**PERKINS TOWNSHIP ZONING COMMISSION MEETING**

Held By: Perkins Township Zoning Commission

Place: Perkins Township Service Facility, Meeting Room, 2610 Columbus Avenue

Date: May 10th, 2021

Time: 4:30 p.m.

Board Members Present: Mrs. Cheryl Best-Wilke, Chairperson

Mrs. Kula Hoty-Lynch

Mr. John Lippus

Mr. Greg Schmid

Mr. Les Wilson, Alternate

Board Members Absent & Excused: None

Staff in Attendance: Ms. Melanie Murray, Zoning Inspector/Planner

Ms. Angela Byington, Director of Community Development

1. **Call To Order**

Mrs. Wilke called the meeting to order and welcomed the audience and the Commission. Mrs. Wilke led everyone in the Pledge of Allegiance.

1. **Roll Call**

Ms. Angela Byington took Roll Call: Mr. Wilson, Here; Mr. Schmid, Here; Mrs. Wilke, Here; Mrs. Hoty, Here; Mr. Lippus, Here.

1. **Chairperson’s Welcome and Explanation of Public Hearing & Public Meeting**

Mrs. Wilke welcomed everyone to the public hearing and meeting. She said the purpose of this meeting is to consider two (2) requests for zoning changes. She goes on to say it is the responsibility of the Commission given by the Zoning Resolution to conduct the meeting. They will hear comments, questions, and concerns from members of the audience. Then the Commission members will discuss the request. They will vote on a recommendation to either Accept or Decline the request. That recommendation will then be given to the Trustees who will consider their recommendation at the next Trustee Meeting, which will likely be May 25th. Citizens are welcome to come to trustee meetings, as well as to voice their concerns or comments to them.

1. **Reading of the Application**

Application ZC2021-03 was submitted by Kastor Construction on behalf of M.S.D.S. Ltd for a property located on the east side of Hayes Avenue (PP# 32-03307.000, 32-02034.000, 32-02029.000, 32-02028.000) to amend the Zoning Map from “R-1”/Residential and “R-1A”/Single-Family Residential, and “PBO”/Professional Business Office to “C-2”/General Commercial Development to allow for the future development of these properties.

1. **Staff Report**

Ms. Murray said this property is zoned “R-1,” “R1-A”, and “PBO” and that the applicant would like to rezone these parcels to be “C-2”. The total size of the parcels amounts to about 30 acres. She stated that the 2020 Perkins Township Comprehensive Plan designated these properties as for future commercial use. Currently, the surrounding properties are primarily zoned “A” for Agricultural use. None of the department heads had any comments on this variance request. Ms. Murray noted that any commercial development would require site plans to be submitted and approved, as well as a buffer zone to be established between the commercial property and any adjacent residential properties. Anything that would be allowed within C-2 would be considered an acceptable use of the property.

1. **Open Public Hearing**

Mrs. Wilke opened the Public Hearing and said there is the time for anyone in the audience to ask questions, make comments or raise concerns.

1. **Swearing In**

Mr. Ted Kastor of 404 Linden Way and Kastor Construction LLC made a few comments on behalf of his company and the current owner of the properties, Dave Spear of M.S.D.S. Mr. Kastor thanked the Zoning Commission for handling these variance requests as a cluster of properties, as opposed to individually.

Mr. Kastor reminded the audience of the 2020 Perkins Comprehensive Plan’s commercial vision for Route 4 and pointed to how allowing this variance would help achieve that vision.

Mr. Kastor stated that the property owner, Mr. Spear of M.S.D.S. does not have any current plans for the properties, and that he is currently leasing the land out to farmers to farm on. Mr. Kastor acknowledged that Mr. Spear’s plans would obviously conform to all rules and regulations provided by C-2 general commercial development zoning.

Mr. Kastor stated that Mr. Spear and him would be open to discussing the future of some of those residences to the west of the lots in question, noting that Mr. Spear does currently own a majority of those residences.

Mrs. Wilke asked the two applicants if any potential future plans would involve removing the residences (apartments). Mr. Spear responded, stating that the current plan is to keep the residences where they are.

Mrs. Hoty-Lynch asked for Mr. Kastor and Mr. Spear to visually clarify where the parcels were on Hayes Ave., which they did.

Mrs. Wilke asked the public for any further comments regarding the variance application.

Ms. Murray responded, reading the first of two letters submitted regarding the variances. The first read: “To whom it may concern, the leadership of First Christian Church have some questions regarding the zoning requests of MSDS, Ltd.’s application ZC2021-03. The main question is “What type of businesses would be allowed to be built there?” We are also concerned about the traffic flow and the likelihood of congestion in the area that already has a heavy flow of cars and other vehicles. We will not support any type of adult entertainment or liquor establishment. If you would be so kind as to answer these concerns, it would be greatly appreciated. Thank you, Pastor Don Spurlocke.”

Ms. Murray stated that she had already answered the Pastor’s email and that he did not have any questions remaining for her.

Ms. Murray read the second of the two letters. “May 4, 2021. Dear Zoning Commission Members, I am writing to express my strong opposition to the application ZC2021-003 that would allow future commercial development on the east side of Hayes Avenue. Rezoning this portion of the road will cause traffic and safety problems to occur. It will also eventually lower the property values of the existing residences which are zoned R-1 residential. Traffic and safety issues in this area are major areas of concern to families in this area. This is a residential area with several homes in front of, beside, and across the street from this land. With potential entrance to this property so close to the entrance to Wade Blvd., it is a major concern for this highly traveled road; especially when Cedar Point is open and traffic heavily increases. Getting in and out of residents’ driveways would be a major issue. Route 4 is a highly traveled road with a speed limit of 50 mph, but as numerous tour busses, trucks, farm equipment, EMT vehicles travel through this area, it will cause a great deal of congestion to this area where there are families, children, and older folks. Although we were told that there are no plans for these properties, people in the neighborhood have no idea what to expect, such as if and when they should liquidate their homes. Respectfully, Deborah Moore, 3310 Hayes Ave.”

Janice Gordon from 3216 Hayes Ave asked how close to her home this potential development would be, which the zoning commission and Ms. Murray helped clarify.

Jim Toft that has lived across the street for 59 years commented, stating that he watched farmers farm the land in question and that Mr. Spear should continue to let them do that. Jim Toft implored Mr. Spear to purchase parcels located down the street from that farmland to build a business on, instead.

Ms. Murray then asked Deborah Moore, who connected to the meeting over Zoom, if she wanted to say anything on the matter. In response, Mrs. Moore stated that her parents lived in that Hayes Ave neighborhood for around 60 years before they moved into an assisted living facility. As such, Mrs. Moore is concerned about the resale value and the property value of the house. She also stated that traffic patterns on this street are huge considerations to be weighed by the zoning commission. She stated that approving this variance would thus be a horrible mistake.

Mrs. Wilke asked Mr. Kastor to expand on how potential commercial development in that area would affect the property value of other homes. Mr. Kastor said that property owners could simply file to change their land to be zoned as C-2 commercial, sell their homes, and thus get even more money for their properties.

Ms. Murray added that the planning and zoning department does not have any data to support or deny either argument.

Mrs. Wilke and Ms. Murray reinforced how allowing this zoning variance fits in with the long-term vision for the township for Route 4.

Mrs. Wilke confirmed with Mr. Spear that his properties are currently hooked up to public water systems. She then asked Ms. Murray if there were any other things the zoning commission would need to consider before making a recommendation to the trustees.

To the argument against the variance because of traffic reasons, Ms. Murray reminded the audience that Route 4 is a state route and thus, any potential remedies introduced on that road in the future would have to be handled by the state, too.

Mrs. Hoty-Lynch added that this would most likely involve the township applying for a traffic study to be done by ODOT. Ms. Murray confirmed this likelihood. Mrs. Hoty-Lynch expanded on what a traffic study would entail to the audience.

Janice Gordon added that traffic will be bumper-to-bumper when Cedar Point opens. Mrs. Hoty-Lynch responded, asking “This is not a bad thing. If they try to develop those parcels, ODOT is going to come in and control that situation.”

Mrs. Hoty-Lynch asked Mr. Spear “Why re-zone now, instead of in the future when you could have it zoned as potentially a PUD?”

Mr. Spear responded, stating that re-zoning now would allow him and Mr. Kastor to properly market the properties as potential development sites. Mr. Kastor added that another advantage is that when you make a property a PUD that you have to come in front of the zoning commission for every change. Mrs. Hoty-Lynch stated that the main advantage for a PUD on Hayes Ave would be to split off the back portion of what are very deep lots on that road for other uses.”

Janice Gordon stated that the farmers should be allowed to continue farming and that it should be their choice to sell it. She also brought up the traffic issues previously discussed.

Mrs. Hoty-Lynch replied stating that the landmarks that cause those traffic issues are not going away, so encouraging this development is actually the most logical next step, so that ODOT can come in and relieve current congestion issues.

Mr. Schmid added to this point, stating that Route 4 is a major connecting point for visitors from all over the state. As such, those congestion problems will not be relieved until more development occurs and ODOT invests money to redo the roadway.

Mrs. Wilke implored Mr. Spear to be a good neighbor and be willing to work with current residents regarding potential plans and how that would impact their quality of life.

1. **Close Public Hearing/Open Public Meeting**

Mrs. Wilke asked for a motion to close the Public Hearing & open the Public Meeting.

Mrs. Wilke made the motion. Mr. Wilson seconded. Roll Call: Mr. Wilson, Yes; Mr. Schmid, Yes; Mrs. Wilke, Yes; Mrs. Hoty, Yes; Mr. Lippus, Yes.

1. **Discussion from Commission**

Mrs. Hoty-Lynch stated that approving this application would very clearly help Perkins Township achieve their vision for Route 4 as stated in the 2020 Comprehensive Plan. She also reminded Mr. Spear about how beneficial getting a PUD would be to develop Hayes Ave. effectively and efficiently – unlike how Rt. 250 was developed.

Mrs. Wilke echoed the sentiment Mrs. Hoty-Lynch expressed about how this aligns with the township’s vision.

Mr. Lippus made the motion to approve Application ZC2021-03. Mrs. Hoty-Lynch seconded. Roll Call: Mr. Schmid, Yes; Mr. Wilson, Yes; Mrs. Hoty, Yes; Mr. Lippus, Yes; Mrs. Wilke, Yes.

1. **Old Business**

Mrs. Hoty-Lynch made the motion to approve the minutes from the February 8, 2021 meeting of the zoning commission. Mrs. Wilke seconded. Mrs. Hoty-Lynch; Yes, Mr. Schmid; Yes, Mr. Wilson; Yes, Mr. Lippus; Yes, Mrs. Wilke; Yes.

Ms. Murray stated that we are still waiting on the final plans for the residential project behind the Sandusky Mall.

Ms. Murray stated that she is still waiting on Township Administrator Gary Boyle to sign-off on the 2021 Comprehensive Plan.

1. **New Business**

None

1. **Adjournment**

Mrs. Wilke made the motion to adjourn. Mr. Wilson seconded. All said Aye. No one opposed.