

City of Findlay City Planning Commission

Thursday, March 10, 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
Jackie Schroeder
Dan Clinger

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

GUESTS: Todd Jenkins, Doug Jenkins, Tom Shindeldecker, Chuck Bills, Jeff Myers, Greg Burks, Brett Gies, Tony Scanlon, John Vorst

CALL TO ORDER

ROLL CALL

The following members were present:

Paul Schmelzer
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 February 11, 2016 meeting. Jackie Schroeder seconded. Motion to accept carried 4-0.

NEW ITEMS

1. **RIGHT-OF-WAY DEDICATION PLAT #FP-02-2016** filed by Senior Homes of Findlay, LLC, 11815 TR 145, Findlay to dedicate an additional 17.5' of right-of-way along the south side of TR 145.

HRPC

General Information

This request is located on the south side of TR 145 just west of Goldenrod Lane. It is zoned M-2 Multiple Family High Density. Land to the east and south is zoned C-2 General Commercial. Land to the north is zoned R-1 Single Family Low Density. To the west is zoned R-3 Single Family High Density. It is not located within the 100 year flood plain. The City of Findlay Land Use Plan designates the area as Agricultural.

Parcel History

FCPC approved a Multi-Family Housing project on this parcel in January, 2016.

Staff Analysis

A condition of the approval of the site plan for this site was the dedication of additional right-of-way across the lot. TR 145 is labelled as a Secondary Thoroughfare on the City's Thoroughfare Plan. The current right-of-way is 45' in this area. The applicant was required to dedicate an additional 17.5' of right-of-way in order to reach the 40' from the centerline as required.

Staff Recommendation

HRPC Staff recommends that Planning Commission recommend to Council that they accept the new right-of-way as presented.

ENGINEERING

The existing right of way for Township Road 145 is in an easement. This means that the property owner owns the land but because of the easement, the City has the right to construct, maintain, rebuild, etc. the roadway as required. When we asked for the dedication plat as a requirement on the site plan for the senior housing project, the intent was to have both the existing right of way and the additional right of way dedicated to the City of Findlay. This would mean that the City would own the right of way and the property line for the senior housing project would become the south right of way line. If this is done, the senior housing project would still meet the lot coverage requirements in the zoning code and the property owner would not be paying taxes on property that is being used as public right of way.

The legal description that was submitted as part of the dedication plat is only for the additional right of way. The legal description needs to be revised to also include the existing right of way so that the end result is not the existing right of way owned by the property owner while the additional right of way is owned by the City.

Recommendations: Conditional approval of the dedication plat subject to the legal description being revised to include the existing right of way.

FIRE PREVENTION

No Comment

STAFF RECOMMENDATION

Staff recommends that FCPC recommend to Findlay City Council approval of the **RIGHT OF WAY DEDICATION PLAT #FP-02-2016** filed by Senior Homes of Findlay, LLC, 11815 TR 145, Findlay to dedicate additional right-of-way along the south side of TR 145 subject to:

- the legal description being revised to include the existing right of way.

DISCUSSION

Paul Schmelzer asked for clarification of the fact that the plat does not show the full right of way. Mr. Thomas replied that the legal description only describes the 17.5' wide strip. Jeff Myers stated that the intent was to abide by the City's request. They will correct this and make it comply with the condition of the City. Mr. Schmelzer asked if that will make this contiguous with the other side. Mr. Thomas stated yes.

Mr. Schmelzer asked where things stood with the land bank parking. Brian Thomas commented that he had received a revised site plan. The applicant is still talking with Marathon regarding the encroachment into the pipeline easement. Mr. Myers said this is correct. They are in the process on the final agreements with Marathon, all the drawings are submitted to Mr. Thomas.

Dan Clinger asked for clarification that all the banked parking will still be behind the new right of way line. Ms. Scrimshaw confirmed that it will be.

MOTION

Paul Schmelzer made a motion for FCPC to recommend approval to Findlay City Council of **RIGHT-OF-WAY DEDICATION PLAT #FP-02-2016 filed by Senior Homes of Findlay, LLC, 11815 TR 145, Findlay to dedicate an additional 17.5' of right-of-way along the south side of TR 145 subject to:**

- **the legal description being revised to include all of the right of way to the north**

2nd: Lydia Mihalik

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

2. PRELIMINARY PLAT APPLICATION #PP-02-2016 filed for Glenmar Subdivision located on the west side of CR 140 in Liberty Township.

HRPC

General Information

This request is located off the west side of CR 140 north of CR 95 in Liberty Township. It is zoned R-1 One Family Residential in the Township. Parcels to the south and east are also zoned R-1. To the west is zoned Agriculture in Liberty township. Parcels to the north are zoned Agriculture in Portage Township. It is not located within the 100 year flood plain. The City Land Use Plan designates the area as Single Family Large Lot.

Parcel History

The Glenmar Subdivision was originally started in 2006. The last Preliminary Plat was done in 2013 for the Glenmar Subdivision 1st Addition. That plat only dealt with the remaining land east of the ditch along Andrew Jackson Lane. A Final Plat was approved in June, 2013.

Staff Analysis

The applicant is presenting a new Preliminary Plat for the north portion of the land on the west side of the ditch. The plat shows 24 residential lots and a common area lot with a pond and is shown as developing in 2 phases. Smokies Way will be extended west across the ditch and a short cul-de-sac and stub of Glenmar Parkway will intersect in the northwest corner.

Lot sizes comply with the Liberty Township Zoning Resolution for size and width. The roads are public. There was discussion at the HRPC meeting in regard to type of curb that would be used. The Township wants only the straight curb, but the Subdivision Regulations require curb and gutter for public streets. The original sections of the subdivision have curb and gutter except for the Villa phase on Andrew Jackson Lane. The bridge across the ditch on Smokies Way will provide the transition area to switch to the straight curb. The County Engineer is responsible for reviewing and approving the construction drawings, and he was going to meet with the Township on this issue before Final Platting of the subdivision.

Subdivision Regulations also require that stub streets be shown when there is undeveloped acreage abutting a proposed subdivision to allow for connectivity of a street system in the future. There is not a stub street shown to the north. HRPC discussed this issue as well. The land directly north (approximately 57 acres) is in Portage Township. The Township has zoning, but the entire township is currently zoned Agriculture. The Agricultural zoning only allows one building permit per 35 acres. As it stands today, it is not likely to ever become a residential subdivision. HRPC decided to give a variance on that requirement. A stub street will be required to the west when the rest of the subdivision (currently exempted from the plat) is platted. There is a stub street to the south from Andrew Jackson Lane east of the ditch

The Deputy County Engineer had read the Covenants and Restrictions that the developer had submitted and advised them to apply for a County Petition Ditch according to ORC in order for the County to accept maintenance for drainage and the detention pond.

Staff Recommendation

HRPC Staff recommends that FCPC approve **PRELIMINARY PLAT APPLICATION #PP-02-2016** filed for **Glenmar Subdivision** subject to the following conditions:

- **Approval of variance on the requirement to have a stub street to the north**
- **Changes be made to the Covenants and Restrictions as recommended by Deputy Engineer, Doug Cade**

ENGINEERING

No Comments

FIRE PREVENTION

No comments.

STAFF RECOMMENDATION

Staff recommends approval of **PRELIMINARY PLAT APPLICATION #PP-02-2016** for **Glenmar Subdivision** subject to the following conditions:

- **Approval of variance on the requirement to have a stub street to the north**
- **Changes be made to the Covenants and Restrictions as recommended by Deputy Engineer, Doug Cade**

DISCUSSION

Mr. Schmelzer asked what the changes to the Covenants and Restrictions were. Ms. Scrimshaw replied that this was to file for a Petition Ditch. The applicants had it written that a home owners association would take care of the pond and drainage. Mr. Cade informed them that they could apply for the petition ditch and then the County can take over maintenance of those items. The property owners would be assessed and a fund set up to cover the costs when needed.

Mr. Schmelzer asked if we knew where the bonding stood for the previous phase on Andrew Jackson. He feels that if that portion is recorded and not bonded that any other phases should not be approved. Ms. Scrimshaw said she was not sure on that question. He would like to add that condition to today's approval.

Mr. Schmelzer stated for the record that he does not agree with the HRPC variance on the stub street to the 57 acres to the north.

Jackie Schroeder asked if HRPC did the addressing in this area. Ms. Scrimshaw replied yes. Ms. Schroeder asked if it causes any issues when they have these separated stubs for Glenmar Parkway. Ms. Scrimshaw replied that it shouldn't. They have all the phases with addresses and can work it out to fill in.

Ms. Scrimshaw stated that Mr. Schmelzer had asked her to look up the old preliminary plat done by the original developer. She stated that the layout seems to be following the previous plat. That one did show a stub street to the north in 2006. There will be one to the west and there is one intended to the south in the section of Andrew Jackson that is not platted yet.

Dan Clinger asked how they would configure the lots if they added a stub to the north. Ms. Scrimshaw replied that it would be up to the developer. They would lose a lot and probably have some of the lots increase in size a little. But that would be totally up to them. Ms. Scrimshaw said she is not sure if the variance by HRPC could be overturned by the City. Ms. Scrimshaw said she knows that if a Township has zoning, the City does not have the 3-mile jurisdiction any longer as far as their subdivision regulations go. The city does have the hard water policy that allows them to review any subdivisions or site plans that will connect to those utilities. She asked if Mr. Rasmussen had an opinion. Mr. Schmelzer stated that he isn't necessarily wanting to deny that plat unless they do the stub street, but just wants to express his disagreement with HRPC's decision when it comes to 57 acres that may be developable someday and is close to our borders.

Mayor Mihalik asked what the Township's contention with the curb was. Judy Scrimshaw stated that Jeff Hunker, Liberty Township Trustee, had said that concrete is more expensive. If they repave they usually go overtop the concrete with asphalt. Mr. Schmelzer stated that there are pros and cons with each profile and the Townships prefer the straight curb profile. It is much easier to do in the overlay. Mr. Schmelzer said he thinks the Townships should get together and get with the County and amend their subdivision regulations. Right now things are pretty inconsistent.

MOTION

Paul Schmelzer moved to approve **PRELIMINARY PLAT APPLICATION #PP-02-2016** filed for Glenmar Subdivision subject to

- **Approval of variance on the requirement to have a stub street to the north**
- **Changes made to the Covenants and Restrictions as recommended by Deputy Engineer, Doug Cade related to ditch maintenance.**
- **That proper bonding be in place for any existing platted subdivisions**

2nd: Dan Clinger

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

3. SITE PLAN APPLICATION #SP-04-2016 filed by Ohio Logistics LTD, 1800 Industrial Drive, Findlay for proposed parking lot expansion and access changes at 1995 Tiffin Avenue.

HRPC

General Information

This request is located on the southwest corner of Tiffin Avenue and Bright Road. It is zoned C-2 General Commercial. Parcels to the west and north are also zoned C-2. To the east is zoned B-3 General Business in Marion Township and to the south is zoned R-1 Single Family Residential in Marion Township. It is not located within the 100 year flood plain. The City of Findlay Land Use Plan designates the area as Regional Commercial.

Parcel History

This is the site of an Office/Bank building.

Staff Analysis

The applicant is proposing to reconfigure drive lanes and some of the parking layout surrounding the building.

The drive opening on the southwest corner of the lot (Tiffin Avenue side) is being widened. The parking along the south property line is being changed from angled to 90-degree parking. The result will be an increase in spaces from the existing 24 to 30 spaces. The spaces abutting Tiffin Avenue will have a net loss of 2 spaces with the widening of the ingress/egress.

The lot directly behind (east side) the building is also being changed from angle to 90 degrees and some additional pavement added. The change will increase the parking spaces from 24 to 43 in this area. Bump outs and islands are added to the lot as well.

Access on the east (Bright Road) side is being taking down from three (3) spots to one (1). The access will be widened here as well and a new paved driving lane connecting the access to the building area is being added across the current grass area.

New landscaping is proposed for the remaining grass area and will also include some outdoor seating. The bump out and island areas of the parking lot are planted as well. The dumpster has been moved to the southwest corner of the lot and will be hidden with vinyl privacy fencing.

A photometric plan shows a maximum of .5 foot candles at the east property line. This meets the requirement of the code. The fixture details call out a 25' pole. From the drawing it appears that the pole is slightly higher than the head of the light fixture. If that is the case, it does meet the maximum height of 25' in the code.

Staff Recommendation

HRPC Staff recommends approval of SITE PLAN APPLICATION #SP-04-2016 for proposed parking lot changes at 1995 Tiffin Avenue.

ENGINEERING

Access – The site is currently accessed by three (3) drives and the old drive for the house that has been demolished is still existing. The applicant is proposing to eliminate the old house drive and the drive on Bright Road that is closest to the intersection. The remaining two (2) drives will be widened to allow easier access to the site and are located as far from the intersection as they can be. Engineering would prefer to see the entire drive aprons be replaced instead of matching the proposed concrete up to the existing concrete.

Water & Sanitary Sewer – The applicant is not proposing any changes to the existing water or sewer services.

Storm water Management – Storm water detention is being provided by a proposed underground detention system located in the grass island area. The design calculations submitted meet the City of Findlay Standards.

Sidewalks – There are existing sidewalks on Tiffin Avenue and Bright Road. New sidewalk will be added in areas where drives are being removed and any areas where the sidewalk is currently damaged or becomes damaged due to construction traffic.

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

- The entire drive aprons be replaced instead of matching the proposed concrete up to the existing concrete.

The following permits may be required prior to construction:

- Street Opening Permit
- Sidewalk Permit
- Curb Cut Permits

FIRE PREVENTION

No Comments

STAFF RECOMMENDATION

Staff recommends **approval of SITE PLAN APPLICATION #SP-04-2016 for proposed parking lot changes at 1995 Tiffin Avenue subject to the following condition:**

- **The entire drive aprons be replaced instead of matching the proposed concrete up to the existing concrete. (ENG)**

DISCUSSION

Judy Scrimshaw noted that she had not mentioned in her comments any screening or fencing along the south line abutting the residence. She said things are always a little “iffy” when there is township and city lines abutting. Normally we would require some screening of commercial from residential and she didn’t know if the developer would be amenable to providing something here even if not necessarily required. She knows that the drive lane is pretty much up to the property line leaving no room for landscaping, but perhaps a privacy fence could be constructed.

Mr. Clinger commended the developer for moving the access farther south on the site. He asked if the detention calculations were only for the new asphalt. Mr. Jenkins replied yes. Mr. Clinger asked if anything was done for detention when the lot to the south was added prior. Mr. Jenkins said that a little was done on the surface for that. Mr. Clinger said he would like to see some kind of buffer between the commercial and residential. He asked if even it could be planting on the residential property or fencing on the commercial. Todd Jenkins said that Mr. Bills said he would reach out to that property owner and see if he would allow them to put some plantings on their property. Mr. Bills said they do plan some extensive new landscaping and their original plans showed trees along that side but they needed to widen the drive. He said he will see if the property owner will allow them to plant on their side and they (commercial building) will agree to maintain along with their landscaping. Mr. Schmelzer said that is great and he would be reluctant to make it a condition due to the different political boundary, but commends Mr. Bills for doing so. Brian Thomas stated that he believes there is a utility easement along that side, so if landscaping is done please check with his department to get the utility locations nailed down.

MOTION

Paul Schmelzer moved to approve **SITE PLAN APPLICATION #SP-04-2016 for proposed parking lot expansion and access changes at 1995 Tiffin Avenue subject to:**

- **The entire drive aprons be replaced instead of matching the proposed concrete up to the existing concrete. (ENG)**

2nd: Jackie Schroeder

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

Dan Clinger stated that he thought that Marathon was supposed to have come back this month with a better delineated walkway across the front of the hotel. Mayor Mihalik stated that she believed that they had made changes. Mr. Schmelzer commented that the original plan showed pavers that made a uniform looking surface. The modified plan showed a different pattern that delineated where the sidewalk area is. Mayor Mihalik said it was better depicted than it was before.

Lydia L. Mihalik
Mayor

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