

City of Findlay
City Planning Commission
 City Council Chambers, 1st floor of Municipal Building
 Thursday, May 13, 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
 Rob Martin
 Jackie Schroeder
 Dan Clinger

STAFF ATTENDING:

Matt Cordonnier, HRPC Director
 Judy Scrimshaw, Development Services Planner
 Jacob Mercer, Planner
 Jeremy Kalb, PE, City Engineer

GUESTS:

Chris Rinehart, Ruthie Tong, Tom Hazelton, Brian Buck, Ed Decker, Wesley Jefferies

CALL TO ORDER

ROLL CALL

The following members were present:

Mayor Christina Muryn
 Rob Martin
 Jackie Schroeder
 Dan Clinger

SWEARING IN

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

APPROVAL OF MINUTES

Dan Clinger made a note that on page 2, for AV-01-2021, there was a typo that needed corrected. Dan Clinger made a motion to approve the minutes of the April 11, 2021 meeting. Jackie Schroeder seconded. Motion carried 4-0-0.

NEW ITEMS

1. ALLEY/STREET VACATION PETITION #AV-02-2021 filed by Findlay City Mission to vacate the first north/south alleyway, west of the railroad tracks between W. Main Cross Street and W. Front Street.

CPC STAFF**General Information**

This request is to vacate the first north/south alleyway west of the railroad tracks between W. Main Cross Street and W. Front Street. On the east side of the alley is zoned C-3 Downtown Commercial. On the west side of the alley is zoned C-3 Downtown Commercial and R-3 Small Lot Residential. It is not within the 100-year flood plain. The City of Findlay Land Use Plan designates the area on the east as Downtown and Single Family Small Lot on the west.

The City Mission owns all the parcels on either side of the alleyway.

Staff Analysis

The applicant owns all the property that surrounds this portion of the right-of-way. They made the request to vacate so that they could combine all their parcels into one piece.

Staff Recommendation

CPC Staff recommends that FCPC recommend approval to Findlay City Council of ALLEY/STREET VACATION PETITION #AV-02-2021 vacate the first north/south alleyway, west of the railroad tracks between W. Main Cross Street and W. Front Street.

ENGINEERING

No Comment

FIRE PREVENTION

No comment

RECOMMENDATION

Staff recommends that FCPC recommend approval to Findlay City Council of #AV-02-2021 to vacate the first north/south alleyway, west of the railroad tracks between W. Main Cross Street and W. Front Street.

DISCUSSION

Ruthie Tong attended and spoke on the project. They recently purchased 518 W. Main Cross Street and demolished the structure. They are working with a landscape architect to turn it into a greenspace. Since they own all the property on either side of the alleyway, they wanted to vacate the alley and combine everything into one parcel.

Mayor Muyrn brought up concerns from the neighbors about City Mission operations. Ms. Tong referenced that were working on fixing the issues. They had moved the freezer truck from the west side of the parking lot to behind the building. They are also working to ensure that there is not anyone sleeping in their side lot.

Dan Clinger wanted to clarify if there was any screening needed between the commercially zoned parcels and the adjacent residential properties. Ms. Tong said that they would extend a vinyl fence along the full length of the western parcel boundary to help screen.

MOTION

Dan Clinger made a motion to recommend **approval of #AV-02-2021 to vacate the first north/south alleyway, west of the railroad tracks between W. Main Cross Street and W.**

Front Street.**2nd: Jackie Schroeder****VOTE:** Yay (4) Nay (0) Abstain (0)**2. ALLEY/STREET VACATION PETITION #AV-03-2021 filed by Casto Findlay 1, LLC, 250 Civic Center Drive, Suite 500, Columbus, Ohio, to vacate the first north/south alleyway west Londonderry Street and south of Tiffin Avenue.****CPC STAFF****General Information**

This request is to vacate the first north/south alleyway west of Londonderry Drive, and south of Tiffin Avenue.

This alley has served as an entrance to a number of businesses along Tiffin Avenue. This has been referred to as Bright Avenue, but has also been noted as an extension of Winterhaven Avenue as well.

Staff Analysis

The applicant was in last month for a site plan approval for the lot on the northeast portion of the alley. The applicant has entered into a maintenance

Staff Recommendation

CPC Staff recommends that FCPC recommend approval to Findlay City Council of ALLEY/STREET VACATION PETITION #AV-02-2021 vacate the first north/south alleyway, west of the railroad tracks between W. Main Cross Street and W. Front Street..

ENGINEERING

No Comment

FIRE PREVENTION

No comment

RECOMMENDATION

Staff recommends that FCPC recommend approval to Findlay City Council of #AV-03-2021 to vacate the first north/south alleyway, west of the railroad tracks between W. Main Cross Street and W. Front Street.

DISCUSSION

Chris Rinehart was present on behalf of Turkey Hill. The property owners were in the final stages of creating a maintenance agreement.

Dan Clinger asked what the right-of-way width measured. Staff said that it was thirty feet and looked like an old street right-of-way. Mr. Clinger further asked what the maintenance agreement would look like. The back section would be owned entirely by the condominium association, with the church giving up its section of the vacation. The front will be maintained by Turkey Hill as it

will serve as one of the access points to their site.

Mr. Clinger asked if we needed a copy of the agreement before it went to City Council. Matt Cordonnier offered that these are private agreements, and that it would not be entirely necessary to have. Mr. Rinehart reiterated that if the agreement cannot be agreed, then they would not be following through with the vacation.

MOTION

Dan Clinger made a motion to recommend **approval of the ALLEY/STREET VACATION PETITION #AV-03-2021 file to vacate the first north/south alleyway west Londonderry Street and south of Tiffin Avenue with the condition that the draft access agreement is submitted to the City.**

2nd: Rob Martin

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

3. PETITION FOR ZONING AMENDMENT #ZA-03-2021 filed by William Buck, 111 Joshua Road, McComb, Ohio, to rezone lots 6192-6194 of Madison Avenue from R-3 Small Lot Residential to C-1 Local Commercial.

CPC STAFF

General Information

This request is located on the north side of Madison Avenue, east of Bolton Street, and west of Morse Avenue. It is zoned R-3 Small Lot Residential. The parcel directly to the east is MH-Mobile Home. To the north and west, is R-3 Small Lot Residential. To the south is mostly C-2 General Commercial. It is not located within the 100-year flood plain. The City of Findlay Land Use Plan designates the area as Single-Family Small Lot.

Parcel History

According to the Auditor, these parcels have had the same owner for over 20 years. Currently, the lots are used as additional parking and day-to-day business needs for Decker's Hauling LLC at 501 Madison Avenue.

Staff Analysis

The site has been vacant. Tenants at 501 Madison Avenue have periodically parked vehicles and used the lots as part of their business operations. These parcels have always had residential zoning. During our most recent zoning map update last year, the parcels remained as R-3 Small Lot Residential.

501 Madison Avenue was located in the Trenton Avenue Overlay District when it existed; however, the parcels for review today were not. Madison Avenue historically had been the dividing line between commercial activity and the residential neighborhoods to the north.

The applicant indicated on their application that the reason they were requesting the change in zoning was to allow for the use of a parking lot for 501 Madison Avenue. The change in zoning alone, however, would not be sufficient to bringing the current use of the site into compliance. If

the applicant wishes to use the site as a parking lot for the business, they would need to submit a site plan to Planning Commission to ensure that it becomes paved, and meets all standards regarding site design, drainage, and screening requirements.

Staff has concerns whether a parking lot or other C-1 uses would be appropriate for the neighborhood.

ENGINEERING

No Comment

FIRE PREVENTION

No Comment

DISCUSSION

Ed Decker, owner of Decker Hauling LLC, is the tenant at 501 Madison Avenue, and was there on behalf of the request. Mr. Decker said that the owner, Bill Buck, had said that the lots had always been used for parking. He noted that he had gotten a few parking tickets one weekend because one of the vehicles had been parked over the sidewalk at 501 Madison Avenue. His business really needed to be able to use the parking on the opposite side of the street to avoid this issue in the future.

Mayor Muyrn asked if the Mr. Buck, had planned on paving a parking area on the lot. Mr. Decker said that he even offered Mr. Buck to have it paved, because the business will not be able to operate at the location without additional parking.

Mr. Decker said that the sidewalk for the lots also has become an issue with flooding. It makes it a maintenance issue every time it rains because of debris and mud gets onto the sidewalk.

Mr. Clinger asked how Mr. Decker accessed the lot behind the building at 501 Madison Avenue. Mr. Decker noted that there are garage doors on both ends of the building, so they can open them both to drive to the back. Unfortunately, some of the vehicles are so large that they cannot fit multiple vehicles back there.

Mr. Clinger asked how many vehicles Mr. Decker had on site. Mr. Decker confirmed he had two trailers, a black truck, a forty-foot trailer, a horse trailer, and another thirty-six-foot trailer. The horse trailer, however, is normally behind the building at 501 Madison.

Matt Cordonnier asked how large of a parking lot did Mr. Decker plan to build if they were granted the variance. He said that they would probably pave the gravel area, as it existed today. Mr. Cordonnier then asked if they could live with a solution where they could make just the central parcel commercial, while keeping the outside two lots residential. This would limit the amount of area that was zoned commercial and be restrictive to any future redevelopments of the site.

Brian Buck, Bill Buck's son, attended on behalf of the application too. He said his grandfather, who owned Buck Excavating, used the middle lot for the semi-truck parking. He also restated that they were under the impression it was commercial since it was taxed commercial. They had been

confused why they did not get a postcard during the zoning map update, but realized since that there had not been a zoning change.

Mr. Cordonnier reaffirmed that as a staff, he preferred the idea of only having one of the three lots be allowed to rezone to commercial. Jeremy Kalb reiterated that there should be a detention plan submitted for any parking area for the site. Mayor Muyrn said she wanted to table the application to allow the applicant to work through the drainage plan. Mr. Clinger also suggested that they should try to make the eastern lot the parking area. This would allow the western two parcels remain residential, and be more attractive to being redeveloped as residential in the future.

MOTION

Mayor Muyrn made a motion to table **PETITION FOR ZONING AMENDMENT #ZA-03-2021 filed by William Buck, 111 Joshua Road, McComb, Ohio, to rezone lots 6192-6194 of Madison Avenue from R-3 Small Lot Residential to C-1 Local Commercial.**

2nd: Rob Martin

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

4. APPLICATION FOR CONDITIONAL USE #CU-04-2021 filed by Michael Dudash, 1625 S. Main Street, Findlay, to create a bed & breakfast at 1625 S. Main Street.

CPC STAFF

General Information

This request is located on the east side of Main Street, north of Fairlawn Place, south of 7th Street. It is zoned R-2 Medium Lot Residential. The surrounding neighborhood is entirely R-2 Single-Family. It is not located within the 100-year flood plain. The City of Findlay Land Use Plan designates the area as Single Family Medium Lot. Staff has no record of any duplexes in the neighborhood.

Parcel History

This has been a single-family residential home. The applicant, Mr. Dudash, purchased the home in February 2021.

Staff Analysis

The applicant would like to list the home as an Airbnb. The applicant lives in the home, but would have the additional two rooms available for rental. A bedroom would meet the definition of a living unit for a bed & breakfast. The total living space in the home is 2,212 square feet, which is above the minimum 1,500 square feet for a two-story residential home.

The compatibility with the surrounding neighborhood and the availability of usable parking are staff's main concerns about the proposed use. At the widest point, the driveway is only 9.5 feet wide, so getting cars in and out of the site would be an issue. The code requires two parking spots for a dwelling in the R-2 Medium Lot Residential district. The bed & breakfast requirements also state that there must be one parking space per living unit. This means that the site would need to provide four (4) total parking spaces. The driveway width makes this unfeasible. This would not allow cars to maneuver in and out of the site as needed.

Staff Recommendation

CPC Staff recommends **denial of APPLICATION FOR CONDITIONAL USE #CU-04-2021 filed by Michael Dudash, 1625 S. Main Street, Findlay, to create a bed & breakfast at 1625 S. Main Street due to the parking layout.**

ENGINEERING

No Comment

FIRE PREVENTION

No Comment

RECOMMENDATION

CPC Staff recommends **denial of APPLICATION FOR CONDITIONAL USE #CU-04-2021 filed by Michael Dudash, 1625 S. Main Street, Findlay, to create a bed & breakfast at 1625 S. Main Street due to the parking layout.**

DISCUSSION

Barry Cohen, located at 1628 S. Main Street, spoke in opposition of the project. He was afraid that allowing this request would change the nature of the neighborhood away from its' residential nature. He was afraid that they would start to put up signage for the business. Mr. Cordonnier noted that they would not be able to put up signage, if it were to be approved.

Mayor Muyrn noted that it is a small property in a smaller lot residential area. This type of business would not fit the nature of the neighborhood. Mr. Clinger agreed and that the facts provided did not offer a compelling argument to get approval.

Matt Cordonnier reiterated that the parking is an issue because they do not have usable parking. They could fit cars single stack, but getting cars out would be unworkable.

MOTION

Mayor Muyrn made a motion to **deny APPLICATION FOR CONDITIONAL USE #CU-04-2021 filed by Michael Dudash to create a bed & breakfast at 1625 S. Main Street due to the parking layout.**

2nd: Rob Martin

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

5. APPLICATION FOR CONDITIONAL USE #CU-05-2021 filed by Hazelton Brother's LLC, to open a bar/grille restaurant at 335 Walnut Street.

CPC STAFF**General Information**

This request is located on the south side of Walnut Street, and east of Factory Street. It is zoned C-1 Local Commercial. To the east, there is a parcel of C-2 commercial, with a mix of R-3 Small Lot Residential and C-1 Local Commercial. To the north is a mix of C-2 General

Commercial and I-1 Light Industrial. To the south is R-3 Small Lot Residential. To the west is a mix of R-3 Small Lot Residential and C-1 Local Commercial. It is not located within the 100-year flood plain. The City of Findlay Land Use Plan designates the area as Single-Family Small Lot.

Parcel History

Previously, the site was the location of the Walnut Saloon.

Staff Analysis

The applicant is looking to reopen a bar/grille restaurant at the location. The Walnut Saloon had operated on the site as a non-conforming use. The use has been discontinued for just over two years. To re-open a restaurant on the site, they are seeking the conditional use.

The building is 2,240 square feet, which is under the maximum 2,500 square feet for a bar/grille conditional use. The outdoor patio is enclosed by a privacy fence, and is beyond the minimum seventy-five feet (75') distance from the residential district to the south.

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

Staff Recommendation

CPC Staff recommends **approval of APPLICATION FOR CONDITIONAL USE #CU-05-2021 filed by Hazelton Brother's LLC, to open a bar/grille restaurant at 335 Walnut Street.**

ENGINEERING

No Comment

FIRE PREVENTION

Applicant should ensure proper permitting is filed with Wood County Building Department.

RECOMMENDATION

CPC Staff recommends **approval of APPLICATION FOR CONDITIONAL USE #CU-05-2021 filed by Hazelton Brother's LLC, to open a bar/grille restaurant at 335 Walnut Street.**

DISCUSSION

Tommy Hazelton attended to represent the case. He said that he and his brother acquired the building in March. They are working to upgrade the inside of the restaurant in hopes of re-opening. At some point, they would like to put in a backyard patio and fencing that in properly.

Matt Cordonnier asked where they would be looking to expand. Mr. Hazelton said that they were looking to put the patio along the east side of the building. Mr. Clinger said that it looked tight and that the railroad right-of-way would be a limiting factor.

Mr. Clinger asked what the parking requirement was for the site. Judy Scrimshaw noted they only needed six spaces, and they currently have thirty-two. Matt Cordonnier noted that the excess of parking was a factor in staff feeling comfortable with recommending approval.

Mr. Clinger asked if the building was ADA compliant. Mr. Hazelton noted that they would work with Wood County for the interior renovations. Mr. Clinger offered that they would probably need to bring it up to compliance as part of the renovations.

Mr. Clinger asked staff if the applicant needed to submit a parking plan and a landscaping plan. Matt Cordonnier said that Erik Atkins would need to weigh-in. When they are not changing the use of the building, we typically do not require a landscaping plan.

Mr. Clinger asked what kind of building was to the west. Mr. Hazelton said it was a small office, with a quad apartment building in the back.

MOTION

Mayor Muyrn made a motion to **approve APPLICATION FOR CONDITIONAL USE #CU-05-2021 filed by Hazelton Brother's LLC, to open a bar/grille restaurant at 335 Walnut Street.**

2nd: Rob Martin

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

6. APPLICATION FOR CONDITIONAL USE #CU-06-2021 filed by TuckRein LLC, to operate a duplex at 114 W. Lincoln Street.

CPC STAFF

General Information

This request is located on the north side of W. Lincoln Street, east of Cory Street, and west of S. Main Street. It is zoned C-3 Downtown Commercial. C-3 Downtown Commercial mostly surrounds the parcel, but there is R-3 Small Lot Residential to the southwest. It is not located within the 100-year flood plain. The City of Findlay Land Use Plan designates the area as Downtown.

Parcel History

This location has been a duplex for a number of years.

Staff Analysis

This duplex has been in operation a number of years. The applicant needs the conditional use to comply with the zoning regulations.

In the C-3 District, there are no parking requirements. This site does have a one-car garage and a parking area next to it. As stated in the zoning code, "Residential in all other areas (not located on Main Street) zoned C-3 shall be evaluated for appropriateness at the discretion of the City Planning Commission.

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

Staff Recommendation

CPC Staff recommends **approval of APPLICATION FOR CONDITIONAL USE #CU-06-2021 to operate a duplex at 114 W. Lincoln Street.**

ENGINEERING

No Comment

FIRE PREVENTION

No Comment

RECOMMENDATION

CPC Staff recommends **approval of APPLICATION FOR CONDITIONAL USE #CU-06-2021 to operate a duplex at 114 W. Lincoln Street.**

DISCUSSION

Mayor Muyrn acknowledged that she would need to abstain from voting due to her previous connection as owner of the duplex.

Mr. Clinger asked if the purpose was only to bring it into compliance to provide flexibility down the line. Mayor Muyrn remarked that this property did not have its zoning changed in the map update, so it still was not compliant. The goal is to bring the outstanding duplexes into compliance at a later meeting, if they can meet the parking standard. In this case, the applicant wanted to address the issue sooner than later.

MOTION

Dan Clinger made a motion to **approve the APPLICATION FOR CONDITIONAL USE #CU-06-2021 to operate a duplex at 114 W. Lincoln Street.**

2nd: Jackie Schroeder

VOTE: Yay (3) Nay (0) Abstain (1)

ADJOURNMENT

Christina Muryn
Mayor

Rob Martin
Service Director