

PERKINS TOWNSHIP ZONING COMMISSION MEETING

Held By: Perkins Township Zoning Commission

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

Date: October 11, 2022

Time: 4:00 p.m.

Board Members Present: Mrs. Kula Hoty-Lynch
Mr. Greg Schmid
Mr. John Lippus
Mr. Les Wilson

Board Members Absent & Excused: Mrs. Cheryl Best-Wilke, Mr. Billy Criscione

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

I. Call To Order

Mrs. Kula Hoty-Lynch called the meeting to order and welcomed the audience and the Commission. Mrs. Kula Hoty-Lynch led everyone in the Pledge of Allegiance.

II. Roll Call

Mrs. Jessica Gladwell took Roll Call: Mrs. Hoty-Lynch, here; Mr. Lippus, here; Mr. Schmid, here; Mr. Wilson, here.

III. The approval of meeting minutes from August 8, 2022

Mr. Schmid made motion and Mr. Wilson seconded the motion. Mr. Schmid, yes; Mr. Wilson, Yes; Mr. Lippus, yes; Mrs. Kula Hoty-Lynch, yes.

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

Mrs. Kula Hoty-Lynch 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.

Mrs. Gladwell swore everyone in.

V. Reading of the Application

Application ZC2022-4 was submitted by Patricia Rakoci, Redwood Living on behalf of Toll Brothers for a property located on the north side of Perkins Avenue, (PPN# 32-04679.000, 32-03646.000, 32-03652.000). The applicant has submitted a revision to the preliminary "PUD"/Planned Unit Development.

VI. Staff Report

Mrs. Blanca stated that as Jessica stated this is an application submitted by Patricia Rakoci with Redwood Living to amend the Zoning map for three parcels located on E. Perkins Ave to "PUD"/Planned Unit Development to allow an apartment complex to be built on the properties. The application for preliminary PUD approval was brought to the Zoning Commission on December 13, 2021. On January 5, 2022, Perkins Township Trustees approved the preliminary PUD application.

Preliminary plans were then submitted to the Erie County Engineers Office for review. The application was required to receive two variances. The first for the proximity of the proposed drive to Strub Road and the second variance to permit full-movement access (right and left turns in and out of the drive). Both variances were approved by the Erie County Access Management Committee July 11, 2022.

Planning Staff recommends approval of the application with the following recommendations and conditions:

Recommendation that the applicant move the drive further west

Conditions:

- *The developer will be responsible for the cost of constructing a deceleration lane on the north side of Perkins Ave for access to the site by west-bound traffic
- *The applicant will work with the Perkins Township Fire Department to meet all requirements for fire hydrants, access drive and roundabout turning radius as well as dead end street turnaround access.
- *The applicant will work with Erie Soil and Water for drainage plans.
- *A photometric plan will be submitted for review and approval by staff.
- *All lots must be combined, and proposed project acreage must not be reduced or split and transferred in the future.
- *A final PUD plan, containing all items listed in Section 23.21 (Final Development Plan Application Contents) shall be submitted for review and approval.
- *As the roads are proposed to be private, the Township will not accept or maintain the roads in the future.
- * The developer shall be responsible to construct a sidewalk on the north side of Perkins Ave across frontage of this project and for all costs related to the continuation of the sidewalk to Strub Road and installation of a crosswalk across Perkins Avenue to the sidewalk being constructed on Strub Road.

Mrs. Hoty-Lynch asked if they were technically still zoned R-1.

Mrs. Blanca stated yes – because technically they have not had full approval.

Mrs. Hoty-Lynch asked when it went to the trustees what did they approved?

Mrs. Blanca stated that was the preliminary plans, so yes preliminary PUD plans. So technically, they don't have full approval for the PUD yet since they haven't submitted final plans.

Mrs. Hoty-Lynch stated it looks like the county engineer's office approved the drive, but the Township is looking for additional recommendations. What is that based on? Safety or?

Mrs. Blanca states yes, I believe so. I think they would like to see the drive moved further west, as much as possible, and they would also like to see a deceleration lane added for west bound traffic which is number one for the conditions, and number 8 to develop that sidewalk.

VII. Open Public Hearing

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

Steve stated there is a large billboard to the west, so what I understand they are trying to work with that as much as possible. I don't think they are against that, it's just the logistics of what to do with that billboard. I know they are working with that for that issue. All the approvals were obtained from the county access appeal board with the left hand turn in, the two variances were approved. These are referenced as an apartment, but to my understanding these are stand alone homes. My impression was that the trustees were enthusiastic about the project and to see it complete.

Mrs. Hoty-Lynch stated for the plans there aren't any turn arounds for Fire Trucks, which is going to be like a huge issue. Do you know with any of the recommendations the township is making is there any concern or objections?

Steve stated my understanding they are willing to put the side walks in, this is my first-time hearing about the turn around for the fire trucks.

Mrs. Blanca stated she believed in the new plans they got rid of the roundabout.

Mrs. Hoty-Lynch stated that there are a lot of dead-end streets in Perkins Township with the hope they would get developed, but it becomes a safety hazard when there isn't an area for the fire trucks to turn around. Especially when you have a high-density area, the fire department is going to want to make sure they have the ability to turn it around. So you will have to do a T or a cul-de-sac, to get them the radios to get the fire truck in and out.

Mr. Toll asked what is a deceleration lane?

Mr. Lippus stated the easiest way to describe it is that it's a lane as when you're going down the road you can pull off to your right between the main highway and the shoulder to slow down to make your turn, so traffic can pass you on the left.

Mr. Toll asked if they'd have to widen Strub rd?

Mr. Lippus stated yes.

VIII. Close Public Hearing/Open Public Meeting

Mrs. Hoty-Lynch asked for a motion to close the Public Hearing & open the Public Meeting.

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

IX. Discussion from Commission

Mrs. Hoty-Lynch stated during the Public Meeting portion is where the commission discusses any questions.

Questions and conversation continued regarding the plans and access.

Mrs. Hoty-Lynch stated that so Arielle as I kind of look at this, moving west it is not part of a requirement that the township is requesting? Or is the Township requesting it to move west.

Mrs. Blanca stated she thinks the trustees want it to be moved west, and it would satisfy them that's why we put it as a condition.

Mrs. Wilson asked if the billboard had to be set back so far from the road or anything.

Mrs. Hoty-Lynch stated it's a lease, it would depend on the lease if they were willing to move it.

Mr. Lippus stated is moving it 20 ft going to solve the problem?

Mr. Wilson stated that it won't solve the traffic problem, but it will help the safety problem by 20 ft.

Mrs. Hoty-Lynch stated so the highway department has looked at it and do they have any basis for that?

Mrs. Blanca stated that the Erie County Department has reviewed this proposed plan and took it to the access management department, and it was approved as it. The engineer's office I do believe recommended approval for it.

Mr. Schmid asked if a traffic study was done, I know we discussed this.

Mrs. Blanca stated yes, I believe that it was discussed that a traffic study was done.

Mr. Schmid stated that they have a lot to do still with the lights, roundabouts and all that which will change the plans but the final PUD.

Mrs. Hoty-Lynch stated that if we approved it today, they would still have to come back for full approval since there is a lot of stuff on the list? Or is this final approval with them being able to meet all these?

Mrs. Blanca stated that next it would be taken to the trustees, if it is approved there then they would submit their final approval to us, I believe staff would approve that in house, their final PUD if they are meeting conditions then we would take it back to the trustees to approve that final. So, I do believe that it would not need to come back here unless they can't meet all them.

Mrs. Hoty-Lynch asked if the ponds on here were approved?

Mrs. Blanca stated that as of right now I do not have approval for them. That is something they will need to work Erie County through, and we would put that in the file as well.

Mrs. Hoty-Lynch stated I seen some people walk in after the public hearing closed, I have some questions, have you guys submitted anything to the county on the drainage plan.

It is under review still, so we have no approvals at this point.

Mrs. Hoty-Lynch stated the Township is requiring some re-engineered of the roadways for fire, because you have dead ends which you can't have in the Township, you must have a T and that looks pretty close to some of your ponds. That is why I'm just kind of curious it almost seems like you have to have that component.

There are T's every dead end has a turnaround, I think its 150ft from the intersection.

Patricia Rakoci – 7007 East Pleasant alley Rd with Redwood. We came before you a few months ago, maybe like 6 months. We had to re-do the plan after we started going through engineering, we had some soil issues and so we had to re-do the engineering off the plans and raise the site up and that is why we had to do an additional retention basin and redo the plans a little bit.

Mr. Toll asked how far you moved the road.

Matt said 60 ft

Mrs. Rakoci stated we went at far west as we could

Mrs. Hoty-Lynch stated the sidewalk project? Is it on that side of the road right now?

Mrs. Blanca stated that it does, I believe. That is why it says across, it crosses at Civista.

Mr. Schmid made the motion to approve the zoning change on Application ZC2022-4, Mr. Wilson seconded the motion. Mr. Schmid, yes; Mr. Wilson, yes; Mr. Lippus, yes; Mrs. Hoty-Lynch, yes.

Mrs. Hoty-Lynch stated that it has passed here and it will go to the Trustees for the final decision.

X. Reading of the Application

The Perkins Township Zoning Commission will conduct a public hearing to consider amendments to the text of the Perkins Township Zoning Resolution for residential floor area regulations.

Mrs. Hoty-Lynch asked if we could get a little background on this?

Mrs. Blanca stated yes.

XI. Staff Report

- Staff is recommending the following Zoning Resolution changes for Residential Floor Areas for single-family, two-family, and multi-family residential areas. We have been going through our Zoning Code and looking for sections that need updated to meet today’s standards. We have compared our zoning minimum floor area to other residential communities within the area. We have checked this standard against residential zoning districts and still leaves plenty of room for properties to meet the required setbacks.

**City’s typically have smaller lots than townships and townships lots are larger which would allow for a larger dwelling.

Article 3– CONSTRUCTION OF LANGUAGE & DEFINITIONS

3.76 Floor Area of a Residential Building

The sum of the gross horizontal area of the several floors **ground floor** of a residential building, excluding basement floor areas not devoted to residential use and the area of roofed porches and roofed terraces and garages. All dimensions shall be measured between interior faces of walls.

ARTICLE 13 - SINGLE-FAMILY SERVICED RESIDENTIAL (R-1) (R-1A) (R-1B)

13.3 Development Standards

ARTICLE 14 - TWO FAMILY RESIDENTIAL DISTRICT (R-2)

14.3 Development Standards

Minimum Dwelling **Ground** Floor Area.....900 square feet

ARTICLE 15 - MULTI-FAMILY RESIDENTIAL DISTRICT (R-3)

15.4 Lot, Yard, Area and Building Requirements

Minimum Dwelling Floor Area.....700 square feet (except as regulated for housing for the elderly)

These are just a few minor changes; we will have more as we continue to go through the Zoning Resolution.

Mrs. Hoty-Lynch asked that at the mall they are building those new units, what is the ground floor of those units?

Mrs. Blanca stated I do not know off of hand.

Mrs. Hoty-Lynch stated so that would have to be 700 sq ft based off of that is what you're saying?

Mrs. Blanca stated yes, 700 sq ft per unit, not ground floor.

Mrs. Hoty-Lynch stated so for a single family residential, it would have to be 900 sq ft ground floor.

Mrs. Blanca Depending – if it is the R-1 district which is our largest lot size it would be 1,200 sq ft. In R-1A & R-1B it would be 1,000. Then yes two family residential would be 900 ground floor.

Mr. Schmid asked if that excludes garages?

Mrs. Blanca stated it did, yes that is the living area.

Mrs. Hoty-Lynch asked if Mrs. Blanca has looked at the plotted subdivision? Because a lot of those houses are 900 – 1000 sq ft in general.

Mrs. Blanca stated most of our lots should be able to meet the 1,200 sq ft and if not, they are just going to have to get variances. I mean we have one coming to BZA next week, they are exceeding the sq footage, but they are not meeting their requirements for setbacks. So yes, the smaller lots aren't already not meeting setbacks so this would just need an additional variance.

XII. Open Public Hearing

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

XIII. Close Public Hearing/Open Public Meeting

Mrs. Hoty-Lynch 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; Mr. Wilson, yes; Mrs. Hoty-Lynch, Yes

XIV. Discussion from Commission

Mrs. Hoty-Lynch stated during the Public Meeting portion is where the commission discusses any questions.

Mrs. Hoty-Lynch stated that she would entertain the amendment as proposed.

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

XV. Old Business

XVI. New Business

XVII. Adjournment

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