

**City of Findlay**  
**City Planning Commission**  
 City Council Chambers, 1<sup>st</sup> floor of Municipal Building  
 Thursday, April 8, 2021 – 9:00 AM

**Minutes**

(Staff Report Comments from the meeting are incorporated into the minutes in lighter text. Actual minutes begin with the DISCUSSION Section for each item)

**MEMBERS PRESENT:**

Mayor Christina Muryn  
 Jackie Schroeder  
 Dan DeArment  
 Dan Clinger

**STAFF ATTENDING:**

Matt Cordonnier, HRPC Director  
 Judy Scrimshaw, Development Services Planner  
 Jacob Mercer, Planner  
 Brian Thomas, PE, PS, City Engineer  
 Erik Adkins, Flood Plain/Zoning Supervisor

**GUESTS:**

Chris Rinehart, Sarah Harville, Sean Martin, James Koehler

**CALL TO ORDER**

**ROLL CALL**

The following members were present:

Mayor Christina Muryn  
 Jackie Schroeder  
 Dan DeArment  
 Dan Clinger

**SWEARING IN**

All those planning to give testimony were sworn in by Jacob Mercer.

**APPROVAL OF MINUTES**

Dan Clinger made a motion to approve the minutes of the March 11, 2021 meeting. Jackie Schroeder seconded. Motion carried 4-0-0.

**NEW ITEMS**

**1. ALLEY/STREET VACATION PETITION #AV-01-2021 filed by Chris Ostrander to vacate a portion of right-of-way at 1501 Lima Avenue.**

**CPC STAFF**

### **General Information**

This request is to vacate a portion of right-of-way on the east side of the intersection of Bliss Avenue and Lima Avenue. The area is zoned I-1 Light Industrial. It is not within the 100-year flood plain. The City of Findlay Land Use Plan designates the area as Neighborhood Commercial.

### **Parcel History**

Currently the site of Yates and Young Plumbing and Heating Company.

### **Staff Analysis**

The applicant owns the property that surrounds this portion of the right-of-way. He would like to vacate this section in order to incorporate that land into the existing parcel.

It appears that there was a vacated alley to the east of this that was vacated. The vacated street could have connected Elyria Street with Lima Avenue.

### **Staff Recommendation**

CPC Staff recommends that FCPC recommend approval to Findlay City Council of ALLEY/STREET VACATION PETITION #AV-01-2021 to vacate a portion of right-of-way at 1501 Lima Avenue.

### **ENGINEERING**

The proposed vacation will not have an impact on any City owned utilities. Engineering recommends approval of the vacation petition.

### **FIRE PREVENTION**

No comment

### **RECOMMENDATION**

Staff recommends that FCPC recommend approval to Findlay City Council of ALLEY/STREET VACATION PETITION #AV-01-2021 to vacate a portion of right-of-way at 1501 Lima Avenue.

### **DISCUSSION**

Dan Clinger offered a point of clarity. The vacated land would all go to the property owner to the east, since they own all the surrounding property.

### **MOTION**

Dan Clinger made a motion to **approve ALLEY/STREET VACATION #AV-01-2021 for the Findlay Village Mall Subdivision located at 1800 Tiffin Avenue.**

**2<sup>nd</sup>: Dan DeArment**

**VOTE:** Yay (4) Nay (0) Abstain (0)

**2. APPLICATION FOR CONDITIONAL USE #CU-03-2021 filed by Grace Moore, 220 W. Lima Street, to allow for a hair salon to be located in the carriage house at 220 W. Lima Street.**

**CPC STAFF**

**General Information**

This request is located on the north side of W. Lima Street, east of Cory Street, and west of S. West Street. It is zoned R-3 Small Lot Residential. The parcel directly to the west is C-2 General Commercial. To the east, there is a mix of R-3 Small Lot Residential, C-2 General Commercial, and O1 Office/Institution. To the north and south is mostly R-3 Small Lot Residential. It is not located within the 100-year flood plain. The City of Findlay Land Use Plan designates the area as Downtown.

**Parcel History**

According to the Auditor, this parcel has been residential since 1900.

**Staff Analysis**

Grace Moore is proposing to use the carriage house on the property to house a salon. The carriage house is located on the east side of the parcel on the parcel boundary with the north/south alleyway.

The salon would operate as a Home Business. A Home Business, according to the City of Findlay Zoning Ordinance, is defined as:

*Any occupational activity carried on exclusively by a member of an immediate family residing on the premises and conducted entirely on the premises. No commodity shall be sold on the premises except that which is produced thereon, nor mechanical equipment used in fabrication or alteration of product, tools, gear, etc. from which external effects may adversely affect adjacent property. Home Businesses shall be clearly incidental and secondary to the use of the premises for dwelling purposes, and shall not change the structural character thereof.*

The main concern regarding the proposal is the lack of available parking on the site. On the north side of the parcel, there is a gravel parking area that is located on the east/west alleyway. Parking spaces need to be nine feet (9') wide, eighteen feet (18') long minimum, and one-hundred sixty-two (162) square feet in area. For calculating the parking required for the salon, we would utilize the parking standard for the C-1 district of one (1) parking space for every 325 square feet. The carriage house is one-hundred ninety-two (192) square feet in size according to the County Auditor. This means that they would need to provide one (1) parking place for the business. The R-3 district requires two (2) parking spots per unit. This means that there needs to be a total of three (3) parking spaces on the site. The garage currently counts as one (1) parking space. The parking pad to the west of the garage is roughly 350 square feet in size. We went out and measured the width of the parking area, and it only was 16.5 feet from the edge of the garage to the edge of the fence. This is short of the required eighteen (18) feet to allow for a minimum of two (2) parking spaces.

If approved, the applicant understands that if there are legitimate complaints regarding the operation that the permit can be revoked.

**ENGINEERING**

The only concern that Engineering has is with the limited parking. It appears that there is potentially one parking space in the large structure at the rear of the parking and one additional spot in the small area on the west side of the structure. All other parking is on street parking. Since the on street parking cannot be guaranteed to be available when potential clients would be coming to the salon, Engineer is not in favor of the conditional use unless something can be done to add additional off street parking spaces.

**FIRE PREVENTION**

Change of building use/ occupancy change must be filed with Wood Co. Building Dept.

**RECOMMENDATION**

Staff recommends **Denial of APPLICATION FOR CONDITIONAL USE #CU-03-2021 filed by Grace Moore, 220 W. Lima Street, to allow for a hair salon to be located in the carriage house at 220 W. Lima Street.**

**DISCUSSION**

Sean Martin was in attendance on behalf of the applicant Grace Moore. He provided additional information regarding the proposed business. There will only be one chair available in the carriage house and that the hours would be by appointment only.

Brian Thomas noted that although there may only be one customer at a time, there is not anything preventing the next customer showing up and trying to park. This could lead to cars sticking over the property line or into the alleyway, which creates a safety issue.

Matt Cordonnier reiterated that the minimum parking spot dimensions are 9 feet x 18 feet, but the width of the parking pad is only 16.5 feet. The requirement is 18 feet, so there is not a possibility of two cars side-by-side in the space. Sean Martin noted that the applicant only has one car at the moment.

Dan Clinger asked if the carriage house had a water and sewer connection, which Sean Martin confirmed it did. Clinger reminded the applicant that signage is not allowed on the premises. Then, Clinger discussed that there is a lack of access to the carriage house from the street. Martin did note that the access into the carriage house would be from the garage along a sidewalk in the backyard.

Dan DeArment asked if there had been any responses from the neighbors. The Commission did receive an email stating their opposition to the conditional use.

**MOTION**

Christina Muyrn made a motion to **deny APPLICATION FOR CONDITIONAL USE #CU-03-2021 to allow for a hair salon to be located in the carriage house at 220 W. Lima Street due to lack of parking.**

**2<sup>nd</sup>: Dan Clinger**

**VOTE: Yay (4) Nay (0) Abstain (0)**

**3. APPLICATION FOR SITE PLAN REVIEW #SP-11-2021, filed by Casto Findlay 1, LLC, 250 Civic Center Drive, Suite 500, Columbus, Ohio, to construct a 7,767 sf TH Minit Market convenience store, with restaurant, drive-thru, and fueling station at 1705 Tiffin Avenue.**

**CPC STAFF**

**General Information**

This request is located on the south side of Tiffin Avenue, west of Londonderry Drive. It is zoned C-2 General Commercial. To the north and east is zoned C-2 General Commercial. The parcels to the west are C-1 Local Commercial. The neighborhood to the south is zoned R-1 Large Lot Residential. It is not located within the 100-year flood plain. The City of Findlay Land Use Plan designates the area as Regional Commercial.

**Parcel History**

The parcel was split recently from 1701 Tiffin Avenue. This was the site of St. John's Evangelical Lutheran church.

**Staff Analysis**

The applicant would like to construct a 7,767 square foot retail building on a 2.24 acre parcel. There will also be a fueling station with ten (10) pumps. A total of fifty-four (54) parking spaces are provided for the site.

The building meets all setback requirements for the C-2 district. The height of the building is 28.5 feet, which is well below the maximum sixty feet (60') for C-2. Drawings show signage on the building that do not require any permits. There will also be signage on the fuel canopy, which do not require any permits. There are two low-profile signs indicated on the drawings. One is fifty-nine (59) square feet, located along Tiffin Avenue, and another thirty-two (32) square foot sign on the east side of the property along Londonderry Drive. The locations indicated meet setback standards. These signs and any directional signage on the property will have to be approved through the zoning office.

A drive-thru is shown on the drawings to accommodate the tenant space on the east side of the building. There is two lanes of stacking provided which could accommodate the required 8 cars.

A lighting plan shows the height of the fixtures to be twenty-two feet (22'), which is under the twenty-five feet (25') maximum. A photometric plan indicates that the foot candle readings on the Londonderry parcel boundary, near the points of access, exceed one (1) foot-candle. The code limits the measurement to one (1) foot-candle at a property line in Commercial zoning. As the light travels toward the street though, it goes under one (1) foot-candle, and given that the east side of Londonderry is more commercial activity, this is not a concern.

The applicant has proposed to include one-hundred fifty-six (156) shrubs and fifty (50) trees for the purposes of landscaping and screening. The applicant has requested that we accept the landscaping plan, rather than enforce the entire required amount for this type of development. If we were enforcing the full amount, it would require them to plant one-hundred fifty-six (156) shrubs and sixty (60) trees. The concern is that given the configuration of the parking lot, and amount of space available, the trees would not survive if they tried to fit in ten (10) more trees. Staff is not concerned about the reduction in the number of trees in this situation

### **Staff Recommendation**

CPC Staff recommends approval of APPLICATION FOR SITE PLAN REVIEW #SP-11-2021 to construct a 7,767 sf TH Minit Market convenience store, with restaurant, drive-thru, and fueling station at 1705 Tiffin Avenue.

### **ENGINEERING**

Access – The applicant is proposed two (2) access drives on Londonderry Drive and one (1) access off of Tiffin Avenue. The drives on Londonderry Drive will line up with the existing drives across the street. The proposed access off of Tiffin Avenue is actually public right of way. The original plat of the area calls the right of way as Bright Avenue but the rest of the maps in the Engineer Department have it labeled as Winterhaven Drive. The south end of the right of way was vacated in 1960 but the north part of the right of way still exists. Since it is public right of way, the applicant has the right to use it for access to the site.

Water Service – The applicant is proposing to tap the existing six inch (6”) waterline on the east side of Londonderry Drive. The proposed water service will enter near the south west corner of the building.

Sanitary Service – The applicant is proposed to tap the existing manhole on the existing eight inch (8”) sanitary sewer on the west side of Londonderry Drive. The proposed sanitary service will run behind the building and will enter on the west side of the building.

Stormwater Management – Detention for the site will be provided under the pavement on the north side of the fuel canopy and the west side of the proposed building. The detention calculations provided meet the City of Findlay design standards.

MS4 Requirements – The site will be disturbing more than one (1) acre so the applicant will need to comply with the City of Findlay’s Erosion & Sediment Control Ordinance.

Recommendations: Approval of the Site Plan.

The following permits may be required prior to construction:

- Driveway/Curb Cut Permit x 3
- Water Tap Permit
- Sanitary Tap Permit
- Storm Tap Permit
- Sidewalk Permit

### **FIRE PREVENTION**

There is concern with the additional traffic light stacking on Londonderry Dr. This may cause issues with access to the building.

### **RECOMMENDATION**

CPC Staff recommends approval of APPLICATION FOR SITE PLAN REVIEW #SP-11-2021 to construct a 7,767 sf TH Minit Market convenience store, with restaurant, drive-thru, and fueling station at 1705 Tiffin Avenue.

### **DISCUSSION**

Chris Rinehart and Sarah Harville were present to represent the applicant.

Mayor Muryrn asked about having a right-turn only out of the existing driveway onto Tiffin Avenue. Brian Thomas noted that he would like to see something, but he wasn't sure what the best solution would be to prevent this. The fear is that installing a pork-chop, would lead to an increase of traffic using the Londonderry access potentially sending it into the residential neighborhood to the south. Jackie Schroeder said that the Speedway, at the intersection of Tiffin Avenue and Bright Road, has a sign that says no left turns during restricted hours.

Chris Rinehart stated that they want to put a right-in/right-out onto the property, but later discovered the right-of-way issue with the adjoining property. They plan to vacate the alleyway, but need to get the surrounding property owners to vacate the entire length of the alleyway. Brian Thomas also reiterated that without knowing if there are any shared agreements, they might be restricting someone's only access to their site.

Dan Clinger asked how they determined their parking needs for the site. Based on the size of the store, they thought it was the appropriate amount. Clinger also noted the parking on the Tiffin side of the lot could be a bit of a traffic issue on the site with people parking and then walking through the pump station. Clinger noted that on the back side of the property, it looked like the drive-thru lane curved. Chris Rinehart clarified that the drive-thru has that space to allow for an "escape lane" for people who need to get out of the drive-thru and allow first responders to get into that area. Deliveries will be made at the back of the building during off-peak hours to reduce traffic on-site and not interfere with the drive-thru.

Mayor Muryrn reiterated that she wanted to make sure that the intersection remains safe. In the future, if this development leads to issues, they can revisit it with the Traffic Commission.

### **MOTION**

Jackie Schroeder made a motion to **approve the APPLICATION FOR SITE PLAN REVIEW #SP-11-2021 to construct a 7,767 sf TH Minit Market convenience store, with restaurant, drive-thru, and fueling station at 1705 Tiffin Avenue.**

**2<sup>nd</sup>: Dan Clinger**

**VOTE: Yay (4) Nay (0) Abstain (0)**

### **ADJOURNMENT**

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Christina Muryrn  
Mayor

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Brian Thomas, P.E., P.S.  
Service Director