

City of Findlay City Planning Commission

Thursday, December 8, 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:

Lydia Mihalik
Paul Schmelzer
Dan Clinger
Jackie Schroeder
Dan DeArment

STAFF ATTENDING:

Judy Scrimshaw, HRPC Staff
Matt Cordonnier, HRPC Director
Brian Thomas, PE, PS, City Engineer
Erik Adkins, Zoning Inspector
Matt Pickett, Fire Inspector

GUESTS:

CALL TO ORDER

ROLL CALL

The following members were present:

Lydia Mihalik
Paul Schmelzer
Dan DeArment
Jackie Schroeder
Dan Clinger

SWEARING IN

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

APPROVAL OF MINUTES

Dan DeArment made a motion to approve the minutes of the November 10, 2016 meeting. Dan Clinger seconded. Motion to accept carried 5-0-0.

ITEMS TABLE AT THE JUNE 9, 2016 MEETING

ALLEY/STREET VACATION PETITION #AV-03-2016 filed to vacate an unimproved right-of-way of Connell Avenue running east from Fishlock Drive.

NEW ITEMS

1. APPLICATION FOR SITE PLAN #SP-22-2016 filed by Findlay Elks Lodge, 900 W. Melrose Avenue, Findlay for proposed clubhouse expansion at 900 W. Melrose Avenue, Findlay.

HRPC

General Information

This request is located off the north side of E. Melrose Avenue west of I-75. It is zoned C-2 General Commercial. To the north is zoned M-2 Multiple Family. To the south is RM-1 Multiple Family in Liberty Township and to the west is R-1 One Family in the Township. It is not located within the 100 year flood plain. The City Land Use Plan designates the site as Multi-Family.

Parcel History

The site has historically been a private swimming/tennis club and rental hall business. The Elks Lodge purchased it in October, 2013, relocated their lodge to the site and maintain the swim/tennis club and rental hall business. FCPC reviewed and approved plans for an additional building and parking lot at their meeting on July 14, 2016.

Staff Analysis

This phase of the project will fill in the area between the old banquet hall and the currently under construction clubhouse building which was approved last summer.

As it is infill, the setbacks are not an issue. Parking calculations were based on the recreational standard. The previous plan was determined to need 57 spaces and there were 81 provided on the plan. With the addition of approximately 4600 square feet of new building, another 15 spaces are required. The current number of spaces shown is still adequate to meet requirements. There was discussion of the eventual removal of the old 2 story clubhouse which would open up the possibility of some additional parking area in the future.

The building is designed to fit in with the architectural features of the current phase and no changes are being made in access or traffic flow on the site.

Staff Recommendation

HRPC Staff recommends approval of **APPLICATION FOR SITE PLAN #SP-22-2016 for proposed clubhouse expansion of the Findlay Elks Lodge at 900 W. Melrose Avenue.**

ENGINEERING

Access – Access to the site will not be changed.

Sanitary Sewer – No additional sanitary taps are being requested.

Waterline – No additional water taps are being requested.

Stormwater Management – Detention is being provided by the underground detention system that is being constructed with the first phase of construction.

MS4 Requirements – The MS4 requirements from the first phase of construction will cover this phase also.

Sidewalks – There are no existing sidewalks on West Melrose Avenue.

Recommendations: Approval of the site plan.

FIRE PREVENTION

No Comments

STAFF RECOMMENDATION

Staff recommends approval of APPLICATION FOR SITE PLAN #SP-22-2016 for proposed clubhouse expansion of the Findlay Elks Lodge at 900 W. Melrose Avenue.

DISCUSSION

Dan Clinger stated that he thought in our previous review that we had required that the sign be removed and relocated. It has not been moved. Ms. Scrimshaw said that the Township said it had to be removed as well so she is sure that it will be. Mr. Clinger said he would like to see if we could put some kind of timeframe on that. It is fairly hazardous coming out of the drive. You cannot see past the sign.

MOTION

Dan Clinger made a motion to approve APPLICATION FOR SITE PLAN #SP-22-2016 for proposed Elks clubhouse expansion at 900 W. Melrose Avenue, Findlay subject to:

- Removal/relocation of the existing sign within three (3) months

2nd: Dan DeArment

Paul Schmelzer asked what the issue with the parking along the road was at the last approval. Ms. Scrimshaw stated that the Township was okay with leaving parking in the right-of-way. It is supposed to be paved and they stated that it was open for public use as well. It is not paved yet.

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

2. APPLICATION FOR SITE PLAN REVIEW #SP-24-2016 filed by Celtic Materials, LLC, 4426 N Old State Rd, Norwalk, OH for a proposed temporary asphalt plant and offices to be located at 1150 Lima Avenue, Findlay.

HRPC

General Information

This request is located along the east side of the SR 15/I-75 loop. It is zoned I- 2 General Industrial. All surrounding parcels are also zoned I-2. It is not within the 100 year flood plain. The City Land Use Plan designates the area as Industrial.

Parcel History

None

Staff Analysis

The applicant is proposing to use the site as a temporary asphalt plant operation in conjunction with the ODOT Interstate 75 widening project through the Findlay area.

The I-2 district does not specifically list such an operation in the code, but in section 1143.03 Conditional Uses J. we have a clause for any additional less intensive, non-objectionable uses subject to Planning Commission approval. FCPC will have to first grant approval of this operation as a conditional use. The I-2 is certainly the best district for such a purpose and this particular location is surrounded by a stone quarry and an excavation business now.

Access to the site will be from Lima Avenue at the current location of the drive beside the ODNR office building. There has been a service road here to accommodate access for the parcels along the highway that do not have frontage on to a public street. The plan is for a new public right-of-way with a cul-de-sac.

The company will locate three temporary office trailers on the site, various stock piles for materials, some storage boxes and of course the temporary plant equipment.

A parking area with 61 spaces is shown. They have estimated 30 construction workers' vehicles on site at any given time plus 25 spaces to accommodate the offices. The parking area is indicated as gravel. Normally, paved parking is required. Staff would like to waive that requirement due to the temporary nature of the operation. It may be here for 3 years, but once the roadway work is completed it will cease operation and everything will be moved out. We don't see any value in having a paved parking lot on a vacant site in the future.

The height of the plant will be 45' at the tallest point. That is well below the maximum height permitted in I-2 of 60'.

Staff Recommendation

HRPC Staff recommends approval of **APPLICATION FOR SITE PLAN REVIEW #SP-24-2016 for a proposed temporary asphalt plant and offices to be located at 1150 Lima Avenue subject to the following conditions:**

- **Granting of the Conditional Use by FCPC**
- **Waiving of the requirement to pave the parking area.**

ENGINEERING

Access – Access to the site will be from a service road that will be installed as part of the I-75 widening project.

Sanitary Sewer – The closest sanitary sewer is the existing 8-inch sanitary sewer located on Lima Avenue. The ground elevation falls from Lima Avenue to the site so it will not be possible to extend a gravity sanitary sewer to the site. Sanitary service for the site will have to include a sanitary pump station with a force main that will connect into the existing sanitary sewer on Lima Avenue.

Waterline – The closest waterline is the existing 8-inch waterline located on Lima Avenue. Water service for the site will have to include a proposed waterline from the site to the existing waterline on Lima Avenue.

Stormwater Management – The proposed development will only be used during the I-75 widening project. Once the project is completed, the proposed offices and asphalt plant will be removed from the site. This means that the runoff from the site after the project will be the same as the runoff from the site prior to the project so no detention will be required.

MS4 Requirements – The amount of erodible material that will be disturbed will be less than one acre so the site is will not be required to comply with the City of Findlay's Erosion and Sediment Control Ordinance.

General Comments – Since the site is located so close to the airport, an FAA permit application should be submitted to ensure that there will not be any issues due to the height of the proposed asphalt plant. The applicant will also be required to obtain any OEPA permits that might be required for the proposed use (air permit, etc.)

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

- Water and sewer be extended to the site so that the proposed development can have public water and sewer services.

The following permits may be required prior to construction:

- Sanitary Tap Permit
- Waterline Tap Permit

FIRE PREVENTION

Provide a minimum 6" waterline extended to the site with hydrant placed near cul-de-sac

STAFF RECOMMENDATION

Staff recommends approval of APPLICATION FOR SITE PLAN REVIEW #SP-24-2016 for a proposed temporary asphalt plant and offices to be located at 1150 Lima Avenue subject to the following conditions:

- Granting of the Conditional Use by FCPC (HRPC)
- Waiving of the requirement to pave the parking area. (HRPC)
- Water and sewer be extended to the site so that the proposed development can have public water and sewer services (ENG)
- Provide a minimum 6" waterline extended to the site with a hydrant placed near the cul-de-sac. (FIRE)

DISCUSSION

Paul Schmelzer offered some information. He stated that since it is a temporary use they looked at some of the tradeoffs that could be made to make this happen. He reminded them of another project that had come around earlier that was more than likely associated with the I-75 construction as well. It was proposed in a less than ideal location. Mr. Schmelzer stated that he shares the Staff of HRPC and Engineering's opinion that this is location is appropriate for such an operation. The Mayor had just made a comment about the paving. Mr. Schmelzer said it is relatively far off the road (Lima Avenue). The service road is going to be put in as part of the project. So paving a parking lot is not as beneficial to us as installing water and sewer. The commission members may wonder why we would want that for this use. We feel it is a much better play for development of the area later and a relatively good tradeoff for not requiring paving for something that is going to be temporary in nature.

Dan Clinger asked if the service drive is going to be paved. Mr. Schmelzer replied that it will. It was something the City had been working on with ODOT as part of the corridor plans. The access to these properties has been impacted by the LA (limited access) right-of-way take. So they talked to ODOT about the construction of that road. At the end of the day, it will be a public road that will look very much like any industrial service road. There will be curb and gutter and industrial pavement section.

Dan DeArment asked if the other access to the site would be closed. Mr. Schmelzer replied yes, this will be the only access. Dan Clinger asked if the site behind this will also access here as well. Mr. Schmelzer replied yes, it will be dedicated right-of-way. He said all properties that will be impacted by the LA right-of-way take will be accessed by the new street.

Paul Schmelzer said his only question for the applicant is whether they feel this is a fair trade. The applicant stated that part of their thought process was that since this is totally temporary, they were looking at holding tanks as far as sanitary and go through Ohio EPA. This has worked very well in other locations. The same with the water. What they did with the fire department in the City of Cleveland was to put in two (2) 10,000-gallon water tanks. The fire department came in and tested those and allowed that. Until they acquired the property and put a permanent facility there, they were fine with the water tanks. Paul Schmelzer commented that he did not like that.

Dan DeArment asked if they would pump and haul from the sewage holding tank. The applicant replied yes, they are holding tanks. Mr. Schmelzer commented that this is going to be a three (3) year operation. At the end of the day, I know what you will have to pay for bulk water. He stated he doesn't know what the current haul rates are for raw sewage. He commented that he wasn't sure what the exact asphalt costs would be to comply with the code to meet the standard. Paul stated that if they added all those up they were probably not that far off with water and sewer going to the site. He said that probably they would potentially end up with fewer headaches. Mr. Schmelzer stated that if the Commission is going to grant the Conditional Use and waive some other requirements of our zoning code, we are doing that with the thought that that property is much better positioned and will go to a higher use in the future. He thinks that is relevant being right next to a very viable interchange. So, the City would like them to consider this. The applicant asked if what he is requesting is the installation of a more permanent water and sewer line. Mr. Schmelzer replied, no question, it would be permanent. He stated that what they can do is work with the Engineering Department on the sewer side to do something with the force main.

He stated that there is not going to be anything back there that will be a real intensive use as far as flow. A six (6) inch waterline and a small diameter maybe four (4) inch force main that gets fed by some pumps maybe could be relatively low in cost for the other properties if they want to be served by it as well as this parcel. He said that was their thought process. This will eliminate all the need for hauling and taking care of port a johns. He stated they will have a lot of people back there every day and at some point they can get that cost recouped by anyone that taps onto it.

The applicant asked if they would be exempt from the tap fee if they do this. Mr. Schmelzer replied no. He said they can make the request to the water and sewer committee but they have historically said no to waiving tap fees.

Dan Clinger said he suspects they will need a Wood County Building Department Permit. He also wanted to add that the site be cleaned and removed within six months of the Highway project completion. He would want that as a condition of approval also. Mr. Schmelzer stated that the permit would be written so it is aligned with the completion of the project. And once they are done, they would be in violation of the permit. So without a condition that is what would happen anyway.

Mr. Clinger asked if there is any concern with surface drainage and whether any material on site would cause any issues at all. Mr. DeArment said he was thinking the same thing. Would there be any sheen on any of the storm water going to the sewers. The applicant stated that the site will actually have its own Stormwater plan developed by an Engineer. The plans will be approved by EPA, of course.

Mr. DeArment asked how they would delineate parking spaces and traffic flow if there is no asphalt. Paul Schmelzer stated that it is pretty common to have large lay down and parking areas for large construction projects. To him it is no different than when McLane was building their distribution center and taking two (2) years to do it. They had a very large parking area for their facilities and their people. It's big enough and they guys park and just make room. He stated that why we are not requiring asphalt in addition to what we are asking for in utilities is that the site is off of what will be a relatively large construction drive from Lima Avenue. When you talk about tracking debris or anything like that, there is a long drive to get back to. Our concern is really going to be at the point where that drive meets Lima Avenue.

Dan Clinger asked about the area where there is a lot of concrete rubble. Will that be broken up and used or hauled away or what. The applicant said that Smith Paving has offered it to them to use for the project or for this site. They can break it up into a 304 and use for a base for the plant and office site.

MOTION

Dan Clinger made a motion to approve **APPLICATION FOR SITE PLAN REVIEW #SP-24-2016 for a proposed temporary asphalt plant and offices to be located at 1150 Lima Avenue, Findlay subject to the following conditions:**

- **Granting of the Conditional Use by FCPC (HRPC)**
- **Waiving of the requirement to pave the parking area. (HRPC)**
- **Water and sewer be extended to the site so that the proposed development can have public water and sewer services (ENG)**
- **Provide a minimum 6" waterline extended to the site with a hydrant placed near the cul-de-sac. (FIRE)**
- **Apply for any necessary permits with Wood County Building Dept.**

The applicant asked if restoring the site meant it could be left as stone. Mr. Schmelzer replied yes. The applicant said he would leave it up the paving company that owns it if they want it scraped and seeded or left as stone. Mr. Schmelzer replied that he would use the term “nothing more obtrusive than the existing conditions”.

2nd: Paul Schmelzer

Mr. Schmelzer asked if they were going to be working with any of the contractors building the I-75 project. The applicants stated that they look to be the prime contractor.

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

3. APPLICATION FOR SITE PLAN REVIEW #SP-25-2016 filed by M-Two Limited Liability Company, 1199 Imperial Drive, Naples, FL for proposed 6,000 square foot storage building at 235 Stanford Parkway, Findlay.

HRPC

General Information

This site is located off the east side of Stanford Parkway on Lots 9 & 10 of the Mill Six Subdivision. It is zoned I-1 Light Industrial and all abutting lots on the north, east and west sides are also I-1. To the south is 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 industrial.

Parcel History

The Legacy Marble and Stone business is located here.

Staff Analysis

The applicant is proposing to construct a 40’ x 150’ building for display and storage of stone slabs. It is to be attached to the east side of an existing building by a 10’ x 20’ connection. The building will follow the same north building line as the existing structure.

There is an asphalt area being added to the north side of the building also which will connect with a current asphalt pad.

The applicant has stated that no new jobs or employees will be added with the construction, so no additional parking is proposed. There are nine (9) parking spaces on the east side of the existing building which this is being connected to.

All of the buildings are served by an existing private drive that loops back to Stanford Parkway.

Staff Recommendation

HRPC Staff recommends **approval of APPLICATION FOR SITE PLAN REVIEW #SP-25-2016 for proposed 6,000 square foot storage building at 235 Stanford Parkway, Findlay.**

ENGINEERING

Access – Access to the site will be from an extension of the existing drive located on the property to the north of the proposed building (Lot 11). Since Lot 11 is shown as having different ownership, a cross share agreement or access easement should be setup so that access will not become a problem in the future if either of the lots are sold.

Sanitary Sewer – No additional sanitary taps are being requested.

Waterline – No additional water taps are being requested.

Stormwater Management – Detention calculations have been provided as required. Engineering has contacted the consultant about some questions on the detention calculations. Depending upon the answers from the consultant, some minor grading changes may have to be made. This item can be worked out between Engineering and the consultant as a condition for approval. The outlet for the proposed detention basin is being connected into the existing catch basin located on Lot 11 to the north. The catch basin is not shown to be in an existing utility easement. A utility easement should be obtained from Lot 11 so that an issue will not arise in the future if either of the lots are sold.

MS4 Requirements – The amount of erodible material that will be disturbed will be less than one acre so the site is will not be required to comply with the City of Findlay's Erosion and Sediment Control Ordinance.

Sidewalks – There are not existing sidewalks on Stanford Parkway or the Private Drive.

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

- Access easement or agreement be put into place between the two properties.
- The consultant answers the detention questions and make any minor grading changes that will be required to the satisfaction of Engineering.
- Utility easement be put into place between the two properties for the outlet from the proposed detention basin.

The following permits may be required prior to construction:

- Storm Tap Permit

FIRE PREVENTION

Apply for all necessary permits with Wood County Building Department

STAFF RECOMMENDATION

Staff recommends approval of APPLICATION FOR SITE PLAN REVIEW #SP-25-2016 for proposed 6,000 square foot storage building at 235 Stanford Parkway, Findlay subject to the following conditions:

- Access easement or agreement be put into place between the two properties. (ENG)
- The consultant answers the detention questions and make any minor grading changes that will be required to the satisfaction of Engineering. (ENG)
- Utility easement be put into place between the two properties for the outlet from the proposed detention basin. (ENG)
- Apply for all necessary permits with Wood County Building Department (FIRE)

DISCUSSION

Dan Clinger stated that there is a proposed detention area that is within the 15' utility easement. Can they have that there? Mr. Schmelzer said it is not something that bothers him when it is a detention area.

Mr. DeArment asked that if the property would be sold later if they may have to put in parking. Mr. Schmelzer said that if they were to have additional employees, they would have to add parking regardless of the owner. Mr. DeArment asked how we can control that. Mr. Schmelzer said it is an age old question of how the code ties anything to required parking. In the industrial area it is tied to number of employees not square footage. At some point you can always have someone lie about number of employees. It becomes a functional issue for their site when it's related to customers and how many people work there. In his opinion, if they have a business that is going to create a functional issue for the right-of-way and/or the public, then we have a responsibility to say regardless of the square footage, this is what we see going on and this is a condition of the plan. In this particular case, the business is on a private looped drive, they indicate to us that they will not have additional employees, which means there are no more spaces required and we have nothing to argue about. If they create a functional issue for themselves and their customers can't park because the employees are taking up the parking that only hurts them. Ms. Scrimshaw said that when she went out there to look at the site, there are about 9 paved parking spots on the east side and a small gravel area at the south end of that. There were 2 cars parked on the gravel and she assumed they were likely employees.

Mr. Clinger assumed that the asphalt on the north side may be for taking delivery. Ms. Scrimshaw replied that she was not sure. They were in here a while ago and put in the pad between the buildings for outdoor display and this lines up with that. Mr. Clinger said he noticed some display on the north. Is there some connection. Ms. Scrimshaw pointed out the various buildings that are all a part of the company. The lots are in different ownership names, but they use several of them. She assumes they lease the land.

Mr. Clinger asked if we know what the new building is for. Ms. Scrimshaw stated that they said it would be for storing the slabs inside. She assumed people can drive around back now and go in or walk around. Matt Cordonnier said he concurred with Paul Schmelzer. Being on a private drive, any hardship they have will only cause them issues and not the City or general public.

MOTION

Paul Schmelzer made the motion to approve **APPLICATION FOR SITE PLAN REVIEW #SP-25-2016 for proposed 6,000 square foot storage building at 235 Stanford Parkway, Findlay subject to the following conditions:**

- **Access easement or agreement be put into place between the two properties. (ENG)**
- **Utility easement be put into place between the two properties for the outlet from the proposed detention basin. (ENG)**
- **Apply for all necessary permits with Wood County Building Department (FIRE)**

2nd: Dan DeArment

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

Lydia L. Mihalik
Mayor

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