

City of Findlay
City Planning Commission
City Council Chambers, 1st floor of Municipal Building
Thursday August 11, 2022 – 9:00 a.m.

Minutes

MEMBERS PRESENT:

Mayor Muryn
Rob Martin
Jackie Schroeder
Dan Clinger

STAFF ATTENDING:

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

GUESTS:

Dan Stone, Dr. Mark Boehler, Michael Stoner, Randy Oterman, George Norway, Charles Oler, Barbara Dukes

CALL TO ORDER

ROLL CALL

The following members were present:

Mayor 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 motioned to approve the minutes for the July 14, 2022 meeting. Jackie Schroeder seconded. Motion approved 4-0-0.

TABLED ITEMS

- 1. APPLICATION FOR CONDITIONAL USE #CU-06-2022 filed by Mark Boehler, 429 California Avenue, Findlay, Ohio, for a drive-thru window on the business at 1101 W. Main Cross Street.**

CPC Staff

General Information

This request is located on the south side of W. Main Cross Street, just west of the intersection with Glessner Avenue. The site is zoned C-2 General Commercial. To the north, south, and west is also C-2 General Commercial. To the east is R-3 Small Lot Residential. It is located within the 100-year flood plain.

Staff Analysis

The applicant is applying for the conditional use of having a drive-thru on their commercial property. This building had previously been a restaurant/bar, but was converted into a physical therapy business. Additionally, there is a day spa in the building as well.

The applicant originally proposed to have the drive-thru wrap around the building from the west side to the east. They requested to place the ordering board in the middle of the building on the south side. This configuration provided issues due to it blocking the FDC connection on the east side of the building, and would create traffic issues onto W. Main Cross Street.

After meeting with CPC staff, the solution was to change the request to an order/pickup window at the southwest corner of the building. This would accommodate seven cars from the window to the property line. If stacking were to become an issue, they have proposed to designate a few parking spots to allow customers to park and wait for their order. This would remove the issue of the stacking blocking the dumpster and the FDC. During a staff visit, we measured twenty-seven feet (27') between the edge of the exit landing on the west side of the building and the parking. This would allow for enough room for an escape lane outside the stacking.

The new parking lot configuration shows that the existing pattern would remain on the east and west sides of the building. The existing ten (10) parking spots would be shifted eighteen feet (18') south. This will allow for a twenty-four feet (24') drive aisle for customers to exit the site onto Glessner Avenue. The plan does note the addition of fifteen (15) new parking spots on the south property line.

Staff Recommendation

Staff recommends **approval of the APPLICATION FOR CONDITIONAL USE #CU-06-2022 filed by Mark Boehler, 429 California Avenue, Findlay, Ohio, for a drive-thru window on the business at 1101 W. Main Cross Street.**

ENGINEERING

- With the redesign/ relocation of the pickup window, the Engineering Department does not have any concerns with the proposed project. Keeping the drives off of Main Cross as entrance only will reduce the conflict points at the intersection and the drive thru users will be able to utilize the drive that comes off of Glessner
 - **Recommend Approval**

FIRE PREVENTION

No comments

RECOMMENDATION

Staff recommends approval of the APPLICATION FOR CONDITIONAL USE #CU-06-2022 filed by Mark Boehler, 429 California Avenue, Findlay, Ohio, for a drive-thru window on the business at 1101 W. Main Cross Street.

DISCUSSION

The owner, Dr. Mark Boehler, was present on behalf of the application. Dan Clinger said that he visited the site and even went inside to get a feel for how the interior worked. He thought that the drawing was inaccurate and that the window would need moved north. Based on the drawing, it showed the window leading into a freezer area inside. Dr. Boehler said that was slightly off on the drawing, because they know it will not be in that area.

Mr. Clinger pointed out given the drawing, and allotting sixteen feet for each vehicle, it makes stacking eight vehicles difficult. He also was concerned that this was still not a surveyed drawing, and worried about the accuracy of the measurements provided. He added that if the door on the east wall was a required means of egress, it would need the landing to be five feet, and not the reduced four feet shown. Dr. Boehler said he would work with Wood County Building Department on that front.

Mr. Clinger asked if they would have a staff person bringing food out to the customers. Dr. Boehler said that they would, and that they would be updating the striping to help with the flow of traffic. The parking area would include a few numbered spots to allow cars waiting on orders to wait and not create a stacking issue.

Mr. Clinger asked if the pole lights were operable. Dr. Boehler said that they were not, but that the lights shining onto the building are the only lights on the site.

Mayor Muryn thanked Dr. Boehler for working with staff to update the plan from July and felt comfortable with the new design. This would alleviate the traffic leaving onto W. Main Cross Street, and appreciated the parking updates to address the stacking concerns. Mayor Muryn added that as a conditional use, it could be revoked if issues arise.

MOTION

Mayor Murnyn made a motion to approve **APPLICATION FOR CONDITIONAL USE #CU-06-2022 filed by Mark Boehler, 429 California Avenue, Findlay, Ohio, for a drive-thru window on the business at 1101 W. Main Cross Street**

2nd: Rob Martin

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

NEW ITEMS

- 1. ALLEY/STREET VACATION PETITION #AV-06-2022 filed by Michael Stoner, 1419 S. Blanchard Street, to vacate the westernmost 205 feet of the east/west alley between 1415 and 1419 S. Blanchard Street.**

CPC STAFF

General Information

This request is to vacate a portion of the east/west alleyway between 1419 and 1415 S. Blanchard Street from S. Blanchard Street west 205 feet. The remaining section of alleyway would measure roughly 333 feet in length towards Graceland Avenue.

Staff Analysis

This portion of alley provides access to 1415 and 1419 S. Blanchard Street, 711 5th Street, and 714 6th Street. All these property owners signed the petition. The only access for the remainder of the alleyway would be from Graceland Avenue on the east side. This block previously had two platted north/south roads between 5th and 6th street, however they have been vacated.

Mr. & Mrs. Stoner had been in communication with the Zoning Department to discuss the alleyway. The alleyway coming off S. Blanchard Street is improved, so it does funnel traffic for the alley through this entrance. The alley from the Graceland entrance is unimproved, but it appears vehicles have used it recently. There is an unmaintained section in the middle of the alley, which effectively blocks traffic from being able to go all the way through. Erik Atkins from the zoning department recommended the Stoner's get signatures from the entire block to vacate the entire alley; however, they have only provided a list of just their surrounding neighbors.

In similar cases, staff has not approved a vacation where it leaves an unimproved entrance as the only means of access for almost an entire alleyway. In previous cases where only a portion of alley was vacated, we made sure there were at least two means of ingress and egress.

Staff Recommendation

CPC Staff recommends that FCPC recommend denial of ALLEY/STREET VACATION PETITION #AV-06-2022 filed by Michael Stoner, 1419 S. Blanchard Street, to vacate the westernmost 205 feet of the east/west alley between 1415 and 1419 S. Blanchard Street.

ENGINEERING

No Comment

FIRE PREVENTION

No Comment.

RECOMMENDATION

Staff recommends that FCPC recommend to Findlay City Council denial of ALLEY/STREET VACATION PETITION #AV-06-2022 filed by Michael Stoner, 1419 S. Blanchard Street, to vacate the westernmost 205 feet of the east/west alley between 1415 and 1419 S. Blanchard Street.

DISCUSSION

The owners of 1419 S. Blanchard Avenue, Michael and Jessica Stoner, submitted the petition because they were concerned about the safety along the alleyway. Their home, 1419 S. Blanchard Street, is right up against the right-of-way. They put up a slow-children-at-play sign, but it was allegedly run over. If the petition was approved, the remaining neighbors along the alleyway would only have access from Graceland Avenue. They have had arguments with neighbors about going too fast going through the alleyway. They did not plan to close off the alley entirely; they would put up a gate to allow for neighbors and AEP to access the area.

Ms. Schroeder asked if there are garages on the alleyway. The Stoner's confirmed that there are garages towards the Graceland Avenue end of the alley. Matt Cordonnier flipped through some photographs showing the entire stretch of the alleyway for the room to see.

Mr. Martin asked who typically uses the alleyway. The Stoner's said that there are neighbors with sheds and landscaping in their backyards along 5th and 6th Street. They have mulch delivered and do tree trimmings. They said they rarely see AEP crews coming in. Mr. Cordonnier noted that when vacations occur, they make sure they have an access agreement in place to allow AEP to access the power lines.

Mr. Clinger said that he attempted to drive the alleyway, but could not make it the entire length. He had to back up because the right-of-way was too narrow to allow him to turn around his vehicle. The Stoner's noted the neighbors usually back into their yards to do the turn. They also said they have seen places in the city with dead-end alleys and wondered why they could not allow for that in this case. Mayor Muryn asked for an example, but the Stoner's example technically still had two points of access.

Mr. Martin asked if they had discussions with the neighbors to try to vacate the whole stretch. Matt Cordonnier said that they received some signatures from some abutting property owners, but they were sporadic. He interpreted that to mean that those are the only ones who would sign. The Stoner's confirmed they attempted to get everyone's signature, but that those are the only ones who signed off on the form.

Mayor Muryn said that she wanted to see them work with staff to contact all the owners along the alley. Jacob Mercer added that he had the list of owners along the alleyway as part of the notification process and would provide it to the Stoner's. The Mayor added that she thought it would be difficult to vacate the whole stretch. The alley needs to either be improved or vacated. If it gets improved, it could encourage more people to use, which is the opposite of what the applicants wanted. The Stoner's asked why they could not put up a dead end sign on the Graceland Avenue side. Matt Cordonnier noted that there is a difference between public right-of-ways and private property. In some cases, alleys are private but appear to be public.

The Mayor made a motion to table. She understands the safety concerns, but she wanted to hear from the neighbors about their thoughts on the vacation process. Rob Martin seconded. At this point, the Mayor asked if anyone else had comments on the application.

David George Norway, 720 6th Street, spoke against the idea of vacating. He lives just east of the proposed vacation. When he bought the house in 1990, one of the positives was having the access from the alley. He does not think that there are many people flying through the alley on a regular basis. He noted that the applicants bought the house knowing the alley was there, so he was confused why they were looking to vacate it now. He did not think that he could access the back of his property from the Graceland side of the alley.

Charles Oler, 717 5th Street, spoke next. He has plans to build a garage in the back space and is definitely opposed to closing the alley.

Randy Oterman, 724 6th Street, disagreed with the idea of vacating the alley. He noted that the applicant grew up next door to her current house, so this is not a new problem for the applicant. He generally did not think people were driving too quickly down the alley. When you make the turn into the alley, you have to slow down because it becomes unimproved quickly. Once you travel further in, you cannot go quickly anyway. He mows the alley, and he can barely see any tire ruts. He also noted that in reality, there is no way to access the Graceland side because a portion has become unimproved.

Mr. Oterman asked who is responsible for maintaining the alleyway. Mayor Muryn said that abutting property owners have to maintain because it would be to their benefit to utilize the alley. Jeremy Kalb confirmed that was true.

Barbara Dukes, 730 6th Street, noted that if this were to be approved that it would create issues for the property owners on 6th Street. The houses are so close together that many cannot get from the front yard to the backyard. The only times they use the alley is to do maintenance of their landscaping. She sympathizes with the applicants for having small children, but it is not a heavily used alleyway. If you get east of her property, you cannot get through to Graceland Avenue. If you vacate this request, it will make it very hard on the property owners along 5th and 6th Street.

At this point, the Mayor made a motion to withdraw her motion. Rob Martin seconded. She did say that if they could come back with the signatures from everyone along the alley, that they would waive the application fee. She also wanted the record to state that City Engineer Jeremy Kalb would work with the applicants to discuss options for the alley, and that staff would provide the list of owners for a mailing to be sent requesting them to sign the petition for vacation.

MOTION

Mayor Muryrn made motion to **recommend to Findlay City Council denial of ALLEY/STREET VACATION PETITION #AV-06-2022 filed by Michael Stoner, 1419 S. Blanchard Street, to vacate the westernmost 205 feet of the east/west alley between 1415 and 1419 S. Blanchard Street.**

2nd: Jackie Schroeder

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

After the vote, Matt Cordonnier said that he would contact Don Rasmussen about the Planning & Zoning meeting. He was unsure if the Planning & Zoning Committee could pass on a request for vacation if the City Planning Commission had recommended denial. The meeting at Noon would still occur, but he would get that clarification for the applicants.

2. APPLICATION FOR FINAL PLAT #FP-02-2022 filed by Fernco Development Ltd and Norco Dev. Ltd, for Lakota Park.

CPC STAFF

General Information

This request is located on the south side of Melrose Avenue, east of Deer Ridge Drive and Norwood Drive. It is zoned I-1 Light Industrial in the northeast corner, and M-2 Multi-Family High Density. To the west is also zoned a mix of MH Mobile Home, M-2 Multi-Family High Density, R-3 Small Lot Residential, and R-4 Duplex/Triplex. To the north, it is zoned M-2 Multi-Family High Density. To the east, it is zoned a mix of I-1 Light Industrial and 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 PMUD and Multi-Family.

Parcel History

The site is currently vacant land.

Staff Analysis

In August 2021, the applicant went through a rezoning for the area. The site was rezoned from MH Mobile Home to I-1 Light Industrial for Lot 1, and M-2 Multi-Family High Density for Lots 2 & 3. The preliminary plat was reviewed at the March 2022 meeting. The plat lays out the three lots and the right-of-way for the new public road to be constructed. This road, Lakota Drive, would connect the existing development with Melrose Avenue. Connections would be

made at Willow Wood Avenue and Inglewood Avenue. In March, Dan Stone indicated that the road would be completed all at once during the construction.

Staff Recommendation

CPC Staff recommends **approval of APPLICATION FOR FP-02-2022 filed by Fernco Development Ltd and Norco Dev. Ltd, for Lakota Park.**

ENGINEERING

No Comment

FIRE PREVENTION

No Comment

RECOMMENDATION

Staff recommends **approval of APPLICATION FOR FINAL PLAT #FP-02-2022 filed by Fernco Development Ltd and Norco Dev. Ltd, for Lakota Park.**

DISCUSSION

Dan Stone was present on behalf of the applicant. Mr. Clinger asked if the detention was a dry detention. Dan Stone said that it was, and was an independent drainage system, which would not impact the existing drainage from the site.

Mr. Clinger said during the site plan review, it was discussed if there should be a left turn from Melrose Avenue. Dan Stone said that Engineering did not think that would be necessary at this time. Lakota Drive would be essentially a dead-end drive, and the neighbor to the south is not looking to develop anytime soon to extend the road. Matt Cordonnier asked if they could move the drive south to line up better in the future. Dan Stone said this would cut into the detention area. There will be flexibility in the future with the connection since there are unknowns when and where development will occur.

MOTION

Mayor Murnyn made a motion to **approval of APPLICATION FOR FINAL PLAT #FP-02-2022 filed by Fernco Development Ltd and Norco Dev. Ltd, for Lakota Park.**

2nd: Rob Martin

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

- 3. APPLICATION FOR FINAL PLAT #FP-03-2022 for the Tall Timbers 3rd Addition Subdivision located in part of the Northeast ¼ of Section 4, Findlay, Ohio.**

CPC STAFF

General Information

This request is in the Tall Timbers 3rd Addition just south of County Road 212. This location is not located within the 100-year floodplain. The City of Findlay Land Use Plan designates the area as Industrial.

Staff Analysis

The preliminary plat was reviewed at the September 2021 CPC meeting and a site plan for the first phase of development was reviewed at the June 2022 CPC meeting. This plat would subdivide this area into two lots with a dedicated cul-de-sac for the end of Industrial Drive. On the west side, Lot 4 is a 42.445-acre parcel that is entirely wooded. On the east side, Lot 3 would be 21.360 acres in size. A fifty-foot gas line easement runs diagonally from the northwest corner to the southeast corner of lot 3.

Staff Recommendation

CPC Staff recommends **approval of APPLICATION FOR FINAL PLAT #FP-03-2022 for the Tall Timbers 3rd Addition Subdivision located in part of the Northeast ¼ of Section 4, Findlay, Ohio.**

ENGINEERING

No Comment

FIRE PREVENTION

No Comment

RECOMMENDATION

Staff recommends **approval of APPLICATION FOR FINAL PLAT #FP-03-2022 for the Tall Timbers 3rd Addition Subdivision located in part of the Northeast ¼ of Section 4, Findlay, Ohio.**

DISCUSSION

Dan Stone was present on behalf of the application. He said this was the final step in the development for this site. Mr. Martin asked if the wooded lot would remain undeveloped. Dan Stone noted that it has too many wetlands to mitigate. The reason it was separated was for tax purposes.

MOTION

Mayor Muryn made a motion to approve **APPLICATION FOR FINAL PLAT #FP-03-2022 for the Tall Timbers 3rd Addition Subdivision located in part of the Northeast ¼ of Section 4, Findlay, Ohio.**

2nd: Dan Clinger

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

After the vote, Mayor Muryn adjourned the meeting.