

**City of Findlay**  
**City Planning Commission**  
City Council Chambers, 1st floor of Municipal Building  
Thursday November 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  
Lee Rausch, PE, Assistant City Engineer  
Kevin Shenise, Fire Prevention  
Erik Atkins, Zoning Administrator & Flood Administrator

**GUESTS:**

Phil Rooney, James Bowser, Brendan Sexton

**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 October 13, 2022 meeting. Dan DeArment seconded. Motion approved 5-0-0.

## **NEW ITEMS**

- 1. PETITION FOR ZONING AMENDMENT #ZA-06-2022 filed by filed by Mardic Investments, Inc, 5800 Monroe Street, Sylvania, OH 43560, to zone 3.978 Acres located in the SW quarter of Section 36 of Allen Township to M-2 Multi-Family High Density upon its annexation to the City of Findlay.**

### **General Information**

This request is located southeast of the intersection of Technology Drive and Midwest Court. This site is currently a vacant parcel. It is in the process of being annexed into the City of Findlay. It is not located within the 100-year flood plain.

### **Staff Analysis**

In May 2022, the applicant, Mardic Investments, Inc, submitted a site plan and rezoning of the area north of this site. The rezoning was from C-2 General Commercial to M-2 Multi-Family High Density. Given this site will be a part of that development; staff is supportive of this zoning request.

### **Staff Recommendation**

Staff recommends that FCPC recommend approval of **PETITION FOR ZONING AMENDMENT #ZA-06-2022 filed by filed by Mardic Investments, Inc, 5800 Monroe Street, Sylvania, OH 43560, to zone 3.978 Acres located in the SW quarter of Section 36 of Allen Township to M-2 Light Industrial upon its annexation to the City of Findlay.**

### **ENGINEERING**

No Comment

### **FIRE PREVENTION**

No Comment

### **RECOMMENDATION**

CPC Staff recommends that FCPC recommend **approval of PETITION FOR ZONING AMENDMENT #ZA-06-2022 filed by filed by Mardic Investments, Inc, 5800 Monroe Street, Sylvania, OH 43560, to zone 3.978 Acres located in the SW quarter of Section 36 of Allen Township to M-2 Multi-Family High Density upon its annexation to the City of Findlay.**

### **DISCUSSION**

Phil Rooney was present on behalf of the application. Mayor Muryn saw no need to further discuss the item, as it was consistent with a larger project that has already been approved.

### **MOTION**

Dan Clinger made motion to recommends that FCPC recommend **approval of PETITION FOR ZONING AMENDMENT #ZA-06-2022 filed by filed by Mardic Investments, Inc, 5800**

**Monroe Street, Sylvania, OH 43560, to zone 3.978 Acres located in the SW quarter of Section 36 of Allen Township to M-2 Multi-Family High Density upon its annexation to the City of Findlay.**

**2<sup>nd</sup>: Mayor Muryn**

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

**2. APPLICATION FOR SITE PLAN REVIEW #SP-26-2022 filed by Racetrac Inc, to construct a 8,100 sf convenient store and truck stop at 11600 CR 99.**

**CPC STAFF**

**General Information**

This request is located on the north side of County Road 99, just east of I-75. It is located in Allen Township. To the south and east, it is zoned C-2 General Commercial. The City of Findlay Land Use Plan designates the property as Regional Commercial.

**Parcel History**

The site is currently vacant.

**Staff Analysis**

This applicant is proposing to construct a sixteen (16) pump fueling station, five (5) truck pump fueling lanes, a truck scale, and an 8,100 square foot convenience store. Although this is located in Allen Township, staff reviewed it based upon the City of Findlay I-1 Light Industrial standards. Truck Stops are a permitted in I-1. One condition will be that the applicant file for annexation into the City of Findlay.

There are two parking areas on the site, one in front of the convenience store and one for the truck parking. There are 34 parking spots for trucks at the north end of the site. For the convenience store, there are 29 parking spots, with two designated handicapped.

The convenience store has a height of 23 feet, which is under the maximum height in the I-1 district. The structures all meet the setback requirements.

The plan does not indicate either foundation plantings or perimeter landscaping for their parking lots. In the I-1 district, foundation plantings would require two (2) shrubs for every twelve (12) lineal feet of building circumference. This would calculate to 62 shrubs around the convenience store. Shrubs can be clustered around the building and shall be at least 18 inches in height when planted or be a minimum of a two-gallon container size.

Perimeter landscaping should include the following around their convenience store parking lot:

- Shrubs shall be planted at a minimum ratio of one (1) shrub per five (5) lineal feet around the perimeter. Minimum size at planting shall be twenty-four (24) inches in height. A minimum of fifty percent (50%) of the shrubs shall be evergreen.
- One (1) deciduous tree per forty (40) feet of parking lot perimeter shall be planted within ten (10) feet of the parking lot edge. Trees may be clustered.

The site plan shows an extension of Speedway Drive to the north. At this phase, the road would dead end, but provide access to the Racetrac site and the neighbors to the east. The street will need to be dedicated to the City of Findlay.

### **Staff Recommendation**

CPC Staff recommends **approval of APPLICATION FOR SITE PLAN REVIEW #SP-26-2022 filed by Racetrac Inc, to construct a 8,100 sf convenient store and truck stop at 11600 CR 99 with the following conditions:**

- **File for annexation with the City of Findlay**
- **Dedicate the right-of-way for the extended Speedway Drive.**

### **ENGINEERING**

#### **Access –**

As part of this site plan Speedway Drive will be extended north. It is anticipated that the roadway and site will be annexed into the City of Findlay prior to the start of construction. The roadway will need to be built per City of Findlay specifications. Once the roadway is approved by the City of Findlay Engineering Department, the roadway will then need to be bonded and inspected by the City of Findlay. Since this is a site that will be travelled to by pedestrians, the Engineering Department would like to see a sidewalk to be placed on both sides of the Speedway Drive Extension.

#### **Water Service –**

A new 6-inch waterline will be extended off the new main that will be constructed as part of the Speedway Drive extension. There are a couple of changes that the Engineering Department would like to see as part of the waterline. Place a gate valve on the 6-inch where it meets at the Tee, and for the ¾-inch yard hydrant will need a back flow preventer placed on the line. Prior to the start of construction of the waterline, the developer will need to sign the Agree to Annex form and have it filed with the City of Findlay.

#### **Sanitary Service –**

A new sanitary lateral will be coming off of the sanitary mainline that will be extended as part of the Speedway Drive extension. The grease interceptor will be inspected by the Health Department.

#### **Stormwater Management –**

The stormwater calculations that were submitted as part of the application, complies with the City of Findlay Standards. The stormwater will be directed to a new underground detention pond located on the north end of the property.

#### **MS4 Requirements –**

The site will disturb more than one (1) acre so the applicant will need to comply with the City of Findlay's Erosion & Sediment Control Ordinance once it is annexed into the City of Findlay.

#### **Recommendations:**

## Approval of the Site Plan

The following permits may be required prior to construction:

- Sidewalk Permit x1
- Water Permits
  - Main Line Tap x1
  - Domestic Tap x1
- Sanitary Sewer
  - Service Tap x1
- Curb Cut x 3
- SWPPP Permit x1

### **FIRE PREVENTION**

- Be sure to obtain all required permits for construction

### **RECOMMENDATION**

Staff recommends **approval of APPLICATION FOR SITE PLAN REVIEW #SP-26-2022 filed by Racetrac Inc, to construct a 8,100 sf convenient store and truck stop at 11600 CR 99 with the following conditions:**

- **File for annexation with the City of Findlay**
- **Dedicate the right-of-way for the extended Speedway Drive.**

### **DISCUSSION**

Jacob Mercer noted that Racetrac had submitted a landscaping plan after packets were sent out, so he removed the landscaping condition from the record.

Brandan Sexton was present on behalf of Racetrac. He shared a bit about the company to start the discussion. Racetrac primarily operate in the Southeast and Texas. He noted that they have had the opportunity to expand into Kentucky and Indiana last year, and that this would be the first Racetrac in Ohio. They have changed their store format to allow for a larger convenience store at the location. They will have additional food offerings and an outdoor seating area. The two-canopy format was something they've added from customer feedback. This will allow the trucks to be separated from the regular car fueling area. While the site does accommodate fueling for larger trucks, they do not offer the same amenities as other truck stops, such as a Loves, Pilot, etc. Long-term parking is not allowed on site. He reiterated they would annex and dedicate the roadway as part of the project.

Mayor Muryn started by thanking the Racetrac team for being open with communicating with City staff about the project. She was also pleased to hear they were going to be filing the annexation agreement and dedicating the roadway as part of the project.

Dan Clinger asked about the wetlands would be disturbed by the project. Mr. Sexton noted that they will disturbing 3 or 4 tenths of an acre, so they are pursuing a wetland disturbance permit through OEPA which will come with mitigation credits.

Dan Clinger asked if they would have directional signage or striping to indicate where the truck traffic should go on the site. Mr. Sexton confirmed they will do both to help with the traffic flow.

Dan Clinger asked where the sidewalks would go on the site. Lee Rausch confirmed the city would like to see them on both sides of the road.

With the possible extension further north, Mr. Clinger was wary the southern entrance would be too close to the intersection. Mr. Sexton said that the second entrance was a want and not a need, so they would be comfortable with just one entrance. Matt Cordonnier added that he was excited about the possibility of the public roadway. He noted that there is land further north that will now have access, which will open up new opportunities for development.

Mr. Clinger asked about the timing of the project with the ODOT Diverging Diamond project for I-75. Mr. Sexton said they planned to start construction in 2023, and he noted the ODOT project would start in 2024. He said that their plans were set with ODOT's plans in mind. Mr. Clinger asked if the ODOT plans extended all the way to Speedway Drive. Mayor Murn said that the City and applicant have been in contact with ODOT and this site plan are set to accommodate the ODOT plans.

Dan Clinger asked Matt Cordonnier if the zoning for the site would be handled at the time of annexation. Matt Cordonnier said it would be like the first item today with Mardic. He said that once they file for annexation, it would be assigned zoning as part of the process. Mr. Cordonnier clarified for the group that while reviewing this, staff debated whether C-2 or I-1 was the most appropriate fit. Gas Stations are permitted in the C-2, but the extra canopy area made it into a more intensive use. That is why staff reviewed it as an I-1 Truck Stop, even though it will not have the full amenities as larger Truck Stops.

Mr. Clinger asked if they envision ever having Electric Charging Stations. Mr. Sexton said that is something they will consider in the future. EV charging stations are not allowed in the fuel canopy areas, so they would need to restructure the site to allow them. He thought the parking outside the convenience store could be arranged to allow it in the future.

### **MOTION**

Dan DeArment made motion to recommend **approval of APPLICATION FOR SITE PLAN REVIEW #SP-26-2022 filed by Racetrac Inc, to construct a 8,100 sf convenient store and truck stop at 11600 CR 99 with the following conditions:**

- **File for annexation with the City of Findlay**
- **Dedicate the right-of-way for the extended Speedway Drive.**
- **Include sidewalks on either side of Speedway Drive**

**2<sup>nd</sup>: Jackie Schroeder**

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

**3. ALLEY/STREET VACATION PETITION #AV-08-2022 filed by James Bowser, 311 Clinton Court, to vacate Bolton Street from the intersection of Barnett Street south to the bike path.**

**General Information**

This request is to vacate Bolton Street from the intersection of Barnett Street south to the bike path at the end of the street. R&D Performance LLC, which is owned by James Bowser, owns all but one parcel abutting the vacation. The City of Findlay own Swale Park, which abuts the end of the street.

**Staff Analysis**

The applicant is requesting Bolton Street be vacated due to their safety and security reasons. Mr. Bowser owns the properties that directly abut the street on either side of the road. He stated to staff that the increase of pedestrian traffic around the site has led to security issues for his business.

The City of Findlay is also an abutting property owner at the south end of Bolton Street. The City did not sign the petition to vacate the street.

After discussions with the City Engineer, it was noted that a major waterline runs underneath Bolton Street in that section. If the street were vacated, the City would be losing access as well to Swale Park. Staff does not recommend the City vacate this section of Bolton Street.

**Staff Recommendation**

Staff recommends that FCPC recommend **denial of ALLEY/STREET VACATION PETITION #AV-08-2022 filed by James Bowser, 311 Clinton Court, to vacate Bolton Street from the intersection of Barnett Street south to the bike path.**

**ENGINEERING**

- Within that area of Bolton Street there is a 16-inch waterline that runs in the middle of the roadway and we have a sanitary sewer that is to the road right of way as well. The easement needed for both of those lines would be roughly 40' in width.
- Along with the utility lines that are in the area this is an access point for City personnel into Swale Park.

**FIRE PREVENTION**

No Comment

**RECOMMENDATION**

CPC Staff recommends FCPC recommend **denial of ALLEY/STREET VACATION PETITION #AV-08-2022 filed by James Bowser, 311 Clinton Court, to vacate Bolton Street from the intersection of Barnett Street south to the bike path.**

## **DISCUSSION**

James Bowser was present to discuss the request. He noted that when the bike path was added, there has been an increase in activity in the area. Mr. Bowser added this increase has led to an increase in theft from his business, as well as attracted some homeless people and drug users to the area. He feels that the vacation would provide more safety to the pedestrians on the bike path. He also thinks that the City does not need the access to Swale Park because there are other connections. Mr. Bowser said that the City has added a ditch alongside his property and the City has not done enough to maintain it. During discussions with staff, he was aware that there are utilities, and is comfortable with having an easement. He just wants to fence it off, and maintain it though. He noted that he is the property owner on both sides of the street.

Mayor Muryn started asking if Mr. Bowser had communicated with the Findlay PD about the issues he raised. Mr. Bowser said he had. Mayor Muryn said that for maintaining the ditch, the City generally comes by to mow a few times a year. She offered that the City could send a crew out to mow it soon. She noticed that Erik Adkins was making notes about the issues and said that he could follow up as well. She noted that she is aware that the City does utilize Bolton Street to get access to Swale Park.

Matt Cordonnier added that staff was unsupportive of the request because this area and park could develop further due to the benching and flood mitigation. He thought the City might regret vacating the street in the future with these potential developments. Mr. Cordonnier added that a few of the lots that Mr. Bowser owns would lose their frontage if the street is vacated. These lots would essentially be undevelopable as a result. The commercial property that is on the west side of Bolton would also lose the majority of its frontage and would be a non-conforming lot.

Mr. Clinger asked if his business was connected to the businesses surrounding him. Mr. Bowser said no. Mr. Bowser said that when he bought the property, it was at the end of a stub street, and felt private. The increase in activity has been an annoyance to him. Mr. Clinger asked what people were doing to his property. Mr. Bowser said that there were homeless people who camp on the property south of the business. There is drug use in the area as well too. Mr. Clinger asked if there could be surveillance around the area. Mr. Bowser said that police were not taking care of the issue. Mayor Muryn noted that the police officers do not handle the needles because they have a company that handles those hazardous materials.

Mr. Clinger asked where he wanted to fence the property. Mr. Bowser said that he wanted to fence off the area around the end of the street and the bike path. Matt Cordonnier said that he was optimistic that the increase in activity on the bike path would actually decrease the amount of illegal activity in the area. People would be discouraged to camp out or do drugs if there were more people in the area.

Erik Adkins asked if Mr. Bowser had placed any no-trespassing signs. Mr. Bowser said that wouldn't change anything. Mr. Adkins says it would, and that his office has not had any calls about these issues. He said that they have a zoning officer who can issue citations if they come out and anyone is on the property with the signs posted. Mr. Bowser said that one of the main problems is the bike path comes up to his property on the east and west side and just stops. Most



people just walk through the property because it is the shortest path to get back to the path. He did not think that you could monitor it enough to discourage people from crossing his property. Mr. Adkins said he could put up a fence and work with his office to help discourage people crossing his property.

Mayor Muryn agreed that there were other solutions to his problems rather than vacating the full street.

**MOTION**

Mayor Muryn made motion to recommends that FCPC recommend **denial of ALLEY/STREET VACATION PETITION #AV-08-2022 filed by James Bowser, 311 Clinton Court, to vacate Bolton Street from the intersection of Barnett Street south to the bike path.**

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

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

Matt Cordonnier noted that this recommendation goes to the City Council Planning & Zoning committee at noon. After the discussion, Mayor Muryn adjourned the meeting.