

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

ZC MEETING
May 11, 2009

The Perrysburg Township Zoning Commission held a meeting on May 11, 2009. Robert S. Black, Commissioner, called the meeting to order. 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 Ronald M. Hanna.

MEMBERS ABSENT: Jeffrey Normand.

APPROVAL OF AGENDA: Mr. Black asked if there was a motion to modify the agenda. Ms. Warnimont moved with a second by Mr. Benavides to modify the agenda. Mr. Black said the modification is to add the February, 2009, minutes, to table that for another month because they don't have the minutes yet, and Mr. Garn said right, and Ms. Warnimont said right. That's correct. Mr. Black said with that change in the agenda, is the motion to approve the agenda. Mr. Schaller said he would so move. Mr. Black asked for a second. Mr. Benavides was the second. Mr. Black asked all in favor say aye. All members said aye. Mr. Black said all opposed, and there were none.

Mr. Black said the next item on the agenda is to table the approval of the February, 2009, meeting minutes because they are still not available. He asked if there was a motion to approve that tabling of the minutes. Mr. Benavides moved with a second by Ms. Warnimont to approve the tabling of the minutes. Mr. Black said all in favor say aye. All members said aye. Mr. Black said all opposed, and there were none.

APPROVAL OF THE 4/13/09 MEETING MINUTES: Mr. Black asked if there was a motion to approve the April 13th meeting minutes. Ms. Warnimont moved with a second by Mr. Schaller to approve the minutes. A roll call vote was taken. Yes votes by Ms. Warnimont, Mr. Schaller, Mr. Benavides, Mr. Hanna, and Mr. Black. Motion carried 5-0-0.

Mr. Black asked if there was anybody in the public that wants to talk to the ZC on any other issue that is not on the agenda this evening. He said seeing that there is no one in the audience, he went on to the next item on the agenda.

SUNOCO SERVICE STATION REDEVELOPMENT, SPR 2008-07. George Oravec, PE, PS, of Oravec Consulting and Engineering will be representing the owners of the Sunoco service station at 10711 Fremont Pike. They would like to redevelop their site.

It includes an easement driveway to the Holiday Inn Express. The proposed noncompliant building setbacks and variances for the landscape islands and parking spaces for the proposed new building have been approved by the BZA. The site plan is presently being reviewed by both our independent engineering firm and our township fire inspector. A copy of the engineer's report and note from our township fire inspector are attached, along with a letter from ODOT.

George Oravec addressed the commission regarding this application. He said as they discussed at the last preliminary meeting that they had on this site plan, he has appeared since then before the BZA. They have granted a variance on the two landscape islands in front of the store on the site, and allowed them to be painted islands. And also waived the one parking space that they were shy on their site plan. He has also received this evening the recommendations of prior safety inspector, Keith Feeney, who is here this evening, and they concur with this recommendation.

Beyond that, they have discussed the matter of the right in right out driveways. He did contact a member of the House of Representatives of the State of Ohio, and he contacted the Attorney General's Office. And the opinion that they granted was that as long as there is no permit required from the State of Ohio, and as long as there is no change of use, the State of Ohio can make a recommendation with respect to the curb cuts, but they cannot demand that the curb cuts be altered. The only condition that would change that recommendation is if there was a high frequency of accidents in a very dangerous situation in front of that location, and from what he has been able to find, and from the accident reports, there has not been accidents in front of that location. The majority of the accidents that occur on 20/23 are on the opposite side of the interstate and in Perrysburg where the people are coming on to the expressway, people seem to try to shoot through the line of traffic, and they have collisions in that location. There are also accidents that they have been reporting where they do the U turn in front of the Holiday Inn, the people are making the U turn while people are turning right out of the Holiday Inn driveway, and those are the primary locations where the accidents occur. So he thinks based on the opinion, the recommendations of ODOT are to be taken into consideration, but they are not mandatory. And they feel that it would be a much safer ingress and egress, especially with delivery vehicles, emergency vehicles, to leave the driveways the size that they are.

Ms. Warnimont asked if she could ask him a question. She said when he says a change, he is talking about the dimensions only, not because they are going to add the do not enter things in there. That's not going to be considered a change; right, and he said no, that's not considered a change. Ms. Warnimont said okay. Okay. Just the dimensions of the drive itself, that's the change he is talking about, and Mr. Oravec said correct. That's correct. Ms. Warnimont said okay.

Mr. Black asked Mr. Feeney if he had any comments he would like to make. Mr. Feeney said just they talked about his thought processes with that entry on Lake Vue with the

trucks, and not being able to turn them on a dime, and being guaranteed nobody is going to park in those parking areas. And having that on the east side, the island out there, and you should be able to get the trucks in with the dimensions that are on there. So then the other issues that he looked at, which once again, according to the plans, where the fuel tanks are sitting now, the underground tanks, the code calls for not to have a foundation on top of those tanks, which once again, with what's in there, it seems like it's back far enough. And then filling of those tanks, not being within 5 feet of an entrance to the building, which once again, following the dimensions that he has on the drawing that Mr. Oravec gave him, they have met all that. The chief is fine with that entry off of Lake Vue. Mr. Black said okay and thanked him.

Mr. Black deferred to Mr. Garn. Mr. Garn said he thinks what he is saying is as long as no cars park in the parking spaces, then the fire truck can get in. If cars are parked in the parking spaces, then the fire truck can't get in. Mr. Schaller said so they show the parking spaces, but they are not being able to be utilized. But you take those parking spaces into the count. It was commented right. Mr. Garn said what can he say. Mr. Schaller said then how can you count them as parking spaces then if the commitment is that they are not going to be occupied. Mr. Garn said he understands.

Mr. Feeney said when they had their talk, with the size of the trucks that they have and could have, Mr. Oravec said probably that area is not going to be utilized. And as long as they can guarantee him that nobody was parked in there so they could get the trucks in without any obstacles, then they were fine. Measuring from the road to the beginning of the yellow line, or white line, or whatever lines they are going to be at the beginning of those parking spaces, you are getting your 30 feet. And hopefully the guy is going to deliver the truck in, if you get people parked there, some people pull right up to the building, some people have, you know, 2 foot from where the end of that parking space is. That may be an issue, but until that time, like he said, 30 feet, the chief said that he was fine with those dimensions. Mr. Black said okay.

Mr. Schaller said how could you guarantee that if you show parking spaces, that they are not. Mr. Black said all that Mr. Feeney is telling them is if you take the end of the 20 foot parking spot, you have 30 feet, and he asked if that was what he was saying. Mr. Feeney said excuse me. Mr. Black said the parking spot is 20 feet deep. And so if you take your 30 foot measurement that he is concerned about from the end of the parking spot to the curb, you have your 30 feet, so you can pull in. Mr. Feeney said and if something would happen to be in the beginning of the two, entrance and exit, and the front to where they can't get in that way, and you have to come in off of 20, now will you be able to make that swing. And when Mr. Oravec and he had talked, it was kind of a guarantee that people would not park there because of the other parking spots or whatever. And that's where that guarantee about parking there came from.

Ms. Warnimont said but you could come off into Holiday Inn's parking lot, and go in to their east drive if they had to. Mr. Feeney said if they had to. Ms. Warnimont said if

they were blocking, and Mr. Feeney said right. He said when he looked at these plans, and it's not just this one, it's all of them that come across, he tries to take into account every possible situation that could happen that would interfere with them getting the trucks in. And, you know, that was the one concern, if Holiday Inn has some big thing going on where that parking lot is full, that's going to kind of stop them from getting in that way. So that's where he looks at it, and it's not just this one that is involved in the designs that come across the desk.

Mr. Black deferred to Mr. Garn. Mr. Garn said that was maybe why Mr. Kuhn, in his letter, recommended moving the building. He thinks that was one of his points, that possibility. He is guessing that's why he was mentioning that.

Mr. Oravec said when they put the truck turning radius on the fire truck, you can, in fact, get in with cars parked there. You know, obviously it would be a much easier turn if nobody parked there. Their employees will be parking on the opposite side of the structure itself. And in any particular service station of this nature, based on the code, they are way over-parked. They really don't need this many spaces. But in order to meet the parking code, they showed parking spaces in that particular area. But in any event, even if the fire truck needed to get in that location, if the two entries and exits, are the two points on 20/23 were closed, and the section on the Holiday Inn was closed, they could make that turn even if cars were parked there.

Mr. Black asked if there were any other comments from the members, and there were none. He then deferred to Mr. Garn. Mr. Garn asked if they wanted to do anything about signage for entrances and exits, and the other thing is that the ZC can determine whether the entrances are wide enough or not. But it's been mentioned about putting do not enter or some kind of signage. Ms. Warnimont said he does that already. Mr. Benavides said it shows it. Mr. Garn said okay. Mr. Benavides said do not enter. Mr. Garn said he sees those. He is not sure what size they are. Mr. Oravec said they are standard highway signs. Mr. Garn said okay. Mr. Black said it shows and marked designations and signs. Mr. Garn said right. Mr. Oravec said absolutely. Mr. Garn said because you don't need something like they had down in Cygnet where people entered the I-75 going the wrong way.

Mr. Black asked if there were any other comments, and there were none. He asked if there was a motion to approve the site plan. Ms. Warnimont moved with a second by Mr. Hanna 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 Ms. Warnimont, Mr. Hanna, Mr. Benavides, and Mr. Black. No vote by Mr. Schaller. Motion carried 4-1-0.

Mr. Black asked if there was anything else, and he deferred to Mr. Garn, that needed to be discussed this evening. Mr. Garn said no, nothing at this point other than the master plan committee. Mr. Black asked if any of the members had anything they

would like to discuss, and there was nothing. Mr. Black asked if there was a motion to adjourn. Mr. Hanna moved with a second by Mr. Benavides to adjourn. Mr. Black said Mr. Benavides was the second. Mr. Garn said he was not that quick. Mr. Black said all in favor say aye, and all the members said aye. He said all opposed, and there were none. He said the motion carried. The meeting was adjourned at 6:15 p.m.

Respectfully submitted,

Grant W. Garn,
Recording Secretary