

City of Findlay City Planning Commission

Thursday, January 14, 2016 - 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
Dan Clinger

STAFF ATTENDING:

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

GUESTS:

Todd Jenkins, Brett Gies, Lou Wilin, Doug Jenkins,
Andrew Kalnitsky, Dan Stone, Tom Shindeldecker,
Stephanie Griffith, Paul F. Smith, Don Wheat, Brian
Dewey, Jacob Mercer, Jeff Myers, Steve Wilson, Chris
Nagy

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

Jackie Schroeder noted a typo on page 10 of the minutes, second paragraph. It says 7 units and should be 70. Item will be corrected. Paul Schmelzer made a motion to approve the minutes of the December 10, 2015 meeting. Dan Clinger seconded. Motion to accept carried 5-0.

NEW ITEMS

1. ALLEY/STREET VACATION PETITION #AV-01-2016 filed to vacate an east/west alley running east from Morey Avenue and an intersecting north/south alley running north from College Street.

HRPC

General Information

The alleys in this request are located in the block bounded by College Street, Morey Avenue, and Davis Street. It is in the University Overlay. It is not located within the 100 year flood plain. The City Land Use Plan designates the area as University.

Parcel History

None

Staff Analysis

The applicant is proposing to vacate the two (2) existing public alleys. All the parcels abutting the alleys are owned by the University of Findlay. They serve as access to parking lots developed by the University

HRPC Staff recommends approval of the vacation.

ENGINEERING

There is an existing waterline in alley that services 340 College Street. Easements will need to be maintained.

FIRE PREVENTION

Maintain access to the fire department connection behind BCHS, 340 College St.

STAFF RECOMMENDATION

Staff recommends that FCPC recommend approval to Findlay City Council of **ALLEY/STREET VACATION PETITION #AV-01-2016 filed to vacate an east/west alley running east from Morey Avenue and an intersecting north/south alley running north from College Street with the following conditions:**

- **Maintain easement for existing waterline that services 340 College Street (ENG)**
- **Maintain fire department access behind BCHS, 340 College Street (FIRE)**

DISCUSSION

Dan Clinger asked if the north/south alley adjacent to the Science building is vacated. Judy Scrimshaw replied yes. Mr. Pickett said that currently access is not an issue. There is parking lot to the north and the old north/south alley beside the building is accessible. If things change in the future, they just would be sure that some access is available. Todd Jenkins said that if anything changes this can be addressed in site plan approval.

MOTION

Paul Schmelzer made a **motion to approve ALLEY/STREET VACATION PETITION #AV-01-2016** filed to vacate an east/west alley running east from Morey Avenue and an intersecting north/south alley running north from College Street subject to the following conditions:

- **Maintain easement for existing waterline that services 340 College Street (ENG)**
- **Maintain fire department access behind BCHS, 340 College Street (FIRE)**

2nd: Dan DeArment

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

2. APPLICATION FOR FINAL PLAT #FP-01-2016 for a Replat of Ohio Logistics Business Park to dedicate new right-of-way, vacate old right of way, vacate easements, and replat ground.

HRPC

General Information

This request is located off the north side of TR 99 in Allen Township. Allen Township is not zoned. It is not located within the 100 year flood plain. The City Land Use Plan designates the area as Industrial.

Parcel History

FCPC approved a replat of the former CDS Industrial Park to Ohio Logistics Business Park in November, 2013. A Replat of Lots 7 & 8 was approved in April, 2015.

Staff Analysis

The Replat presented today creates a new alignment for the southern portion of Distribution Drive.

Old right-of-way is vacated, a utility easement running east/west across lots 2, 3 and the new road is vacated. New Lot 2 becomes a non-buildable site serving as utility and drainage easement.

Staff Recommendation

HRPC Staff recommends approval to FCPC of **APPLICATION FOR FINAL PLAT #FP-01-2016 for a Replat of Ohio Logistics Business Park.**

ENGINEERING

There are labels for the building setbacks on the lots but the setback lines are not shown.

Shouldn't the heading and legal description also include part of the SE1/4 of Section 31?

FIRE PREVENTION

No comments.

STAFF RECOMMENDATION

Staff recommends approval to FCPC of **APPLICATION FOR FINAL PLAT #FP-01-2016 for a Replat of Ohio Logistics Business Park with the following conditions:**

- **Show setback lines for the lots (ENG)**
- **Correct legal description is necessary (ENG)**

DISCUSSION

Dan Clinger asked if we had seen this alignment before. Ms. Scrimshaw replied no. Mr. Clinger noted that the work is nearly done. Mr. Jenkins stated that the Commissioners were ready to go and moved forward with the work. Mr. Clinger said he feels it's a good move and he has no objections he just thought that the procedure was a little different.

MOTION

Paul Schmelzer made a **motion to approve APPLICATION FOR FINAL PLAT #FP-01-2016 for a Replat of Ohio Logistics Business Park subject to the following conditions:**

- **Show setback lines for the lots (ENG)**
- **Correct legal description is necessary (ENG)**

2nd: Dan Clinger

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

3. SITE PLAN APPLICATION #SP-01-2016 filed by Chris Nagy, 1335 Lima Avenue, Findlay for 5000 square foot expansion of a building located at 1233 Lima Avenue, Findlay.

HRPC

General Information

This request is located on the southeast corner of Lima Avenue and Blaine Avenue. It is zoned C-2 General Commercial. All surrounding parcels are also zoned C-2 General Commercial. It is not located within the 100 year flood plain. The City of Findlay Land Use Plan designates the area as Neighborhood Commercial.

Parcel History

This is the site of an existing machine shop.

Staff Analysis

The applicant is proposing to construct a 5,000 square foot addition on the south side of the existing 2621 square foot building.

The use is non-conforming for the C-2 district. Machining is a permitted use in I-1 Light Industrial. The zoning code does not permit the expansion of a non-conforming use. Thus, the applicant's options are to submit to the Board of Zoning Appeals for a variance to expand the business or request to rezone the property to I-1 Light Industrial.

Setbacks are an issue also in either zoning district. The I-1 district has larger setbacks than the C-2 district. The layout submitted shows the setbacks for C-2 but the building does not fit within those boundaries either. The building encroaches into both side yards. This will also require a variance if the request to expand the non-conforming use is approved.

The plan indicates that there will be a maximum of 4 employees. At 1.1 spaces per employee that industrial uses require, the 5 spaces meet the minimum requirement.

The curb cut onto Blaine Avenue is being removed. Access will be from Lima Avenue only. Currently the Lima Avenue side is a continuous open asphalt area from the street. Engineering may wish to see some more controlled access for the site.

The maximum height in C-2 is 60'. According to the construction company that designed the addition, it will be slightly less than 21 feet in height. It will be an all steel building.

There are existing residences to the south and the east half of the property. Screening is shown with 6' privacy fencing and landscaping. The rear line has canopy trees as well as evergreens on the outside of the fence. Along the east side only evergreens are shown with the notation that there are overhead utility lines that would be an issue with tall deciduous trees.

HRPC Staff questions if this site is even appropriate for the use and size. The building will be nearly triple the size it is currently, setbacks are an issue, and the use is technically not permitted in this zoning district. Staff feels that this is one of the reasons that the code actually states that non-conformities should not be permitted to expand. They are trying to fit too much into too small a space. Changing the zoning which is very much against what the land use plan indicates, will bring the use into compliance but the setbacks are greater and will then require larger variances.

Staff Recommendation

HRPC Staff recommends that FCPC either deny SITE PLAN APPLICATION #SP-01-2016 for 5000 square foot expansion of a building located at 1233 Lima Avenue, Findlay or table the proposal until all the issues with BZA can be resolved.

ENGINEERING

Access – The site currently has a drive on Blaine Street and a second drive along Lima Avenue. The applicant is proposing to remove the drive on Blaine Street and make no changes to the drive on Lima Avenue. The existing drive on Lima Avenue is approximately 180 feet wide and includes the entire frontage of the property. While it can be difficult to get delivery vehicles into and out of smaller sites like this one, having the entire frontage along Lima Avenue as one large curb cut seems excessive. Engineering believes that it should be possible to have 2 smaller drives spaced so that delivery vehicles would still be able to enter/leave the site.

Water & Sanitary Sewer – The applicant is proposing a new sewer service to serve both the existing building and the proposed building addition. No water services are shown so we are assuming that water will be extended from the existing building, if needed.

Stormwater Management – Stormwater detention is being provided by proposed detention basin located in the southwest corner of the property. The design calculations submitted meet the City of Findlay standards.

Sidewalks – There are no existing sidewalks in the area.

Recommendations: Conditional approval of the plan subject to the following conditions:

- The consultant work with Engineering to reduce the width of the existing drive along Lima Avenue.

The following permits may be required prior to construction:

- Sanitary Tap Permit
- Storm Sewer Tap Permit

FIRE PREVENTION

No Comments

DISCUSSION

Mr. Clinger asked how long the applicant had been at this location. Mr. Dewey replied since 2004. Mr. Clinger asked if he had moved there from another location or if that is when his business had started. Mr. Dewey replied that he had been down the street at another location. Dan Clinger asked what the nature of the operation is. Mr. Dewey replied that it is a machine shop. He repairs parts and makes parts. Mr. Clinger asked if the business across the street is a part of his operation also. He said he thought that was an operation of Nagy as well. Chris Nagy spoke and said that he is the owner of the property and Brian Dewey leases it from him. It is not a part of Mr. Nagy's business. Mr. Clinger asked what the name of the business is. He replied that Mr. Dewey's business is Diversified Machine.

Dan Clinger asked if the zoning was different back when this business or if it was a permitted use then. Ms. Scrimshaw stated that Todd Richard had information on how this had occurred. It was zoned B-2 General Business back then which is the same as it is now. Matt Cordonnier stated that he believes they were granted a conditional use of some type then and one of the conditions was that they would apply to rezone to I-1 and that never happened. Lydia Mihalik commented that we didn't change this when the map was redone then. Mr. Cordonnier said no. Judy Scrimshaw stated that back when Ed Ingold was acting Director this corridor was reviewed. It had been a mix of Industrial and Commercial zoning. It was decided to go to all Commercial and move away from the Industrial.

Mr. Schmelzer said he recalled that part of the reason to go to Commercial was the fact that the parcels were small and Industrial setbacks would prohibit much of that type of development. Mr. Clinger questioned that the code specifically says that a non-conforming use cannot be expanded. Ms. Scrimshaw replied yes. They're recourse is to file with BZA. Mr. Clinger said that it looks like if they reduced the size of the building somewhat that he could possibly make it fit within the setbacks. He stated that he didn't think he would want to rezone this because it would make the setbacks even worse.

Paul Schmelzer commented that he believes C-2 is a better fit. To him, rezoning then adjusting setbacks seems like a bad direction to go. He said he is all for maximizing the property but there are implications beyond just their property in allowing someone to make a determination on what they want to do and going outside the setbacks. He said he feels very much like Dan Clinger does that the building should comply with setbacks and BZA can question the expansion of the non-conforming use.

Mr. Stone commented that on the east property line there are actually two (2) different setbacks. Part of the lot abuts commercial and part of it abuts residential. They are trying to maintain the existing east building line which will be about 15' off the property line which does comply with the C-2 setbacks. Mr. Schmelzer said he would consider that request but would have to have input from the adjoining property owners as to their opinion regarding your operation, what you are doing for screening. If they would come to this body and say you're a good neighbor, they don't see any negative impacts on their properties then he would be inclined to go along with the setback encroachment there. Mr. Stone said they can get with those owners. He said they do have a letter from the owner to the south stating that he is fine with the expansion.

Mayor Mihalik said she thinks there is some definite benefit to what the business is trying to accomplish here. We would like to try to help facilitate your small business success. You are reinvesting in an area that needs it. It will definitely look better when you are done with it than it does now and maybe it will spur some additional investment as well. But she said she agrees that she wants to be sure the neighbors are happy. She said she doesn't think their use is super intensive. A neighbor in the audience said that he was here out of curiosity and was mainly concerned with a dilapidated chain link fence line and brush. Mr. Stone addressed his concern with the fact that that fence will be gone, the area cleaned up and a new privacy fence and landscaping put in place there. Dan Clinger asked if we could put a caveat on this that there is no outside storage. Ms. Scrimshaw replied that C-2 does not permit outside storage.

Mr. DeArment asked how loud the operation will be. Mr. Dewey replied that it will mostly be a hum. There is no banging or loud noises. Mr. DeArment asked the neighbor in the audience if he would agree with that. The neighbor replied that they are pretty quiet. Mr. Dewey replied that the place is air conditioned, the doors are closed except for delivery, etc. So everything is pretty much contained to inside.

Mr. Schmelzer asked if they have already made application to BZA. Ms. Scrimshaw replied yes. Mr. Schmelzer asked what they are applying for, setbacks and use? The applicant replied yes both. He said is trying to determine if he should recommend approval with conditions or table until BZA issues can be taken care of.

Mr. Schmelzer said he thinks he would prefer to see a modified plan come back that shows conforming setbacks and/or some correspondence with the neighbors. They can get the determination from BZA as to expanding the non-conforming use and bring the plan back with no additional fees. Then he realized that BZA meets the same day as the next CPC meeting but not until the evening. He said that at least they can have the conversations with neighbors in the meantime, bring back the plan and have it reviewed with the conditions of BZA approval.

MOTION

Paul Schmelzer made a motion to table #SP-01-2016 filed by Chris Nagy, 1335 Lima Avenue, Findlay for 5000 square foot expansion of a building located at 1233 Lima Avenue, Findlay.

2nd: Dan DeArment seconded.

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

4. SITE PLAN APPLICATION #SP-02-2016 filed by Marathon Petroleum, 539 S. Main Street, Findlay for a hotel to be located at 631 S. Main Street, Findlay.

HRPC

General Information

This project is located on the northeast corner of S. Main Street and E. Lincoln Street. It is zoned C-3 Downtown and all surrounded parcels are also zoned C-3. It is not within the 100 year flood hazard area. The City of Findlay Land Use Plan designates the area as Downtown.

Parcel History

The site is currently a surface parking lot for Marathon Petroleum.

Staff Analysis

The applicant is proposing to construct a 33,475 square foot, 5 story hotel.

There are no building setbacks in the C-3 Downtown District. It appears that the canopy at the front of the building will overhang slightly into the right of way. This can be taken care of with a variance from BZA or a redesign to shorten the overhang. There are no building height restrictions.

The structure will use the existing curb cut on E. Lincoln Street and add a drop off area with parking on the Main Street side. Staff has some concern over the drop off area and how pedestrians will maneuver here. A sidewalk is shown which would direct walkers up along the building in front of the entry and then back to the street. Normally the City requires the sidewalk to continue through any driveways. Due to the configuration and use of the drive area, it could be potentially difficult for a pedestrian to cross through vehicular traffic.

There is also a separate one way drive at the north end of the site. The plans indicate that this will be one way heading east into the site. The drawings show a future island (part of the downtown improvement plan) on S. Main Street directly across from this area which will prohibit left hand turns from Main Street.

Off street parking is not required in the Downtown District. The hotel plans to utilize the parking garage on E. Lincoln Street which is currently under construction and will have a direct connection to the building from the second level.

Architecturally, the building is designed to blend with the historic character of downtown and the newer Marathon buildings.

Street trees along E. Lincoln Street will match the trees being added along the parking garage and there are plantings along the foundation on this side as well. There are two outdoor seating/patio areas, one on the north side of the hotel and another at the southeast corner which will be lined with landscaping. There is one tree well on the Main Street side and planters along the entryway of the hotel.

Staff Recommendation

HRPC Staff recommends approval to FCPC of SITE PLAN APPLICATION #SP-02-2016 for a hotel to be located at 631 S. Main Street, Findlay subject to the following:

- Rectify the canopy overhang either by BZA Variance of shortening of the canopy
- Resolve the pedestrian movement issue across the front (Main Street) entry

ENGINEERING

Access – The site currently has one drive on Lincoln Street. The applicant is proposing to keep the drive on Lincoln Street and add a drop off with overflow parking area along Main Street and a separate one way drive to go around the hotel to the existing parking garage located to the east of the site. This configuration will eliminate the 8 remaining parking spaces on the east side of Main Street between Hardin Street and Lincoln Street. The applicant will need to apply to Traffic Commission to get approval for the parking spaces to be removed. The current plan does not show any signage or pavement markings to indicate the drive will be one way.

The plans show the proposed canopy in the right of way. There are numerous buildings downtown that have awnings and other items that project into the right of way. As part of the Main Street project that is currently under design, the City will have to certify that the right of way is clear (meaning no encroachments). For this reason the city should either issue a permit for the canopy or vacate the right of way around the canopy so that the property under the canopy would be private property and not public right of way. The existing plan does show the canopy hanging over the curb line by about 1 foot. Engineering would like the canopy to be shortened so that it would not overhang the curb.

Water & Sanitary Sewer – The applicant is proposing 2 new water services off of the existing 8” waterline. The applicant is proposing 1 new sanitary tap off of the 15” sewer in Lincoln Street. For the connection to the existing sewer, either collars or a structure will need to be added, no fernco or saddles will be allowed. We will need to know the size of any banquet or meeting rooms so that we can determine the number of ERU’s so that the sanitary fees can be calculated.

Other Utilities – There are two, 3 inch conduits running behind the existing curb line that have electrical lines for the existing street lights and telephone cables that are used to interconnect the traffic signals. The conduits are 1-1/2 to 2 feet deep. The contractor will need to make sure that these conduits are protected and not damaged during construction (especially in the drop off area). The existing pullboxes that are currently located in the sidewalk will now be located in the drop off area. These pullboxes are not traffic rated. The contractor will need to coordinate with the City personnel to determine how to adjust/modify the existing pullboxes to minimize the pulling of new wires and/or the addition of a bunch of splices into the wires.

Stormwater Management – The existing site is 100% impervious. With the greenspace being added around the hotel, the existing runoff from the site will be reduced so no detention will be required. The site will need to be added to the existing stormwater permit.

Sidewalks – There are existing sidewalks on Main Street and Lincoln Street. The existing sidewalk will be removed and replaced as part of the project.

Recommendations: Conditional approval of the plan subject to the following conditions:

- Add signage or pavement markings to designate the one way drive around the hotel to the parking garage.
- Apply to Traffic Commission to get approval for the removal of the 8 parking spaces on the east side of Main Street.
- Shorten the proposed canopy so that it does not overhang the curb line.

The following permits may be required prior to construction:

- Street Opening Permit
- Sanitary Permit
- Storm Permit x 3
- Water Permit x 2
- Sidewalk Permit
- Curb Cut Permit x 2

FIRE PREVENTION

Final location of the Fire Department Connection (FDC) shall be determined by FFD
This structure will require a Knox box.

STAFF RECOMMENDATION

Staff recommends that FCPC approve SITE PLAN APPLICATION #SP-02-2016 for a hotel to be located at 631 S. Main Street, Findlay subject to the following:

- **Rectify the canopy overhang either by BZA Variance of shortening of the canopy (HRPC & ENG)**
- **Resolve the pedestrian movement issue across the front (Main Street) entry (HRPC)**
- **Add signage or pavement markings to designate the one way drive around the hotel to the parking garage. (ENG)**
- **Apply to Traffic Commission to get approval for the removal of the 8 parking spaces on the east side of Main Street. (ENG)**
- **Final location of the Fire Department Connection (FDC) shall be determined by FFD (FIRE)**
- **This structure will require a Knox box. (FIRE)**

DISCUSSION

Mr. Clinger had questions in regard to the canopy. He stated that the actual structure is within the right-of-way. The piers are about 10' beyond the right-of-way line. He said he thought there were other issues downtown where people wanted to do balconies, canopies, etc. and they had to cantilever over Main Street at a certain height. Actually building a roofed structure in the right-of-way is certainly exceeding that. Mr. Clinger said he knows it is a tight sight, but why did they expand into the right-of-way and what is the alternative. Can they move the building back 10 feet?

Mr. Clinger stated that in looking at the plans, they might lose some banquet facility area at the rear. He said he is just not comfortable with building into the public right-of-way. He asked if there is any alternative plan. Paul Smith stated that they would probably have to discuss with Marathon whether reducing the banquet facilities is feasible or not. The banquet facilities are quite important in this type of hotel. They would have to rework the complete design of the building.

Mr. Clinger said he saw the renderings of the pavers and so forth that would kind of delineate the walkway through the drive area. He stated that there is a fair amount of foot traffic on Main Street and trying to have it go through the driveway doesn't work well. If the building was moved back the island could be expanded to a regular sidewalk width then pedestrians could walk across the drive onto the island and back across a drive again. Mr. Clinger said he is very appreciative of all that Marathon is doing and has done for the community but he feels there are some issues here that go beyond the bounds of what the Planning Commission can reasonably justify.

Mr. Schmelzer said he echoes some of Dan Clinger's comments to some extent. He said he doesn't feel like this body should approve an encroachment this significant. He said his recommendation would be that if this functionality is a fit for the downtown area, that it should go through a vacation procedure similar to what we did with the Findlay Inn. That will allow input and consideration from the entire City Council. He said that from an ODOT and City perspective we have already had precedent for another site. He said it would also eliminate some potential issues with any lending and financing. Mr. Clinger said that the Findlay Inn was not a structure in the right-of-way, but a concrete pad. That was also not a state highway. Mr. Schmelzer replied that the City has control of the right-of-way within the corporation lines. He also stated that regardless of what the Findlay Inn constructed, once the right-of-way is their private property, they can construct anything that meets City code on it.

Mayor Mihalik stated that she thought that when the City decided there were no setbacks in the downtown district to try and facilitate an urban environment like this there were bound to be times that we would have to entertain these types of opportunities. She said she doesn't see it as much of an intrusion as perhaps he does. It will be a positive impact to the area. She is more concerned about the pedestrian traffic. Mr. Schmelzer said he doesn't see how the developer can do anything else to rectify the situation. He doesn't see how they could decrease the drive width behind the building without hurting access to the garage. He feels that some delineation of the pedestrian sidewalk through the driveway areas will help. In more urban environments you have pedestrians interacting with vehicles all day. It should be made clear that if I'm walking down the sidewalk I know clearly where I can walk without weaving up past the front door and then down again.

Mr. DeArment had a general question which perhaps was discussed when the parking garage was approved. He stated that we are taking some surface parking out, adding a garage and possibly eliminating some spots on Main Street. He asked what the net effect of all this will be. Paul Smith stated that Marathon had created about 2500 parking spots. There will be special designated parking inside the garage for the Hotel. There is a gain of around 500 spaces with all the new parking from the previous counts.

Mr. Clinger stated that the drawing shows a two way drive behind the hotel. He asked what the intent was to have it two way. Mr. Stone said there will be access to and from the garage as well as delivery and trash trucks etc. using the roadway. Paul Smith said the designated hotel parking will be on this side. He also stated that there will be a covered walkway connected to the garage from the second story of the hotel.

MOTION

Paul Schmelzer moved to approved **SITE PLAN APPLICATION #SP-02-2016 for a hotel to be located at 631 S. Main Street, Findlay subject to the following conditions:**

- **The canopy structure overhanging into the right-of-way be addressed through Council procedure for vacation of the right-of-way**
- **That the pedestrian movement through the canopy area be addressed by clearly delineating north/south movement that doesn't require the pedestrian to move up to the front door**
- **That signage and pavement markings for the hotel and also wayfinding for other buildings so anyone visiting this campus area has a clear idea of where there are going**
- **That applicant apply separately to the Traffic Commission for the elimination of any public parking spaces**
- **That the final location of the FDC be determined by FFD**
- **That the structure has a Knox Box.**

2nd: Lydia Mihalik seconded.

Mr. Schmelzer stated that he wanted to clarify the wayfinding statement. He said he feels that there may need to be some signage in the right of way to help people find their way through the campus. A visitor to the hotel will need to know which way they are pulling into the garage or access ways.

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

At this time Mr. Schmelzer made a motion to bring **SITE PLAN APPLICATION #SP-28-2015 filed by Country Club Acres, Inc., 655 Fox Run Rd., Findlay for Senior Housing complex to be located at 11815 TR 145, Findlay** off the table.

Dan De Arment seconded the motion. Motion passed 5-0-0.

Mayor Mihalik asked what additional information we had received. Judy Scrimshaw replied that we have the drawing being shown with the new and banked parking areas. Mr. Rasmussen has reviewed a document sent to him in regard to the banking of the parking spaces.

Mr. Schmelzer asked for a summary of what has occurred since they were before FCPC last month. Ms. Scrimshaw replied that they went before BZA in December for a variance on the number of parking spaces. BZA granted them 2 spaces per unit so they are showing 124 spaces. In the front (north) area they are showing where they could build the “banked” parking spaces. She stated that Mr. Pickett had an issue with an access drive around the back of the building for fire safety. They initially showed a connection over to Fox Run and were trying to work out an agreement with them. Now they are showing a loop going from the back of the building out to the parking lot. Mayor Mihalik asked if the loop dead ended into the back of the building. Ms. Scrimshaw said that is a rear exit out of the building. Mayor Mihalik stated that if the fire truck pulls in the rear they must then back out. Matt Pickett replied the intention was two fold if there ever was a need. They needed emergency access for the occupants because it is a designated exit and the other part was if there ever was a need for rescue the three story structure it could be done from the back side if necessary. Mr. Clinger noted that the drive is only accessible to about 1/3 of the building for a ladder truck type rescue. Mr. Pickett said if you look at what is existing to the west at Fox Run Manor, they do have a loop around the building. They have a looped hydrant system as well. On the other hand, he stated, it is fully sprinkled and alarmed. Considering the layout they decided to go with this layout.

Mr. Clinger said so if a fire truck has to go down the path you will have to back it up. Mr. Pickett said that is correct. Mr. Clinger asked if it would be worth trying to make an access to the adjoining property to at least facilitate getting the truck out. Mr. Pickett stated that this will only be used in a worst case scenario. They would do whatever they needed to do if necessary regardless of where a drive exists or not. Dan Clinger asked if the 10' width was acceptable. Matt Pickett said he had initially mentioned 12'. Fox Run Manor went with 10'. Ten can be tight, outriggers will go beyond that. But again, it will work.

Ms. Scrimshaw then said that she would let Brian Thomas explain any of the Engineering issues. Mr. Thomas said that most of the engineering issues were with grading. He said he doesn't plan on seeing anything new with grading until the plan is approved. He said he doesn't have any issues with the layout as shown. If it is accepted he would like the condition to be that the final grading is worked out with Engineering.

Ms. Scrimshaw noted that Mr. Rasmussen had made some corrections to the banked parking agreement. Mr. Rasmussen said he received the development agreement for review and he said the honus should not be on the City if the use changes to do traffic and parking studies to see if it is warranted. The change he proposed was when and if it changes from low income senior housing that the current user would have to comply with the then existing parking standards. If they don't suffice, they would have to go back to BZA at that time. Mr. Schmelzer asked if this would be issued prior to a Zoning Permit. Mr. Rasmussen said yes, and it would be kept with that address file so we have record. Mr. Kalnitsky stated that they are also having their lender review the development agreement. This may take them 30 days. They would like to apply for zoning permits in the meantime if possible. Mr. Schmelzer asked where they were with getting their building permit at this time. He asked if they had applied at Wood County. Ms. Scrimshaw stated that Wood County requires our local permit before they will issue theirs. Mr. Schmelzer said that they can submit their plans and get the review process started there prior to receiving the City Permit.

MOTION

Paul Schmelzer made a motion to approve **SITE PLAN APPLICATION #SP-28-2015 for Senior Housing complex to be located at 11815 TR 145, Findlay** subject to the following conditions:

- **Drainage requirements being approved by the Engineering Department.**
- **An executed development agreement approved by the Law Director for the banked parking prior to the issuance of the City zoning permit.**

2nd: Jackie Schroeder

Mayor Mihalik commented that this is one of the first Low Income Senior Housing complexes done and she encouraged Mr. Kalnitsky to take back to his client that her dissatisfaction with how this was handled. She said she spent some time last night reviewing this and spent some time reviewing the NRP Group's website and their core values. Much of it revolved around ethical behavior and honesty and integrity. And when you submitted to us the performa for what you had thought was going to be designed and constructed next to Fox Run it looked significantly different than what you are being approved for today. She said she doesn't know that this is something they want to encourage to happen in the future. She said they had a "green" site and an opportunity to conform and they failed to do so without BZA's help and some deference from the Planning Commission. Ms. Mihalik said it is disappointing from her perspective because their ability to get tax credits for this project was predicated on a letter of support from the City of Findlay.

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

Lydia L. Mihalik
Mayor

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