black gave him his copy thinking he might want to have it to make reference to it. Mr. Bollin said all right.

Mr. Garn said other than the decisions about the parking area, that's a problem. And, you know, always thinking about the neighbors with noise. Mr. Black asked him if he had any comments on the parking issues. Mr. Garn said it's an interesting thing because they have the two different restaurant classifications, and it's somewhere in between. Definitely not a drive-in restaurant, but he does have a lot of the things that apply to that. And he believes the previous tenant had some type of relationship with some of the other businesses in the area for parking for overflow. Mr. Black asked if any of the commission members had any comments. Mr. Garn said he had one additional comment. The fire inspector did not need to do anything because the doors that go out to the patio were not exit doors. Because of that then, he did not have to worry about the ingress, egress out of the fenced-in patio area.

Mr. Black said the last time they did talk a little about the landscaping job, and that was one of the comments, comment number 5. He asked if Mr. Bollin was planning to submit, and Mr. Bollin said, any more landscaping. He said well, the landscaping around the building is already all there. Mr. Black said that's what he was wondering why this comment is here. Mr. Bollin said he figured that the gentleman was not really aware of what was already there. That's the only reason why, he just was not really aware of what's going on. Mr. Black said because these are the plans he commented on; right. The one submitted February 19th. Mr. Bollin said right. He might be looking

at it as they are doing something to the rest of the property, and they are not. All they are doing is adding this patio. So maybe they were just looking at that, and bringing it aware to them in case they needed to do something about it. And he figured when he read it, well, that's already been done, you know. They are just going to maintain the present landscaping and add these four shade trees across the front.

Mr. Black asked, is there a motion to approve the site plan application. Ms. Warnimont said Mr. Garn had a question. Mr. Garn said he thinks he probably brought that up because once you get into site plan review, you open up Pandora's box again. And so there are times that if they wanted to require additional landscaping, or landscaping in the parking area, there are different things like that that are newer requirements that they could probably force them to do that. So he is very thorough in going through everything.

Mr. Black said okay, and thanked him for that. He then asked if there was a motion to approve the site plan. Ms. Warnimont said she had one question to Mr. Garn. The one classification, the first one he mentioned, what is the parking requirement in that one. Is this at all close or not. Mr. Garn said the one, yes, he is. Ms. Warnimont said what, the first one, restaurant, other establishment for sale and consumption. Mr. Garn said right, he has more than adequate parking for that. And that's on a square footage basis. And he thinks that's probably what they showed on their plans as to the parking spaces required, the number provided, and that classification probably did not anticipate the patio areas and things that are mentioned in the other classification. So those are the areas where the zoning book needs some clarification. Mr. Black asked Ms. Warnimont if that answered her question, and she responded yes, it does.

Mr. Black asked, is there a motion to approve the site plan application. Ms. Warnimont moved with a second by Mr. Benavides to approve the site plan. Mr. Black asked if there was any other discussion, and there was none. A roll call vote was taken. Yes votes by Ms. Warnimont, Mr. Benavides, Mr. Rometo, Mr. Schaller, and Mr. Black. Motion carried 5-0-0. Mr. Bollin asked if he was all set, and Mr. Black said he was all set. Mr. Bollin said thank you very much. Mr. Black told him to carry on. Mr. Bollin said to stop in. Mr. Black said okay. Will do.

Mr. Black asked if Mr. Garn had any other comments. Mr. Garn said he just included a couple of handouts on the tennis center that is going to finish their engineering on the project, so that they will be here next month. They have preliminary approval from the City of Perrysburg, but they have not turned their engineering also into the City of Perrysburg. The other, he just put that in about the wind turbine that was put in The Blade. Mr. Black asked when was that in, the last 2 weeks. Ms. Warnimont said yes, not too long. Mr. Garn said it was in The Blade. And that was just sort of talking about some of their zoning changes out there on the different townships. They did approve an application a few weeks ago for a wind turbine out on Thompson Road. It should be about 50 feet high.

Mr. Black said it was mentioned at one of their prior meetings, either January or February, about making some changes to their resolution and present it to the trustees. Mr. Garn said right. And he is still working on that and a few other things with the trustees, because of all the documentation that they want and everything scanned. They want to do a lot of things in the office, and they keep talking about the comprehensive plan and the zoning book. Mr. Black said so they are still trying to get their arms around exactly what they would like to do. Mr. Garn said all what they would like to do, and who they would like to do what. Mr. Black said okay. Mr. Garn said it's sort of up in the air with them. Mr. Black said and Speedway is still working with the trustees, and Mr. Garn said Speedway is still working with the trustees trying to work that out.

Mr. Garn said the Perrysburg Market Center may have another tenant coming in. Wait and see. They may be coming back for some additional square footage at some point. Mr. Black said additional under-roof square footage. Mr. Garn said yes. Mr. Black said in the area between Market Center Drive and the back of the property, and Mr. Garn said no, just in that area where they are building the buildings, there is a big vacant area between the Best Buy. Mr. Black said okay. Mr. Garn said of course, they have a few different prospective tenants and different square footage requirements, so they may be coming in for some changes there.

Mr. Black asked if there was anything else on the horizon that he is aware of. Mr. Garn said no, things are commercially still pretty good and viable. Mr. Black said okay. Mr. Garn said to Mr. Hanna, you're in the commercial end. Mr. Hanna said it's picking up. It's busy right now. They are pretty busy. Mr. Schaller said you get a little discouraged if you listen too much to the media, but that's not necessarily what they are seeing. Mr. Garn said right. And he thinks there is a big difference between housing and commercial. It was commented yeah, there is a tremendous difference between them.

Mr. Black asked if there were any other comments. Mr. Schaller asked if they saw the effort of the Neiderhouse road residents, the bid on the ballet has failed, and he asked if that was right. Mr. Garn said yes, just from when he was at that meeting, evidently there were problems with their petition. And there were three different problems with it, and so the recommendation from the prosecutor's office was that they not send it on or recommend it. So he is not sure what will happen or not. He has not talked to any legal counsel. Mr. Black said they have a thirty-day period; right. Mr. Garn said well, the thirty-day period is over. They had 30 days in which to turn in the petition, and Mr. Black said which they did, but then that was defective. Mr. Garn said that was defective, and so he believes that's it. He does not think they can come back, but he does not know if there is anything else they can come back with. He is sure they have some legal counsel working with them. He is just neutral on the whole thing. He will just sort of see what happens. But at this point he has not changed the zoning map at all. He will wait until legal counsel says it's okay to change it, if that's what they want him to do.

Mr. Black asked if there were any other comments, and there were none. He asked if there was a motion to adjourn. Ms. Warnimont moved with a second by Mr. Rometo to adjourn. All members were in favor, and none were opposed. Mr. Black said the meeting is adjourned. The meeting was adjourned at 6:26 p.m.

Respectfully submitted,

Grant W. Garn,
Recording Secretary