

# City of Findlay City Planning Commission

Thursday, July 9, 2015 - 9:00 AM  
Municipal Building, Council Chambers

## Minutes

(Staff Report Comments from the meeting are incorporated into the minutes in lighter text. Actual minutes begin with the DISCUSSION Section for each item)

### **MEMBERS PRESENT:**

Paul Schmelzer  
Dan DeArment  
Dan Clinger

### **STAFF ATTENDING:**

Matt Pickett, FFD  
Matt Cordonnier, HRPC Director  
Judy Scrimshaw, HRPC  
Todd Richard  
Don Rasmussen  
Brian Thomas

### **GUESTS:**

Tom Shindeldecker, Jose Rivera, Vern Strong, Ty Trefl,  
Tom Gross, Bob Engel, Jennifer Schumacher

### **CALL TO ORDER**

### **ROLL CALL**

The following members were present:

Paul Schmelzer  
Dan DeArment  
Dan Clinger

### **SWEARING IN**

All those planning to give testimony were sworn in by Judy Scrimshaw.

### **APPROVAL OF MINUTES**

Dan Clinger made a motion to approve the minutes of the June 11, 2015 meeting. Paul Schmelzer seconded. Motion to accept carried 3-0.

**1. SITE PLAN APPLICATION #SP-18-2015 filed by Moody Development Ltd., 2215 Tiffin Avenue, Findlay for a proposed Zippy's Car Wash to be located at 2215 Tiffin Avenue.**

### **HRPC**

### **General Information**

This site is located on the south side of Tiffin Avenue west of the intersection of Spruce Court. The property is zoned C-2 General Commercial. Land to the north, east and west is also zoned C-2. Land to the south is zoned R-1 Single Family Low Density. It is not located within the 100 year flood plain. The Land Use Plan designates the area as Regional Commercial.

### **Parcel History**

This is a former restaurant site. It has been Diamond River, Red Pig Inn and most recently LaScola.

A request for Conditional Use for a car wash was presented and approved with conditions at the May, 2015 City Planning Commission.

### **Staff Analysis**

The applicant is proposing to demolish a portion of the west side of the existing former restaurant building and renovate into a car wash. The wash will be a single bay operation that is attended during hours of operation.

Access will be by means of the existing drives off of Spruce Drive. Vehicles will enter the site from the west drive, travel north and then south again to go through the pay canopy. Once they have paid they will follow the drive and go north again to enter the car wash. When they exit the north end, they will again head south where they can either stop to use the vacuums or continue southward to exit the site onto Spruce Drive.

There are 18 stalls on the east side of the building for vacuum use. The company submitted a noise study to Planning Commission in May for the vacuum areas. Levels were deemed as acceptable. There are also five regular plus one handicapped parking spots for employees or visitors. The applicant has stated that there will be only two employees on a shift most days with possibly three on the weekends.

Since the footprint of the building is the same other than removing a portion, there are no differences in the setbacks. The same applies to the height, it is about 24 ½ feet high which is well below the maximum permitted of 60 feet.

A sign plan shows a monument type structure 6' in height and 8'-4" wide. The sign will be located in the northeast corner of the lot. It is shown 10' off the front lot line. The landscape plan indicates some new lawn areas, retention of some existing maples, crabapples and pine trees. More deciduous trees, pines and shrubs are being added to the perimeter of the site. Lilies and low shrubs are being added around areas of the foundation.

There is no new lighting proposed for the site. The developer will remove one light pole on the west side of the eastern drive and use the remaining existing light poles.

A condition of approval at the May, 2015 meeting was that the auto wash could never operate 24 hours. The applicant had stated at the meeting that their normal hours of operation are 8 a.m. to 8 p.m. in the spring/summer and 8 a.m. to 7 p.m. in the winter. The applicant agreed that they would put deed restrictions on the property specifying this. We will want to have a copy of those when the land is transferring for our files.

Another condition placed on the approval that day was that they would work with the City on the

screening across Spruce Drive abutting the residential area. The City wants the developer to cover the cost of the buffer plan. The City will do the work and asks the developer to post a bond for the appropriate share based on their property width. The site plan indicates that the site is 200.02' wide.

### **Staff Recommendation**

HRPC Staff recommends approval of **SITE PLAN APPLICATION #SP-18-2015 for a proposed Zippy's Car Wash to be located at 2215 Tiffin Avenue subject to the following conditions:**

- **Appropriate deed restrictions specifying that an auto wash on this site cannot run 24 hours**
- **Posting a bond to cover costs of buffer along Spruce Drive for the approximately 200' of property width as specified by the City**

### **ENGINEERING**

Access – Access to the site will be provided by the two (2) existing curb cuts on Spruce Drive.

Water & Sanitary Sewer – The applicant is proposing to reuse the existing water service. The proposed sanitary service will be connected into the existing sanitary lateral. The Owner will be responsible for verifying the condition of the existing lateral. Since the use of the property is being changed, Engineering will need an estimate of the water usage to calculate any potential impact or capacity fees that could result from a higher water usage.

Stormwater Management – Detention for the site will be provided by the regional detention basin. The runoff from the site will be reduced since the proposed development will result in the addition of more green space on the site.

Sidewalks – The sidewalks are existing.

Recommendations: Approval of the plan.

The following permits may be required prior to construction:

- Sanitary reconnect permit (since it is being rerouted)

### **FIRE PREVENTION**

- Apply for all necessary permits with Wood County Building Department
- Any natural gas or electric meters within the driving area shall have crash protection.

### **STAFF RECOMMENDATION**

Staff recommends approval of **SITE PLAN APPLICATION #SP-18-2015 for a proposed Zippy's Car Wash to be located at 2215 Tiffin Avenue subject to the following conditions:**

- **Appropriate deed restrictions specifying that an auto wash on this site cannot run 24 hours. (HRPC)**
- **Posting a bond to cover costs of buffer along Spruce Drive for the approximately 200' of property width as specified by the City (HRPC)**
- **Apply for all necessary permits with Wood County Building Department (FIRE)**

- **Any natural gas or electric meters within the driving area shall have crash protection. (FIRE)**

### **DISCUSSION**

Mr. Schmelzer stated he had a meeting with the applicant after the May meeting in regard to this and he has a meeting with the landscape architect next week that is working on the plan. Mr. Schmelzer said they will be taking out the pine trees, most of which have been topped because they became too tall for the power lines. The area will be regraded and they will plant arborvitae in the strip. When the roadway was developed, there was an agreement with all the business owners to have an association set up to take care of the maintenance of the buffer strip. Mr. Schmelzer stated that this has not happened for many years now. Legally now the adjoining property owners are responsible because the street was dedicated as public right of way. The City has decided to participate in cleaning this up and will have any redeveloped properties share in that cost as well. Mr. Schmelzer stated that they have spoken with the residents and circulated the plan. They understand what will be done and that they will be responsible for it once complete. He stated that the project is probably about \$50,000 for the whole stretch. He said the whole plan will be done and then they will prorate the share.

Mr. Schmelzer also thanked the applicant on working with the City on the hours of operation. He said he feels it is a very good compromise. Even though a car wash could have some noise associated with it, it would be better than a bar that could have hours till 2 a.m. with a band.

Todd Richard asked if the sign is a fixed message. Mr. Rivera replied yes. He said he didn't think the City permitted anything else. Mr. Richard commented that they do have separate standards for any animation or scrolling. Mr. Rivera said they sometimes use a fixed sign with a scrolling component underneath with hours of operation and any specials they may run. Mr. Richard said that is a detail they can work out at some point.

Dan Clinger asked Engineering if this will require a grease trap or sediment trap before it connects to the sanitary sewer. Mr. Schmelzer stated that he thought they had water reclamation shown. Mr. Rivera confirmed that. Dan Clinger asked if there is a color scheme the business uses. The elevations did not indicate anything in the way of color. Mr. Rivera replied that usually they are beiges and black. They haven't actually decided on that yet.

### **MOTION**

Paul Schmelzer made a **motion to approve SITE PLAN APPLICATION #SP-18-2015 for a proposed Zippy's Car Wash to be located at 2215 Tiffin Avenue subject to the following conditions:**

- **Appropriate deed restrictions specifying that an auto wash on this site cannot run 24 hours. (HRPC)**
- **Posting a bond to cover costs of buffer along Spruce Drive for the approximately 200' of property width as specified by the City (HRPC)**
- **Apply for all necessary permits with Wood County Building Department (FIRE)**
- **Any natural gas or electric meters within the driving area shall have crash protection. (FIRE)**

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

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

**2. SITE PLAN APPLICATION #SP-19-2015 filed by Campbell Oil Company, 7977 Hills and Dales Road NE, North Canton, OH for a proposed fueling station, retail store and car wash to be located at 1215 W. Main Cross Street.**

**HRPC**

**General Information**

This site is located on the south side of W. Main Cross Street just east of the I-75 interchange. It is zoned C-2 General Commercial. All properties to the south, east and west are also C-2. Across the street to the north is zoned R-2 Single Family Medium Density. The City of Findlay Land Use Plan designates the area as Neighborhood Commercial. Much of the property is located within the 100 year flood plain.

**Parcel History**

This site is a combination of the existing Marathon gas station/convenience store and the former Gas America site.

**Staff Analysis**

The applicants are proposing to demolish all existing structures and develop as one site with a gas station/convenience store/restaurant building and a separate car wash on the east end of the property.

Front yard setback in C-2 is 50', the rear yard is 30' and the side yard is 15'. All structures meet the requirements.

Parking in C-2 is based on one space per 375 square feet of building. The two buildings account for 12,029 square feet. This calculates to 33 required parking spaces. The site plan shows 83 parking spaces for the entire site.

There are four (4) proposed access points indicated on the plan. There are four (4) existing access points across the site that had been used for the two (2) separate service stations as well as access to the office building to the rear and the former motel site. The shared access, first one at the west side of the property, is remaining and must be in order to allow for the easement of access to the other parcels. The second access from the west has been moved closer to the first on this plan. The other two (2) accesses are also shifted west of the originals. Our first reaction is to eliminate two of the accesses and only have one at each end of the combined site. Noting the location of the fuel tanks which appear to be in the drive aisle of the third access point from the west, it may be difficult to maneuver the fuel trucks without a third drive. We propose the elimination of the second drive from the west. It is very close to the shared drive.

Although not labeled as such on the site plan, we have confirmed that the developer is proposing a drive up window at the rear of the Dairy Queen portion of the building. The elevation drawings do show the window and an ordering area and menu board. Drive up windows are a conditional use so the Commission will have to grant the conditional use for this to be added. The plan shows two lanes of traffic labelled as one way that will travel across the south side of the building to pick up at the window near the east end. The order window and menu board are on the west side of the building. While there is substantial stacking space across the back of the building, there is much less on the side when ordering. Vehicles will be stacked out into the front area of the lot and possibly mixing with vehicles trying to get to the front of the store or the pumps. Not an ideal situation but any conflicts will only affect this parcel.

There is a two bay automatic car wash on the east end of the site. Cars will enter the south end of the building and exit to the north. The plan doesn't indicate if there are any vacuums outside the building.

A landscape plan shows the perimeter of the site outlined with shrubs as well as some deciduous trees along the south side parking area. The parking bump outs are also landscaped with shrubs and trees.

A lighting plan was submitted for the site. The zoning code only addresses restrictions on lighting abutting residential. Although the north side of W. Main Cross is zoned residential, the use there is a cemetery. The maximum height of light poles in a parking lot is 25'. We did not see a sketch of the pole and height, but it appears that the lights are mounted at 18' according to the plan. As long as the total pole height does not exceed 25' with any base, etc. this is fine. Of course the lighting needs to be directed only toward the site and shielded from spilling over onto other parcels.

A sign detail shows a 28 ½' pylon sign along W. Main Cross Street. The majority of the sign is fixed message or just identification. An electronic message portion is indicated at the bottom. Electronic message centers can be no larger than 25% of the approved sign face. It looks like that portion is only a little over 28 square feet. The total sign is approximately 177 square feet. Todd Richard said that this site was given a variance on its sign and it would carry over with the land. Mr. Richard will address the sign issue. There is also an Interstate High Rise sign to the rear of the site along I-75. Mr. Richard said this is nonconforming and the applicant can only change out the panels unless they go for a variance.

### **Staff Recommendation**

HRPC Staff recommends **approval SITE PLAN APPLICATION #SP-19-2015 for a proposed fueling station, retail store and car wash to be located at 1215 W. Main Cross Street subject to the following conditions:**

- **Elimination of second curb cut from the west**
- **Granting of conditional use for a drive up window**
- **Confirmation of light pole height**
- **Obtain any signage approval or variances from the zoning department**

### **ENGINEERING**

Access – There are four (4) existing curb cuts that were used to provide access to the two (2) gas stations. The applicant is proposing to keep all for (4) of these curb cuts. Since this will now be one use, the four (4) curb cuts seems excessive. We would recommend the elimination of the second drive from the west of the site. This would still provide access to the office building to the south of the site and would allow for fuel trucks to enter/exit the site.

Water & Sanitary Sewer – The applicant is proposing two (2) new water services and two (2) new sanitary services. An oil/water separator will need to be added to the sanitary sewer coming from the floor drains in the car wash. The Owner will be responsible for maintenance and cleaning on all grease traps and oil/water separators.

Stormwater Management – Stormwater detention is being provided by underground storage under the proposed parking lot. The design of the underground storage meets City requirements. The applicant is proposing to reroute a storm sewer that crosses the site in the location of the proposed building. Engineer is working with the design engineer to make sure that the size and

location of the rerouted sewer is the best for all parties involved.

Sidewalks – There is existing sidewalk located along West Main Cross Street. The plan shows the existing walk being removed and replaced along the curb. The proposed walk should be installed in the same location as the existing walk. To meet City Standards, the walk will also need to be extended through the proposed drives (8 inch thickness in the drive area).

Recommendations: Conditional approval of the plan subject to the design engineer and Engineering working out the storm sewer rerouting.

The following permits may be required prior to construction:

- An approved Stormwater Pollution Prevention Plan
- 2 – Sanitary Tap Permits
- 2 – Water Tap Permits
- Storm Sewer Tap Permit
- Sidewalk Permit
- Curb Cut Permits
- Flood Development Permit

### **FIRE PREVENTION**

-Apply for all necessary permits with Wood County Building Department

-Apply for all necessary permits with the State Fire Marshal's office for tank removal and/or installation.

-Any natural gas or electric meters within the driving surface shall have crash protection.

-If the building is equipped with a sprinkler and/or fire alarm, a Knox Box shall be installed and utilized by all tenants.

### **STAFF RECOMMENDATION**

Staff recommends approval of **SITE PLAN APPLICATION #SP-19-2015 for a proposed fueling station, retail store and car wash to be located at 1215 W. Main Cross Street subject to the following conditions:**

- **Elimination of second curb cut from the west (HRPC & ENG)**
- **Granting of conditional use for a drive up window (HRPC)**
- **Confirmation of light pole height (HRPC)**
- **Obtain any signage approval or variances from the zoning department (HRPC)**
- **Apply for all necessary permits with Wood County Building Department (FIRE)**
- **Apply for all necessary permits with the State Fire Marshal's office for tank removal and/or installation. (FIRE)**
- **Any natural gas or electric meters within the driving surface shall have crash protection. (FIRE)**
- **If the building is equipped with a sprinkler and/or fire alarm, a Knox Box shall be installed and utilized by all tenants. (FIRE)**

### **DISCUSSION**

Paul Schmelzer reiterated the conditions of approval listed. He commented that many of these are routine items that appear on most every review.

Dan Clinger asked if they were utilized the existing tanks from Marathon. These will be replaced in the same hole according to a representative from Campbell Oil. Mr. Clinger asked

what the proximity to the new building will be for those tanks. The applicant indicated the position on the plan displayed on the screen. Mr. Clinger said he assumed that the trucks would come in from the west drive and go across the front of the pumps to get to the tanks. Tom Gross stated that they are showing the west drive closed off from the site with curbing. They did not intend to use that as their access. Mr. Clinger said he had problem with keeping 3 dedicated curb cuts for the project. He said he thinks the City has an opportunity here to enhance traffic flow and address safety issues. He would like to see two (2) curb cuts each having an inbound lane an outbound lane and a separate left turn lane. He thought it would work to take the west drive and expand to have the three (3) lanes and the second drive would come out just west of the north/south parking area. He stated that the traffic coming out of the car wash area would not be significant enough to warrant the cut there. They could easily come across the north side to the next drive west.

Mr. Schmelzer said he wouldn't segregate the west drive just for the rear lot as proposed either. He said he didn't even notice that it was curbed until they said so and now he sees it labelled. Matt Cordonnier commented that he thinks that travelers coming from I-75 not familiar with the site will tend to pick the first drive they see and if it is not accessible to the service station/restaurant complex then they will be finding their way back to turn around and get out. Mr. Schmelzer said he thinks the concept is great, and it will be really nice when it is redeveloped. He said Mr. Clinger made some good points but he may not agree with all of them. He feels that the curb cut that is in the middle of the canopy would not be utilized as much and could be removed. In his opinion that would be a good compromise. He definitely would not curb the first drive. Mr. Gross clarified that the City wants to leave the first drive as is, eliminate the second and keep the other two. Mr. Clinger said he has a problem leaving one just for the car wash. Mr. Gross said it is not just for the car wash, but will also be an exit for the Dairy Queen. Mr. Clinger stated that the more curb cuts the more hazardous with cars zipping down W. Main Cross Street. Bob Engel stated that they predict 3,000 to 3,500 visitors per day on the site. It will have the convenience store, a Subway and the Dairy Queen. The Dairy Queen will be the full grill and chill Dairy Queen. He said there will be a lot of people on the lot. They anticipate doing about 24,000 car washes a year. It will be a busy site and he said he knows they can get them on the lot, but they have to get them off the lot too.

Mr. Clinger said that the two (2) east curb cuts are close enough that if there are people at both waiting to get out and they aren't pay close attention, they can definitely get into a hazardous situation. Mr. DeArment asked if there were any environmental concerns on the gas station site. Mr. Engel replied that a Phase II was completed for the site and there were no problems found. The owner had operated there for 60 years and the company wants to represent Marathon here and have a prototype Bell store site as well. Mr. DeArment asked if the tanks had been removed from the old station at the east end. Mr. Engel replied yes, they were removed and the site is clean.

Mr. Schmelzer asked what our stacking requirements were. Judy Scrimshaw replied that right now we have a ten (10) car stack in our code. We are revising that in the proposed code changes. Mr. Gross asked if that was at the order board or the pick up window. Mr. Cordonnier replied that it is from the ordering point to the right of way. He said that in this situation, if the layout is causing an issue it only affects the site and it's their issue. He stated that he thinks there is enough room that the ordering would not ever cause disruption to the public right of way. Mr. Schmelzer asked where the order board was. Ms. Scrimshaw showed it at the west side of the building. Mr. Cordonnier stated that there was some concern about cars being out into the lot and possibly disrupting other traffic flow, but he feels that the company knows how their



operations work and if there are issues it will be their problem on their site and not be a hazard to the general public. Mr. Schmelzer said he could agree with that as long as it would never cause a problem on the access area for the land to the rear. Mr. Schmelzer asked if the reasoning for so much parking was the fact that they will have a full sit down type restaurant area. Mr. Engel replied yes there will be 70 seats in the DQ and about 20 in the Subway. Mr. Clinger asked if there were rear doors for either restaurant. Mr. Engle replied no that the entrances are on the front or side.

Vern Strong spoke from the audience as a representative of TLB Corporate Center which is located directly behind the proposed development. He stated that there are continuous problems with trucks or even cars parking along the shared access drive. He said it not only creates congestion for the clients they serve but the other businesses in the building as well. Once a semi gets parked in there, then they are travelling back to their parking lot. It is not uncommon to have large trucks come back to their lot and try to turn around. He stated that they have had accidents in their lot. Mr. Strong said that people are coming in and cutting across to get to the gas station and their people are trying to leave. He said it is not a safe situation. He likes Campbell's proposal to make that entry for the rear business access only and not use it for their development. He stated that he understands what the commission is saying about the difficulty of getting out onto SR 12 but they have a hazardous situation there. Mr. Strong said that he hadn't even considered the size of the car stack at the order window. He said that without the curb blocking that entrance, he could see cars backing up into that space while waiting in line.

Mr. Strong said he had several photographs snapped at random if the commission doubted his word on the parked vehicles, etc. In one case he had a photo of two (2) semis parked there and one is right in the middle of the drive. One is parked across the drive so no one can get out. Our option is usually to wait or ask the driver to move, however often times they are not in the vehicle. They are parking and going into the store. Once the lot to the west is occupied, this site is redeveloped and their own building there will be a lot more traffic and it will be even more difficult to get in and out of there.

Mr. Strong said he had a couple of other points to bring up. He stated that he had talked with Campbell Oil already and wanted to make sure there were not issues they would run into with Planning Commission. He said they don't know what the screening requirements are between the Campbell lot and them. Mr. Strong said that they have parking there and the Campbell site will have parking across from them. He doesn't want their lot to become overflow access for the Campbell site. Some type of screening in there that will prevent pedestrian traffic would serve their purpose as well and be aesthetically pleasing. He said they have a different class of client than they do and they want it to be a professional business environment.

Mr. Strong said that they would like to have a sign out by the roadway for their business. They would like it to the west of the drive set back an appropriate distance. That would help identify where you turn to get into their office and it would help differentiate that entrance from the station. He said it could also help keep unintended parkers from the lot.

Mr. Clinger asked if the easement that TLB has could be moved farther west and treated as an independent drive. Mr. DeArment asked if the drive is as close to the Interstate as is permitted. Mr. Schmelzer stated that with the Limited Access right of way he thought this is probably about as close as they can go to the west.

Mr. Clinger stated that he doesn't think a curb there does anything for restricting that at all. He

said he thinks a buffer is needed there that will present as more of a visual barrier. They can run over a curb. Mr. Schmelzer said he thinks the problem is also that the vacant lot is blocked off so a truck cannot enter it. Mr. Schmelzer asked if some of the trucks are repeat "customers". Mr. Strong said he hadn't kept track of tags, but he knows there was a case of a trucker who must have lived nearby. He saw a pickup arrive and park, then the driver got in the semi and left for a few days, came back, got in the pickup and left. Mr. Schmelzer said he doubts that a curb will change a person's behavior before they turn in. With the curb there, they will have to go back to his property and turn around to get out if he intended to go to the gas station. Mr. Strong said they have an architect who suggested some type of island/boulevard arrangement. Mr. Schmelzer said he thought that would be more of a visual barrier than just a curb on the east side.

Mr. Gross suggested making the drive a little wider, maybe put an island in the middle and bring it down into the drive a ways like boulevard, perhaps 5' wide. Mr. Clinger asked if he thought his clients would use as an exit. Mr. Gross said no. Mr. Gross stated they are happy with three (3) curb cuts from their site specifically. Dan Clinger said he thinks they need to see another plan that incorporates the comments made today. Jennifer Schumacher asked Mr. Strong if they have trucks that must come back to their site. Mr. Strong replied that they are usually something like UPS or FedEx.

Mr. Clinger asked if they knew about how much they would gain moving the drive as far west as possible. Mr. Schmelzer said it looked like about 12 feet. Mr. Schmelzer explained how he envisioned an island and curb area in the west entrance. He said it is hard to tell what people will do, but some visible landscaping and barrier may make them think about whether they should turn in there or not. Mr. Clinger said he thinks they need to see another plan that takes these comments and rolls them into a visual. He said he can approve the concept of this project but he wants to see something better defined on the access issue before approving that.

Matt Cordonnier said he feels the situation between the two property owners on how this affects their sites is between them. He stated that whether they install a curb a not isn't really relevant to the City. Mr. Schmelzer said that if that becomes a dedicated access for the property to the west and the rear then that may have an impact on what the City does in regards to curb cuts to this property.

Mr. Strong asked if there were any comments on their sign idea. Mr. Schmelzer said he really can't comment on that at this time. It would be something they can take a look at in a separate application. Mr. Schmelzer stated that he really didn't know right now what the code would allow. Jennifer Schumacher said that perhaps a sign could go in the boulevard area and that would also help delineate the drive. Mr. Schmelzer said he thinks it is great that they are developing this and he thinks they have a great product. He said he would like to get them out of here today with as much as possible so they can keep moving. But he thinks we need to explore the access issue more. He would like to say that it is something they could decide in engineering but he thinks it is not given the scope. Mr. Schmelzer recommended that we give approval for the Conditional Use. They can take out of here the comments regarding the rest of the site so that they know that 90% of the project is good to go. He stated that he does think they need to come back with a plan for the access. Mr. Engel asked if that meant they could start construction on September 1. Ms. Scrimshaw noted that they can still be on the August agenda. Mr. Schmelzer said that he would be comfortable issuing a zoning permit. They can be back on the August agenda, but of course they need a zoning permit to go to Wood County.

Mr. Engel asked for a recap on the access points. Mr. Schmelzer said the questions he has are 1.

Verify the LA (Limited Access) right of way and push the access point as far west as they can. 2. Verifying that the access easement is for the parcel to the west as well. Keeping that access as far west and as far from the canopy as possible will affect how he looks at the other curb cuts. He suggests we give site plan approval subject to these conditions rewording condition #1 that you will bring back an access management plan to the next CPC meeting. All other conditions would stay the same. So, Mr. Schmelzer stated that they will have an approved site plan subject to an access management plan being resubmitted. He asked Mr. Richard if he can issue the zoning permit then. Mr. Richard said he had some questions also before this went too far.

Mr. Schmelzer asked if this seemed agreeable to the Campbell Oil folks. Jennifer Schumacher asked when they would have to have the plans ready to be on the agenda. Ms. Scrimshaw replied that the deadline is not until next Thursday, July 16, 2015. She can allow them a little extra time if needed.

Mr. Richard asked where the new tanks will be relative to the flood plain. Mr. Gross said they will be in the same location as the existing tanks. Mr. Richard said he noticed a contour at 775 which is above BFE (Base Flood Elevation). He asked if they were going to have more property removed from the flood plain. Ms. Schumacher replied that they will submit for a LOMA. Mr. Richard said that will make things much easier and he suggests they do this as soon as possible. Mr. Richard asked if the existing surface was being removed and replaced. As far as the canopy is concerned will it be redone? Ms. Schumacher replied yes. Mr. Richard asked if it will all go back to the current elevation and Ms. Schumacher replied yes. If they don't have the LOMA they will have to treat the building as if it is in the flood plain.

Mr. Schmelzer asked Mr. Richard if he thought the proposed building would be in the flood plain. Mr. Richard replied yes because they had only had the footprint of the existing building removed. He could issue a zoning permit but he would have to treat the building as in the flood plain. He stated that if they got the information to FEMA quickly, they have been turning these around in about a month. Mr. Richard offered to talk with Campbell Oil after the meeting in greater detail on this issue.

Todd Richard then asked for some detail on any directional signage they may want. Mr. Clinger asked if they will be working with engineering on the access issue or if the Commission would have further input along the way. Mr. Schmelzer said they would like to have some back and forth dialog and drawings prior to the next meeting so they can present a good drawing at the next meeting.

Todd Richard asked if the main sign would have an electronic message center. If so, the overall height of the sign cannot exceed 15 feet. If it is fixed message they can have the height as shown. Mr. Gross then presented some color renderings of the building.

Mr. Engel asked if they can change the shape on the high rise where Blimpie's currently is but keep the same square footage. Mr. Richard said that because it is a nonconforming sign, all they can do is change panels. Anytime they begin to alter the cabinet or support structure in any way, it loses its grandfathered nonconformity. They would have to attempt to get a variance to do anything more.

## **MOTION**

Paul Schmelzer made a **motion to approve SITE PLAN APPLICATION #SP-19-2015 filed by Campbell Oil for a proposed fueling station, retail store and car wash to be located at**

**1215 W. Main Cross Street subject to the following conditions:**

- **Submittal of an access management plan for next meeting to take into account the comments made during today's CPC meeting (HRPC & ENG)**
- **Granting of conditional use for a drive up window (HRPC)**
- **Confirmation of light pole height (HRPC)**
- **Obtain any signage approval or variances from the zoning department (HRPC)**
- **Apply for all necessary permits with Wood County Building Department (FIRE)**
- **Apply for all necessary permits with the State Fire Marshal's office for tank removal and/or installation. (FIRE)**
- **Any natural gas or electric meters within the driving surface shall have crash protection. (FIRE)**
- **If the building is equipped with a sprinkler and/or fire alarm, a Knox Box shall be installed and utilized by all tenants. (FIRE)**
- **Detail information on the work in the flood zone being submitted to the Flood Plain Administrator (ZON)**
- **Revising the sidewalk to follow the existing path (ENG)**
- **Storm sewer rerouting work to be approved by Engineering (ENG)**

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

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

**3. SITE PLAN APPLICATION #SP-20-2015 filed by Treft Enterprises, LLC, 213 E. Crawford Street, Findlay for proposed change of use and garage addition at 401 Washington Street, Findlay.**

**HRPC**

**General Information**

This parcel is located on the southwest corner of Washington Street and Liberty Street. It is zoned I-1 Light Industrial. Parcels to the east and west are also zoned I-1. To the north is zoned R-3 Single Family High Density and to the south is a railroad track and C-2 General Commercial zoning. It is not within the 100 year flood plain. The City of Findlay Land Use Plan designates the area as Single Family Small Lot.

**Parcel History**

An existing house structure is on the lot.

**Staff Analysis**

The applicant wishes to change the property to the location of his contracting business. He will remove a 13' x 15' back porch and attach a new garage to the back of the house. The intent is to use the front of the existing house as office. The garage will be accessed off of Liberty Street.

According to Todd Richard, the house may not have been used as a residence for more than two (2) years and will have lost its nonconforming status. It could not currently be used as a residence because of its Industrial zoning without going before City Council to reestablish that use.

The applicant had originally proposed a much larger garage which would have required a

variance on setbacks. He has since revised this to be a smaller structure that can meet the 30' rear yard setback. In the industrial zone an expansion of a building can continue along an existing building line so the usual side lot lines will not apply.

There will be no lighting other than a motion activated security light.

The applicant has stated he intends to approach the property owner to the east (323 Washington Street) about vacating this portion of Liberty Street. It dead ends into the railroad and only serves as access for the two lots.

Our main concern with the project is that some type of screening be provided for the existing residential uses on either side of the parcel. Although they are also zoned industrial, they are legal nonconforming uses. We recommend a 6' privacy fence on the west and any part of the east side not necessary for access. The fence should be placed at the north end of the garage and extend to the rear of the lot.

We also have some concerns about whether there will be vehicles parked here. The applicant stated that his employees come in their own vehicles and load up and leave. Any vehicles left on site must be able to park on the existing concrete pad. If the street is vacated, it will become a private drive area and can be used as parking space also.

#### **Staff Recommendation**

HRPC Staff recommends approval of **SITE PLAN APPLICATION #SP-20-2015 for proposed change of use and garage addition at 401 Washington Street, Findlay subject to the following conditions:**

- **6' privacy fence on east and west sides of garage**

#### **ENGINEERING**

No objections

#### **FIRE PREVENTION**

No Comments

#### **STAFF RECOMMENDATION**

Staff recommends approval of **SITE PLAN APPLICATION #SP-20-2015 for proposed change of use and garage addition at 401 Washington Street, Findlay subject to the following conditions:**

- **6' privacy fence on east and west sides of garage**

#### **DISCUSSION**

Ms. Scrimshaw asked Mr. Treft if he intends to use the existing concrete pad as parking. Mr. Treft replied yes. She also asked if there may be any outside storage. He replied that he does not have any construction equipment that will be brought here. The building will hose tools and such that his employees will pick up before going to a job site. They normally come in their own trucks and pick up then leave.

Mr. DeArment asked if there will be any materials delivered and stored in the yard. Mr. Treft said no.

Mr. Schmelzer asked exactly what area we are requesting to be fenced. Ms. Scrimshaw said the starting at the north end of the garage and going south. She stated that the homes are on the north end of the lots, but if the residents are spending a nice day in their back yard, they shouldn't have to look at any potential stored items, etc. from the industrial use. Mr. Treft may not intend to have anything outside the building but the district does permit it.

Mr. DeArment said the fence on the west side makes sense but he's not sure the east side does. Mr. Schmelzer said that if the garage is decent looking he would say that the fence could start at the SW corner of the garage. The garage itself will act as a visual barrier. He doesn't think the fence will work on the east side either since he has to use that as access. Mr. Schmelzer suggested taking the fence from the SW corner of the garage to about 30' from the rear lot line. He said that should effectively block anything from the neighbor's view. He would have the fence go from the garage to the west property line as well and then south.

Mr. Schmelzer stated that this particular case was kind of an in between of should it go to planning commission or not. Only due to the fact that it's an industrial use in a residential setting did it need any approval. Mr. Richard said that if this had just been a residence wanting a garage we would have just issued a permit. Mr. Richard said that this is one of those areas that is a mess in terms of zoning district and use.

#### **MOTION**

Dan Clinger made a **motion to approve SITE PLAN APPLICATION #SP-20-2015 filed by Treft Enterprises for proposed change of use and garage addition at 401 Washington Street, Findlay subject to:**

- A 6' privacy fence along the west side as discussed.

**2<sup>nd</sup>:** Paul Schmelzer

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

---

Lydia L. Mihalik  
Mayor

---

Paul E. Schmelzer, P.E., P.S.  
Service-Safety Director