

**City of Findlay**  
**City Planning Commission**  
City Council Chambers, 1st floor of Municipal Building  
Thursday June 15, 2023 – 9:00 a.m.

**Minutes**

**MEMBERS PRESENT:**

Mayor Muryn  
Rob Martin  
Dan Clinger  
Jackie Schroeder

**STAFF ATTENDING:**

Matt Cordonnier, HRPC Director  
Jacob Mercer, HRPC Staff  
Jeremy Kalb, City Engineer  
Erik Adkins, Zoning Administrator & Flood Administrator

**GUESTS:**

Dan Stone, Andrew Yates, Connor Henderson, Tabbatha Castret, Robert Love, Tim Sigworth, Josh Elchert, Grant Russel, Ray van Gunten, Dave Pueschel, Tom Romick, Aggie Hempfling, Dave Pueschel, Dave Glass, Louise Schadle, Barbara Ott

**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**

Rob Martin motioned to approve the minutes for the May 11, 2023 meeting. Jackie Schroeder seconded. Motion approved 4-0-0.

Matt Cordonnier started by stating that one of the applicants, Shane Kelly, phoned him to say he was sick and unable to attend today's meeting. He requested to table his item, **APPLICATION FOR ZONING AMENDMENT #ZA-04-2023; filed by Shane Kelly to rezone 619 W. Foulke from R-3 Small Lot Residential to C-1 Local Commercial.**

**MOTION**

Mayor Muryn made motion to **table of APPLICATION FOR ZONING AMENDMENT #ZA-04-2023; filed by Shane Kelly to rezone 619 W. Foulke from R-3 Small Lot Residential to C-1 Local Commercial.**

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

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

**NEW ITEMS**

**1. APPLICATION FOR ZONING AMENDMENT #ZA-03-2023; filed by Greater Findlay Properties LLC, to rezone 219 Hurd Avenue from I-1 Light Industrial to R-3 Small Lot Residential.**

**CPC STAFF**

**General Information**

This request is located on the east side of Hurd Avenue, north of the intersection with W. Front Street. It is zoned I-1 Light Industrial. It is in a neighborhood that is zoned R-3 Small Lot Residential. The City of Findlay Land Use Plan designates the area as Small Lot Residential.

**Parcel History**

The site has been used as a single-family home.

**Staff Analysis**

The applicant would like to rezone the property to R-3 Small Lot Residential. This would allow them to add an addition to the house. As it is zoned industrial, the updates would not work within the I-1 district. During the 2020 zoning map update, HRPC recommended this parcel be rezoned to match its use, however, the previous owner declined to rezone at the time. Staff is supportive of the rezone request.

**Staff Recommendation**

Staff recommends that FCPC recommend approval of **APPLICATION FOR ZONING AMENDMENT #ZA-03-2023; filed by Greater Findlay Properties LLC, to rezone 219 Hurd Avenue from I-1 Light Industrial to R3 Small Lot Residential.**

**ENGINEERING**

- No Comment

**FIRE PREVENTION**

- No Comment

**RECOMMENDATION**

CPC Staff recommends that FCPC recommend **approval of APPLICATION FOR ZONING AMENDMENT #ZA-03-2023; filed by Greater Findlay Properties LLC, to rezone 219 Hurd Avenue from I-1 Light Industrial to R3 Small Lot Residential.**

**DISCUSSION**

Tim Sigworth was present on behalf of his application. Mayor Muryn started by saying she was pleased with the improvements he was looking to make.

Dan Clinger asked how long Mr. Sigworth had owned the property. Mr. Sigworth said that he acquired it within the last year. He said it had a flat roof on the back, and they wanted to switch to a gabled roof. The exterior is salvageable but they are going put vinyl siding over it. He plans to convert it into a rental once the renovations are done. He owns other rentals in town.

Mr. Clinger asked if the Design Review standards apply to this property. Mr. Cordonnier said that residential duplexes and triplexes are exempt. Only buildings with 4 units or more are subject to the standards.

**MOTION**

Jackie Schroeder made motion to **approval of APPLICATION FOR ZONING AMENDMENT #ZA-03-2023; filed by Greater Findlay Properties LLC, to rezone 219 Hurd Avenue from I-1 Light Industrial to R3 Small Lot Residential.**

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

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

- 2. APPLICATION FOR CONDITIONAL USE #CU-09-2023 filed by Josh Elchert, to re-establish a drive-thru for a new Heavenly Pizza at 1135 Fostoria Avenue.**

**CPC STAFF**

**General Information**

This request is bounded on the north by Fostoria Avenue and on the south by Tiffin Avenue. It is zoned C-2 General Commercial. It is surrounded by C-2 General Commercial. It is not located in the 100-year flood plain. The City of Findlay Land Use Plan designates the parcel as Regional Commercial.

**Parcel History**

The site has operated as several restaurants over the years. Most recently, it was Cedar Valley, who did not operate a drive-thru.

### Staff Analysis

The applicant Mr. Elchert, operates Heavenly Pizza. He plans to move into the location, but has requested to re-establish the drive-thru. The drive-thru was a feature for a previous Long John Silver that was located at the site. The applicant submitted a sketch that shows that they can handle the required eight cars for stacking. With this being a less intense drive-thru than a traditional fast-food restaurant, staff is supportive of re-establishing the drive-thru conditional use.

### Staff Recommendation

CPC Staff recommends approval of APPLICATION FOR CONDITIONAL USE #CU-09-2023 filed by Josh Elchert, to re-establish a drive-thru for a new Heavenly Pizza at 1135 Fostoria Avenue.

### ENGINEERING

- No Comment

### FIRE PREVENTION

- No Comment

### RECOMMENDATION

Staff recommends approval of APPLICATION FOR CONDITIONAL USE #CU-09-2023 filed by Josh Elchert, to re-establish a drive-thru for a new Heavenly Pizza at 1135 Fostoria Avenue.

### DISCUSSION

Josh Elchert was present on behalf of the application. He clarified that it is not a traditional drive-thru window. The window is only for orders that have called ahead. He said they would also put signage to have people only turn right onto Tiffin Avenue as they exit the location.

Mayor Muryn asked if this was a new location or if they were just moving to the site. Mr. Elchert said it was just a relocation.

Mr. Clinger asked if they were removing the menu board. Mr. Elchert said that he was and only allow people to interact with the window. Mr. Clinger asked if they were making improvements to the parking. Mr. Elchert said that he would be repaving and restriping the parking.

Rob Martin asked what signage they would be putting in. Mr. Elchert said that they were going to install a monument sign and they have already received a variance for the placement for 5 feet off the front property line.

### MOTION

Mayor Muryn made motion to **APPLICATION FOR CONDITIONAL USE #CU-09-2023** filed by **Josh Elchert, to re-establish a drive-thru for a new Heavenly Pizza at 1135 Fostoria**

**Avenue.**

**2<sup>nd</sup>: Rob Martin**

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

**3. APPLICATION FOR SITE PLAN REVIEW #SP-13-2023 filed by Diverse Development LLC for a two new tenant spaces at 1107 W. Trenton Avenue.**

**CPC STAFF**

**General Information**

This request is located at the southeast corner of Trenton Avenue at the intersection with Independence Square. It is zoned C-2 General Commercial. The entire surrounding area is also zoned C-2 General Commercial. It is not located within the 100-year floodplain.

**Parcel History**

The site currently has two existing tenant spaces, one of them being Chipotle. Previously the site was a Max & Erma's restaurant.

**Staff Analysis**

The applicant would like to add two additional tenant spaces to the existing commercial building. These two spaces would measure 21'x75' each. The additional storefronts would be added on the west side of the existing building, which did cut into the space for the drive aisle on the west side of the site. They do note that the parking has been switched from 90-degree parking to angled parking. They show a pick up lane on the west side of the building. Staff has concerns that this will cause traffic issues around this side of the building.

The parking on-site currently has more than enough to accommodate the entire building as a whole. They did not show any additional landscaping in the area. Staff has recommended that there be some additional shrubs added to either the northwest corner of the site or along the west side to help beautify the site.

The building renderings show a use of vertical articulation to help break up the bulk of the tenant spaces. Staff would remind the applicant that any equipment mounted on the roof must be screened from ground level view.

**Staff Recommendation**

CPC Staff recommends **approval of APPLICATION FOR SITE PLAN REVIEW #SP-13-2023 filed by Diverse Development LLC for a two new tenant spaces at 1107 W. Trenton Avenue with the following condition:**

- **Work with HRPC to finalize additional landscaping on the west side (HRPC)**

**ENGINEERING**

**Access –**

Site will be accessed from the existing curb cut and parking lot that is currently being utilized by the existing building.

*Water Service –*

Due to the new tenants that are formed with the building expansion, the site is proposing three new water services for the site. Each of these lines are proposed to be 1-inch in size with separate meters for each tenant.

*Sanitary Service –*

Same as the water the proposed site will be adding three sanitary sewers taps for each of the new tenants. Each tap will be 4-inch in size and will be tied into the existing sanitary mainline.

*Stormwater Management –*

The site will be expanding the existing building to the west onto current impervious areas. No detention is required since the previous build accounted for this impervious areas.

*MS4 Requirements –*

The disturbed area is less than 1 acre so the applicant does not need to comply with the City of Findlay’s Erosion & Sediment Control Ordinance.

*Recommendations:*

**Approval of the Site-**

The following permits may be required prior to construction:

- Water Service x3
  - 3-inch Domestic
- Sanitary Tap x3
  - 4-inch Sewer

**FIRE PREVENTION**

- Be sure to obtain all proper permits for construction

**RECOMMENDATION**

Staff recommends approval of APPLICATION FOR SITE PLAN REVIEW #SP-13-2023 filed by Diverse Development LLC for a new tenant spaces at 1107 W. Trenton Avenue with the following condition:

Work with HRPC to finalize additional landscaping on the west side (HRPC)

**DISCUSSION**

Dan Stone was present on behalf of the application. He reiterated that Wal-Mart had a “No-Build” area on the property, so they would only be doing one of the tenant spaces instead of two. The building would go in the area where there is an existing patio space. He said they were happy to work with HRPC on landscaping. There will be no pick-up window or drive-thru. Dan Clinger asked if we needed to revise the recommendation since it was a different layout. Matt Cordonnier thought it was okay since it was going to a less intense proposal rather than more intense.

Mr. Clinger asked if there was an existing tap from the previous Max & Erma’s. Jeremy Kalb said that with the separate tenants, they have to separate it out. Dan Stone said they had to re-install

the water system when Chipotle came to the site, so they will need to re-do the service and sewer this time around.

Mayor Muryn said she liked the layout, the flow, and green space on the property. She agreed they just needed to work with HRPC to finalize a landscaping sheet.

**MOTION**

Dan Clinger made a motion to approve **APPLICATION FOR SITE PLAN REVIEW #SP-13-2023 filed by Diverse Development LLC for a new tenant spaces at 1107 W. Trenton Avenue with the following condition:**

- **Work with HRPC to finalize additional landscaping on the west side (HRPC)**

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

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

- 3. APPLICATION FOR SITE PLAN REVIEW #SP-14-2023 filed by Croys – TC and Son, for a new office building on parcel #570001022369 on Fostoria Avenue.**

**CPC STAFF**

**General Information**

This request is located on the north side of Fostoria Avenue between Wells Fargo and the Millstream Credit Union. The site is zoned O-1 Office/Institution. Along Fostoria Avenue, it is also zoned O-1 Office/Institution. The neighborhood to the south is zoned R-1 Large Lot Residential. It is not in the 100-year floodplain. The City of Findlay Land Use Plan designates the parcel as Regional Commercial.

**Parcel History**

The site is currently vacant.

**Staff Analysis**

Croy Landscaping is proposing a new 3,972 sf office building for the business. The business would have an office space in the front, with an area in the back that could store landscaping equipment. The building and parking are located entirely on the east side of the site, which is to allow for future development of the space on the west side of the site. The one access into the site is located in the middle of the north end of the site, which connects into the shared access of the larger site. The parking lot would be in front of the building. The parking would accommodate 13 parking spots, with one being handicap accessible.

For the foundation plantings, they have shown that they only provided 24 shrubs rather than the required 46. Staff would recommend that the applicant work with HRPC to get the final landscaping plan approved.

**Staff Recommendation**

**CPC Staff recommends approval of APPLICATION FOR SITE PLAN REVIEW #SP-14-**

**2023 filed by Croys – TC and Son, for a new office building on parcel #570001022369 on Fostoria Avenue with the following conditions:**

- **Work with HRPC to finalize the landscaping plan (HRPC)**

**ENGINEERING**

*Access –*

The site will be accessed by a new drive that will be coming off of the north end of the property. The drive will be utilizing the Access Easement that was established as part of past developments. Since the site will be access from the access easement, the proposed plans are eliminating the existing drive/ curb cut off of Fostoria Ave.

*Water Service –*

The plans are proposing a ¾” tap on the 20-inch waterline that is located on the north side of Fostoria Avenue.

*Sanitary Service –*

The proposed site will be tapping the sanitary line that is located on the north side of Fostoria Avenue.

*Stormwater Management –*

The site will be utilizing the regional detention pond for the area, as well as incorporating more pervious areas to the site.

*MS4 Requirements –*

The disturbed area is less than 1 acre so the applicant does not need to comply with the City of Findlay’s Erosion & Sediment Control Ordinance.

***Recommendations:***

Approval of the Site

The following permits may be required prior to construction:

- Sidewalk Permit x1
- Curb Cut Permit x1
- Water Service x1
  - ¾” Domestic
- Sanitary Tap x1
- Storm Tap x1

**FIRE PREVENTION**

- Be sure to obtain all proper permits for construction

**RECOMMENDATION**

**Staff recommends approval of APPLICATION FOR SITE PLAN REVIEW #SP-14-2023 filed by Croys – TC and Son, for a new office building on parcel #570001022369 on Fostoria Avenue with the following conditions:**

- **Work with HRPC to finalize the landscaping plan (HRPC)**



## **DISCUSSION**

Dan Stone was present on behalf of the applicant. He clarified that the business is not the Croy Landscaping business. This company is an office with a few vehicles in the back for storage. They are a rental company and do own a mobile home park. There will be no outdoor storage, but the back will store maintenance vehicles.

Mr. Martin asked if they would be establishing a traffic pattern along the north side of the site. Dan Stone said that with the landscaping buffer, it would create an entryway into the site. It will become more defined as the parcels go along. The parcel to the north could install some islands in the future to help define that traffic layout. Mr. Clinger asked if they could put more landscaping in the buffer in addition to grass. Mr. Stone said that they could work with HRPC to make it look aesthetically pleasing. Mr. Clinger asked if they would repave the pavement as you enter the site on the north. Mr. Stone said that could be an adjustment made during construction.

Mr. Clinger asked about the sidewalk on the plan. Dan Stone said that they had to snake the sidewalk because of the slope of the drainage in the front. Mr. Clinger added he thought they should widen the vestibule in the front to give it better proportion with the building.

Mayor Muryn thought that the new layout works well and sets it up better for future development.

Ray van Gunten, 1610 Fostoria Avenue, said he had concern that the traffic pattern on the site. He said the semi-trucks come in on the west side of the site and snake around the offices along Fostoria Avenue. He was not opposed to the office going in, but the traffic on site. Mayor Muryn spoke up to say the tricky part is that the drives are not a platted roadway but an access agreement between the sites. Mr. Cordonnier said those are civil agreements and that he should find a copy from the Recorder's Office to know for sure what they say.

## **MOTION**

Mayor Muryn made a motion **to approve the APPLICATION FOR SITE PLAN REVIEW #SP-14-2023 filed by Croys – TC and Son, for a new office building on parcel #570001022369 on Fostoria Avenue with the following conditions:**

- **Work with HRPC to finalize the landscaping plan (HRPC)**

**2nd: Rob Martin**

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

**5. APPLICATION FOR SITE PLAN REVIEW #SP-15-2023 filed by Take 5 Oil Properties LLC for a Take 5 Oil Service at 601 W. Trenton Avenue.**

## **CPC STAFF**

### **General Information**

This request is located between W. Trenton Avenue at the southwest intersection of Bolton Street. The site is zoned C-2 General Commercial. Along W. Trenton Avenue, it is zoned C-2 General Commercial. The neighborhood to the south and east is zoned R-3 Small Lot Residential. It is not in the 100-year floodplain.

### **Parcel History**

The site was most recently a Pizza Hut restaurant.

### **Staff Analysis**

Take 5 Oil Properties LLC proposes a 1,708 sf oil change center for the location. They would demolish the old structure and shift it closer to W. Trenton Avenue to accommodate stacking. The new location of the structure meets the setbacks of the C-2 district. The height of the building is 19' 10", which is below the height maximum for the district. There will be three maintenance bays within the building and the ability to stack up to 10 vehicles outside without blocking the parking lot area. They have closed the access onto Trenton Avenue, so once cars leave the maintenance bays, they have to loop around the parking area, back onto Bolton Street. There is a parking lot that can show 12 parking spots, with one being, handicap accessible.

The landscaping plan shows that the applicant has met the requirements for the lot. They were required to provide five trees for the site, and they show six trees on site. They were required to provide 53 shrubs and they have provided 57.

There is an existing non-conforming pylon sign for the old Pizza Hut. This will need to be removed. The site can have a monument sign as a replacement, but will need to work with the City of Findlay Zoning Department on getting approval.

### **Staff Recommendation**

CPC Staff recommends **approval of APPLICATION FOR SITE PLAN REVIEW #SP-15-2023 filed by Take 5 Oil Properties LLC for a Take 5 Oil Service at 601 W. Trenton Avenue.**

### **ENGINEERING**

#### ***Access –***

The site will only be access by a drive that is located on Bolton Street. The existing curb cut on Trenton Avenue and a large portion of the curb cut on Bolton Street will be eliminated as part of the proposed site.

#### ***Water Service –***

The plans are proposing to use the existing water service tap but will be running a new line from the meter to the building.

#### ***Sanitary Service –***

The proposed site will be tapping the sanitary line that is located on the south side of Trenton Avenue. The proposed plans are showing an inside drop for the manhole, but the City does not allow inside drops so an outside drop will need to be installed.

***Stormwater Management –***

The site will be incorporating more pervious areas throughout the site, and the site consultant has provided a Storm Water Management Report with the site plan.

***MS4 Requirements –***

The disturbed area is less than 1 acre so the applicant does not need to comply with the City of Findlay’s Erosion & Sediment Control Ordinance. As part of the plans the applicant has submitted an Erosion and Sediment Control Plan.

***Recommendations:***

Approval of the Site

The following permits may be required prior to construction:

- Sidewalk Permit x1
- Curb Cut Permit x2
- Water Service x1
  - 1” Domestic
- Sanitary Tap x1
- Storm Tap x1

**FIRE PREVENTION**

- Be sure to obtain all proper permits for construction

**RECOMMENDATION**

Staff recommends **approval of APPLICATION FOR SITE PLAN REVIEW #SP-15-2023 filed by Take 5 Oil Properties LLC for a Take 5 Oil Service at 601 W. Trenton Avenue.**

**DISCUSSION**

Connor Henderson was present on behalf of the application. Mayor Muryn asked how high the shrubs would grow. Mr. Henderson said they would probably grow to about 3 feet. Mayor Muryn said she would like to see those taller even if it meant they thinned out the total number.

Mr. Clinger said the symbol for landscaping is confusing. Mr. Henderson said that there is an increase in grass and landscaping compared to the existing site. He noted the symbol is for the irrigation. He said that the south boundary did not have any landscaping, so they would like to see it shifted to screen that.

Mr. Clinger said that the dumpster is located near the stacking and asked if that would be an issue. Mr. Henderson said that it would not be an issue because they would schedule trash pickup during off-hours. The same would be done with deliveries. Jackie Schroeder asked what their business hours would be. Mr. Henderson said 7am-7pm.

Mr. Clinger asked Jeremy Kalb about the drop. He said that in his notes he saw they had an inside drop system, and just wanted to note that it needed to change to an outside drop.

Mr. Clinger asked about if they had pits underneath the vehicles. Mr. Henderson said they are called shallow pits and did not have stairs or anything. They are “coffin-like pits” under the vehicles the workers can lower themselves. They are long, 4-feet deep pits. They have rollers that they can lay on. He likened it to the Valvoline on Tiffin Avenue.

Mr. Clinger asked if there was a door for customers to walk into the building. The door is on the west side of the building, but he was correct that there was not great access from the parking area. Mr. Martin asked if it would make sense to flip the building to get the door access on the opposite side. Mr. Henderson said unfortunately with the mechanicals of the building, they have to have it in this configuration.

Mr. Clinger asked how often deliveries are made. He said about once or twice a week.

Mr. Clinger asked about how they measure site clearance for a monument sign. Erik Adkins said they have a measurement they use that goes 25 feet on either road frontage to make a triangle where they sign cannot go. Mr. Clinger asked if they should add a condition on the monument sign. Mayor Muryn said that they did not need to because it is handled during the permitting process.

Jacob Mercer asked if the garage doors would close while they were doing the work. Mr. Henderson said that they leave them open when it is warm, but they do close them to keep the inside warm.

### **MOTION**

Mayor Muryn made a motion **to table the APPLICATION FOR SITE PLAN REVIEW #SP-15-2023 filed by Take 5 Oil Properties LLC for a Take 5 Oil Service at 601 W. Trenton Avenue with the following condition:**

- **Work with HRPC to add landscaping along the residential properties**

**2nd: Rob Martin**

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

**6. APPLICATION FOR CONDITIONAL USE #CU-09-2023 filed by Tabbatha Castret, to establish an Airbnb at 2004 S. Main Street.**

### **CPC STAFF**

#### **General Information**

This request is west side of Main Street, just south of the intersection with Highland Drive. It is zoned R-2 Medium Lot Residential. To the north and west it is zoned O-1 Office/Institution. To the south and east, it is zoned R-2 Medium Lot Residential. It is not located in the 100-year flood plain.

### **Parcel History**

The site is a single-family home.

### **Staff Analysis**

The applicant Ms. Castret has listed the property on Airbnb. The City was notified that the property operated as an Airbnb through a complaint due to noise created via the guests staying at the property. The home has three bedrooms listed within the residence. There is enough driveway space and garage spaces to accommodate up to six parking spots.

Given the location on Main Street, and the location just south of the Hospital, staff was supportive of the request for conditional use. Staff would remind the applicant that conditional uses are revocable permits, so if the City continues to receive complaints about the property, they may withdraw the permit.

### **Staff Recommendation**

CPC Staff recommends approval of **APPLICATION FOR CONDITIONAL USE #CU-09-2023 filed by Tabbatha Castret, to establish an Airbnb at 2004 S. Main Street.**

### **ENGINEERING**

- No Comment

### **FIRE PREVENTION**

- No Comment

### **RECOMMENDATION**

Staff recommends **approval of APPLICATION FOR CONDITIONAL USE #CU-09-2023 filed by Tabbatha Castret, to establish an Airbnb at 2004 S. Main Street.**

### **DISCUSSION**

Tabbatha Castret was present on behalf of the application. Mayor Muryn asked if she rented out rooms while she lived there or if it was purely rental. She said that she only rents the house when she is not there. Jacob Mercer added that Ms. Castret is a traveling nurse with the hospital.

Mr. Clinger asked how long she owned the home and how long had she had it on Airbnb. She said she has owned it a little over a year, and had it on Airbnb for about 3 months. Mr. Clinger asked how her schedule worked with the hospital. She said that it varies. Right now, she is in Texas for the next 5 weeks, but is open after that.

Mayor Muryn asked if there were any ability to enforce consequences or restrictions for the house. Ms. Castret said that she has quiet hours set for the home for 10pm and rules for home.

Mr. Clinger said he sees standards for bed and breakfasts but he was not sure how to apply them to this situation. Mr. Cordonnier said that they have traditionally applied the standards to Airbnb's in the city. He notes that they are slightly different since the owner is not on site. He discussed the regulations with the realtor for the site and said they discussed the frustration from

not including more language to address them. In the code update, he wants to include a definition for short term rental and added Airbnb's to connect the two together. Mr. Clinger asked if Airbnb's were required to be licensed through the state and get an ID number. Mr. Cordonnier if that was a requirement of the zoning code.

Mr. Clinger asked Ms. Castret how long is a typical length stay. Ms. Castret said it varies, it could be a few days, or could be up to a month. Mr. Clinger asked how many times she has rented the house out. She thought probably 30 times in 3 months. It is only rented as a whole house rather than by room. Mr. Martin asked if she could limit the number of people in the house. She said that she has camera's at the house that she can monitor the number of people coming into the house.

Louise Schadel lives next door at the intersection with Main Street and Highland Drive. She was against the request because she thinks this is a single-family neighborhood and this doesn't fit. She mentioned a party that lasted past 10pm and that parking overflowed into a hospital parking lot area.

Rob Love spoke next as Ms. Castret and brother-in-law. He rejected the idea that the neighborhood is quiet because it is next to the hospital and is located on Main Street and sees a lot of traffic. He said Ms. Castret works at the hospital, and they have many people going in and out of the facility. Mr. Clinger asked if he knew of other Airbnb's in the neighborhood. Ms. Castret said she didn't know about the neighborhood, but that there were a dozen or so in the city. Mr. Love said that that was something he would like to see addressed, because he knows other realtors aren't aware that the City is applying the bed and breakfast standards to Airbnb's. He thought it was a gray area that hopefully gets cleaned up.

Mr. Martin asked if there was someone in town to be a contact. Mr. Love said it was him and that he lived on Greenlawn Avenue, so he could make it over easily.

Mayor Muryn noted that she was willing to support the request, considering the location on Main Street. She thinks that as long as there are not a ton of complaints against the property in regards to guests staying. Mr. Love said that he understands the conditional use is revocable, so when does the number of complaints reach that level. Mr. Cordonnier said he's not seen a conditional use revoked since becoming director. He thought that it would be appropriate for the CPC to re-evaluate the conditional use in a public meeting.

Mr. Clinger asked if Ms. Castret had any communication from neighbors about the situation or about concerns that they had. Ms. Castret said she had not.

Barbara Ott is the neighbor across Main Street. She had noticed an increase in activity. Her friend told her that it was an Airbnb. Ms. Ott was confused how she established it without changing the zoning.

Mayor Muryn said she appreciated her comments. She said that the conditional use is a revocable permit to allow for certain uses within a zoning district. In this case, Airbnb's are a conditional use in the residential district. She thought given the location near the hospital that there are rentals in the neighborhood, but just operated by the hospital. She didn't think the request was out of place for the location.

### **MOTION**

Mayor Muryn made a motion **to approve APPLICATION FOR CONDITIONAL USE #CU-09-2023 filed by Tabatha Castret, to establish an Airbnb at 2004 S. Main Street.**

**2nd: Rob Martin**

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

**8. APPLICATION FOR ZONING AMENDMENT #ZA-05-2023; filed by Andek LLC to rezone parcel #60000302210 on W. McPherson Avenue from O-1 Office/Institution to M-2 Multi-Family, High Density.**

### **CPC STAFF**

#### **General Information**

This request is located on the south side of W. McPherson Avenue just east of the intersection with Hurd Avenue. It is zoned O-1 Office/Institution. It is in a neighborhood of 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 Office.

#### **Parcel History**

The site is currently vacant. It was originally a part of the Lake Cascades PUD, but remained office after PUD's were removed from the code. There were never any plans presented for these lots on this parcel.

#### **Staff Analysis**

The applicant would like to rezone the property to construct a three-story apartment building on the site.

While the request is a deviation from the Findlay Land Use Plan, the request does fit the residential character of the neighborhood. The site is over an acre in size and can accommodate the additional units of residential on site. While there is a single-family residential neighborhood across W. McPherson Avenue, this site is surrounded by a mix of residential, office and utility structures.

#### **Staff Recommendation**

Staff recommends that FCPC recommend approval of **APPLICATION FOR ZONING AMENDMENT #ZA-05-2023; filed by Andek LLC to rezone parcel #60000302210 on W. McPherson Avenue from O-1 Office/Institution to M-2 Multi-Family, High Density.**

### **ENGINEERING**

- No Comment

### **FIRE PREVENTION**

- No Comment

### **RECOMMENDATION**

CPC Staff recommends that FCPC recommend **approval of APPLICATION FOR ZONING AMENDMENT #ZA-05-2023; filed by Andek LLC to rezone parcel #600000302210 on W. McPherson Avenue from O-1 Office/Institution to M-2 Multi-Family, High Density.**

### **DISCUSSION**

Andrew Yates and Dan Stone were present on behalf of the application. He said this location was attractive for multi-family. He has another 24-unit apartment complex in town and has found that there is a demand for nicer one-bedroom units. He thought the view over Lake Cascades was attractive, and could be enticing for traveling nurses or young professionals. It will be nice finishes inside the units, with nice countertops. He is transporting a building from Grand Avenue. Once moved, it will be stripped to the bones, and they will add the 3<sup>rd</sup> floor to it. On the east side of the parcel, they would install an 8-foot-high privacy fence. On the west side, they are building a 2-foot-high berm with an 8-foot-high fence on top to block the substation. Given the zoning, this site could be a 4-story office building, so he thought this would be less intrusive to the surrounding neighborhood. He did communicate with the neighbors about his plans, but had not had anyone reach out. He lastly added that he wanted to have a dog park and is working on getting an easement to connect to the walking path off the back of the lot.

Mayor Muryn said that she liked the potential layout. She asked if he could work with Jeremy Kalb to get trees along McPherson to help provide more of a buffer between the parking lot and the neighbors across the street. Mr. Yates said he could do that and had planned on working around mature trees. Mayor Muryn added that she thought the dog park should only be for the residents to remove any confusion. Mr. Yates said he could put signage and potentially key cards to unlock a gate to the dog park. Matt Cordonnier noted that there is an elevation change, so he doubted many would try to walk through that area. Mr. Yates said that he agreed and that he was hoping to pick up the debris and keep that area looking nice.

Mr. Clinger asked about how they plan to move a building from Grand Avenue. Mr. Yates said would jack up the building off the foundation and then use cranes to load it onto a flatbed truck. They would then drive it across town to the site. They did this to save on building costs. Mr. Clinger said that he wanted to make sure that in the future, they comply with the architectural standards of the zoning code.

Dave Pueschel, 321 W. McPherson Avenue spoke. He understands what they are trying to do to make the project economically viable. He feared that the building height would infringe on the privacy of the neighbors to the east. He was also concerned about the runoff from the site. He added that he was concerned the traffic from Donnell could lead to issues with the site. His last concern was that there would be an increase in noise in the neighborhood. He thought that with



the increase in people in the area will impact negatively and could impact the home values in the area. Mayor Muryn addressed some of the concerns. She noted that there is a detention pond on the west side of the site. Mr. Pueschel asked if there was an oil separator. Mr. Kalb said that they don't require it.

Mayor Muryn asked if they could put architectural detail on the end to block the view to the east. Mr. Yates said that they could do that, and that the balcony and walkways would not face that direction, so that would not be a problem. Dan Stone did note that there was an easement that they needed to keep in mind. Mayor Muryn asked if they could shift west a bit. Dan Stone said that with detention and the trees on site, it would make it difficult.

Mr. Clinger asked if the access could be flipped to get it away from the neighbor. Mr. Stone said that they could do that. Mr. Yates said that they were willing to work to be a good neighbor.

Mr. Clinger asked how many units Mr. Yates owned, and he said over 150. He said that he was up front with neighbors about his history with projects and wants to maintain a good product in Findlay. Mr. Clinger added that the apartments would be less intrusive than an office building. Mr. Clinger asked if there were any concerns about the tower. Mr. Cordonnier said that since the tower is in place he didn't see it as an issue. Dave Glass, the CEO of Findlay Publishing, spoke about the tower. He said that they send signal from the tower to another facility in Houcktown. He asked if there was any issue with the tower and becoming non-compliant. Mr. Cordonnier reiterated that since it was there first, there shouldn't be any issue. Mr. Glass said that they do visit the site regularly so he's glad to hear that.

Mr. Stone asked in terms of the rezoning, he wanted to know if they could potentially rezone a portion to keep the tower in compliance. Mr. Cordonnier said that he didn't think it would be necessary to do that. If there was any issue where the tower is destroyed, the city would work with them to re-establish it.

Tom Romick, 320 W. McPherson Avenue, spoke next. He worried that the 3-stories are too dense for this property. He noted that the houses are single story, and this will be too intense for this neighborhood. He noted that several neighbors signed a petition to oppose the development. Jacob Mercer noted that he did receive a call about the petition but had not received it. Matt Cordonnier did share his concerns about the height, but he noted that it is set back off the right-of-way. Since it is further back, it doesn't feel as tall.

Aggie Hempfling, 420 W. McPherson Avenue, spoke next. She asked about the parking for the development. Mr. Yates said that this has 40 spaces, so he anticipated there being about 8 empty spots in the lot on average. She seconded Tom's comments that it's too intense of a use for the site.

Matt Cordonnier said that typically for a rezoning that the CPC does not address the site plan, but it is nice to merge the conversations a bit. He asked if they could install a hedge row to block the

lights from the parking lot shining across the street. Mr. Stone said that they would since it is part of the code, and they would work with the landscaping to block the lights.

Matt Cordonnier asked which trees were staying. Mr. Stone noted that two trees on the west side would remain. There was a tree in the front on that side that would need removed for the detention. Mr. Clinger added that along W. McPherson Avenue, he thought that

**MOTION**

Rob Martin made a motion **to approve APPLICATION FOR ZONING AMENDMENT #ZA-05-2023; filed by Andek LLC to rezone parcel #600000302210 on W. McPherson Avenue from O-1 Office/Institution to M-2 Multi-Family, High Density.**

**2nd: Mayor Muryn**

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

Matt Cordonnier just reminded the group that the rezoning goes to the City Council Planning & Zoning committee at noon. Once they make a recommendation, it goes to City Council for 3 readings. The site plan will need to come back for review before the project can begin.

**MOTION**

Mayor Muryn made a motion **to table the APPLICATION FOR SITE PLAN REVIEW #SP-16-2023 filed by Andek LLC to construct a 3-story 24-unit apartment building at parcel #600000302210 on W. McPherson Avenue.**

**2nd: Rob Martin**

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

**TABLED ITEMS**

**1. APPLICATION FOR ZONING AMENDMENT #ZA-02-2023; a request to repeal the existing City of Findlay Zoning Code and replace it with an updated version.**

**MOTION**

Mayor Muryn made a motion **to remove from the table APPLICATION FOR ZONING AMENDMENT #ZA-02-2023; a request to repeal the existing City of Findlay Zoning Code and replace it with an updated version.**

**2nd: Dan Clinger**

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

**DISCUSSION**

Mayor Muryn started by asking Matt Cordonnier to go over the changes since our last discussions.

Matt Cordonnier said that he sent out the June update to the group, added it to the City website, and posted on the HRPC Facebook page.

Starting with page 30, items for CPC review, he noted that he was thinking of removing the item. The discussion was that we have fairly minor changes to site plans that are required to go to CPC, but common sense says it should not. He put a statement for staff to make administrative approval, but now he feels like we should not change it. Mayor Muryn agreed that removing it takes out the ambiguity.

For the Agriculture District, he put a height limit of 60 feet. The discussion was around silos and barns, and are often taller than a traditional accessory structure. Mayor Muryn asked if 60 feet was drawn from a standard height. Mr. Cordonnier said he used language from other communities but would consult some farmers to know if it would work. Mayor Muryn clarified too that any structure that annexed into the City would be pre-existing and grandfathered in. Jackie Schroeder asked if this was intended for any properties within the City. Matt Cordonnier said that this only would apply to properties zoned Agriculture. With the update, there would be zero parcels zoned agriculture. Ms. Schroeder asked if any could become zoned Agriculture. Mr. Cordonnier said yes, but they would have to request the rezone, and he would be hard pressed to think of any that would be ideal candidates within the city for this zoning. He reminded the group that nobody is entitled to a specific zoning class.

Mr. Cordonnier added that they included a number for animal operations. If someone wanted to do that within the city, they felt the City should want to know the number on site. The Mayor felt they should reduce the number. On the other hand, it is a conditional use, so maybe it wouldn't be a problem.

Councilman Russel spoke regarding the agriculture district. He wondered if they would want this because they would then have to track the number of animals on those sites. He thought the goal was to ease the transition of annexation for farm ground, and this seems to muddy down the process. Mr. Cordonnier said he played the opposite view, where they have a piece that was annexed and they look to increase into a large animal operation, then he would want to have a conversation with CPC.

The Conditional Use process will work well for this district because we don't want a farm to change hands and then change the intensity of the use. To Mr. Russel's point, we don't want to go and count individual animals, but we do want to know when they switch from farm ground to animal operations. The Mayor asked Mr. Cordonnier to continue thinking on this.

Matt Cordonnier removed a confusing statement regarding front yard setbacks. There was confusion regarding infill, so he thought it was best to remove it.

He added electric charging stations to the C-1, C-2, C-3, M-1, M-2, and O-1 districts. Originally, it was going to be C-2, but thought it was best to include in all these districts as a conditional use. This way, the board can review any before installation throughout the City.

The Design Review Board maintenance requirements has seen some changes. There was a haphazard process where after a complaint, the Board has to vote whether the complaint is valid before contacting the property owner. The update would allow the Board to meet with the property owner after a complaint is received. There have only been a handful of complaints in the five years, and they found that it has been an unnecessary added step.

Dan DeArment mentioned to Matt Cordonnier that they have transfer stations and recycling centers are permitted in I-1, so he moved them to conditional uses in I-1. This allowed for some ability for flexibility and review before they are implemented.

In the new I-3 district, they removed the “pyramid” system. Essentially, it said, I-1 and I-2 permitted uses were also allowed in I-3. This removes the pandora’s box from the I-3 district.

He added a definition for short term rentals and directly tied Airbnb’s to the code. He included this under the bed & breakfast definition to tie them together. This obviously was fresh in our minds due to the earlier case. Short term would be rented less than 28 days. Mr. Martin asked where the number came from. Mr. Cordonnier said it was from surveying other communities. He thought that in the future we might want to look at these further to address these. He said they are only a conditional use in R-2 and R-3 and not allowed in the R-1 district. He didn’t want to throw in too much changes regarding this at this late stage.

He noted to the group that all the exhibits and pictures would be removed. This will include removing the 1-page summaries at the beginning of each zoning district. When things are listed 2-3 times, it can lead to missing spots where there are conflicting statements.

Mr. Martin asked if Mr. Cordonnier had received any citizen feedback on the June update. Mr. Cordonnier said he had not. Mayor Muryn said that she would like to table again to give them time to get everything in its’ final form. Matt Cordonnier said he would get the final version out June 30<sup>th</sup>.

### **MOTION**

Mayor Muryn made a motion **table APPLICATION FOR ZONING AMENDMENT #ZA-02-2023; a request to repeal the existing City of Findlay Zoning Code and replace it with an updated version and recommend staff make those adjustments.**

**2nd: Rob Martin**

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

There being no further business, Mayor Muryn adjourned the meeting.