

Perkins Township Zoning Commission
Monday, May 13, 2024 @ 4:00 PM
Perkins Township Services Facility – Large Conference Room
2610 Columbus Avenue, Perkins Township, OH 44870

MEETING MINUTES

- I. **Call to Order.**
 - a. At 4:00 p.m., Mrs. Cheryl Best-Wilke called the meeting to order.

- II. **Pledge of Allegiance.**
 - a. At 4:00 p.m., Mrs. Cheryl Best-Wilke led the room in the pledge of allegiance.

- III. **Roll Call.**
 - a. At 4:02 p.m., Mrs. Cheryl Best-Wilke asked for a call from the roll.
 - b. Ms. Angela Byington conducted said roll call:
 - i. Board Members Present:
 1. Mrs. Cheryl Best-Wilke - Chair
 2. Mrs. Kula Hoty Lynch
 3. Mr. John Lippus
 - ii. Board Members Absent & Excused:
 1. Mr. Billy Criscione
 2. Mr. Greg Schmid
 3. Mr. Les Wilson - Alternate
 - c. The following staff members were in attendance:
 - i. Ms. Angela Byington, Director of Community Development
 - ii. Mr. Adam Panas, Planner/Zoning Inspector
 - iii. Mr. Mason Davis, Intern

- IV. **Approval of Meeting Minutes from March 11, 2024.**
 - a. Mrs. Best-Wilke and Mrs. Hoty Lynch noted that neither of them was able to read the 3/11/2024 meeting minutes and requested that this item be tabled to the next Zoning Commission Meeting.
 - b. Mrs. Best-Wilke motioned to table the approval of the 3/11/2024 meeting minutes until the next Zoning Commission meeting. Mr. Lippus seconded. Roll Call: All ayes, motion carried.

- V. **Chairperson's Welcome and Explanation of Public Hearing & Meeting.**
 - a. Mrs. Best-Wilke welcomed everyone to the meeting. She stated that the purpose of the meeting is to consider a request for Zoning Amendments. The authority to conduct this meeting is granted by the Perkins Township Zoning Resolution. First, we will read the request then we will open a public hearing during which we will hear comments, questions, and any concerns from members of the audience. Then the public hearing will be closed, and the public meeting will open. During the public meeting Commission members will discuss the request and vote on a recommendation to present to the Trustees, whether to accept, decline or table. Then our recommendation will be forwarded to the Trustees who will consider the request at a future Trustee meeting. Citizens are welcome to attend this meeting. The Trustees can accept or overturn the recommendation

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of the Zoning Commission. The next Trustee meeting will be Tuesday, June 11, 2024 @ 6:00 pm in the same location as the meeting today.

VI. Secretary Reads the Request for the Proposed Amendment.

- a. Ms. Byington read the following into the record: **Case #ZC2024-04** - an application was submitted by Kurtiss Hirt of Blue Heron Villas on behalf of Stopper Professional Park LLC for a property located at 3814 Hayes Avenue, Sandusky, OH 44870 (PPN 32-01712.000). The application is for a zoning amendment to rezone the above-mentioned property from "P-B-O" (Professional & Business Office District) to "PUD" (Planned Unit Development).

VII. Staff Reviews the Planning & Zoning Department's Staff Report.

- a. Mr. Panas introduced the proposed development of Blue Heron Villas and explained how it is related to current zoning policies. Hirt and the associated developers proposed the construction of approximately 68 apartments as well as a future hotel on the same property. Currently, the 14.73-acre lot is located near several residential homes (Zoned R-1 and R1-A), commercial properties (Zoned C-1 & C-2) and a few existing Planned Unit Developments including NOMS Healthcare and Northpoint Baptist Church. He indicated that the staff had several questions about missing elements of the proposed development, which were noted in his 5/13/2024 staff report.
- b. The staff recommended that the Zoning Commission table the application until the next Zoning Commission meeting on Monday, June 10, 2024, to allow additional time for the applicant to provide information listed in the report. Mr. Panas noted that a comprehensive list of all elements needed for "Preliminary Development Plan Approval" can be found in Article 23.13 of the Perkins Township Zoning Resolution. Mr. Panas further noted that the analysis section of his report details staff's current interpretation of how well the materials provided pursuant to Article 23.13 satisfy the "Criteria for Commission Recommendation" in Article 23.14. In the staff's opinion, the applicant has not yet provided sufficient information for the Zoning Commission to recommend approval to the Trustees.

VIII. Chairperson Opens the Public Hearing.

- a. Mrs. Best-Wilke opened the floor up to the audience for their remarks.

IX. Audience Remarks.

- a. **"For" Request?** None.
- b. **"Opposed" to Request?**
 - i. William Elliot of 3717 Hayes Avenue was concerned about potential flooding and stormwater drainage in the area. He explained that the residential areas surrounding the property are prone to flooding during storms. He questioned how the proposed development, especially the proposed hotel would improve this drainage pattern.
 - ii. Wayne Yerdon of 3819 Hayes Avenue echoed Mr. Elliot's concerns about flooding partially due to poor stormwater drainage. He also spoke about the potential increase in traffic that he felt the development would bring. Due to the area's proximity to Cedar Point Amusement Park, Yerdon stated that he was often stuck

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in his driveway and delayed significantly. He stated that the development would only make the traffic volume higher. He questioned the need for a new hotel on the property, referring to the existing hotels in Perkins Township.

- iii. Peggy Rice of 3519 Hayes Avenue agreed with Mr. Elliot about the issue of flooding and stormwater drainage, stating that her yard is often flooded after heavy rains. Mrs. Rice also agreed with Mr. Yerdon's statements about traffic volumes, citing it as a reason the hotel should not be developed.
- iv. Several letters, some written as an informal petition, were submitted from local residents in opposition to the proposed development.
- v. To address residents' concerns about traffic, Ms. Byington mentioned that ODOT is going to require a traffic study for both uses on the property, which would reveal more detailed information regarding how the development as a whole would affect traffic in the area.
- vi. Mrs. Hoty Lynch asked the residents if they felt the current speed on the road felt acceptable and if they'd be interested in seeing the speed adjusted to be faster or slower pending development.
 1. Mr. Yerdon responded that the speed was not relevant due to high traffic flow and said that the development would make it worse.

c. Other Comments?

- i. Mrs. Rice asked the Commission what the role of the community was in the drafting of the Perkins Township Comprehensive Plan, as it was referred to several times during the staff report and presentation.
 1. Mrs. Hoty Lynch responded that, whenever the Township has created any of these "plans", they have made a point to seek community input through numerous avenues, including but not limited to, surveys, word of mouth, and newspaper publications. The Comprehensive Plan's primary public involvement period occurred prior to 2020, with the plan itself being finally adopted in 2021.
- ii. Mr. Hirt, the applicant for the Zoning Map Amendment, was asked for his input by the Commission.
 1. Mr. Hirt stated that the development on his property would be in-line with county and ODOT guidelines, which would help with effective drainage of stormwater and traffic surrounding the development. He added that he was aware of the area's potential for flooding. He stated that the development would not make the issue worse and stated that issues of drainage and road traffic were not in the hands of developers, but rather ODOT and the county.
- iii. Mr. Panas noted that the discussion and comments made during the meeting would not result in any immediate action. Instead, the decision about the P-U-D and any subsequent development would be a multi-stage process that would seek ongoing community feedback, which this meeting was a part of.
- iv. Mrs. Best-Wilke asked the applicants about the language in their proposal, which detailed the apartments as being "affordable housing".

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1. Mr. Hirt responded that the Blue Heron Villas in Fremont kept a rent of \$1,600.00 a month, and that the projected rent for Perkins Township would be \$1,800.00-\$2,000 a month, which he felt was affordable.
 2. Mr. Panas stated that a variety of housing price ranges (low, mid, luxury) was beneficial to the local economy and housing/rental market. He also stated that the term “affordable” might have different definitions from person-to-person.
 3. Mr. Hirt stated that the complex in Fremont was mostly occupied by retired residents and young working professionals who were not planning on buying homes, meeting two community needs. He said that the retired residents often sell their homes prior to moving in, which would “open up” new homes within Perkins Township and ultimately promote resident retention.
- v. Mrs. Hoty Lynch asked staff if the entirety of the Route 4 Corridor was slated for future commercial development.
1. Mr. Panas clarified that most of the section of Route 4 between Strub Rd. to the south and W. Perkins Ave. to the north was designated by the Comprehensive Plan for future commercial use, but not every single property.
- vi. Mr. Lippus asked Mr. Hirt how the Fremont complex impacted traffic in the city.
1. Mr. Hirt responded that the impact was negligible and that there were no meaningful changes.

**X. Commission Motion & Second to Close the Public Hearing and Open the Public Meeting –
Roll Call Vote.**

- a. Mrs. Best-Wilke entertained a motion to close the public hearing and open the public meeting. Mrs. Hoty Lynch made the motion. Mr. Lippus seconded. Roll Call: All ayes, motion carried, public meeting is now open.

XI. Discussion from Commission.

- a. Mrs. Hoty Lynch stated that she does see a legitimate reason to table the application due to residents’ concerns about storm water, especially as it relates to the proposed hotel. She also cited that staff should consult further with ODOT regarding the potential traffic impact.
- b. Mr. Panas clarified for Mrs. Hoty Lynch that the staff had required Mr. Hirt to submit a plan with a commercial use on it. However, Mr. Hirt had previously mentioned being open to other plans for development, including residential-only, which is his specialty.
- c. Mrs. Hoty Lynch expressed that there is likely a greater need for more housing units than hotel rooms, although the hotel rooms are also greatly needed.
- d. Mr. Lippus added that, contrary to the audience’s apparent impression, a hotel does not generate hazardous traffic patterns or huge volumes of traffic. Rather, its traffic patterns are very predictable, and many people stay for more than one (1) night, which suppresses spikes in traffic volumes.
- e. Staff, the Zoning Commission, and Mr. Hirt expressed the possibility of a phased PUD approval, where Mr. Hirt left space for a “future commercial development” on the

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preliminary and later final development plan and started construction on the residential portion of the development first. This would require the future applicant for the commercial portion to apply for a “Major Amendment to the PUD”.

XII. Commission Motion & Second to Recommend Approval / Disapproval / Table Application – Roll Call Vote.

- a. Mrs. Best-Wilke entertained a motion to recommend approval, disapproval, or tabling. Mrs. Hoty Lynch made the motion to recommend tabling the application until the Monday, June 10, 2024 Zoning Commission meeting. Mr. Lippus seconded. Roll Call: All ayes, motion carried.

XIII. Secretary Reads the Request on the Proposed Amendment.

- a. **Case #ZC2024-05** - amendments to “Article 3 – Construction of Language & Definitions”, “Article 25 – Supplementary District Regulations, Section 6 – Storage of Automobile, Truck, RV Vehicles & Boats in Residential Districts” and “Article 27 – Off-Street Parking & Loading Facilities, Section 2 – Off-Street Parking Design Standards” regarding the use of different types of pavers in residential districts.

XIV. Staff Reviews the Planning & Zoning Department’s Staff Report.

a. BACKGROUND:

- i. Article 25.6 – Storage of Automobile, Truck, RV, Vehicle, & Boats in Residential Districts are a top code violation.
- ii. Subsection 4 mandates that residents who store vehicles outdoors must keep them on an “improved surface”; stone, gravel, brick, asphalt, concrete, gravel, etc.
- iii. Code enforcement officers have noted that this requirement is difficult for residents to follow, but that interlocking permeable paver grid systems are cost effective (similar to gravel) and easier for residents to install.
- iv. This zoning text amendment is intended to increase options for violation abatement under this section of the Resolution, as well as to be proactive against stormwater drainage issues caused by rutting.

b. PROPOSED TEXT AMENDMENT #1:

- i. Add new definition for “interlocking permeable paver grids” to Article 3 – Construction of Language & Definitions

3.91 “INTERLOCKING PERMEABLE PAVER GRIDS”

Interlocking permeable paver grids. For the purposes of this Resolution, interlocking permeable paver grids are an alternative method to traditional hard-surfaced pavement used to provide structural support, prevent rutting, and reduce stormwater runoff.

c. PROPOSED TEXT AMENDMENT #2:

- i. EDIT ARTICLE 25.6.4 TO RV’S TO PARK ON INTERLOCKING PERMEABLE PAVER GRID SYSTEMS, SUBJECT TO STAFF APPROVAL

ARTICLE 25 - SUPPLEMENTARY DISTRICT REGULATIONS
25.6 Storage of Automobiles, Trucks, RV's Vehicles, and Boats in Residential Districts

- 1) No automotive vehicle, boat, truck, trailer, R.V. vehicle, camper of any type without correct license plates shall be stored on any residential property other than in an enclosed building.
- 2) A maximum of one (1) boat with trailer, one unoccupied recreational vehicle or one automobile may be stored in the rear or side yard of any residentially zoned property if it has a current license. The Zoning Inspector may require these vehicles to be covered.
 - a) During the summer season, defined as April 1st through October 31st, inclusive, one properly licensed boat with trailer, personal watercraft or one recreational vehicle may be parked in the driveway of a residentially zoned property.
- 3) The storage of semi-tractor trucks or semi-trailer trucks and other double axle vehicles on private property in residential zoned districts is prohibited.
- 4) All vehicles located on parcels with a lot area of one acre or less in Residential Zoned Districts, must be parked on an improved surface including but not limited to crushed stone, gravel or similar material, asphalt, concrete, brick, paving blocks etc. **Parking of recreational vehicles on interlocking pervious paver grid systems may be permitted with staff approval.**

Amended 8/11/16 Resolution #2016-138
Amended _____ Resolution #2024-____

XV. Chairperson Opens the Public Hearing.

- a. Mrs. Best-Wilke opened the floor up to the audience for their remarks.

XVI. Audience Remarks.

- a. "For" Request? None.
- b. "Opposed" to Request? None.
- c. Other Comments? None.

XVII. Commission Motion & Second to Close the Public Hearing and Open the Public Meeting – Roll Call Vote.

- a. Mrs. Best-Wilke entertained a motion to close the public hearing and open the public meeting. Mrs. Hoty Lynch made the motion. Mr. Lippus seconded. Roll Call: All ayes, motion carried, public meeting is now open.

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XVIII. Discussion from Commission.

- a. Mr. Lippus had a concern about the use of the term “RV” and it’s non-specificity; he was worried that residents might stretch the definition to cover vehicles that are not “traditionally” defined as “RV’s”.
- b. Mrs. Hoty Lynch has a concern that the “...subject to staff approval line” within Proposed Text Amendment #2 might place a review burden on staff that is unwarranted given the goal of the text amendments.
- c. Mr. Lippus recommended that “etc.” be removed from the language regarding what materials could be used within paver systems.
- d. Ms. Byington stated that staff could tweak these definitions to reflect Commission recommendations.
- e. Mr. Panas stated that staff could add language regarding vehicle weight and support within the amendments.
- f. Mrs. Hoty Lynch proposed adding language that referred residents to check their HOA standards within the amendments.
- g. Mr. Panas stated that this was a slippery slope that staff would like to avoid. Mrs. Hoty Lynch concurred.
- h. Mrs. Hoty Lynch asked Mr. Panas if the Commission were to recommend approval with minor edits if he would be comfortable re-writing the proposed text amendments to Article 25.6.4 in such a way that eliminated the requirement for a new staff approval process, while respecting the need for these types of paver grid systems to be able to support the weight of vehicles being parked on them. Mrs. Hoty Lynch noted that she did not believe that the Commission would need to see the wording again, so long as Mr. Panas’ re-writes adequately captured what was discussed. Mr. Panas agreed to do this.

XIX. Commission Motion & Second to Recommend Approval / Disapproval / Table Application – Roll Call Vote.

- a. Mrs. Best-Wilke entertained a motion to recommend approval, disapproval, or tabling. Mrs. Hoty Lynch made the motion to recommend approving the application with the discussed edits. Mr. Lippus seconded. Roll Call: All ayes, motion carried.

XX. Old Business:

- a. There was no old business.

XXI. New / Other Business:

- a. Staff wanted to make sure that Mr. Hirt was clear that the Zoning Commission was tabling his application until the next meeting. Mr. Hirt stated he understood and looked forward to speaking further with Mr. Panas regarding his outstanding items for the **Preliminary Development Plan.**

XXII. Commission Motion & Second to adjourn the public meeting – Voice Vote.

- a. Mrs. Best-Wilke entertained a motion to adjourn the public meeting. Mrs. Hoty Lynch made the motion to adjourn. Mr. Lippus seconded. Roll Call: All ayes, motion carried.

Cheryl Best-Wilke
Chairperson *6/10/2024*