

## PERKINS TOWNSHIP ZONING COMMISSION MEETING

Held By: Perkins Township Zoning Commission

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

Date: April 11, 2022

Time: 4:00 p.m.

Board Members Present: Mrs. Cheryl Best-Wilke, Chairperson  
Mr. Greg Schmid  
Mr. John Lippus  
Mr. Les Wilson

Board Members Absent & Excused: Mrs. Kula Hoty-Lynch, Mr. Billy Criscione

Staff in Attendance: Mrs. Arielle Blanca, Community Development Director  
Mrs. Jessica Gladwell, Administrative Assistant

**I. Call To Order**

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

**II. Roll Call**

Mrs. Jessica Gladwell took Roll Call: Mrs. Cheryl Best-Wilke, here; Mr. Schmid, here; Mr. Lippus, here.

**III. The approval of meeting minutes from March 14, 2022**

Mr. Lippus made motion and Mr. Schmid seconded the motion. Mr. Lippus, yes; Mr. Schmid, Yes; Mrs. Cheryl Best-Wilke, yes.

**IV. Chairperson's Welcome and Explanation of Public Hearing & Public Meeting**

Mrs. Cheryl Best-Wilke welcomed everyone to the meeting. She stated that the purpose of the meeting is to consider a request to change an item in the zoning code. The responsibility of this commission was given to us by a zoning resolution to conduct this meeting. 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, weather to accept, decline or table. Then our recommendation will be forwarded to the trustees who will consider the request at a future trustee meeting.

**V. Reading of the Application**

Application ZC2022-3 was submitted by Fox Architectural Design, LLC. On behalf of WW Hayes Muffler LLC for the property located at 2806 Milan Road (PPN: 32-03695.000) and Sandusky 250-Perkins LLC. For property located at 904 Perkins Ave (PPN: 32-03120.000). The application requests to amend the Zoning Map from a “C-1”/Local Commercial District to “C-2”/ General Commercial District to allow for future commercial development of the properties.

**VI. Staff Report**

Mrs. Blanca stated that as Jessica stated this is an application to amend the zoning map for 2806 Milan Rd and 904 Perkins Ave, submitted by Fox Architectural Design LLC for the property owner WW Hayes Muffler LLC. The current zoning is “C-1”/ Local Commercial District, they are requesting it to be “C-2” General Commercial District for future commercial businesses. Staff has reviewed this application and has conducted a site inspection of the subject property and surrounding area. In this regard, it is noted that the properties in question are located on the South side of Perkins Avenue and the east side of Milan Road. The subject properties are surrounded by commercial uses on all four sides. A large portion of the property located at 904 Perkins Avenue is zoned “C-2”/General Commercial District, however, a small portion of the parking lot is zoned “C-1”/Local Commercial District. The Perkins Township Comprehensive Plan Future Land Use Map designates this area as commercial. Land use in the vicinity of the subject property is commercial. Currently the property is a vacant commercial building, which will be torn down and replaced with a new commercial business. Staff does not have any information that would indicate that the proposed zoning change would have an adverse effect on property values as the use of the property will be used as commercial and the surrounding properties are also commercial uses. Public Works, Building, Police and Fire Departments have all reviewed the zone map amendment and have no objections to the proposed zoning map amendment. Building Department noted all plans and permits must be submitted prior to approval.

**VII. Open Public Hearing**

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

Josh Fox- Fox Architectural Design LLC – no comments here for questions.

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

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

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

## **IX. Discussion from Commission**

Mrs. Best-Wilke stated during the Public Meeting portion is where the commission discusses any questions.

Mr. Schmid asked about the new building being way outside of the setbacks.

Mrs. Blanca stated that they are going to the Board of Zoning appeals actually on Monday, to ask for approval for a variance for the setbacks and a conditional use for the drive thru at that lot.

Mr. Schmid asked if they would get the conditional use if it gets rezoned.

Mrs. Blanca stated yes, it is a requirement. C-1 does not allow for drive thru, which is why they are asking for a C-2 so the property can have a drive thru.

Mrs. Best-Wilke stated so they are just going to Board of Zoning Appeals for the setbacks, correct?

Mrs. Blanca stated yes and for the drive thru.

Mrs. Best-Wilke stated well I'm not really understanding then, why does it have to be a conditional use if they are changing the zoning?

Mrs. Blanca stated the zoning C-2 zoning that you would be changing it to, would require a conditional use permit to allow for a drive thru.

Mrs. Best-Wilke said OK thank you I forgot about that. So, they are going to have two lanes of drive thru?

Mrs. Blanca stated yes.

Mr. Schmid stated so basically its not up to us for the setbacks, BZA will have to decide that.

Mrs. Best-Wilke stated is this kind of unusual that part of the parking lot wasn't already C-2?

Mrs. Blanca stated that she was confused but that, but she is not sure.

Mr. Schmid stated that it was because their access used to be there before they got access to 250. Now there is no access to that corner property.

Mr. Lippus stated just out of curiosity is it walk up and drive thru only?

Mr. Fox stated drive thru only.

Mr. Lippus stated he just seen a patio.

Mr. Schmid stated his only other concern is the number of parking spaces, because even though it's shared, what is the requirement for Michaels and well basically the whole complex. Basically, there is a certain number required by Perkins Township (may have to get a variance on that too) because you're taking away 30 some parking spaces that are on the property for Starbucks. You guys need to provide the calculations.

Mr. Fox stated there are actually at 55 spaces on the property currently, so there aren't that many to begin with. I think their count is over, but we can give you the exact count.

Mr. Schmid stated yeah because they're going to need that for the variance too.

Mrs. Blanca stated yeah, we have looked at parking already, they had more than enough on this lot, and we do allow shared lots. So, if they have extra spots that Michaels needed, we will allow them to use them they are allowed to do that.

Mr. Schmid stated okay, I'm not really a fan of all the parking there to begin with. As long as they can share the number of lots, we just don't want to give them permission to do this and the next one down the street because we went thru this with Drug Mart, and we made them move their building back and re-design their loading docks in order to get their number of parking spaces in there. So, we don't want to give Starbucks, and I don't like how close it is to the road, it shouldn't be that close. That's my concern it's really close to the street, and we've made everyone else on 250 adhere to the setbacks. The other thing would be the dumpster enclosure, there not really a good place for it but it is outside the setbacks.

Discussion from the board about setbacks continued.

Mrs. Best-Wilke stated the BZA meeting is next Monday?

Mrs. Blanca stated that yes, it is next Monday. Were asking them, since it won't be officially approved, we are asking the board to table it or approve it based on the trustees approving the zone change.

Mr. Schmid stated that he will really have to abstain because he was part of the initial designs on this, so I can't really even vote tonight.

Mrs. Best-Wilke stated is that going to be a problem?

Mrs. Blanca stated yes.

Mr. Schmid stated they did initial design trying to fit it into that triangle, and since they are going for a variance, that is the only way they will be able to build on it. The date on the drawings is when Mr. Fox was employed by my firms.

Mrs. Best-Wilke stated I guess this kind of puts me in a pickle here.

Mrs. Blanca stated maybe we can hold a special meeting for this?

Mrs. Best-Wilke stated whatever we need to do. Kula couldn't have voted if she was here so, what do we want to do?

Mrs. Blanca stated the only thing we can do is table it.

Mr. Fox stated first of all I wasn't employed with him at the time of these drawings, these aren't even my drawings, has nothing to do with me. I'm here to represent the owner and contractor. This is strictly to go from C-1 to C-2 so abstaining from a zone map change due to that is kind of an arrogant comment in my opinion. The whole area is C-2 already. There is no conflict and no design between Greg and me. The question is Greg is abstaining so, he's out for the next meeting, Kula is abstaining in so she's out for the next meeting too, so is this just something that will go right to the trustees?

Mrs. Blanca stated no we have two other members. But I do agree, this is specifically to change the zoning, not for a specific business or setback.

Mr. Fox stated that we don't know if it's going to be a Starbucks, or what is going there.

Mrs. Blanca stated BZA could deny it, the setbacks.

Mrs. Best-Wilke stated that is not our concern, so I guess I'm asking is Greg correct for feeling he needs to abstain?

Mrs. Blanca stated she doesn't know how to answer that because I don't know legally yes or no, so I don't feel comfortable making that decision.

Mrs. Gladwell asked if Gary Boyle was still here.

Mr. Schmid stated is it re-zoning? It's confusing because all the property lines shoes all of this, are we re-zoning the little corner piece?

Mrs. Blanca stated were re-zoning these lots here.

Mr. Fox stated that the only reason we need to be rezoned to C-2 is for the drive thru.

Mr. Lippus made the motion to approve Application ZC2022-03. Mr. Wilson seconded. Roll Call: Mr. Lippus, Yes; Mr. Wilson, Yes. Mrs. Best- Wilke, Yes.

Mrs. Best-Wilke stated it will go to the trustee meeting on April 26 at 8 or 830

**X. Old Business**

**XI. New Business**

**XII. Adjournment**

Mrs. Best-Wilke entertained the motion to adjourn. Mr. Lippus made the motion; Mr. Schmid seconded. Roll Call: Mr. Lippus, Yes; Mr. Schmid, Yes; Mr. Wilson, Yes; Mrs. Best-Wilke, Yes