

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

ZONING COMMISSION MEETING  
August 14, 2006

The Perrysburg Township Zoning Commission held a meeting on August 14, 2006, at 26609 Lime City Road, Perrysburg, Ohio. Robert S. Black, Chairman, called the meeting to order at 6:02 p.m., said good evening, and welcomed all in attendance. He said the first order of business is a roll call. A roll call was taken. Mr. Garn said Mr. Benavides had called in, but he was unable to find a replacement. Grant w. Garn, Zoning Inspector, was also present. The meeting was tape-recorded.

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

MEMBERS ABSENT: John J. Benavides, Stephen J. Stanford, and Jeffrey Normand.

APPROVAL OF AGENDA: Mr. Black asked if there was a motion to approve the agenda. Ms. Warnimont moved with a second by Mr. Rometo to approve the agenda. A roll call vote was taken. Yes votes by Ms. Warnimont, Mr. Rometo, Mr. Schaller, and Mr. Black. Motion carried 4-0-0.

APPROVAL OF 7/17/06 MEETING MINUTES: Mr. Black asked if there was a motion to approve their minutes from the July 17, 2006 meeting. 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, and Mr. Black. Mr. Schaller abstained. Motion carried 3-0-1.

Mr. Black asked if there was anyone present in the audience who wished to address the commission on a non-agenda item, and there was no one.

**SITE PLAN REVIEW FOR WAL-MART, SPR-2006-06.** Wal-Mart would like to build a retail center on the NW corner of Fremont Pike and Simmons Road. They need to resolve the public access roads turn lanes at Fremont Pike. An independent engineering firm is reviewing the revised plans and checklist for compliance. Our fire inspector has also reviewed this submission. Enclosed, please find the newly revised site plan drawings.

Nick Miller addressed the commission regarding this application. He told the commission that he would like to apologize that the last time they met in July that they did not have all their ducks in a row. And he apologizes to the township, to Ms. Cranker, to Wal-Mart, and everyone else involved in this project. Everyone has put a

lot of energy and effort into this, and he wants to thank them for their patience. He also wanted to publicly thank the township's consulting engineer, Feller Finch, who really helped out this past week in reviewing plans quickly, and turning around things quickly in order to get them to the point where they could discuss with Mr. Garn early this morning that they had an approval letter from the township engineer and would like to remain on the agenda this evening. As he mentioned last time, he did not want to waste anyone else's time and come up here and not be prepared. In all honesty, he hopes they are at that point, at their mercy, and he hopes he has gotten there. So please forgive him for not doing it sooner, and he hopes they are at that point. And he would just like to open it up for their questions.

One change that was mentioned in the letter is that the name of the public road will be changed from Wal-Mart Drive to South Compass. He thinks that was the recommendation that he saw on the letter dated August 11<sup>th</sup> from David Kuhn with Feller Finch. He will open it up to any questions they may have, or if they would like to see him present on a particular aspect of the project at this point, he would be glad to do so.

Mr. Black thanked him for his comments and said they appreciate that. Mr. Black said to Mr. Garn that it appears that everything is in compliance, and the only issue which they have already said they would go along with is that Wal-Mart Drive will be South Compass Drive. That will be the name of that road. Mr. Garn said just the one item, the fire department would like to make sure that they have 5 inch Storz fittings on the fire hydrants since the township is the first responder, and that is what their department is set up for. It's part of the regulations. Mr. Miller said right.

Mr. Miller also said before he forgets, the one item that he brought up the last time that they just decided to resolve with the city was the trees were located in the right-of-way which is against the township ordinance. They have since come back to the city and said look, they have two different agencies here with a different set of rules, can you bend on your requirements, and they did. They have now pulled those trees out, so they don't have to ask for a special waiver. So they now comply with the township's requirements.

Mr. Black asked if there were any comments from the members. Mr. Schaller asked if there was anything going on with the access road coming off of 20. Mr. Miller said no, they hired DGL in Toledo to do those drawings, and they have been in touch with Mr. Kuhn and reached the comfort level so that he could write his letter. And then ODOT is proceeding along with just going through their finalization of the permit documents. They have got some permit applications at Wal-Mart for their signature, and they are expecting ODOT to release the permit probably middle of September. Mr. Schaller said so the entrance will be as shown as opposed to down closer to what's currently there now. Mr. Miller said yes. Mr. Garn said he got the call today from Mike Stormer from ODOT that the traffic impact study was being approved. He does not know, but he can

go and see if he got a fax today late this afternoon. They were going to fax it after he signed it. He asked Mr. Black if he wanted him to go check on that. Mr. Black said that was all right. They will get it later.

Mr. Black asked if there was a motion to approve the site plan with the two changes, the five-inch fire hydrant size that would match up with the township fire department as well as the name change from Wal-Mart Drive to extend South Compass and continue with the name. Mr. Schaller moved with a second by Ms. Warnimont to approve the site plan with those two changes. Mr. Black asked if there was any further discussion, and there was not. A roll call vote was taken. Yes votes by Mr. Schaller, Ms. Warnimont, Mr. Rometo, and Mr. Black. Motion carried 4-0-0. Mr. Miller thanked them very much, and Mr. Black said you're welcome.

### **SITE PLAN REVIEW FOR THE PRICE FAMILY MEDICAL CLINIC, SPR 2006-08.**

Stuart Cline and Don Kocarek of Duket-Porter & Associates would like to talk about the medical office building that they are proposing for the northwest corner of Starbright Boulevard and Avenue Road. Included are drawings of the building and layout. An independent engineering firm is reviewing the plans and checklist for compliance. Our fire inspector has also reviewed this submission.

Stuart Cline addressed the commission regarding this application. He introduced the people present with him this evening. Mr. Black asked him if he was aware that there are some issues yet to be addressed. Mr. Cline said right. They had a sixteen-item response from Feller Finch. They have addressed all the items except number 5. The EPA has asked for roof storm water to be treated with the best management practice approved by the Ohio EPA. They talked with the EPA on how they wanted to do that. They had proposed a catch basin with a sump, but they found that not acceptable, so they called EPA to find out how they wanted that addressed, and Mr. Karafa will address that.

Mike Karafa addressed the commission regarding this application. He said they called EPA on Friday. They returned his call today. The person he talked to there was not the right person. She's referred him to somebody else, and all he gets is voice mail, so he has left detailed messages with them that they want to talk about this. One of the options, a pretty expensive option, is putting scuppers on the roof drains that are filters, and they run about 1,800 bucks apiece, and there is a \$500.00 maintenance fee attached to that. So they are trying to see if there is a better way to do it. As far as the site plan goes, that's the only outstanding issue. They have turned the drawings in to Northwest, got their comments back, and addressed the township, of course. The City of Toledo water has already looked at it as well and returned their comments. Mr. Black said they do have some concerns about the storm water. Mr. Black referred to Mr. Schaller.

Mr. Schaller said he was just curious. He said one, they said these issues have been addressed. He asked how they anticipate handling the parking requirements on the site. They asked if he meant the parking spaces, and Mr. Schaller said yes. Their response was that's going to be the architect. Mr. Black said why don't they talk about the storm water issues since he is up at the podium and he is the engineer. Mr. Schaller said as he understands the drawings correctly, they are surface draining the entire site to swales. Their response was that all the pavement is graded toward the basin, the detention basin and this one. They are shared. The rest of the water is channeled around in a swale this way. This water is coming around this way. So that takes care of all the pavement. That's clean water because it's coming through the grass once it leaves the asphalt. So nobody has an issue with that. They have an issue with the roof going into some under drainage or manholes into a storm sewer. So they have water quality measurements taken for that. Mr. Schaller asked how does the water drain across the parking lot through their landscape barriers that they have there, the rows of whatever they are. Their response is it's sloped this way and this way. It's a consistent slope, so it's one and a half percent contiguous.

Mr. Black said it appears that all the storm water would run right through their mulch, and run their mulch away when it rains. They said once there is grass, no. Mr. Black said there is no mulch there around those bushes. Their response was yes, there will be mulch, but at the slope, they don't anticipate any washouts or anything like that. Mr. Black said at the top, is that the north side, and their response was north is to the top of the drawing. Mr. Black asked if those show as trees. Their response was these, and Mr. Black said no, at the north. They said that's a landscape boundary between the residential to the north. The question was what are the trees, and the response was cedar. Cedar family. Fast growing. Normally used for screening. Mr. Black said and they are one-gallon size, and he asked if that was right. Their response was those ones are one-gallon size. Mr. Black asked what does that mean. Their response is it's the bucket that it's in. Mr. Black said so those bushes are not very big. Their response was they will be 4 to 5 feet initially, but they are fast growing. They anticipate a foot a year. Mr. Black asked how tall will they be initially, and their response was about 4 to 5 feet. Mr. Black said because that's residential. They said after about 3 years they will come to about 8 feet.

Mr. Black asked if Feller Finch had issued an approval of all these issues. They say they are corrected, but they don't have that. Their response was they have the corrected drawings, and there was a discussion with Feller Finch on Friday. They can go through each item. They wanted to know if the township had been copied on this response letter. Mr. Black asked Mr. Garn if he had received any approval from Feller Finch on this. Mr. Garn said no. He got a message late this afternoon from Mr. Kuhn that he had not received any additional drawings. Mr. Black said their engineers cannot confirm what they are saying. That's one of their issues. They said okay. They have return drawings ready for him. They just needed to address this one EPA issue.

Mr. Schaller wanted to go back to the storm drainage. He asked if they have a manhole on the north side of the facility there that they pointed out, but how does the roof drain. Are they not draining to the west. Their response was the asphalt is going down. There will be piping underground. Mr. Schaller said okay. He did not pick that up on their drawings. He asked if those were shown on the site drawings. They said that will be on the foundation drawings. Actually the building. The comment was made or the roof plan would show that. Mr. Schaller said not on their utilities plan. That was just a little bit of a question. The response was they go outside the building. The vent is usually 5 feet outside the building on the roof of the site. It's 5 feet in. Mr. Schaller said so they have drainage tile on the west side. What about the east side of the building. Is that tied in as well. Their response was they would do this proposed building, this building, and then this drainage drains down this way. This comes across this way. Mr. Schaller said he was sorry, but that's not what these drawings show. It shows what he would assume are roof down spouts that drain out to the surface and then drain across the parking lot. It does not indicate any quarter tile or anything like that. Their response was that would be picked up in the building section and buried about 3 feet below grade.

Mr. Black said they are saying there isn't any roof water being drained on to the parking lot at any point, and their response was on to the parking, no. The comment was that's hard to pick up. It is not seen here on these drawings.

Mr. Black asked if any of the other members had any comments. Ms. Warnimont asked what did they decide about the second building. They were going to get with the individuals as to whether it's going to be a one tenant, two tenant, or how the parking is going to work out. Did they come up with a conclusion on that. Their response was they have discussed it. Last month they had talked about a variance based on the occupant load of the physical therapy, occupational health, and the clinic. There were some discussions where somebody had gone to PT and understood there are only 6 people in a 2,000 square foot facility, so they were hoping that 95 would satisfy the needs, or ask for that variance at this time for both buildings because both buildings will be medically oriented. Ms. Warnimont said right, but they have not decided whether there are going to be one or two tenants in that smaller building. Their response was in the smaller building there will be two tenants. Ms. Warnimont said last time they were not sure. They said right. There will be two tenants. That does not mean that there won't be one tenant. It just depends. They have had a lot of interest in the complex, but nothing has been signed contractually. They are designing it for two tenants as far as plumbing and fire sprinkler systems.

Mr. Black said he was inclined not to support a reduction in the parking, therefore not approving the second building, only the first building. He asked if any of the members had any comments in that area. Mr. Schaller said he does not know if they have seen anything to substantiate why the reduced number of parking spaces would be appropriate for the facility. They have the rules that govern that for a reason, and this

seems to be significantly over, so yeah, he does not know if he condones a reason to vary by that, that significantly of a percentage especially. Their response was they are at 95, and they require 126, so that's 36 spaces. Mr. Black said reduction, correct. What he and Mr. Schaller are saying is they can't support that. In other words, there will only be one building there instead of two. Their response was that the owner is prepared at this time to cancel the phase 2 construction if it gets into a parking situation. They have discussed it that far. 95 will satisfy the 18,000 square foot building.

Mr. Black said to Mr. Garn that he said he has not received any plans that comply with the issues, and Mr. Garn said Mr. Kuhn said he had not received any. Mr. Black said he now has received them, and Mr. Garn said no. Mr. Black said oh, he has not. Their response was no, he will have them tomorrow. They had discussed this with him on Friday. He will have his plans today. He wanted to see what today's outcome would be before they finished those.

Mr. Black said normally they would require plans that meet approval beforehand. They don't make it as a matter of practice to approve plans, and then they go back and do them accordingly. They bring the plans to them that are proper, and then they will approve them. Their response was they understand. They have those ready to submit tomorrow. Mr. Black said that comply with every one of those issues, and their response was that comply with sixteen items except number 5. They need more description from the EPA on what their best practice is for rain water management. Mr. Black said and they are saying those plans will show just one footprint, one building, and they said one building. What they will do is that building, the second building will probably be retention for the water off of the roof. That they know falls into the category of best management. They will take the down, pipe it into retention. It will filter through the grass, and then they will take it over to the structure that's existing behind the main building. Mr. Black said their plans that they are submitting tomorrow will not include the second building; correct, and their response was they will submit it back to Mr. Kuhn pulling the second building, showing retention and additional landscaping. Mr. Black said they said there will be retention where the second building is, and their response was yes. They said they will take the difference of what the roof area was here that they were going to put underground, and design something very similar to this, and let the water go in there. And that way the water's filtered through the grass once again, and it can drain into the storm manhole.

Mr. Schaller said they are going to abandon the phase 2. They said that's what they are saying, yes. The owner understands the complexity of these things. Mr. Schaller said so their drawings wouldn't show that then. They said that's right. Mr. Schaller asked if there would be any other revisions to the site plan if they were going to abandon that portion of the project. They said they will just add green space to the area where the other building was shown.

Mr. Black said he was inclined to have them come back next month with all those things, because there are a lot of changes they are requesting. Their response was the decision on the parking was going to be the driver of the overall site plan. If that decision is that the building cannot be built, then they will do those variations. The only thing then they have to address is the storm water management for the rain water only. Mr. Black said without the second building that is easier to address. They said yes. It gives them more green space for the grass. They said that also meets the parking requirements that they want. Mr. Schaller said that it seems to him that would be a pretty significant change, that yes, they would come back with that revision if that's the direction. Mr. Black said right. That's what they would like them to do.

Mr. Black asked is there a motion that they come back next month with all these revisions that comply with the fifteen issues, and elimination of the second building, and the EPA issue. Ms. Warnimont moved with a second by Mr. Rometo to table this to next month. 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. Rometo, Mr. Schaller, and Mr. Black. Motion carried 4-0-0. It was asked what that date is. Mr. Black said it will be 4 weeks from this evening. He asked Mr. Garn what that date is. Mr. Garn said it's September 11<sup>th</sup>. Mr. Black said September 11<sup>th</sup>. It should be an easy date to remember. It was asked if it was the same 6:00, and Mr. Black said yes, 6:00. They thanked the commission.

Mr. Black said the next item on the agenda is other items. He told the commission that he received an E-mail from Mr. Stanford. He has resigned as an alternate. He has other issues that he is involved in and just will not have the time. So they need to find another person to replace him, and he referred that to Mr. Garn.

Mr. Black went on to say that their October meeting is Columbus Day. Mr. Garn is taking a vacation day. So he and Mr. Garn have discussed it. They could either go to Tuesday night of that week, or Monday of the following week. If it's Monday the following week, it would conflict then with the trustee meeting, so they would have to meet earlier than the 6:00 time just to make sure. Mr. Schaller said this is the October meeting, and Mr. Black said this is October, not next month. He asked if the members had a preference. There was some discussion among the members. Mr. Black asked which they would rather do, meet the next Monday at 5:30 to give them an extra half-hour of time. Ms. Warnimont said that was fine with her. She does not have a problem. Mr. Black felt Mondays work out better. Ms. Warnimont said either one, even if they go to Tuesday the 10<sup>th</sup>. Either way. Mr. Schaller said that was fine. Mr. Black said they will go Monday, October 16<sup>th</sup>, and that will be at 5:30 so they don't have any issues in case they are busy to try overrunning the trustee meeting. He asked if that was at 7:30, and the response from Mr. Garn was yes. Mr. Black said that should be plenty of time. Mr. Garn said he would hope. Mr. Black said they have next meeting, and they could always adjust that if they have to. Mr. Garn said right.

Mr. Black asked if there was anything else. Mr. Garn said if anyone has any suggestions for replacing Mr. Stanford, because he is one of their two attorneys, and that helps just to think of people in that area. Or the architectural or landscaping area. Those are some different lines of work. Because Mr. Stanford has been able to help them in the architectural area when he is able to make it. He knows that on the township they have a landscape architect out there somewhere, if that's of any help. If they all have suggestions on people or different occupations also to pass on. Mr. Black said they would keep that in mind. He asked if there was anything else anyone wanted to bring up. Mr. Garn said he thinks the trustees have to vote for accepting his resignation. Mr. Black said they will do that next week, if he could pass that along to them. Mr. Garn said he will pass that along to them, and they may have some ideas also.

Mr. Black asked if there was anything else, and there was nothing. He asked if there was a motion to adjourn. Mr. Rometo moved with a second by Ms. Warnimont to adjourn. All members were in favor. None were opposed. The meeting was adjourned at 6:28 p.m.

Respectfully submitted,

Grant W. Garn,  
Recording Secretary