

City of Findlay
City Planning Commission
City Council Chambers, 1st floor of Municipal Building
Thursday, February 10, 2022 – 9:00 a.m.

Minutes

MEMBERS PRESENT:

Mayor Muryn
Rob Martin
Dan DeArment
Jackie Schroeder
Dan Clinger

STAFF ATTENDING:

Matt Cordonnier, HRPC Director
Jacob Mercer, HRPC Staff
Kevin Shenise, Fire Prevention
Jeremy Kalb, PE, City Engineer
Erik Atkins, Zoning Administrator & Flood Administrator

GUESTS:

Andrew Gardner, Lisa Ammons, Kathleen Floyd, Linda Saldana, Brittany & Kyle Robinson, Jeff Evers, Kevin Evers, Greg Bockrath

CALL TO ORDER

ROLL CALL

The following members were present:

Mayor Muryn
Rob Martin
Dan DeArment
Jackie Schroeder
Dan Clinger

SWEARING IN

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

APPROVAL OF MINUTES

Dan Clinger motioned to approve the minutes for the January 13, 2022 meeting. Rob Martin seconded. Motion approved 5-0-0.

NEW ITEMS

- 1. ALLEY/STREET VACATION PETITION #AV-02-2022 filed by The Women's Resource Center, 1011 N. Main Street, to vacate the first north/south alley east of N. Main Street on Laquineo Street.**

General Information

This request is located on the north side of Laquineo Street, just east of the intersection with N. Main Street. 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.

Staff Analysis

In November, the Women's Resource Center applied for a conditional use, CU-08-2021, at the property located on the east side of the alleyway, 116 Laquineo Street. When they were granted the conditional use, one of the conditions for approval was that the alleyway be vacated and the two parcels be combined. This application would achieve that condition.

All abutting property owners have signed the petition to vacate.

Staff Recommendation

Staff recommends **approval of ALLEY/STREET VACATION PETITION #AV-02-2022 filed by The Women's Resource Center, 1011 N. Main Street, to vacate the first north/south alley east of N. Main Street on Laquineo Street.**

ENGINEERING

No Comment

FIRE PREVENTION

No Comment

RECOMMENDATION

CPC Staff recommends **approval of ALLEY/STREET VACATION PETITION #AV-02-2022 filed by The Women's Resource Center, 1011 N. Main Street, to vacate the first north/south alley east of N. Main Street on Laquineo Street.**

DISCUSSION

Belinda Harvey was present on behalf of the Women's Resource Center. Mayor Muryn noted that this was already reviewed during the conditional use request for the site. Since this was a condition for approval, this is a straightforward approval for the commission. Dan Clinger asked if this is the last step or if they needed to combine the lots. Matt Cordonnier confirmed that they

would need to fill out an application for combination, which would be approved by the Mayor's Office.

MOTION

Mayor Muryn motioned to **approve ALLEY/STREET VACATION PETITION #AV-02-2022 filed by The Women's Resource Center, 1011 N. Main Street, to vacate the first north/south alley east of N. Main Street on Laquineo Street.**

2nd: Jackie Schroeder

VOTE: Yay (5) Nay (0) Abstain (0)

2. APPLICATION FOR SITE PLAN REVIEW #SP-02-2022 filed by Village Hardware, for a commercial building at parcel #280001032597 on US Route 224.

General Information

This request is located north side of US Route 224 west of the City of Findlay. It is located in Liberty Township and is zoned B-2 General Business. This corridor is a mix of B-2 General Business and I-1 Light Industrial. It is not located within the 100-year flood plain. The City of Findlay Land Use Plan designates the site as Regional Commercial.

Parcel History

The site is currently a vacant lot. Village Hardware split this parcel in 2021.

Staff Analysis

This project is located in Liberty Township, so it will fall under the Liberty Township zoning requirements and permitting process for construction. The City will only issue permits for utilities.

Village Hardware is proposing to construct a new 25,920 square foot building at the site. This would include construction of a parking lot to accommodate 46 parking spots. The building will feature a main store, with a garden center on the east side of the building. There is a truck dock proposed for the rear of the building. The building height will be 16 feet, which is below the maximum allowed. There is a detention pond shown to the northwest corner of the site to handle drainage on the site. A photometric plan was not submitted with the application, but was requested to complete their application. Additional landscaping was not shown on the plan, however there is a row of hedges on the west side of the property that will remain to separate the site from Rettig Furniture.

The site plan went to Liberty Township for review on Tuesday February 1st, and was approved as submitted.

Staff Recommendation

CPC Staff recommends approval of **APPLICATION FOR SITE PLAN REVIEW #SP-02-2022** filed by **Village Hardware**, for a commercial building at parcel #280001032597 on US Route 224.

ENGINEERING

Access –

The site will be using a new curb cut on the west side of the property that will have access from US224 (Trenton Avenue). Driveway permit will need to be obtained through ODOT.

Water Service –

Assuming a fire and domestic line will be needed for the proposed building, but no water lines are shown on the proposed plans.

Sanitary Service –

No sanitary lateral was shown on the proposed plans, but it is assumed that the proposed building will be tying into the sanitary that is located on Trenton Avenue.

Stormwater Management –

Since the property is located outside of the City Limits, the applicant does not need to comply with the City of Findlay detention requirements. We would like a copy of the detention calculations for our records, in case they are needed for any future development.

MS4 Requirements –

Since the property is located outside of the City Limits, the applicant does not need to comply with the City of Findlay's Erosion & Sediment Control Ordinance, but they will still need to comply with all OEPA requirements for a construction project.

Recommendations:

Approval of the Site Plan

- **Work with the Engineering Department with the location/ size of the water and sanitary services that are needed for the proposed building.**

The following permits may be required prior to construction:

- **Water Permit(s)**
- **Sanitary Permit(s)**

FIRE PREVENTION

No Comment

RECOMMENDATION

CPC Staff recommends **approval of APPLICATION FOR SITE PLAN REVIEW #SP-02-2022 filed by Village Hardware, for a commercial building at parcel #280001032597 on US Route 224 subject to the following conditions:**

- **Work with the Engineering Department with the location/ size of the water and sanitary services that are needed for the proposed building.**

DISCUSSION

Jeff and Kevin Evers of Village Hardware, and Greg Bockrath of Bockrath and Associates were present to discuss the site plan.

Matt Cordonnier asked if they considered working with the neighboring parcel on getting the curb cut off that property rather than US Route 224. They had discussed it, but Village Hardware wanted to keep their retail traffic on their site. ODOT did grant the driveway permit for the driveway on the site plan. Eventually, the neighbor to the east will be industrial in nature, so they were trying to keep truck traffic separate from their customer traffic. Mr. Clinger asked if they considered connecting their parking lot to the Rettig Furniture parking lot to the west. The applicant said that this was not considered. Mr. Cordonnier reiterated that this is another reason why he brought up the access concerns. While it is not located in the City, it is subject to our hard water policy. Unless the County Engineer is asked to review the drainage, commercial projects are not necessarily reviewed. Mr. Cordonnier said that this is why he usually likes to have the City review because if the City will not, nobody does.

Mayor Muryn said she wanted to make a note that they will need to submit a photometric plan to complete the application. The applicant was aware and did not have any concerns providing that.

Mr. Clinger asked if the drainage was reviewed by to City of Findlay standards. Jeff Evers noted that Liberty Township told them that the County Engineer would review the detention pond. Jeremy Kalb asked for them to submit their

Mr. Cordonnier did note that if this site were in the City, the sign they proposed would not meet the zoning code. Mayor Muryn made a note that the Commission would prefer that the sign was smaller, but since it was outside the City boundary, it was not a problem.

MOTION

Jackie Schroeder motioned to **approve APPLICATION FOR SITE PLAN REVIEW #SP-02-2022 filed by Village Hardware, for a commercial building at parcel #280001032597 on US Route 224 subject to the following conditions:**

- **Work with the Engineering Department with the location/ size of the water and sanitary services that are needed for the proposed building.**
- **Submit photometric plan**
- **Submit a copy of the ODOT driveway permit**
- **Work with the Engineering Department on the drainage plan**

2nd: Dan DeArment

VOTE: Yay (5) Nay (0) Abstain (0)

TABLED ITEM

- 1. APPLICATION FOR CONDITIONAL USE #CU-01-2022 filed by the Kyle and Brittany Robinson, 1638 Eastview Drive, Findlay, Ohio, to convert 512 N. Cory Street into a duplex.**

General Information

This request is located on the west side of Cory Street, just south of the intersection with Defiance Avenue. It is zoned R-3 Small Lot Residential and within the PMUD Planned Mixed Unit Development Overlay District. To the north, south and east, it is zoned R-3 Small Lot Residential. The University Overlay District starts at the intersection of Defiance Avenue. To the west is Swale Park, which is zoned PO, Park and Open Space. It is located within the 100-year flood plain. The City of Findlay Land Use Plan designates the area as PMUD.

Parcel History

The site has been a single family home. The Robinson's bought the house in October 2021.

Staff Analysis

The applicant would like to convert 512 N. Cory Street into a duplex. This neighborhood south of the University of Findlay is a mix of apartments, single family, and duplex properties. During the zoning code update of 2020, duplex/triplex was added as a conditional use for the R-3 Small Lot Residential zoning district.

The house is on an alley that goes east/west toward Swale Park. There is currently a single car garage. The other parking for the home is along the alleyway, which is unpaved. The applicant has indicated they are going to install a parking pad in the rear of the property.

Staff Recommendation

Staff recommends **approval of CU-01-2022 filed by the Kyle and Brittany Robinson, 1638 Eastview Drive, Findlay, Ohio, to convert 512 N. Cory Street into a duplex subject to the following condition:**

- **The parking area and driveway must be paved**

ENGINEERING

No Comment

FIRE PREVENTION

Be sure to pull the proper permits from Wood County Building Department for any work that will be completed.

RECOMMENDATION

CPC Staff recommends **approval of #CU-01-2022 filed by the Kyle and Brittany Robinson, 1638 Eastview Drive, Findlay, Ohio, to convert 512 N. Cory Street into a duplex subject to the following condition:**

- **The parking area and driveway must be paved**

DISCUSSION

Kyle and Brittany Robinson were present to discuss the application. Jacob Mercer asked for them to clarify what was the building in the backyard. They confirmed it is a dilapidated shed that would be removed. Mr. Mercer also asked if the parking pad would be located at the back of the property. Kyle Robinson said that the preference would be for the parking pad to be located at the rear of the lot, abutting Swale Park.

Dan Clinger asked if there was a back entrance to both units. The Robinson's confirmed there was a door in the garage that would lead to each unit. Mr. Clinger asked what the parking standard was, and Matt Cordonnier confirmed it was two per unit. Mr. Clinger asked the applicants if the single car garage counted as one of the spots. Kyle Robinson said they would like to have all the parking on the pad, and the single car garage would be turned into storage for both units. Mr. Clinger noted that wherever the parking is located, they should add a paved walkway so that the residents did not have to walk through the alley to get to the door.

MOTION

Dan Clinger motioned to **approval of #CU-01-2022 filed by the Kyle and Brittany Robinson, 1638 Eastview Drive, Findlay, Ohio, to convert 512 N. Cory Street into a duplex subject to the following condition:**

- **The parking area and driveway must be paved**

2nd: Rob Martin

VOTE: Yay (5) Nay (0) Abstain (0)

- 2. APPLICATION FOR SITE PLAN REVIEW #SP-01-2022 filed by The Kroger Company, 4111 Executive Parkway, Westerville, OH for a fueling station to be located at 101 6th Street.**

CPC STAFF

General Information

This request is located on the south side of 6th Street just east of S Main Street. It is zoned C-1 Local Commercial. To the north, south and east is zoned R-1 Single Family Low Density and R-2 Single Family Medium Density. To the west is zoned R-1 Single Family Low Density. It is not located within the 100-year flood plain. The City of Findlay Land Use Plan designates the property as Neighborhood Commercial.

Parcel History

The site of the proposed fueling station is currently a parking lot and vacant grass lot behind the existing grocery store.

Staff Analysis

This applicant is proposing to construct a five (5) pump fueling station at the east end of the existing Kroger store. Fueling stations are a Conditional Use in the C-1 Local Commercial district.

The parking lot is currently used for employee parking. There is no public access at this end of the store for patrons. There is one access to the parking lot at the east end of the pavement. There is a remnant of the former residential drive into the grass area east of the parking lot. The Engineer will discuss the new driveway locations in his review.

The gas station features a canopy and small attendant building. The structures meet all required setbacks. This site will not have a convenience store component. For the January 13, 2022 CPC meeting, the applicant submitted elevations for the gas station. Staff recommended that the colors for the canopy be neutral tones rather than their originally proposed red. Staff received an updated elevation sheet that meets this request.

Parking along the east side of the building and to the south of the proposed fueling area will generally serve employees. There are 28 spaces shown there. There are enough spaces with the parking on the west side and the additional spaces on the east to meet those minimums.

Although the plan can meet minimum requirements, the site is small and has the potential to exacerbate the existing site issues. We anticipate that the drive at the south end of the store will have added traffic with patrons getting gas and now go out front to do my shopping. The site has issues now at busy times with so many shoppers, conflicts in the parking lot and not easy ingress and egress in general. The site plan indicated that the south drive would only be one-way from east to west on the site, or from the gas station lot to the main parking lot. For anyone wishing to shop first, and then get gas, they must leave the property and use public streets. Staff would like to see all traffic between the grocery store and gas station remain on site.

All the residential neighbors will be subject to more traffic, lights and noise than they already have had living beside a retail space.

Since the January 13, 2022 meeting, we have received some updates to the site plan. Staff wanted to see the entrance at 6th Street reworked to provide a safer pedestrian entrance. Originally for the January meeting, we asked them to consider a right-in/right-out option to limit the stacking issues at that entrance. During the meeting, the option emerged instead to move the entrance for pedestrians to the southern edge of the canopied walkway to limit the number of pedestrians crossing across the vehicular entrance to the parking lot. An updated site plan shows this adjustment, with four parking spots removed to allow additional curbed sidewalk. The remaining parking at the front of the grocery side of the store will be converted to handicapped spots. A decorative fence and new striping pattern in the parking lot will indicate to pedestrians how to enter the store.

CPC Staff was encouraged that the applicant has been attempting to find solutions to the staff concerns of pedestrian and vehicular safety on site.

ENGINEERING

Access –

The site currently has one (1) drive on Main Street and three (3) drives on 6th Street (one drive is for the currently vacant lot that is under the same ownership). The proposal keeps the same number of drives as what currently exists.

Water Service –

The proposed water service is labelled as a 2” service. This seems like a large size to service 1 restroom for employee use only. The water service will also need to connect to the 10” waterline on the north side of Sixth Street, this line will need to be bored or directional drilled under Sixth Street. The location of the water service will also need to be modified so that the water meter pit will be located in a grass area.

Sanitary Service –

The proposed sanitary service will connect to the existing sanitary sewer located at the rear of the property.

Stormwater Management –

The stormwater calculations submitted complies with the City of Findlay Standards. The proposed storm sewer connection to the existing 36” storm sewer will be difficult because the existing sewer is high tension brick.

MS4 Requirements –

The site will disturb less than one (1) acre so the applicant will not need to comply with the City of Findlay’s Erosion & Sediment Control Ordinance.

The following permits may be required prior to construction:

Sanitary Sewer Tap Permit x1

Storm Tap Permit x1

Driveway/ Curb Cut Permit x4
Sidewalk Permit
Waterline Tap Permit x 1

FIRE PREVENTION

The FDC has been relocated to address concerns.

DISCUSSION

Andrew Gardner, the project Engineer from V3 Companies; and Lisa Ammons, the regional Real Estate Manager for Kroger, were present on behalf of Kroger.

Matt Cordonnier started by saying that one of the Planning Commission members asked for a quick reminder about what the code says in terms of reviewing the plan.

Conditional Uses

1161.15.1 GENERAL STANDARDS.

The Planning Commission shall review the particular facts and circumstances of each proposed use in terms of the following standards and shall find adequate evidence showing that such use of the proposed location:

- (1) Will be harmonious with and in accordance with the general objectives or with any specific objective of the Findlay Zoning Code of current adoption;*
- (2) Will be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area;*
- (3) Will not be hazardous or disturbing to existing or future neighboring uses;*
- (4) Will not be detrimental to property in the immediate vicinity or to the community as a whole;*
- (5) Will be served adequately by essential public facilities and services such as highways, streets, police, and fire protection, drainage structures, refuse disposal, and school; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such service.*

(Ord. 2019-010. Passed 3-5-19.)

Jacob Mercer also noted that since the last meeting, several of the neighbors did reach out again about the updated site plan. The consensus was that there are still concerns about the proposal.

Andrew Gardner spoke about the updated site plan. They made the changes to the FDC access for Fire Prevention, and the elevations were updated in terms of the canopy colors. The main change from last meeting was shifting the pedestrian entrance to the center of the store. After last month's meeting, Mr. Gardner went to the site location and realized quickly that enclosing the space would not be possible. The width in some spots was just over five feet, so in terms of

fire access and safety, they thought this was an unfeasible solution. They did work a different idea that they extend the curbed area into the parking lot further and put up a decorative fence to guide pedestrians to the center area.

In the short term, Kroger will be removing the fence along the south of the property. The residents also have a fence on their property line, so the neighbors will still be screened.

Mr. Gardner said that they have done all they can address the traffic and screening concerns. They will provide final details on the acoustical wall, because they were still looking for the right match for color and character on the block.

Mr. Clinger said he appreciated the work that had been done, and encouraged Kroger to do the changes for the store entrance regardless of the outcome of the meeting. He noted he still had concerns that the wall still does not screen the abutting neighbors. For the parking lot requirements, he saw that the counts were still below the code standards. Mr. Gardner said that the site is currently under-parked, but these changes would increase the number on site.

Mr. DeArment said that even though the number of parking spots were increased, they were in the back rather than the grocery side. When Mr. Gardner visited, he noted there was only two cars in the back lot. He acknowledged that is an operations issue, but something they need to do to open up spots for the customer parking. Mr. Clinger asked if they could add an employee entrance from the rear. Mr. Gardner said they have discussed it but it is not their preference in terms of security.

Mr. Clinger asked if the dumpsters were going to remain where they were. Mr. Gardner confirmed, which Mr. Clinger said would take out some additional parking too. Mr. Clinger asked if they could clarify the differences between the loading docks on the south side of the building. The other day, he saw multiple trucks waiting to unload in the front dock. Mr. Gardner said that the main dock was on the south side of the building on the west. There is a smaller dock on the east for dry-goods like a bread truck. If the bread trucks are using the main dock, that is an operational issue that they will have to address with the store.

Jackie Schroeder echoed that she liked the changes to the pedestrian entrance and to the main grocery store lot. She still had concerns they were unable to keep all the traffic internal on site, as well as the cramped nature of the store/proposed fuel station on site. This area at the back of the store is transitioning into a residential neighborhood and she was unsure that a fuel station was a good fit for that transition.

Dan DeArment asked if they still had a deceleration lane for the entrance. Mr. Gardner confirmed that they did eliminate that from the site plan and that the right-in/right-out only was removed as well. Mr. DeArment asked if the residential lot that was bought awhile back was also rezoned for commercial. Mr. Cordonnier noted that it had been combined with the main site and the whole site was zoned C-1. Mr. DeArment went on to say that this area is a residential neighborhood, and a gas station is something that is opposite use. The intensity of the use, with the smells, lights, and noise, do not go well with the residential nature of the neighborhood. He has concerns that the neighborhood property values will be harmed as a result. Mr. DeArment

went on to state that he was not sure there was a need for a second fuel station at this intersection.

Rob Martin reiterated that the proposed changes to the front of the store was appreciated. In terms of EMS traffic, 6th Street has more traffic than it probably originally designed. The key word he heard from Mr. Cordonnier earlier was that the site should be “harmonious” and the proposal does not seem to meet that requirement.

Mr. Gardner countered that they did complete a traffic impact study for the intersection. The only improvements recommended was that they increase the turn radius to the left turn onto Main Street. The Engineer’s staff had that study, which he was unsure if they agreed with the recommendations or not. They were willing to make additional improvements if the staff required it.

Mr. Clinger asked if they discussed the drainage of the site. Mr. Gardner said it would tie into the existing storm sewer and underground storage. They will have oil/water separators so that if there are spills, it is caught instead of going into the storm sewer.

Mr. Cordonnier asked if Kroger had reached out to the neighbors. Mr. Gardner said that Kroger had not, but having read the comments from last month, they tried to address all their concerns.

Mayor Muryn said that she agreed with everyone that she liked that they were trying to address concerns but that they were trying to fit a size 10 foot into a size 2 shoe.

Linda Saldana, 136 7th Street, spoke about her concerns for the site plan. She lives directly behind the loading docks. The Kroger, on Tiffin Avenue, is in a commercial area with large setbacks and no residential neighbors. She says that this is a residential area and that this did not fit the character of the neighborhood. She wondered if there would be negative health impacts from living so close to the fuel station. She noted that there were often three semi-trucks lined up waiting to unload in the docks currently, so she feared the fuel station will exacerbate existing issues.

Kathleen Floyd, 128 7th Street, spoke about her concerns for the site plan as well. She said she is still concerned about the traffic at the site. She noted that there is not a lot of customer traffic at the back of the store. On a typical weekday, they say 51 cars into the fuel station and 52 out. During peak, there would be 70 in/out. If they have half going from gas to grocery parking lots, the traffic numbers will make that driveway more of an alleyway. 115 in and 112 out, 238 in/228 out on the grocery side, so adding these numbers will make things more difficult. She also said that she does have concerns regarding the fumes of the fueling station. Her family, the Saldana’s, and the Croy’s on the west side of their property have been living there since before Kroger occupied the building. When Food Town was expanding the store, these families heard the proposal for the rezoning request. At the time, nobody opposed that development because they were only adding a parking lot. If they would have known at the time that this was going to be a fuel station, they would have tried to oppose it earlier. She ended with saying that she liked having the store, but she hoped that they understand this is too much for the location.

MOTION

Dan Clinger motioned to **deny APPLICATION FOR SITE PLAN REVIEW #SP-01-2022 filed by The Kroger Company for a fueling station to be located at 101 6th Street.**

2nd: Jackie Schroeder

VOTE: Yay (5) Nay (0) Abstain (0)

After the vote, Mayor Muryn adjourned the meeting.