

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

ZONING COMMISSION MEETING
July 14, 2008

The Perrysburg Township Zoning Commission held a meeting on Monday, July 14, 2008, at 6:00 p.m. Robert S. Black, Chairman, said good evening and welcomed all in attendance to the ZC meeting, and called the meeting to order at 6:05 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, Arthur Rometo, and Ronald M. Hanna.

MEMBERS ABSENT: John J. Benavides and Jeffrey Normand.

APPROVAL OF AGENDA: Mr. Black said that the people representing FedEx today are running a little late, and so they would like to move Item II B to the end of the agenda. He said with that change, he asked if there was a motion to approve the agenda. Mr. Schaller moved with a second by Mr. Hanna to approve the agenda. A roll call vote was taken. Yes votes by Mr. Schaller, Mr. Hanna, Ms. Warnimont, Mr. Rometo, and Mr. Black. Motion carried 5-0-0.

APPROVAL OF THE 6/9/08 MEETING MINUTES: Mr. Black asked if there was a motion to approve the 6/9/08 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. Hanna, Mr. Schaller, and Mr. Black. Motion carried 5-0-0.

Mr. Black asked if there was anyone in the audience who has any issues other than were on the agenda, and he said seeing that there is no one here other than agenda items, he moved on the next item.

SITE PLAN REVIEW FOR STARBRIGHT PROFESSIONAL CENTER, SPR 2008-06. Starbright Office Partners, LLC, would like to build a professional office building at the northwest corner of Starbright Boulevard and SR 795 (Avenue Road). We had last looked at this site (Price Family Clinic) on August 14, 2006. Lewandowski Engineers is working on this project. Our independent engineering firm is reviewing their plans and checklist for compliance. We hope to mail out his memo before the meeting date. Our fire inspector is also reviewing this submission.

Troy Barman addressed the commission regarding this site plan review. Mr. Black said he could go ahead if he would like to share with them their site plan. Mr. Barman said

what they are proposing is on the intersection of SR 795 and Starbright Boulevard, a professional medical office building. They have received comments back from Mr. Kuhn as far as the engineering design goes. They have submitted compliance drawings with those he's had. With the revisions made, landscaping far and exceeds requirements. He thinks he said the required amount was 5.7 percent landscaping and general parking lot. They have over 17 percent landscaping inside the parking area. They do acknowledge that there is residential to them to the north, some condos or similar type structures. They are set above them, and the lighting item shows that they don't have excessive amounts of light overflow. Most of it is at zero. They have one spot where they have .2 for candles, and it dies off pretty quickly. So they are conscious of that and the design. There is also a landscape along that with arbor vides and some other pine trees to help block out any additional light. It meets pretty much everything in their code, so that's the plan.

Mr. Black asked him if he was involved in the original application, and Mr. Barman said no, he was not. Mr. Black asked Mr. Garn if he had any comments. He responded saying no other than he may want to describe about changing parking, putting the islands in, and some of that, and how their detention ponds work.

Mr. Barman said yes. Some of the changes that Mr. Kuhn requested was some of their parking was over 12 spaces long, so they included, broke it up with some nice wide landscaped areas to get those down to 12. Made these islands a bit wider so that the spaces in between were 12 deep. Even with that, they are still at the 17 percent interior landscape area. If they notice on their landscape plan, this area over here, they have minimized landscaping over there for the future development. If they plant anything right now, and they added on within the next year, it would just be wasted area. So that's why they do see that area with minimal landscaping. They put some along the building. They understand those would get basically wasted when they do the future expansion.

The detention area, they had enough area in the frontage to do detention. They also gave it a little bit of a meander just so it would not be a rectangular detention area. So it has some feel to it. But they do meet all of the township and the EPA water quality detention requirements. They have a rear yard swale over here, and a swale along their north property line. Also a swale along the SR property line that captures all of their internal storm, so they have no storm water leaving their site. It's all collected up and is routed through the detention facility.

Mr. Black said there was a comment that it's a fairly flat piece of property. He asked if they expect the water to flow the way it's designed to flow. Mr. Barman responded saying yes. Unfortunately they will have to bring in a substantial amount of fill to bring it up and to get it to drain correctly. Mr. Black said because it's draining a long way, quite a ways. It's going down the one side and through the trees. Mr. Barman said yes. In order to help pick that up, what they did is they ran a storm sewer from this

basin right in back to here which let them then collect up this back area into that without having to have a deep swale along the way. And so you have a high point in this swale right here that breaks this way, and breaks to the north into that basically open ended pipe. Also another high point here flows this way and that way to minimize the flow. Mr. Kuhn requested that they have at least a minimum of a six-inch deep swale at the shallowest point, and that's right here, so they are at least 6 inches lower than the adjacent grade to pick up everything.

Mr. Schaller asked him how are they handling their roof drainage. Mr. Barman said the roof drainage on the front will be hard piped directly into the storm sewer underground. Mr. Schaller said so they are collecting it off of the gutters and downspouts then. Mr. Barman said yes. At the rear of the buildings, though, both to the west and to the north it will just splash on to the asphalt and go directly into the swale from there, and he has gone over that with Mr. Kuhn. But that is their intent to drain it that way. Mr. Schaller said okay. And then like where it is draining to the south, this parking area is surface drained across their landscaped area and then into a swale. Mr. Barman said if it drained across this landscaped area, and Mr. Schaller said no, he is talking on their landscape drawing, the landscaping they have basically along the swale on the south side of the property, that's all landscaped through there. Mr. Barman said yes, there would be a minimum amount of water going across there. They want to make sure that the plants can be able to handle that. Most of the water will be coming this direction. The building drainage would all come off this way, the building draining would not go to the south. Mr. Schaller said but the surface water from the parking lot would drain that way. Mr. Barman said yes, and the high point for that is just this 18 and 25 foot strip. So they would only be getting this area of water going across. It won't be the entire parking area.

Mr. Black said they received a letter from their engineers that said they have complied with all the issues they had in their July 8th letter. Mr. Barman said yes. Mr. Black said there was an item here, item 2 that says a set of site plans shall be reviewed by the Perrysburg Township Fire Chief for the location of hydrants and other related fire equipment items. Comments from the fire chief shall be included in the approval of the ZC. He asked if that still needs to be done. Mr. Barman said yes. To his knowledge, the fire chief has not commented on the plans as of yet.

Mr. Black asked if there were any other comments that the members or Mr. Garn had, and there were none. Mr. Black asked if there was a motion to approve the site plan, and that approval would be subject to the Perrysburg Township Fire Chief's review and approval of all fire related issues. Mr. Rometo moved with a second by Ms. Warnimont to approve the site plan with that condition. 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. Hanna, Mr. Schaller, and Mr. Black. Motion carried 5-0-0.

Mr. Barman said thank you. Mr. Garn said he did have one request. He put a set of their plans down here at the end, he thinks, and if he would just sign them and date them with today's date. He did not have any time to put any lines on there. And there may be the one set, the master set that they had sent, the different one, and then the thinner one. Mr. Barman asked him if he wanted both of them signed, and Mr. Garn said yes. Then they know those are the ones that they looked at.

Mr. Black asked him to please remember that they need the approval from the fire department chief. Mr. Garn said he had already given him a set. He has not given him the latest set that just came here today, but he will give them to the fire inspector. There is actually a fire inspector for the township. And he will review them. Because he may want them to place a fire hydrant somewhere, and he does not know where. Mr. Barman signed the plans.

Mr. Black asked Mr. Garn if there were other items he would like to discuss. Mr. Garn said sure. He had a meeting with the trustees this morning, and he did bring up both about the zoning book and about the comprehensive plan. And on the comprehensive plan, they felt that they should use a local service. Basically they were talking about either Poggemeyer or Feller Finch. And then he did mention to them that they need to make sure that whatever is done, that it is something that would hold up in court. So there is some question as to whether a citizens' committee needs to sort of run the process, or how involved it should be, how many meetings need to be held. The different requirements. And they don't want to do a bare minimum, but they do want to do a reasonable one, but they don't want it to get out of hand. Mr. Black asked if that would be reviewed by their counsel to decide what the requirements would be to make it valid. Mr. Garn said probably. He thinks that they are looking for the ZC to give them some recommendations. That's sort of his guess of where it's going to end up. Mr. Black said he is not sure they know what the technical requirements are. Mr. Garn said he does not know either. They will talk to counsel, and he will talk to both of those engineering firms and get an idea. It was commented what are the minimum requirements, and Mr. Black said exactly. Mr. Garn said right. He thinks it's a minimum of at least four public meetings, but as to who runs the meetings. Mr. Schaller asked would those firms be able to provide some input on that, and Mr. Garn said he thinks they should give them the input on that, those two firms. Mr. Black said okay. Mr. Garn said but they may have to talk to either legal counsel or to the prosecutor's office, and he does not know which would be better in that regard. They have had Paul Skaff do a lot of things for them in regards to zoning, and that they might get a little quicker answer. Mr. Black said than going through Ms. Holmes, and Mr. Garn said yes. Things always seem a little bit slower. Mr. Black said he would expect that guidance to come from somewhere else other than from them, because he does not feel they are qualified, and he said he is not qualified to give that.

Mr. Garn said as to the zoning book, they seemed receptive, because he told them the different areas that they needed to look at, and some other things just cleaning up the

book and whatever else they need help with. There again, as to the firm, they have had Poggemeyer do it to this point. Now they have had a change. Tom Bowlus is no longer with them. And he is not really sure. He knows Randy said that he would help. And they may hire as an independent contractor Mr. Bowlus to do the actual typing and things like that, but not any of the probably working with them directly. Mr. Black asked who would they be working with, and Mr. Garn said probably with Randy Meilnik if they used them. And there again, they could use anybody else if they wanted to also, but he thinks they want to use somebody locally. Mr. Black said they have worked with them with their plan before, and he thinks that would be helpful. Mr. Garn said he thinks they would be the most appropriate firm. Mr. Black said so have the trustees allowed him to contact them. Mr. Garn said yes, he will contact them. Mr. Black said okay. Mr. Garn said but he thinks that the trustees are not always real quick to do things. So hopefully just prod them along. He knows they want to do it. They also want the comprehensive plan to do that to include the unzoned area, he thinks. He feels if it's possible, he thinks that is one thing that is a possibility. Mr. Black said well then, do the trustees have to engage Poggemeyer to do this. Mr. Garn said he thinks they will have to engage them and have a signed document, because they will be under contract. He has to give them a better idea.

Mr. Garn said he guesses that's one thing that if, as the ZC, do they have any ideas for the zoning book of what areas need revision. Mr. Black said well, the two. Obviously the PUD, they have had several discussions on that. In fact, spent quite a bit of time on that with Mr. Bowlus, and he is not sure they resolved their issues. Mr. Garn said no. Mr. Black said but they recognize that they need some changes. And then they have also had some discussion on the wind turbines, the power wind generation for power. Mr. Garn said right.

Mr. Black said to Mr. Garn that he must have a list of things that he has come acrossed. Mr. Garn said they are small things, but things that are sort of bothersome. And things that he does not know whether they need to be changed or not, but he always runs into problems with auxiliary buildings on property. They used to always have just a 5 foot rule. Most cities did that. They went to slightly larger buildings of being 10 feet away. He is not going to say that's bad, but just causes more problems for some people depending on their lot sizes. Mr. Black said well, he could put together a list of those items that he has found wrong so when they get together with Poggemeyer, they can start with that. Mr. Garn said right.

Mr. Garn asked if they have ever read the City of Perrysburg's zoning book, and Mr. Black said no. Mr. Garn said it's pretty well done. So there are other books out there, too, that he will go through and try and pick out some things that maybe would be good to look at. Mr. Black said well, the Perrysburg zoning, since they are so tied to them, and they oversee a lot of the stuff they do on 20, it seems to him it would make sense to mirror theirs to the extent they can. They already have an issue of trees in the right-of-way or not in the right-of-way depending on which jurisdiction you are

building in. Mr. Garn said a big problem there. Mr. Black said he knows. Mr. Garn said and he thinks that's something that part of that was the engineering company, Mr. Kuhn, he never realized that they have a rule about no trees in the right-of-way because everybody else did. And he thinks it was just something that went through. And he saw that at different times and never really realized a long time ago that was happening in some of those subdivisions. Mr. Black said there are good arguments on both sides really. One is an aesthetic issue, and one is a practical maintenance issue. Mr. Garn said yes. And the township trustees do have a list that has been given to them of trees that are the right type of trees to plant in the right-of-way. Their problem is a lot of people plant trees that are inappropriate. Mr. Black said right. Mr. Garn said they don't have the ability or they don't want to go cut them down.

Mr. Black asked Mr. Garn if he could share with them his list when he gets a chance because he obviously deals with it. And a lot of times he does not even know there is a problem until an issue comes up. Mr. Garn said right. They have some funny things, like people parking their cars in the front yard. They really don't have a good rule for preventing that. Just little quirking things that you start reading and trying to tell somebody well, you should not do that. Mr. Black said well, in many cases they are a very rural township. In other cases they are almost urban to some degree. And there are different rules for different areas. Ms. Warnimont asked if they were talking about having somebody put stone in front and then park a car, and she asked if that was what he was saying. Mr. Garn said no. Ms. Warnimont said or just parking them on to the grass, and Mr. Garn said just parking them right in the grass. She said she did that this weekend. Mr. Garn said he does not see a problem. Ms. Warnimont said only because she had to. She could not get into the driveway. Mr. Garn said and there are problems that they have where people say the problem areas are going to be like in Perrysburg Heights and on the Starbright subdivisions where they have smaller lots, all of a sudden they have a few kids at home, they have a lot of cars, where do you put them. They even had one in a nice subdivision where all of a sudden they had like three or four kids, and their cars were parked all over the place. What do you do with them. Mr. Black said well, it's hard to have a rule for everything. Mr. Garn said that's right. Mr. Black said some of it is common sense, but if you don't have a rule, sometimes you can't enforce it. Mr. Garn said he has one right now where somebody has got as a neighbor refers to as a junk car. It's a fairly new Cadillac that's been sitting in somebody's front yard next to the driveway for a few years. The grass is growing around it. It's not a junk car, though. It does not fit that criteria at all. If they have a brand new license plate on it, there is nothing he can say.

Mr. Black asked if there was anything else, and Mr. Garn said no, that's pretty much that. Mr. Black said why don't they just wait. It was commented that the member thought he just pulled in. There was a pause in the meeting to wait for the next item agenda presenter to arrive. There was some discussions among the members and Mr. Garn about the traffic study for Speedway, and that maybe they ought to have Mr. Rometo read it. Mr. Garn said he has a copy of it. He said the trustees said it's okay to

give draft copies to both Speedway and the Bennett property because they are the most affected. The driveway is projected now to be some 3 or 400 feet south of where Market Center Drive comes out. Because of the amount of traffic in the area and the stacking and so on, they evidently are now devising putting it directly across. Mr. Black said that's five or six houses deep, isn't it. Mr. Garn said it's about 4 houses back. He thinks they said about 4 houses, something like that. That's why they need to have some comments. The trustees need to comment on it. Mr. Black asked Mr. Garn to give Mr. Rometo a copy so he can look at it. Mr. Garn said he will try and get in touch with DGL. They are the one that has done it. His problem is he won't be able to talk to them for a few days. But when he gets back, he will try and give them a call and see about getting him a copy. Mr. Black said okay. Mr. Garn said get something to look at so they have a better idea of what they are talking about. He knows Mr. Kuhn is just starting to review it. He is going to say it's 60 or 70 pages long. And then Mr. Rometo is going to teach them all how to read these things. Mr. Schaller said 3 or 400 feet back, so does that put that across the drive from where, and Mr. Garn interjected and said where the other drive comes out, and Mr. Schaller continued that where they were complaining about the trucks. Mr. Garn said right. It does not have to be there. It's more than a couple hundred feet. So it's at least two houses back. There is a problem of they need a certain distance between T intersections that come out, and he does not know if that sounds like the right figure.

Mr. Black said to the next presenter good evening, and that they are ready for him.

MAJOR AMENDMENT TO FEDEX SITE PLAN 2008-05. FedEx is building a regional distribution center at 100 J Street in Ampoint. John (Jack) Hilbert from Shumaker, Loop, and Kendrick, LLP, will be presenting the proposed changes. The original site plan, SPR 2007-03, was approved on 9/10/2007. An independent engineering firm is reviewing the amended drawings for compliance. Our fire inspector is also reviewing this submission.

Jack Hilbert addressed the commission regarding this major amendment.

Mr. Black asked if there was a hand held microphone. He said there might be a switch.

Jack Hilbert again introduced himself to the commission and addressed the commission regarding this major amendment. He said to let him first apologize for being late. He had it on his calendar for 7:00, and he was down at the office getting ready, and thank goodness Mr. Garn called him. Mr. Black said that was fine, and they just rearranged the schedule, so they are all set. He said not to worry about it. Mr. Hilbert said he appreciated it very much.

He told the commission this is a request for a major amendment to the site plan that was originally approved last fall by this body. He met with Mr. Garn and showed him what the changes were, and he felt that it was a major one, so they are treating this as

a major one. There are approximately seven changes to the site plan. In this area here they added a swing gate. It was requested by the Perrysburg Township Fire Inspector. There was a wash building here that they have changed to a wash pad. They added 1,470 square feet of office space at this location. They have added a snow scraper area back here, a scale pit here, and added 10 trailer spaces here.

Mr. Hilbert said probably the most significant thing that they have done is to slightly move the landscaping over because they are placing an 8 foot high screen/sound wall on top of the berm that is there. They will recall there are some apartments here that the folks are located in Rossford, and then there are a couple of single-family residences. Last fall they did some testing of what the existing noise levels were. And from other hubs that FedEx has, they know and they have studies of trucks backing up, things clanging, how far noise can go out. They had some consultants they worked with who came to the conclusion that they might get a little bit of extra noise over here. The way around it was to put in this 8 foot tall sound wall. Mr. Garn sent the comments over to Mr. Kuhn, and he had requested some information which they provided him last week on the structural bearing nature of the wall and the foundations for it. He did talk with Mr. Kuhn this afternoon. He asked Mr. Garn if he followed up with him, and Mr. Garn said yes, he did. He said it will come out in the motion that he was going to review it in the next day or so. He did not have time to review it. Mr. Hilbert said okay. In a nutshell, that is what they are doing. It's been a wonderful project. And if they have watched, the construction is going by. It's just amazing. Lowell Metzger from Rudolph-Libbe is going to try to stop by, but they may be done before he gets here, and he could answer any questions for them on the construction. He will say that construction is going along as planned, and this should be opened early next summer. He asked if there were any questions.

Mr. Black asked if any of the members had any questions, and there were none. Mr. Black said he did have one question. What is overtopping. They talk about design of the sound wall so it could be determined that overtopping will not occur during high winds. Mr. Hilbert said he thinks what he is talking about is blowing over. Mr. Black said blowing over. Mr. Hilbert said Lowell Metzger from Rudolph-Libbe just arrived if they have any questions for him on the status of the construction or construction of the screen wall itself. It was asked is it being built on dirt that they are moving, or is it going to be bedded in the natural soils. Mr. Metzger said it's going to be built on top of an earth berm wall that they have constructed on site. It was comments that there are foundations underneath. The foundations go down to natural ground. Mr. Metzger said yes, there are columns that go down into the berm. The berm is 8 foot tall, and the columns go down into that berm around 8 feet, 7 or 8 feet. They don't go down to the virgin soil, but they go deep into the compact. The member commented deep enough. All right.

Mr. Garn asked him to introduce himself for the reporter, and Mr. Metzger said he is Lowell Metzger with Rudolph-Libbe. Mr. Garn said good.

Mr. Black asked if there were any other comments, and he referred to Mr. Garn. Mr. Garn said when he brought up about topping over, he probably did not know this, but the fence behind the Lowe's store did that about a month ago. As a matter of fact, it lifted the roof in the Lowe's store, it actually lifted up, but the entire fence, that privacy fence blew over, like either snapped. Mr. Black said on to their property, and Mr. Garn said on their property, yes. And so it could happen. That's probably why Mr. Kuhn wants to check the figures on this so he is sure.

Mr. Black asked if there were any other comments, and there were none. He asked if there was a motion to approve the major amendment to the FedEx site plan subject to Feller Finch approving the calculations on the sound barrier. Mr. Hanna moved with a second by Mr. Rometo to approve the major amendment with the stated condition. Mr. Black asked if there were any other comments, and there were none. A roll call vote was taken. Yes votes by Mr. Hanna, Mr. Rometo, Ms. Warnimont, and Mr. Black. Mr. Schaller abstained. Motion carried 4-0-0. Mr. Black thanked Mr. Hilbert, and Mr. Hilbert said thank you very much.

Mr. Black asked if there was anything else that they need to discuss this evening, and Mr. Garn said no. He then said to Mr. Hilbert if he could just put his name on the set of plans on the table that they approved. Mr. Black asked if they were done tonight. He asked if anyone else had anything else, and no one did. He asked if there was a motion to adjourn. Ms. Warnimont moved with a second by Mr. Schaller to adjourn. All members were in favor. None were opposed. Mr. Black said the motion carried. The meeting was adjourned at 6:35 p.m.

Respectfully submitted,

Grant W. Garn,
Recording Secretary