

City of Findlay City Planning Commission

Thursday, October 8, 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
Lydia Mihalik
Dan DeArment
Jackie Schroeder

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

GUESTS: Tom Shindeldecker, Ken Koch, Joe Edinger, Linda Edinger, Craig Spoon, Todd Jenkins, Colin Cox, Jerry Murray, Dan Stone, Charles Clapper, Jacob Mercer, Lou Wilin, Mr. Frick

CALL TO ORDER

ROLL CALL

The following members were present:

Paul Schmelzer
Dan DeArment
Lydia Mihalik
Jackie Schroeder
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 September 10, 2015 meeting. Dan DeArment seconded. Motion to accept carried 5-0.

NEW ITEMS

1. APPLICATION FOR CONDITIONAL USE #CU-02-2015 filed by James Heck and Michael Gardner (Milstein, Jaffe & Goldman) 101 W. Sandusky St., Suite 201, Findlay, OH for proposed townhouses to be located on the first and second floor at 316 Dorney Plaza.

HRPC

General Information

This request is located off the west side of S. Main Street. It is zoned C-3 Downtown and all surrounding parcels are also zoned C-3. The property is located within the 100 year flood plain. The City of Findlay Land Use Plan designates the area as downtown.

Parcel History

This proposal was approved by FCPC on November 14, 2013.

Staff Analysis

The applicant is proposing to convert the building into three (3) two story residential townhouses.

In the C-3 Downtown zoning district residential uses are a Conditional Use and are limited to the upper floors of the commercial buildings. The BZA cannot grant a use variance so the applicant is asking Planning Commission for a waiver to allow the residential use to occupy the first floor of the building.

As stated above this item was approved back on November 14, 2013 and had to be resubmitted due to the lack of action on the project for more than 12 months.

ENGINEERING

No objections

FIRE PREVENTION

Inspections are ongoing

STAFF RECOMMENDATION

Staff recommends that FCPC **waive the Condition that residential uses cannot occupy the first floor of a building in C-3 Downtown district.**

DISCUSSION

Paul Schmelzer noted that in the new amendments being proposed for the zoning code these will be in compliance as first floor residences. So, this request is only hear now because we do not have the code amended yet.

MOTION

Paul Schmelzer made a **motion to recommend approval of APPLICATION FOR CONDITIONAL USE #CU-02-2015 for proposed townhouses to be located on the first and second floor at 316 Dorney Plaza.**

2nd: Jackie Schroeder

VOTE: Yay (4) Nay (0) Abstain (1)

2. PETITION FOR ZONING AMENDMENT #ZA-11-2015 filed to rezone 301 & 305 E. Lima Street, Findlay from R-2 Single Family to M-2 Multiple Family High Density.

HRPC

General Information

This request is located on the south side of E. Lima Street just east of Maple Avenue. It is currently zoned R-2 Single Family Medium Density. All parcels to the east, west and south are also zoned R-2. To the north is zoned C-2 General Commercial. It is not within the 100 year flood plain. The Land Use Plan designates the area as Single Family Small Lot.

Parcel History

Staff Analysis

Both 301 and 305 E. Lima were zoned B Residential prior to the zoning code changes. 305 E. Lima was a legal duplex and according to Todd Richard it added a 3rd unit sometime in 1984 without a change of use permit. The owners wish to make the triplex legal by rezoning to multi-family rather than have to convert back to a two family unit.

301 E. Lima was also zoned B Residential in the old code. This did permit a duplex. It currently has 3 units according to the Auditor, 301 and 301 ½ E. Lima Street and 805 Maple Avenue. The only permits we could find were for an addition to 805 Maple issued in 1963. It appears that it was a two family dwelling at that time. 1982 is the first year it shows up as 3 units and there is no evidence of any permits to add the additional dwelling.

Because these are existing old homes in an established older neighborhood, requirements of the M-2 zoning like setbacks would be impossible to meet. Our main concern with these types of properties is the availability of off street parking.

305 E. Lima has a long driveway on the west side of the home that goes from Lima Street to the alley. There is a concrete pad area in the rear that could potentially hold up to 6 vehicles. Between the driveway and that pad there is more than ample room for the required 8 parking spaces.

301 E. Lima/805 Maple has a two car garage and room for 3 additional cars on the asphalt in front of the garage and extending north toward the home. We can see the potential for parking of 5 vehicles off street. A triplex requires 8 spaces per the code. Maple Avenue is narrow and allows parking on the west side of the street only. There is posted “no parking” on E. Lima in front of both of the homes in this request. I visited the site twice and Maple Street was always full of vehicles parked on the street. This is a prime example of why the off street parking is an issue in the older neighborhoods where homes have been converted to multi family.

I could only see two electric meters on the east side of the home. It looks like a third was removed. I confirmed with the owner that there are currently only two living units in the structure.

Staff Recommendation

HRPC Staff recommends that FCPC recommend **to Findlay City Council that 305 E. Lima be rezoned to M-2 Multiple Family High Density and that 301 E. Lima be rezoned to R-4 Two Family due to the inability to meet the parking standards of the M-2.**

ENGINEERING

No Objections

FIRE PREVENTION

No comments

STAFF RECOMMENDATION

Staff recommends that FCPC **recommend that Findlay City Council rezone 305 E. Lima to M-2 Multiple Family High Density and to rezone 301 E. Lima to R-4 Two Family.**

DISCUSSION

Colin Cox stated that he had discussed this situation with Ken Koch who owns 305 E. Lima. He said he believes that they have come up with a solution to the parking issue. Mr. Cox said that just south of the garage is some parking area that they could gain access to via the driveway at 305 E. Lima. Mr. Koch agreed that they can provide the extra parking that Mr. Cox needs for 301 E. Lima on his property.

Mr. Koch commented that the streets are very full of parked cars now and he thinks much of it is due to the Marathon construction. He sees people parking along the street and then heading north in the direction of Marathon. Once the parking buildings and lots are complete he feels that this situation will be alleviated. Mr. Koch says that he has given permission to one individual to park on his property that is a Marathon employee.

Mr. Schmelzer said that we are making a determination on the zoning based on our perception of how the parking can be accomplished. He said if we rezone that we will see a plan for the parking and those agreements that are being discussed. Ms. Scrimshaw stated that yes; they should have the agreement to give to Todd Richard before he will issue the Change of Use Permits.

Mr. Schmelzer asked if moving in the direction of 3 family units is where this neighborhood may be going when we look at the bigger picture with the map and zoning districts. Judy Scrimshaw commented that there are a lot of things on this street. There are a lot of rentals that are duplexes or triplexes. When we had the period of time that property owners could apply free of charge to change their zoning, we had a few applications on this part of Lima Street. The whole north side of this street is actually zoned C-2 General Commercial and the far east end is zoned Industrial.

Mr. Schmelzer again stated that we would not be inconsistent with where we are going by recommending changing these properties now. Ms. Scrimshaw said that she does foresee a lot of changes to the zoning on this street when we address the map. Many of these were probably existing when they were zoned B Residential and of course the C-2 permitted about anything.

Mr. Cordonnier stated that he agreed with the reasoning that this street is a conglomeration of many uses and this is not inconsistent with what will probably be done with map changes. Giving them the zone change means they are permitted to have the 3 family homes, but if they can't meet standards for parking and such, then Todd Richard will not issue the Change of Use permits. Mr. Cordonnier also noted that the zoning amendments will make the R-4 a district for two and three family units.

Mr. Schmelzer told the applicants that they need to put their parking plan on paper, and have the proper documents to be recorded. He stated that of course it has to be functional

MOTION

Paul Schmelzer made a **motion to recommend approval to Findlay City Council of PETITION FOR ZONING AMENDMENT #ZA-11-2015 filed to rezone 301 & 305 E. Lima Street, Findlay from R-2 Single Family to M-2 Multiple Family High Density.**

2nd: Lydia Mihalik

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

3. PETITION FOR ZONING AMENDMENT #ZA-12-2015 filed to rezone 601 N. Main Street, Findlay from C-2 General Commercial to R-4 Two Family Residential.

HRPC

General Information

This request is located on the east side of N. Main Street directly across from the intersection of Defiance Avenue. It is zoned C-2 General Commercial and all abutting property is also zoned C-2. It is not located within the 100 year flood plain. The City of Findlay Land Use Plan designates the area as Single Family Small Lot.

Parcel History

This building has historically had a business on the first floor and a residence on the second. (location of a retail health food store and tattoo parlor in recent times)

Staff Analysis

The Main Street frontage was originally zoned as Commercial when zoning was initially adopted. When formulating the Land Use Plan, much of it was designated as being residential or a local commercial district. Much of the frontage is residential in nature whether single family or converted multi family. We recently rezoned a home in the 700 block that strictly wanted to go back to a single family home. The commercial zoning districts impose greater setbacks and such and make it difficult to do additions etc. plus the residential uses are then technically non-conforming uses.

This particular property is conducive to the R-4 zoning because there is already an upstairs unit and conversion of the bottom floor to residential would be fairly easy. There is ample parking in a lot to the rear of the building.

The property immediately north at 605 N. Main is listed on the Auditor's website as a two family unit as well so it is not the only property here that is residential.

The owner will need to obtain a change of use permit from the zoning department to legally establish his duplex once the zoning is approved.

Staff Recommendation

HRPC Staff recommends that FCPC recommend **approval to Findlay City Council of PETITION FOR ZONING AMENDMENT #ZA-12-2015 filed to rezone 601 N. Main Street, Findlay from C-2 General Commercial to R-4 Two Family Residential.**

ENGINEERING

No objections

FIRE PREVENTION

No Comments

STAFF RECOMMENDATION

Staff recommends that FCPC recommend approval to Findlay City Council of **PETITION FOR ZONING AMENDMENT #ZA-12-2015 filed to rezone 601 N. Main Street, Findlay from C-2 General Commercial to R-4 Two Family Residential.**

DISCUSSION

Dan Clinger asked what is due east of this parcel. Ms. Scrimshaw replied that she had received a call from the owner of that building. He has the same address as Mr. Edinger's and wanted to make sure the rezoning did not include his parcel. Mr. Clinger asked if it is a residence also. Mr. Edinger replied that it is a storage building. Mr. Clinger asked what the uses of homes to the north are now. Ms. Scrimshaw replied that the first one is a duplex and Mr. Edinger stated that the next one is a triplex.

Mr. Edinger commented that he wished the City had a way to make this easier. He said his is a somewhat unique property. It would lend itself well to office space or retail space, but it is also residential and has been. The expense of having to pay \$250 and wait 3 months for a final approval to change the zoning is a somewhat toxic environment for the business he is in. He feels it's cumbersome. If he has an attorney or something in the future that wants to rent it he would have to go through the process again. He stated that time is always of the essence in the real estate business. He would suggest that perhaps the zoning officer be given greater authority to do these kinds of changes. Mr. Edinger said that this request came as a result of the recommendation of Mr. Richard. He has a tenant that lives in the upstairs and wants to purchase it. When he applied for a mortgage, the bank noticed it was zoned C-2 and they asked for a letter from the City that this could be rebuilt if destroyed. That is what led to all of this. Mr. Edinger said that there have always been apartments in the building.

Mr. Cordonnier commented that in the proposed amendments to the zoning code, when a residential unit is located within a commercial district, there will be provision to allow a rebuild letter to be written. Then the structure will be able to be rebuilt to whatever residential standard is appropriate for the lot. There is normally not a lot of flexibility to take a property and have it be an office one year, then two apartments the next and then convert back. That is by design. He said he doesn't think they want owners to be converting back and forth from businesses to residential and so on depending on who their most likely tenant may be.

Paul Schmelzer stated that he thinks that where they are going with the new language is helpful for these situations. We used to have the pyramidal scheme which may have had some advantages for the owners, but perhaps for the neighbors it could present a lot of disadvantages.

Mr. Cordonnier commented that the residential was removed from commercial zoning back in the mid 2000's and was not a result of the zoning code re-write of 2012. He said he feels the new update will be somewhat of a mix of the pyramidal scheme and where we are today.

MOTION

Paul Schmelzer made a **motion to recommend approval to Findlay City Council of PETITION FOR ZONING AMENDMENT #ZA-12-2015 filed to rezone 601 N. Main Street, Findlay from C-2 General Commercial to R-4 Two Family Residential.**

2nd: Dan Clinger seconded.

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

4. SITE PLAN APPLICATION #SP-21-2015 filed by W. Lima Street Properties, LLC, 814 W. Lima Street, Findlay for proposed 60,000 square foot warehouse building to be located at 920 W. Lima Street.

HRPC

General Information

This site is located on the north side of W. Lima Street west of Western Avenue. It is zoned I-2 General Industrial. All surrounding parcels are also zoned I-2. It is not within the 100 year flood plain. The Land Use Plan designates the area as Industrial.

Parcel History

Vacant ground

Staff Analysis

The applicants are proposing to construct a 60,000 square foot warehouse with a small office. The dock area will be on the south side (front) and will be accessed by W. Lima Street.

All setbacks are met. (50' front, 30' side and 30' rear) The height of the building appears to only be about 19' at the tallest point. This is well below the 60' maximum. There are no architectural standards for industrial uses.

Parking is provided in a lot on the south side of W. Lima across from the building immediately east of the proposed warehouse. According to the calculations submitted by the applicant the largest shift working at the entire facility is 40 people requiring 44 parking spaces. The south lot can accommodate 144 cars.

Staff Recommendation

HRPC Staff recommends approval of the site plan.

ENGINEERING

Access – Access for the site will be from Lima Street. The existing pavement in front of the proposed warehouse is approximately 15 feet wide. We would recommend that the existing pavement be improved to match the existing pavement to the east of the site. The limits of the improvement would be from the east property line west approximately 467 feet to the location where the rest of the right-of-way has been vacated.

Water & Sanitary Sewer – Sanitary service will be provided by a grinder pump that will discharge into a private sanitary manhole located behind 818 West Lima Street. If production is going to be done in the warehouse, an oil/water separator may be required on the sanitary service. The water service is shown coming off of the existing 6 inch waterline along the north side of Lima Street. The existing fire hydrant located just west of the proposed addition is a 4" valve hydrant and will need to be replaced with a 5-1/4" valve hydrant. The domestic water service and meter needs to be relocated so that it is located in a grass area within the right-of-way.

Stormwater Management – Based upon the design calculations submitted, the proposed detention basin meets the City requirements. The ditch located along the east property line is currently going through the petition process to be cleaned. It will be difficult to clean the ditch on this site once the proposed warehouse and connector building is constructed. We would recommend that the owner clean the ditch now before the proposed building is constructed.

Sidewalks – There are no existing sidewalks and the property is zoned industrial.

Recommendations: Conditional approval of the plan subject to:

- The existing pavement in front of the site be improved to match the existing pavement to the east of the site
- The addition of an oil/water separator to the sanitary sewer service (if needed)
- The existing fire hydrant on the north side of Lima Street and west of the proposed warehouse be replaced

- The domestic water service and meter be moved so that it is located in a grass area within the right-of-way
- The existing ditch along the east property line be cleaned before the proposed warehouse is constructed.

The following permits may be required prior to construction:

- An approved Stormwater Pollution Prevention Plan
- Water permits
- Sanitary permits
- Storm permit

FIRE PREVENTION

Apply for all necessary permits with Wood County Building Department.

Fire Department Connection (FDC) shall be 5” Stortz with a 30 degree elbow. The FDC shall be determined by FFD to maintain close proximity of the existing fire hydrant on W. Lima St. An exterior horn/strobe shall be placed above the FDC working on water flow only. The area in front of the FDC shall be kept clear.

Gas and/or electrical meters within the driving surface shall have crash protection.

A Knox Box will be required for this structure.

STAFF RECOMMENDATION

Staff recommends that FCPC approve SITE PLAN APPLICATION #SP-21-2015 for a proposed 60,000 square foot warehouse building to be located at 920 W. Lima Street subject to the following conditions:

- **The existing pavement in front of the site be improved to match the existing pavement to the east of the site (ENG)**
- **The addition of an oil/water separator to the sanitary sewer service (if needed) (ENG)**
- **The existing fire hydrant on the north side of Lima Street and west of the proposed warehouse be replaced (ENG)**
- **The domestic water service and meter be moved so that it is located in a grass area within the right-of-way (ENG)**
- **The existing ditch along the east property line be cleaned before the proposed warehouse is constructed. (ENG)**
- **Apply for all necessary permits with the Wood County building Department (FIRE)**
- **Fire Department Connection (FDC) shall be 5” Stortz with a 30 degree elbow. The FDC shall be determined by FFD to maintain close proximity of the existing fire hydrant on W. Lima St. An exterior horn/strobe shall be placed above the FDC working on water flow only. The area in front of the FDC shall be kept clear. (FIRE)**
- **Gas and/or electrical meters within the driving surface shall have crash protection. (FIRE)**
- **A Knox Box will be required for this structure. (FIRE)**

DISCUSSION

Dan Stone stated that they had run truck turns and they will work. They have been in discussion with the administration regarding improvements to the roadway and they will get that resolved.

Mr. Stone said this is strictly a warehouse now with a couple offices. The offices have been relocated to the SE corner so water services are stopped there. They have been working with Water Distribution since the inception of the project and will continue to do so as well as the Fire Department.

Mr. Stone has had numerous conversations with the County in regard to the ditch. They felt that with that little bit of bridge crossing they would be able to access and do what is needed. The building is over 25' away from the top of the ditch bank and Steve Wilson felt that is adequate.

Mr. Schmelzer asked what the discussion was in regard to access for cleaning the ditch when petitioned. Dan Stone replied that in ORC any petitioned ditch must have a general 25' easement from the top of the bank over. It is not necessarily recorded but it's the law. That is why they pushed the building to the west to leave that space. The north side is accessible from the north side of the building and from land to the north as well. Mr. Schmelzer said he still feels there needs to be some kind of recorded access. Mr. Stone said he will work with counsel to make sure things are legal.

Dan Clinger asked if the connection is above the ditch. Mr. Stone replied yes the bottom of the bridge is actually above the roadway. They made sure it would not have any hydraulic impact on the ditch.

Mr. DeArment asked where the 467 feet was the Brian Thomas had mentioned. Mr. Stone showed on the plan where the pavement stopped and where this distance is located.

MOTION

Paul Schmelzer made a **motion to approve SITE PLAN APPLICATION #SP-21-2015 for proposed a 60,000 square foot warehouse building to be located at 920 W. Lima Street subject to the following conditions with the caveat that if the easement of access can be worked out with the County on the ditch petitioning that the need to clean the ditch will be voided:**

- **The existing pavement in front of the site be improved to match the existing pavement to the east of the site (ENG)**
- **The addition of an oil/water separator to the sanitary sewer service (if needed) (ENG)**
- **The existing fire hydrant on the north side of Lima Street and west of the proposed warehouse be replaced (ENG)**
- **The domestic water service and meter be moved so that it is located in a grass area within the right-of-way (ENG)**
- **The existing ditch along the east property line be cleaned before the proposed warehouse is constructed. (ENG)**
- **Apply for all necessary permits with the Wood County building Department (FIRE)**

- **Fire Department Connection (FDC) shall be 5” Stortz with a 30 degree elbow. The FDC shall be determined by FFD to maintain close proximity of the existing fire hydrant on W. Lima St. An exterior horn/strobe shall be placed above the FDC working on water flow only. The area in front of the FDC shall be kept clear. (FIRE)**
- **Gas and/or electrical meters within the driving surface shall have crash protection. (FIRE)**
- **A Knox Box will be required for this structure. (FIRE)**

2nd: Dan DeArment seconded.

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

5. SITE PLAN APPLICATION #SP-22-2015 filed by Sink’s Florists, Inc., 2700 N. Main Street, Findlay for a new greenhouse and garage/office/work area addition.

HRPC

General Information

This property in this request is located on the west side of N. Main Street north of Northview Drive. The property is zoned C-2 General Commercial and land to the north and west is also zoned C-2. The land to the east is zoned C-2 and C-1. To the south is zoned R-2 Single Family Medium Density. It is not located within the 100 year flood plain. The Land Use Plan designates the area as Neighborhood Commercial.

Parcel History

None

Staff Analysis

The applicants are requesting to construct an attached garage/office and a free standing greenhouse at their existing location.

The setbacks in the C-2 General Commercial district are currently 50’ front, 15’ sides unless adjacent to a residential use this is increased to 60’ and the rear is 30’ unless adjacent to a residential use then it is also increased to 60’. The proposed changes to the zoning code would amend the setbacks in C-2 to be 30’ in the front and rear and 15’ on the side unless abutting residential when it is 25’. We are basing the review of this site plan on the proposed setbacks provided Planning Commission has no objections.

Because the property is on a corner, it has two front yards. The setback is 30’ on the Northview and Main Street sides. With two street frontages the applicant can pick which one he wants as the side or rear. In this instance they are using the north side as the side yard of 15’ which abuts another commercial use. This side is the location of the new greenhouse which will set on the required setback line. The west side is considered the rear yard and abuts a residence so it must have a 30’ setback. The setback on this side has been mislabeled at 25’. The building will encroach into the rear setback and the applicant has applied to BZA for a variance on that. The case will be heard this evening.

If the square footage of the existing building and the garage/office/work area are all combined there is a total of about 2190 square feet. (We did not include the greenhouses in the mix as we didn't really consider them as work space.) This only requires 6 parking spaces and the applicant has 11 on the plan. They show an additional 2 in front of the garage doors which we would assume would be for work vehicles only so we didn't count them in the calculation.

The elevation plan shows new vinyl siding to be applied to the existing structure and matched on the new addition. Landscaping is shown on the plan. The west side of the structure abuts a residence and requires screening. There are multiple trees shown in the grassy area on this side and it appears that multiple shrubs abut the new addition and greenhouse there also. There is no table to indicate the type of plantings. Staff would like a list provided of species and heights.

Staff Recommendation

HRPC Staff recommends approval of SITE PLAN APPLICATION #SP-22-2015 filed by Sink's Florists, Inc., 2700 N. Main Street, Findlay for a new greenhouse and garage/office/work area addition subject to the following conditions:

- Approval of CPC to use the proposed C-2 zoning setbacks
- Approval of variance for the west side encroachment of the building
- Submission of landscaping details

ENGINEERING

Access – The site currently has two (2) drives off of Main Street and one (1) drive off of Northview Avenue. The existing drive on Northview Avenue is currently 38 feet wide and is located close to the intersection. We would recommend relocating and narrowing the drive. A 24 foot wide drive located in line with the proposed garage door would get the vehicles further from the intersection while still allowing easy access to the addition.

Water & Sanitary Sewer – No new water or sanitary sewer connections are shown. We are assuming that any sanitary or water lines that will be used for the additions will be extended from the existing building.

Stormwater Management – The proposed additions are being placed in locations that are currently paved. Since no additional runoff will result from the proposed development, no additional Stormwater detention is required.

Sidewalks – There are existing sidewalks on Main Street. None of the properties on the north side of Northview Avenue currently have sidewalks. The eastern half of the properties on the south side of Northview Avenue currently have sidewalks.

Recommendations: Conditional approval of the plan subject to the drive on Northview Avenue being narrowed to 24 feet and moved further away from the intersection so that it lines up with the proposed garage door.

The following permits may be required prior to construction:

- Storm permit
- Curb permit and bond

FIRE PREVENTION

Apply for all necessary permits with Wood County Building Department.

Gas and/or electrical meters within the driving surface shall have crash protection.

STAFF RECOMMENDATION

Staff recommends approval of **SITE PLAN APPLICATION #SP-22-2015** filed by Sink's Florists, Inc., 2700 N. Main Street, Findlay for a new greenhouse and garage/office/work area addition subject to the following conditions:

- **Approval of CPC to use the proposed C-2 zoning setbacks (HRPC)**
- **Approval of variance for the west side encroachment of the building (HRPC)**
- **Submission of landscaping details (HRPC)**
- **The drive on Northview Avenue being narrowed to 24 feet and moved further away from the intersection so that it lines up with the proposed garage door. (ENG)**
- **Apply for all necessary permits with Wood County Building Department (FIRE)**
- **Gas and/or electrical meters within the driving surface shall have crash protection. (FIRE)**

DISCUSSION

Todd Jenkins said they would like to ask what the possibility of would be of leaving the curb cut onto Northview Drive. That was recently redone in the last 2-3 years. At the same time they need to put a storm drain in it so if they must move it they will do so.

Dan Clinger asked that if they left the curb cut as it is, would access to the garage be impaired or force backing out into the street. Mr. Jenkins said they would propose putting a flare in the access so if anyone came in they could back into the parking area and go around the building rather than back onto the street.

Paul Schmelzer said he understood Mr. Jenkins comment on keeping the access as it is and not spending any more money than necessary, but we do pick on access all the time in reviews.

MOTION

Paul Schmelzer made a **motion to approve SITE PLAN APPLICATION #SP-22-2015 for a new greenhouse and garage/office/work area addition at 2700 N. Main Street subject to the following conditions:**

- **Approval of CPC to use the proposed C-2 zoning setbacks (HRPC)**
- **Approval of variance for the west side encroachment of the building (HRPC)**
- **Submission of landscaping details (HRPC)**
- **The drive on Northview Avenue being narrowed to 24 feet and moved further away from the intersection so that it lines up with the proposed garage door. (ENG)**
- **Apply for all necessary permits with Wood County Building Department (FIRE)**
- **Gas and/or electrical meters within the driving surface shall have crash protection. (FIRE)**

2nd: Jackie Schroeder seconded.

VOTE: Yay (3) Nay (0) Abstain (2)

6. SITE PLAN APPLICATION #SP-23-2015 filed by Frick Family, LLC, 228 Byers Road, Suite 100, Miamisburg, OH for a maintenance bay addition to Flag City Auto Sales located at 1500 W. Main Cross, Findlay, OH.

HRPC

General Information

This site is located on the north side of W. Main Cross Street just west of the I-75 interchange. It is zoned C-2 General Commercial. All abutting properties are also zoned C-2. The City of Findlay Land Use Plan designates the area as Neighborhood Commercial. The property is not located within the 100 year flood plain.

Parcel History

None

Staff Analysis

The applicants are proposing to add a service/maintenance bay to the north side of the building. This will be accessory to the auto sales. The applicant buys vehicles at auction and often needs to make repairs prior to putting on the lot for sale. It is not intended to be a general service business.

Access to the property is from the rear of the site and will remain as such.

The addition is well within the 45' setback area. The height is slightly over 16' which is about 4' higher than the existing building. The maximum height in the C-2 district is 60'.

Exterior wall finishes will compliment/match the existing building.

Staff Recommendation

HRPC Staff recommends approval of **SITE PLAN APPLICATION #SP-23-2015 for a maintenance bay addition to Flag City Auto Sales located at 1500 W. Main Cross, Findlay, OH.**

ENGINEERING

Access – Access for the site will remain unchanged.

Water & Sanitary Sewer – No new water or sanitary sewer connections are shown. We are assuming that any sanitary or water lines that will be used for the additions will be extended from the existing building.

Stormwater Management – The proposed addition is being placed in a location that is currently paved. Since no additional runoff will result from the proposed development, no additional Stormwater detention is required.

Sidewalks – There are no existing sidewalks on the site or any of the properties in the area.

Recommendations: Approval of the plan.

FIRE PREVENTION

Apply for all necessary permits with Wood County Building Department.

Gas and/or electrical meters within the driving surface shall have crash protection.

STAFF RECOMMENDATION

Staff recommends approval of **SITE PLAN APPLICATION #SP-23-2015 for a maintenance bay addition to Flag City Auto Sales located at 1500 W. Main Cross, Findlay, OH subject to the following conditions:**

- **Apply for all necessary permits with Wood County Building Department.**
- **Gas and/or electrical meters within the driving surface shall have crash protection.**

DISCUSSION

Mr. Clinger asked about areas on the plan that are hash marked. Mr. Jenkins replied that those are the recorded easement areas on the plat. The same person owns all of it now, but if he would ever sell one lot or the other, these are the recorded cross access easements. Mr. Schmelzer commented that they will never be able to use the LA right-of-way for I-75 so they will always have to access these lots from the rear.

MOTION

Lydia Mihalik made a **motion to approve SITE PLAN APPLICATION #SP-23-2015 for a maintenance bay addition to Flag City Auto Sales located at 1500 W. Main Cross, Findlay, OH subject to the following conditions:**

- **Apply for all necessary permits with Wood County Building Department.**
- **Gas and/or electrical meters within the driving surface shall have crash protection.**

2nd: Paul Schmelzer seconded.

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

7. City of Findlay Zoning Code Amendments Update.

DISCUSSION

Matt Cordonnier had emailed out a bullet point summary of the proposed amendments to the members. Mr. Schmelzer stated that he thought this was very helpful and rather than having to go through every section of the code it gave a good overview of the important items. He said he feels that with the process that Council has to go through, there is still ample time for questions to be raised and further discussion if needed. Mr. Schmelzer said he would be comfortable with moving forward and putting this in Council's lap.

Mr. Cordonnier stated that he would be encouraging the Planning & Zoning Committee at this afternoon's meeting to take action as well today, but that is their call of course. He asked if they felt that there should be a Committee of the Whole meeting for Council to have some discussion or that the process itself would be enough. Mr. Schmelzer said that would be up to them. From his perspective, this body has reviewed it, taken input from persons that are affected by certain sections, and he thinks they have a good summary document.

Mr. Cordonnier presented some changes to the University Overlay District (UOD) that had come to light after discussion with Myreon Cobb and Todd Jenkins about an upcoming project. The code currently has standards based on the size of the development. These seem rather cumbersome and hard to apply. We have streamlined the standards and gone with basing the setbacks on the height of building and proximity to single family housing.

Mr. Schmelzer said he agreed that the current regulation standards are not good but questioned whether relating setbacks to number of stories is appropriate. Perhaps height would be better. Some single story buildings could have be tall, like the performing art center. Mr. Cordonnier agreed to change that.

Matt Cordonnier said the only other item he wanted to add was in relation to the ability to put in a retail or commercial use not owned by the University in the UOD. He wanted to provide setbacks for that separately as they are not classroom structures or residential buildings owned by the University. Ms. Scrimshaw noted that the UOD does reference the underlying zoning districts and the setbacks applied to those can apply if in the overlay.

Mr. Schmelzer asked how the overlay district gets established. Ms. Scrimshaw replied that it is on the map now. Mr. Schmelzer asked how it is amended. Ms. Scrimshaw replied that it is like any zoning district, application for a zoning amendment would have to be filed and go through the same process as any amendment. The underlying districts remain. She said that when the map process is started, we will likely change some of those like the C-2 along Main Street will be C-1 instead.

The next item Mr. Cordonnier addressed was when an accessory structure becomes a part of the primary structure. We had discussed this at the last meeting and he has the final language of what is considered a legal “attachment”.

The last item Mr. Cordonnier had was the addition of fitness center to the I-1 district as a conditional use. Todd Richard commented that there are some of the larger open area fitness center businesses that could use an abandoned industrial building as their location. Without going through a zoning change and then losing the ability to house an industrial type use later, we thought it could be appropriate to add the use. Mr. Schmelzer asked if we should use fitness center or maybe indoor recreation instead. He said he is onboard with the idea and asked what the conditions associated with it would be. He said what if someone comes in and wants to put a fitness center on CR 99 by the Dentist office. Ms. Scrimshaw noted that Mr. Cordonnier had that concern. We don't want prime industrial land to be broken up by adding a gym in the middle of it. Matt Cordonnier said that making it be “infill” would be a step in the right direction. Mr. Schmelzer said he thought we may not need to identify the condition. Mr. Cordonnier said that he had made it subject to Planning Commission review giving the commission the right to analyze by case and what they felt was appropriate or not. Todd Richard noted that there used to be language to the effect of any other uses that were less objectionable than the ones listed subject to the planning commission's approval. Perhaps this should be added back in to the text. Mr. Schmelzer said it would be helpful, but then also someone could try to argue that most anything could be less objectionable and think it should go in. Then we kind of head back to the old pyramidal zoning. Matt Cordonnier noted that in the planning commission rules they always have the power to grant a less objectionable use. They are given some discretion. The question arose about adding that language to other zoning districts also. After some discussion it was agreed that it was not a good idea.

It was agreed to use the language permitting less intense use at the discretion of the Planning Commission as opposed to adding fitness center as a conditional use to the I-1 district.

MOTION

Lydia Mihalik made a motion to recommend to Council the approval of the **proposed Amendments to the Zoning Code as presented by HRPC over the last year.**

2nd: Dan Clinger seconded.

VOTE: Yay (4) Nay (0) Abstain (1)

Lydia L. Mihalik
Mayor

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