

# City of Findlay City Planning Commission

Thursday, February 11, 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  
Don Rasmussen  
Brian Thomas  
Todd Richard

### **GUESTS:**

Todd Jenkins, Steve Rupe, Lou Wilin, Doug Jenkins, Dan Stone, Tom Shindeldecker, Paul F. Smith, Brian Dewey, 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 Matt Cordonnier.

### **APPROVAL OF MINUTES**

Dan Clinger made a motion to approve the minutes of the January 14, 2016 meeting. Dan DeArment seconded. Motion to accept carried 5-0.

### **NEW ITEMS**

**1. PETITION FOR ZONING AMENDMENT #ZA-01-2016 filed to rezone 133 Hillcrest Avenue, Findlay from O-1 Institutions & Offices to R-1 Single Family Low Density Residential.**

**HRPC**

**General Information**

This request is located on the south side of Hillcrest Avenue. It is zoned O-1 Institutions and Offices. Abutting land on all sides of the proposal are zoned R-1 Single Family Low Density. It is not within the 100 year flood plain. The City Land Use Plan designates the area as Single Family Medium Lot.

**Parcel History**

Originally constructed as a duplex in the early 1970's this site was a former dental office. In July, 2013 the applicant requested that the parcel be rezoned to O-1 in order to sell as an office. Planning Commission recommended denial of the request. City Council approved the rezoning request.

**Staff Analysis**

The applicant now wishes to rezone the parcel back to R-1 Single Family Low Density to accommodate a buyer who wishes to purchase for a residence.

While R-1 is the current zoning in the neighborhood, the lot size is smaller than the requirements for an R-1 lot. Most of the parcels along this street are more in conformance with the R-2 category. When Staff begins work on the City Zoning Map, this area should be changed to R-2. The Land Use Plan also indicates the R-2 district as appropriate.

HRPC Staff had commented on the illegal parking in the front of the building back in 2013. The curb is dropped and there are parking spaces across the sidewalk where vehicles can pull in forward. We are not sure how these came to be approved, but feel that they certainly should be removed and the curb replaced. This is a residential neighborhood with an elementary school less than a block west of it. It stands to reason that there is plenty of pedestrian traffic whether from the residences or the school and having cars parked here is a hazard.

**Staff Recommendation**

HRPC Staff recommends that Planning Commission recommend to Council that they rezone 133 Hillcrest to R-2 Single Family Medium Density and that the parking spaces at the front of the lot be removed.

**ENGINEERING**

No Comment

**FIRE PREVENTION**

No Comment

**STAFF RECOMMENDATION**

Staff recommends that FCPC **recommend to Findlay City Council that 133 Hillcrest Avenue be rezoned to R-2 Single Family Medium Density.**

## **DISCUSSION**

Dan DeArment asked who would replace the curb. Phil Rooney replied that he doesn't know but that is not a zoning issue. Ms. Mihalik stated that the client would.

## **MOTION**

Dan Clinger made a motion for FCPC to recommend approval to Findlay City Council of **PETITION FOR ZONING AMENDMENT #ZA-01-2016 filed to rezone 133 Hillcrest Avenue, Findlay from O-1 Institutions & Offices to R-2 Single Family Medium Density Residential. He also stated that a contingency of the approval is to replace the curb and eliminate the parking along the street.**

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

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

**2. PETITION FOR ZONING AMENDMENT #ZA-02-2016 filed to rezone Lot 1010 in the AF & DM Vance Addition, Parcel #600000317710 from R-3 Single Family Residential to R-4 Duplex/Triplex High Density.**

## **HRPC**

### **General Information**

This request is located on the east side of N. Cory Street just north of the first east/west alley north of High Street. It is zoned R-3 Single Family High Density. Parcels to the north and south are also zoned R-3. Parcels to the east and west are zoned C-2 General Commercial. It is not located within the 100 year flood plain. The City Land Use Plan designates the area as PMUD (Planned Mixed Use Development).

### **Parcel History**

The site is currently vacant. A triplex was located on this parcel until it was destroyed by a fire and demolished in 2008.

### **Staff Analysis**

The applicant is requesting to rezone this lot to R-4 Duplex/Triplex High Density in order to construct a new 2 or 3 family unit. In the recent zoning code amendments, the R-4 District was changed to accommodate both categories of housing.

The neighborhood is a mixture of single, duplex and triplex units now. The homes directly north and south of this lot are listed as duplexes on the County Auditor's website. The home directly across the street is single family and is abutted by duplexes on its north and south sides. When changes are made to the zoning map this area will probably be a checker board of various residential categories.

Judy Scrimshaw has been in conversations with the new owner of the lot and has informed him that only one residential structure is permitted on the site and the requirements for off street parking. We will consider this an infill site when determining the development standards to apply at that time

### **Staff Recommendation**

HRPC Staff recommends that FCPC recommend approval to Findlay City Council of

**PETITION FOR ZONING AMENDMENT #ZA-02-2016 filed to rezone Lot 1010 in the AF & DM Vance Addition, Parcel #600000317710 from R-3 Single Family Residential to R-4 Duplex/Triplex High Density.**

**ENGINEERING**

No Comments

**FIRE PREVENTION**

No comments.

**STAFF RECOMMENDATION**

Staff recommends that FCPC recommend approval to Findlay City Council of **PETITION FOR ZONING AMENDMENT #ZA-02-2016 filed to rezone Lot 1010 in the AF & DM Vance Addition, Parcel #600000317710 from R-3 Single Family Residential to R-4 Duplex/Triplex High Density.**

**DISCUSSION**

Dan Clinger commented that he saw a conflict on setbacks in the R-4 district in the zoning code. He just wanted to note that there may be a setback that needs clarified. Dan Stone said he thought it was a conflict between the illustration and the text. Mr. Cordonnier stated that if that is the case the code does state that text takes precedent over any illustrations.

**MOTION**

Paul Schmelzer moved to recommend approval to Findlay City Planning Commission of **PETITION FOR ZONING AMENDMENT #ZA-02-2016 filed to rezone Lot 1010 in the AF & DM Vance Addition, Parcel #600000317710 from R-3 Single Family Residential to R-4 Duplex/Triplex High Density.**

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

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

**3. ALLEY/STREET VACATION PETITION #AV-02-2016 filed to vacate +/- 18.8' of right-of-way along the east side of S. Main Street from E. Lincoln Street north to a point a distance of approximately 267'.**

**HRPC**

**General Information**

This request is located on the east side of S. Main Street just north of E. Lincoln Street. It is zoned C-3 Downtown Business. All surrounding parcels are also zoned C-3. It is not located within the 100 year flood plain. The City of Findlay Land Use Plan designates the area as Downtown.

**Parcel History**

This is the future site of the Hancock Hotel as conditionally approved by FCPC in January, 2016.

**Staff Analysis**

The applicant is proposing to vacate 18.8' of public right of way across the full frontage of the future hotel site encompassing approximately 267 lineal feet.

At the site plan review in January for the construction of the hotel, it was noted that the canopy structure over the entry encroached into the right-of-way. The Commission had discussed a recent case at the Findlay Inn in which they vacated a portion of right-of-way on E. Main Cross Street in order to construct an outdoor patio area. Only the portion of actual encroachment was vacated.

It appears that the applicant is requesting a much larger vacation than necessary. Staff does not see any reason to vacate the full length of the block nor to go any further west into the right of way than what the structure will be built upon.

### **Staff Recommendation**

HRPC Staff recommends that FCPC recommend approval to Findlay City Council to vacate only that portion of the right-of-way necessary to encompass the canopy structure.

### **ENGINEERING**

It was my understanding from the last meeting that the applicant was going to look into the possibility of shortening up the canopy so that they could minimize the amount that would overhang into the existing right of way. For the portion that did overhang into the right of way, the possibility was presented to vacate around the canopy so that the canopy would be on private property as opposed to having a permit to be in the public right of way.

The application that was submitted would vacate the right of way from the back of curb on the east side of Main Street from Lincoln Street to Hardin Street. Engineering would recommend that the application be modified so that the vacation would follow around the canopy as was recommended at the last meeting.

### **FIRE PREVENTION**

No Comments

### **STAFF RECOMMENDATION**

Staff recommends that FCPC recommend to Findlay City Council to approve **ALLEY/STREET VACATION PETITION #AV-02-2016** amended to only vacate that portion of right-of-way needed to encompass the proposed canopy structure.

### **DISCUSSION**

Dan Clinger stated that he thinks everyone understands that this is a property that may not be controlled by Marathon forever. He said he was not in favor of giving up the right-of-way initially and said they approved the hotel plan based on resubmission of the walkway, etc. Mr. Clinger questioned what could take place here if the City gives up the right-of-way. He is afraid that someone could close that portion of the hotel off so that pedestrians could not go through. He said he knows we gave some to the Findlay Inn but that did not impede upon pedestrian traffic in any way. Mr. Clinger said he certainly cannot support the vacating across the full length of the building but he also struggles with the portion just covered with the canopy.

Dan Stone said he wanted to present an exhibit that complies with what HRPC and the City Engineer are requesting in their comments. Rather than doing the entire right of way, they are proposing it to only be for the arcade itself with the small portion that overhangs the actual curb to be granted a variance on the encroachment. In regards to the access, Marathon would propose a pedestrian easement which would run with the property. They know they will need other easements for signage and traffic control devices which would also be filed to run with the land in perpetuity. Mr. Stone explained the distance they were requesting from the building wall west. Mr. Schmelzer said that he does not want to vacate any farther west than the back of the existing curb. Mr. Stone said that they are keeping just inside the back of the curb now. Mr. Schmelzer commented that he could not be in favor of the vacation encroaching into parking space.

Don Malarky asked if it might be easier to do the entire area as an encroachment permit. Paul Schmelzer said he thought they could certainly do that. He said that if they were okay with that he could certainly go for it and thought he would get more votes on planning commission with that proposal. Mr. Marlarky said he did not see that as a problem with Marathon as long as they can construct. He stated that they could put whatever terms the City desired as far as access, etc. He said they will need an encroachment permit for the canopy anyway so why not just tie it up with a single larger encroachment permit. Mr. Malarky said that he assumes that if the building ever does sell, that the permit runs with the property and if any modifications were needed it would be a separate permit. Mr. Schmelzer replied that that is correct.

Dan Clinger stated that with the encroachment permit they would not be giving up any right-of-way. Mr. Schmelzer confirmed that. Mr. Clinger said that another point of discussion last month was defining a pedestrian walk through area. Dan Stone said that what they are looking at is defining the area with different colors and patterns of concrete. Mr. Malarkey stated that there is adequate space under the arcade to have drop offs and pedestrian traffic.

Todd Richard asked if the canopy is supported on the ground. Mr. Malarky said the canopy will be some cantilever. Dan Stone that there are pillars on the concrete island area for the main arcade. Then just to the right of that is where the pedestrian access will line up all the way through up to the Marathon Green area. Dan Clinger asked Mr. Richard is there is a minimum height for the area that they will project over into the parking spaces. Todd Richard said they allow encroachments into the right-of-way with awnings and canopies with at least a 7 foot clearance over a sidewalk. Mr. Clinger asked Mr. Malarky is he knew what height it was at. Dan Stone he could not remember the exact number but that it is in the double digits. There should be ample clearance for any vehicles. Paul Schmelzer said he just wants to clarify that we are now talking about an encroachment permit that covers that part of the structure that is also supported. Mr. Stone said that is correct. There is no right-of-way vacation. Mr. Schmelzer asked Todd Richard if under the current permit structure, they can issue such a permit. Mr. Richard replied that he can issue it with Council approval. Mr. Schmelzer said that now they have to go before Traffic Commission on the parking space issue and to City Council on the encroachment permit which will modify the request for a vacation of right-of-way.

Dan Clinger asked if they need to move for denial of the request as presented and then move on to making a recommendation in regard to their alternate proposal. Mr. Schmelzer replied that given the discussion, he doesn't think there is a need to address the modification. He said he would be inclined to recommend to Council that the right-of-way vacation be denied in its present form. Then the conversation can take place at Council in regard to the encroachment permit.

## **MOTION**

Paul Schmelzer moved to recommend to Findlay City Council that **ALLEY/STREET VACATION PETITION #AV-02-2016 filed to vacate +/- 18.8' of right-of-way along the east side of S. Main Street from E. Lincoln Street north to a point a distance of approximately 267' be denied.**

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

Mr. Schmelzer commented that he appreciated the conversation and thought about the encroachment permit. He said he thinks it may be a little more cumbersome for the Marathon folks but he thinks it gives the City a little more security.

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

## **4. LETTER REQUESTING REVIEW OF PROPOSED RIGHT OF WAY for 1845 Fostoria Avenue, Findlay, OH.**

### **HRPC**

#### **General Information**

This project is located on the southeast corner of Bright Road and Fostoria Avenue. It is zoned C-2 General Commercial and parcels to the north and west are also zoned C-2. To the south and east the parcels are zoned MH Mobile Home. It is not within the 100-year flood hazard area. The City of Findlay Land Use Plan designates the area as Neighborhood Commercial.

#### **Parcel History**

The site is currently vacant. Some prior uses have been an ice cream store, pizza store, and retail meat market and car dealership.

#### **Staff Analysis**

The applicant is requesting feedback on what the potential impact of required right-of-way along Fostoria Avenue/SR 12 will be for development purposes.

Fostoria Avenue/SR 12 is a Major Thoroughfare on the City of Findlay Thoroughfare Plan. The proposed right-of-way for Majors is 120'. This would mean the parcel would be measured at 60' from the centerline before any setbacks would apply. We believe the current right-of-way on the south side is 30'. Bright Rd. is also a Major Thoroughfare on the City's Plan and would require the same width. We aren't sure of the current right-of-way width along Bright Road, it seems to vary. Staff checked on the plans for Ohio Orthopaedics on the opposite corner of this intersection. When they filed their site plan they dedicated the extra right-of-way on both Fostoria Avenue/SR 12 and Bright Road to bring them to 60' from center.

This is a small site and complying with the new right-of-way may make it more difficult to develop. The applicant does have the option of applying for setback variances with BZA if necessary to fit their plan on the site. At this time, we have not seen any proposed plans of what they are considering.

## **ENGINEERING**

Both Bright Road and Fostoria Avenue are major thoroughfares. The subdivision regulations require the right of way on major thoroughfares to be a total of 120 feet (60 feet on each half).

Fostoria Avenue (SR 12) – The existing southern half right of way is 30 feet. The existing pavement has one (1) drive lane in each direction and a left turn lane. If the pavement is ever widened to add additional lanes, the existing right of way will not be large enough for the improvements. Engineering would recommend that the additional 30 feet be dedicated to meet the requirements of the subdivision regulations.

Bright Road – The existing eastern half right of way tapers from 50 feet before the curve to 40 feet at the intersection. The existing pavement has two (2) drive lanes in each direction and a left turn lane. Engineering does not see additional lanes ever being added to the existing pavement. Since the property in question is relatively small (0.80 acres per the auditor's website), the property may already be losing 30 feet from the Fostoria Avenue side and we do not see additional lanes being added in the future, we would not recommend additional right of way be dedicated.

## **FIRE PREVENTION**

No Comments

## **STAFF RECOMMENDATION**

Staff recommends that the applicant dedicate the extra 30' of right of way along the Fostoria Avenue/SR 12 side on their site plan. If FCPC agrees with the Engineers comments, we recommend no change to the Bright Road side of the parcel. Applicant will be able to apply to BZA for setback variances if needed when the site plan is development.

## **DISCUSSION**

Dan Clinger asked if they had to approve additional right-of-way today. Mr. Schmelzer replied no. This does not require any formal action. He said he had met with the consultant and developer and had talked a little about the site plan. Mr. Schmelzer recommended that they come to this body for a Staff Review about the right-of-way so they could get feedback from Engineering, HRPC and this body so they can work on the site plan with more information. Mr. Schmelzer stated that with the concept he saw it will certainly be a major improvement on the site. This is more of a conceptual review with the focus on right-of-way. Mr. Clinger asked if ODOT has any guidelines we need to be aware of. Mr. Schmelzer replied no. He stated that inside the City limits the right-of-way is under our purview. Todd Jenkins responded that he did bring a copy of the conceptual plan showing what the impact of the additional right-of-way would mean on the site. He passed out some copies to the members and asked to walk through the site plan with them. Mr. Jenkins stated that Millstream Area Credit Union wishes to establish an east branch of their business. They have already purchased the property. He said there have been some preliminary discussions with the owners of the Manufactured Home park to combine access with theirs to eliminate curb cuts onto Bright Road. There is already a left turn lane into the Manufactured Home park from Bright Road which helps with traffic flow. They are proposing a left and right turn out of the park. Mr. Jenkins stated that it is obviously a very compact site and they wanted to make sure of where they stood in regard to the right of way before they spent time and money on detailed plans. If the right-of-way is taken it may not even be feasible to develop here. Mr. Jenkins said that he would like the Commission to consider not requiring the right-of-way dedication. He stated that taking the 30' strip is about .12 acres which is about 15% of the total property. He said it does need cleaned up, the access is a mess.



He stated that a lot of the businesses that have been in there may not have been successful because of the difficulty of getting in and out. He said that going east along the Manufactured Home park the existing right-of-way is only 30 feet. If Fostoria Avenue would be widened, you would be looking at taking possibly 30 feet there as well which would impact about 32 mobile homes and the business office. If it is left at the current 90' right-of-way you could put in 5 lanes.

Mr. Schmelzer asked where they were in the negotiations with the Manufactured Home park in regard to the access. Steve Rupe replied that he is heading there after this meeting. He stated that the owner has spoken favorably. It is not a loss of income to him. The park will be getting a new drive, a new waterline in the deal. He also said he would be amenable to taking out some of the arborvitae to help the line of vision coming down Bright Road. He said he thinks he is waiting on seeing how today's meeting goes.

Paul Schmelzer asked how the required parking fits into the site plan. Mr. Jenkins said he would have to check the exact required number with the code, but he knows they exceed it. Dan Clinger asked how they would handle the building setback. Mr. Jenkins replied that they would have to shift the building in order to meet the setbacks if the right-of-way is increased. Mr. Clinger asked if the two thoroughfares would require the 30' setback on both sides. Matt Cordonnier replied that both would be 30' front yards. Mr. Jenkins explained that the drawing was done without any new right-of-way taken and the lines shown in red of the possible new right-of-way if required. Jackie Schroeder commented that it appears the building would encroach but not by much is this layout. Mr. Jenkins said that most of the issues will be with maneuvering traffic around the site and getting in and out. Ms. Schroeder asked that if they went to BZA it would mostly be for the drives and parking areas as opposed to the building location itself. Mr. Jenkins replied yes, but it could possibly be for the building also is it needs to be moved to the south on the site. Dan Clinger asked if the 90' of right-of-way is the current. Mr. Jenkins said yes it is the total now and they would like it to stay that way. They could possibly live with splitting the requirement in half and only having to dedicate 15' additional on their side.

Mayor Mihalik asked City Engineer Brian Thomas what that would mean to him. Mr. Thomas replied that with the 90' they could add two additional lanes. It would involve shifting the road so either the crown would be off center or the whole road would shift. He said he's not sure what it would do utility wise. It would cause issues with the signals. It is something that could be addressed, it's just a matter of who would address at the time. Ms. Mihalik said that from her perspective she would like to see them go back and reconfigure the site plan to accommodate the request. She said it would be easier for the BZA to consider this then for the City to give up potential right of way for an expansion.

Dan Clinger asked if the thought was that an expansion would go only from Bright Road east or would it go west as well. Mr. Schmelzer said the dedication of future right-of-way is just to make sure they have the capacity to carry larger volumes of traffic in the future. Mr. Schmelzer said he understands what they are saying about the Mobile Home park but it isn't really that valid of an argument at this point. Whether or not it goes east or west doesn't really matter at this time either. He said what they do want to do is take a look at these difficult parcels and move forward. Paul said that without some type of variance, it will continue to be in the condition that it is in now. So he agrees with the Mayor that there is certainly room for variances to help this move along. He says there may be some compromise on the right-of-way.

He said depending on how the conversations go with the neighboring property owner, if you didn't have those 6 parking spaces and you can still conform with the code. If the building is slid to the south 20 feet a variance on the 10' setback for the pavement will get you there. Mr. Schmelzer said if they take it back and work on that they can still have something very workable. He said the needed variances then are something he could be in support of.

No formal action required on this item as it is a conceptual review.

**5. SITE PLAN APPLICATION #SP-03-2016 filed by University of Findlay, 1000 N Main Street, Findlay for a proposed Center for Student Life and College of Business to be located at 312 College Street.**

## **HRPC**

### **General Information**

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

### **Parcel History**

The site is currently occupied with surface parking and residential buildings.

### **Staff Analysis**

The applicant is proposing to construct a two-story, 56,847 square foot Center for Student Life and College of Business building.

There are two setback standards in the University Overlay based on the height of the building. The categories are less than 30' and over 30' in height. This structure has heights varying from 33' to 50' so the over 30' category must be used. In this category the setbacks are 40' front yard, 20' side yard and 20' rear yard. Because two (2) sides abut streets, the building has a front yard setback on each. The Davis Street side of the building encroaches into the 40' setback by 10'. The applicant has filed with BZA for a variance on this. The other 3 sides of the building comply with the setback requirements.

A great deal of existing parking, 305 spaces, is being removed to accommodate the new construction. 97 spaces will remain on the site with the new building. Because it is a University setting, parking can be shared anywhere on the campus.

The area will be heavily landscaped with trees, shrubs and planters. A large plaza area on the south (College Street) side will provide areas to gather and possibly eat when the weather permits.

There is no free standing signage indicated. Identification is shown on the buildings. If any other signage will be used, it will require separate permits.

### **Staff Recommendation**

HRPC Staff recommends that FCPC approve **SITE PLAN APPLICATION #SP-03-2016 for a proposed Center for Student Life and College of Business to be located at 312 College Street subject to BZA approval on the setback on Davis Street.**

## **ENGINEERING**

Access – The site is currently accessed by a total of five (5) drives on Davis Street, Morey Avenue and College Street. The proposed site will have a total of three (3) drives, one (1) on Davis Street, one (1) on Morey Avenue and one (1) on College Street.

Water & Sanitary Sewer – The applicant is proposing two (2) new sewer services that will connect into the existing sanitary sewer on Davis Street. That sewer has been lined in the past so we would recommend that new lateral be connected to the main at the same location as a couple of the existing laterals so no additional holes will need to be cut into the liner.

We are currently discussing different possibilities with the University and their engineer that would allow the existing four (4) inch waterline on Davis Street to be replaced with an eight (8) inch waterline. Depending upon the results of the discussion, the location of the proposed domestic and fire line taps might change.

Storm water Management – Storm water detention is being provided by a proposed underground detention system located under the proposed parking lot. There is a typo in the Storm water calculations that were provided that will need to be revised and resubmitted to Engineering for approval and while a calculation was included for the required Water Quality Volume, no information was provided on how this is being addressed. A Storm water Pollution Prevention Plan will need to be submitted and approved before construction will be allowed to begin.

Sidewalks – There are existing sidewalks on Davis Street, Morey Avenue, and College Street. New sidewalk is proposed in areas that are now driveways or where the existing curb is in poor condition.

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

- The University and their engineering work with Engineering to finalize the location of the water services.
- Storm water calculations be revised and resubmitted to Engineering with an explanation of how the Water Quality Volume is being addressed.

The following permits may be required prior to construction:

- Street Opening Permit x 6
- Sanitary Permit x 2
- Storm Permit x 4
- Water Permit x 2
- Sidewalk Permit
- Curb Cut Permit x 3

## **FIRE PREVENTION**

Water line and hydrant placement are sufficient but if required to relocate either, final placement of a fire hydrant shall be determined by FFD.

Final location of the Fire Department Connection (FDC) shall be determined by FFD

A Knox box will be required for this building.

Apply for all necessary permits with Wood County Building Department.

## **STAFF RECOMMENDATION**

Staff recommends **approval of SITE PLAN APPLICATION #SP-03-2016 filed by University of Findlay for a proposed Center for Student Life and College of Business to be located at 312 College Street subject to the following conditions:**

- **Approval of variance on setback on north (Davis Street) side (HRPC)**
- **The University and their engineering work with Engineering to finalize the location of the water services. (ENG)**
- **Storm water calculations be revised and resubmitted to Engineering with an explanation of how the Water Quality Volume is being addressed. (ENG)**
- **Water line and hydrant placement are sufficient but if required to relocate either, final placement of a fire hydrant shall be determined by FFD. (FIRE)**
- **Final location of the Fire Department Connection (FDC) shall be determined by FFD (FIRE)**
- **A Knox box will be required for this building. (FIRE)**
- **Apply for all necessary permits with Wood County Building Department. (FIRE)**

## **DISCUSSION**

Mr. Schmelzer stated that some of the comments from the Fire Department and Engineering were a result of conversations with the University in regard to coordinating the improvements to Davis Street and the waterline on Davis Street. The University is going to work toward putting those aspects of the project into their bid package and keep those costs separate so they can be reimbursed by the City. It has a couple of benefits for the City. They will eliminate a small water line that is in their capital plan for replacement in 2017. It will eliminate the need for additional public waterline running north and south in the property as well. Mr. Schmelzer appreciates the University working with them in that regard.

Jackie Schroeder asked if the parking lot to the east of the building will have access off the cul-de-sac. Todd Jenkins replied yes there will be access there and the drive aisle to the west will serve as access to the new building as well as the parking circulation. It will also be a good place for fire department access. Ms. Schroeder asked if there were utility issues or anything as a reason they couldn't meet the setbacks on Davis Street. Todd Jenkins said it is mainly for aesthetic reasons. The greatest encroachment is the canopy over the business entrance. The height of the building is what made it fall into the 40' setback category in the new code. The main parts of the building are at 35' from the line so it's not that much of an encroachment. He said they were also trying to preserve as much of the green space on the south side of the building as possible for activity areas and landscaping. He added that the University owns everything across the street and around the building so they do not have any impact on anyone else.

Mr. Cordonnier stated the HRPC has no real issues with the setback encroachment for this. Everything is owned by the University, they are establishing a campus feel and they know this is not going to be a heavy thoroughfare area. Martin Terry stated that he wanted to correct the application that the building is actually 75,000 square feet and not the 56,000 as noted.

## **MOTION**

Dan Clinger moved to approve **SITE PLAN APPLICATION #SP-03-2016 filed by University of Findlay for a proposed Center for Student Life and College of Business to be located at 312 College Street.**

**2<sup>nd</sup>:** Dan DeArment  
**VOTE:** Yay (5) Nay (0) Abstain (0)

At this time Dan Clinger made a motion to bring **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.**

Paul Schmelzer seconded the motion. Motion passed 5-0-0.

## **DISCUSSION**

Mayor Mihalik commented that at last month's meeting they had asked that they revisit the site plan. She asked if they had brought any new information today. Dan Stone that they did not. He said it is the request of the owner to request approval as the plan was submitted previously. The owner and potential developer have approached all the adjoining property owners have letters from all but one that they have reviewed the plan and they have no objections to it. Mr. Stone said they wish to move forward and get conditional approval on the plan as previously submitted.

Mayor Mihalik asked if this had gone to BZA yet. Todd Richard replied that it is on the agenda tonight. Dan DeArment asked if the one neighbor they mentioned had objections. Brian Dewey replied that he didn't want to speak to them this time, but he was the one that was here last month and had stated that the business was quiet and he didn't hear anything. He said he had commented that he was a good neighbor at that meeting. The only concern he had mentioned last month was in regard to the fence row and that is going to be addressed on the plan with new fencing and landscaping. He was given a copy of the plans to review and a letter to sign and when Mr. Dewey contacted him a week later he wouldn't sign. He mentioned concerns about runoff. He said he thinks his land is the lowest and he gets water because of it. He stated that in actuality his home is higher. Mr. Dewey said he tried to explain about the detention they were installing that would catch his runoff as well, but he just wouldn't sign. Mr. Schmelzer asked which neighbor it was. Mr. Stone said he is to the south, Mr. Smith, and they are not asking for any variances to the south. Mr. Dewey corrected that he is not the owner directly south. He is at the southeast corner.

Brian Thomas said that Engineering's main concern was the drive access. He said he had talked to Mr. Stone and when a delivery truck comes he is going to let them know and the engineer will go out and put cones up to see how they can maneuver. So, Mr. Thomas said if CPC does approve it he would still like that to be a condition of approval.

Mr. Clinger asked if the BZA case was for setbacks and the expansion of the non-conforming use. Mr. Stone said yes. Mr. Stone explained that they are doing a detention area, new catch basin and they are definitely creating a better drainage system than exists now. Mr. Dewey commented that he definitely will make the site better. Everything will be able to be inside. He currently doesn't have enough space to bring it all in, but with the addition he can definitely do so. Mr. Stone noted that the old chain link fence and scrub brush will be gone and replaced with a 6' privacy fence and required landscaping.

Mr. DeArment asked how tall the building is. Mr. Stone said it is somewhere in the 21 to 25 foot range at the peak.

Mr. Clinger asked how the side setback relates to the homes located to the south. Mr. Stone said the homes site back farther. It appears that on the opposite side of the street all the buildings are very close to the right-of-way, but on this side they sit back. Dan Clinger asked if they could live without the additional 10' of building area. Mr. Dewey said it would be difficult because of new equipment and the 20-25 foot bars of steel he deals with. Getting it in and getting it turned can be difficult. He knows he can never add on again.

Paul Schmelzer asked Todd Richard to confirm his understanding of the expansion of a non-conforming use and the variance that could be granted for that. Would it cover any industrial use or anything that is more unobtrusive than what is there now? Mr. Richard said he thinks the BZA will look at this particular use and this particular expansion with his recommendation that they specifically limit and spell out what use is being permitted to be expanded so that it can't be intensified. Mr. Schmelzer said he is asking because they do have the one property owner that would not sign on the setback, but he was already here and testified to the fact that they were a good neighbor, that they were quiet and he wouldn't want to recommend approval of a plan and the use variance would then allow it to become something much less friendly to the neighborhood. Mr. Richard reiterated that that neighbor has also been notified by Zoning about the hearing tonight and can have an opportunity to speak. Mr. Richard said they are trying to be very careful in limiting the expansion to this type of use and not for something that could be more intensive.

### **MOTION**

Lydia Mihalik made a motion to approve **SITE PLAN APPLICATION SITE PLAN APPLICATION #SP-01-2016 for a 5000 square foot expansion of a building located at 1233 Lima Avenue, Findlay contingent upon:**

- **All BZA issues being resolved tonight**
- **Consultant work with Engineering on the width of the drive along Lima Avenue**

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

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

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Lydia L. Mihalik  
Mayor

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