

City of Findlay
City Planning Commission
City Council Chambers, 1st floor of Municipal Building
Thursday October 10, 2024 – 9:00 a.m.

Minutes

MEMBERS:

Mayor Muryn
Rob Martin
Kerry Trombley
Jackie Schroeder
Dan Clinger

STAFF ATTENDING:

Matt Cordonnier, HRPC Director
Jacob Mercer, HRPC Staff
Jeremy Kalb, City Engineer
Kevin Shenise, Fire Prevention
Erik Adkins, Zoning Administrator & Flood Administrator

GUESTS: Jean Bosco Dusengimana, Kyle Purdy, Todd Jenkins, William Ruse, Kathy Williams, Tim Bruggeman, Charlie Lichtle, Donna Wolff Mason, Ahmad Khalil, Richard Binnner

CALL TO ORDER

ROLL CALL

The following members were present:

Mayor Muryn
Rob Martin
Kerry Trombley
Dan Clinger

SWEARING IN

All those planning to give testimony were sworn in by Jacob Mercer.

APPROVAL OF MINUTES

Mayor Muryn motioned to approve the minutes for the September 12, 2024 meeting. Rob Martin seconded. Motion approved 4-0-0.

OLD ITEMS

1. APPLICATION FOR SITE PLAN REVIEW #SP-14-2024 filed by The Woodlands of Findlay Assisted Living, for a 2-story building addition to their facility at 600 Fox Run Road, which will connect the existing Wing B Birch Hollow with Wing D Dogwood Knoll and Wing F Forest Hill buildings.

CPC STAFF

General Information

This request is located on the west side of Fox Run Road, south of the intersection with Greendale Avenue. The two parcels are both zoned M-2 Multi-Family High Density. It is in an area of a mix of R-3 Small Lot Residential, O-1 Office/Institution, and CD Condominium. The west side of the site has a creek, which is in the 100-year flood plain.

Parcel History

There has been an assisted living community at this property since 1982. Originally, the facility was constructed when it was zoned “C” residential, but has been moved to the M-2 Multi-Family, High Density district to better align with the use.

Staff Analysis

At the September 12, 2024 CPC, the applicant was applying for a 27,628 sf addition for the site. This would have added 53 additional units to bring the total number of units at the facility to 126. This addition would be 2 stories in height and would connect the three buildings at the back of the site together. It meets the setback requirements of the district.

Since the meeting, staff has met with the applicant and they have reduced the proposed addition from 2-story to 1-story. This would reduce the proposed number of units down to 34.

This would still eliminate the parking lot in the rear that accommodates 40 parking spaces. To offset the loss, they have proposed that they will install 16 new parking spaces on the northern parcel. This would give them a total of 56 parking spots, down from 82. For the M-2 district, assisted living communities are required 1 parking spot per 3 units. That would account for 36 parking spaces. The remaining 20 would be available for staff and visitors. During discussions with the applicant, he stated that at peak, they would only need at most 10 parking spaces. With the reduction in spots with the increase in units, staff had concerns that there was insufficient parking available to accommodate the growth of the facility. It should also be stated that this facility has changed owners over the years. If the assisted living use were to discontinue, the facility would need to adjust its parking provided off-street. This is because the assisted living parking standards are less strict than other uses seen in the M-2 district.

When the site was originally constructed, it did not have a site plan for approval. It was in the “C” residential district, which did not have requirements for lot coverage at the time. The existing conditions of the site are above 40% the allowed lot coverage for the M-2 District at around 45%. This expansion would further push the limit for lot coverage and would need a variance from the Findlay BZA to approve the site plan.

ENGINEERING

*****No Additional Comments*****

Access –

Access to the site will be from the existing parking lot that comes off of Fox Run Road.

Water Service –

Due to the configuration of the new building, the addition will be utilizing the existing domestic service from the existing structures but will be relocating the existing fire hydrant out of the building footprint.

Sanitary Service –

The site is proposing a new tap onto an existing manhole just north of the new addition.

Stormwater Management –

Due to the increase in impervious area, the site will be expanding the detention pond on the SW side of the property. The storm detention calculations have been received and adhere to the City of Findlay Standards.

MS4 Requirements –

The site will not disturb more than one (1) acre so the applicant will not need to comply with the City of Findlay's Erosion & Sediment Control Ordinance.

Recommendations:

Approval of the Site Plan:

The following permits may be required prior to construction:

- Water Taps
 - Mainline Taps x1
- Sanitary Sewer Tap
 - Main Line Tap x1

FIRE PREVENTION

- Obtain all of the required permits for construction
- Complete all of the required inspection throughout the process

DISCUSSION

Todd Jenkins from Peterman Associates, and Kyle Purdy spoke on behalf of the application. Mr. Purdy said since the last meeting that they had met with the neighbors regarding the fencing. They wanted to install an 8-foot-tall double sided wood panel fence along the south property line. They were also looking to install 25 green giant trees along the south side to help with screening. He also stated they were willing to install tile to ensure proper drainage off the Ruse property.

Mayor Muryn asked if they would be able to put a fence the length of the property. Erik Adkins said that they would as long as there was no floodway in the area, which he didn't believe there was any.

Todd Jenkins spoke next, just to reiterate that this is an assisted living facility. The size of the units did not make it so they could be converted into apartments. They would need major

revisions to the buildings and site. He thought that should put the neighbors at ease, that these can't be converted easily to meet the code.

Mr. Clinger asked about the lot coverage. Mr. Jenkins clarified that they are currently at the 40% lot coverage threshold, and that these improvements moved them up to 45%, which is why they were requesting a variance. Given the end use of the building and the type of housing it is, he felt confident that the additional 5% was justified.

Kerry Trombley asked if they could clarify the landscaping and fencing. Mr. Purdy showed where they would be putting the trees and fence. He said the fence would be 3 feet inside the property line and then the trees would be inside their fence line. He highlighted 25 trees would go to help with the screening along the drainage area. Mr. Clinger asked if they would use a swale or if it was a French drain. Mr. Jenkins said that ideally it would be a gentle swale, but they would continue to work with the City Engineer on those final details. Mr. Martin asked if the drainage would cross property lines. Mr. Jenkins confirmed everything would be on their site.

Mr. Clinger asked where the dumpster enclosure would be located. Mr. Purdy highlighted where they would be located in the back, and said they already had the garbage people do some test runs to ensure proper clearance. Mr. Clinger asked if they could still maneuver if cars were parking near the area. Mr. Purdy said that most of the residents are assisted living waivers which does not permit them to own anything over \$2000 and most cars are over that threshold. Of the 37 current residents, he believed only 2 or 3 had vehicles still. Most of the time, the parking lot is pretty sparse. Mr. Clinger asked Mr. Shenise if the fire vehicles could maneuver on site. Mr. Shenise showed the fire connection on the north side of the site, but did not anticipate any issues maneuvering on site.

Robert Ruse, whose mother lives at 5 Hunters Gate Drive, spoke first. He said that while he appreciates the effort to address concerns, it is hard for him to accept the development. While he appreciated the efforts to screen, he thought that the increase in density, the elimination of parking and potential light impacts was hard to accept.

Kathy Williams, who lives on Deer Lake Drive across Fox Run Road. She spoke that they would increase the noise factor and density was a bad fit for their residential neighborhood.

Tim Bruggeman, also from Deer Lake Drive, spoke next. He was wary of the parking spilling onto Fox Run Road. He was also concerned about the density increase.

Charlie Lichtle, also Deer Lake Drive, spoke next. She spoke about the amount of parking on Fox Run Road. She also was fearful of the potential impacts to neighboring property values.

Mr. Clinger said that he appreciated the clarification from the applicant about the extreme difficulty for this facility to be converted into market rate apartments that meets the code. He

thought that the increase in use would have minimal impacts on the amount of traffic and parking off-street. Kyle Purdy addressed the parking further, stating that they would only have 10-11 staff parking spaces at peak. Again, they anticipate having more than enough parking even with the reduction.

Matt Cordonnier spoke to voice one of his concerns is the potential for this to be converted into a market rate apartment situation. He said that when the facility previously went bankrupt, that he fielded calls from several developers looking into the site. They all pretty quickly realized that without demolition of some of the buildings, there wouldn't be enough room to fit the required parking to meet the code. He thought that perhaps a deed restriction could be required to state that this cannot be converted into apartments.

Kyle Purdy addressed the number of residents on site. The State of Ohio has permitted them to have 132 residents on site currently. They wanted to have the additional rooms to avoid having to double bunk residents. The residents get a rebate if they take a roommate and have to agree to a roommate, but it is not something they want to take. Mr. Clinger asked if they would be double-bunking with the addition. Mr. Purdy said that they would have 108 units, so they wouldn't want to really go above that number. It would put stress on the staff and services for the residents.

MOTION

Rob Martin made motion for **approval of APPLICATION FOR SITE PLAN REVIEW #SP-14-2024 filed by The Woodlands of Findlay Assisted Living, for a 2-story building addition to their facility at 600 Fox Run Road, which will connect the existing Wing B Birch Hollow with Wing D Dogwood Knoll and Wing F Forest Hill buildings with the following conditions:**

- **Approval of the landscape plan by HRPC**
- **8-foot-tall fence that stretches the length of the south side of the property**
- **Final swale and drainage plan approved by the City Engineer**
- **A deed restriction approved by the Law Director restricting the conversion of the facility to market rate multi-family housing**
- **A maximum of 132 residents per the license requirement through the State of Ohio**
- **Approval of the requested variances by the BZA for lot coverage, density, and unit size reduction**

2nd: Kerry Trombley

VOTE: Yay (3) Nay (1) Abstain (0)

NEW ITEMS

1. APPLICATION FOR ZONING AMENDMENT #ZA-05-2024 filed by Jean Bosco

Dusengimana to rezone 0 Glessner Avenue, parcel # 560001008484, from I-1 Light Industrial to CD Condominium.

CPC STAFF

General Information

This request is located on the east side of Glessner Avenue, south of W. Sandusky Street. It is zoned I-1 Light Industrial. To the north, along W. Sandusky Street, it is zoned R-2 Medium Lot Residential. To the south, it is zoned I-1 Light Industrial. It is not located within the 100-year flood plain.

Parcel History

The site was currently vacant.

Staff Analysis

The applicant has indicated they would like to rezone this parcel to CD Condominium. In their application, they noted that this would be a good step between the single-family neighborhood to the north and the industrial to the south.

The CD Condominium District is designed to provide sites for condominium dwelling structures and related uses. The Condominium Districts allow for the development of structures with one (1) to four (4) living units per building. This lot would have required frontage for the district, and could have up to 13 units on the site and meet the density (1 unit per 7000sf).

Staff has concerns about the historic use of the site, and the potential environmental impact on the property. There is heavy industrial nearby, which could have impacted the site. Given the area surrounding the site, while we are in favor of a residential zoning classification, we would be more supportive of R-3 Single Family Small Lot to better match the existing nature of the area.

ENGINEERING

No Comment

FIRE PREVENTION

No Comment

DISCUSSION

Todd Jenkins from Peterman Associates, spoke on behalf of the application, alongside Jean Bosco Dusengimana. Mr. Jenkins said that they requested Condo rather than R-3 is because they wanted to avoid the cost to put in the public infrastructure. The condominium district is also less dense, with the lot size being 1 unit per 7000 sf rather than 1 per 3500 sf in R-3. It would create less traffic, be less dense, and be less impactful to the area.

Mr. Trombley asked what the long-term plan would be for the site. Mr. Jenkins said that they would sell or lease 13 units.

Mr. Clinger asked if they needed to vacate the alley. Mr. Jenkins said that they did not need to vacate either the alley to the north or the right-of-way on the east.

Donna Wolff Mason, 1029 W. Sandusky Street, spoke next. She heard the presentation and thought that this was a good plan for the site. She was in favor of the proposed development.

MOTION

Kerry Trombley made motion to recommend **approval of APPLICATION FOR ZONING AMENDMENT #ZA-05-2024 filed by Jean Bosco Dusengimana to rezone 0 Glessner Avenue, parcel # 560001008484, from I-1 Light Industrial to CD Condominium.**

2nd: Mayor Muryn

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

- 1. APPLICATION FOR ZONING AMENDMENT #ZA-04-2024 filed by the owner, Mohammad Khalil, to rezone 1700 Western Avenue from I-1 Light Industrial to C-2 General Commercial.**

CPC STAFF

General Information

This request is located on the west side of Western Avenue, at the intersection with Lake Cascades Parkway. It is zoned I-1 Light Industrial. To the north, it is zoned I-2 Heavy Industrial. To the southeast, it is zoned O-1 Office/Institution. It is not located within the 100-year flood plain. The Findlay Land Use Plan designates the parcel as Industrial.

Parcel History

The site is currently vacant. In 1995, Chase Bank built a drive-thru building on site. It was part of the Lake Cascades PUD starting in 1988, but when PUD's were removed in 2011, it became an I-1 Light Industrial parcel.

Staff Analysis

The applicant has indicated they would like to rezone this parcel to a C-2 General Commercial Use. This area is an industrial area of Findlay given the proximity to Cooper Tire and the interstate abutting the property. The C-2 Commercial District is established to provide for the development of a broad spectrum of commercial and business uses. These uses are expected to serve the commercial, business, and service needs of a regional area.

Given the size and shape of the lot, however, it does not lend itself to industrial development. Even though there is a lack of commercial zoning in the area, it does better fit in the C-2 General Commercial District.

Staff Recommendation

CPC Staff recommends **approval of APPLICATION FOR ZONING AMENDMENT #ZA-04-2024 filed by the owner, Mohammad Khalil, to rezone 1700 Western Avenue from I-1 Light Industrial to C-2 General Commercial.**

ENGINEERING

No Comment

FIRE PREVENTION

No Comment

RECOMMENDATION

Staff recommends **CPC recommend approval of APPLICATION FOR ZONING AMENDMENT #ZA-04-2024 filed by the owner, Mohammad Khalil, to rezone 1700 Western Avenue from I-1 Light Industrial to C-2 General Commercial.**

DISCUSSION

Ahmad Khalil, the son of Mohammad Khalil, was present on behalf of the request. He bought the site on behalf of his father, as they wanted a commercial property in the City of Findlay. Mr. Clinger asked what they intended to do in the space. Mr. Khalil said they run Hippie Hut Smoke Shop, but they envision a general retail store with a drive-thru potentially.

Mr. Mercer asked if they have plans for the space. Mr. Khalil said they would just use the existing space and didn't have plans to expand at this point. Mayor Muryn said that given this is just a rezone, she did not want to get lost in the weeds of site plan details. Given the size of the site, it really didn't fit the industrial zoning district and unless it would never be industrial unless it was bought by the neighbor to the north. She thought the proposed zoning change made sense.

MOTION

Kerry Trombley made a motion **to recommend approval of APPLICATION FOR ZONING AMENDMENT #ZA-04-2024 filed by the owner, Mohammad Khalil, to rezone 1700 Western Avenue from I-1 Light Industrial to C-2 General Commercial.**

2nd: Rob Martin

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

4. APPLICATION FOR CONDITIONAL USE #CU-12-2024 filed by Richard Binner to establish a triplex on the vacant lot west of 615 Edgar Avenue.

CPC STAFF

General Information

This request is located on the south side of E. Edgar Avenue, just east of the intersection with Bank Street. It is zoned R-2 Medium Lot Residential. It is in a pocket of R-2 Medium Lot

Residential, but has proximity to PO Parks and Open Space with Emory Adams just to the north. It is not located within the 100-year flood plain.

Parcel History

The site was currently part of 615 Edgar Avenue. It is a double lot and is in the process of being split. At the September 12, 2024 CPC Meeting, this property was recommended to rezone from R-2 Medium Lot Residential to R-3 Small Lot Residential.

Staff Analysis

The applicant has indicated they would like to construct a triplex on the site. Triplexes are a conditional use in the R-3 Small Lot Residential District. The applicant submitted a floor plan which shows the floor space for each unit is 977 sf. This meets the minimum floor space for a dwelling unit.

The applicant indicated that they would provide six off-street parking spots for the units. Two are shown in front of the building, with four in the rear of the site. The driveway would wrap down the east side of the site, connecting to the alleyway to the east. In the R-3 district, where one or more lots are improved, the front yard setback shall be the average depth of the front yard setbacks on either side. Staff would add a condition that the parking be removed from in front of the structure, so that the setback match the setback on either side of the site.

Staff Recommendation

CPC Staff recommends **approval of APPLICATION FOR CONDITIONAL USE #CU-12-2024 filed by Richard Binner to establish a triplex on the vacant lot west of 615 Edgar Avenue with the following conditions:**

- **Complete the lot split from 615 Edgar Avenue**
- **Complete the rezone to R-3 Small Lot Residential**
- **Move all the parking behind the front façade of the building**
- **Move the front of the building in line with the average setback depth of the neighboring houses.**

ENGINEERING

No Comment

FIRE PREVENTION

No Comment

RECOMMENDATION

CPC Staff recommends **approval of APPLICATION FOR CONDITIONAL USE #CU-12-2024 filed by Richard Binner to establish a triplex on the vacant lot west of 615 Edgar Avenue with the following conditions:**

- **Complete the lot split from 615 Edgar Avenue**
- **Complete the rezone to R-3 Small Lot Residential**
- **Move all the parking behind the front façade of the building**
- **Move the front of the building in line with the average setback depth of the**

neighboring houses.

DISCUSSION

Richard Binner was present on behalf of the application. Mayor Muryn asked if he would be able to put the parking behind the front of the house. Mr. Binner said he could but was afraid that if he didn't that people would just park in the front lawn. It is a near 300-foot walk to the back parking area, and he was afraid people would be lazy and just park wherever on site. He thought it made more sense to do three in the front and three in the rear. Mayor Muryn worried that the lights from the parking would shine into the neighbor's property.

Matt Cordonnier added that he was generally in favor of these type of projects because it is infill development because they don't need to have new infrastructure established. He did wish to see the housing match the form of the existing buildings around it. He thought the long, skinny look will be jarring to the neighborhood. Mr. Trombley agreed that this was trying to put too much into the existing area. He wants it to look like the homes around it, so that it matched better. Mr. Clinger agreed with Mr. Trombley to say that he didn't agree with the rezone, so it is hard for him to agree to the triplex as proposed. Mr. Cordonnier asked if Mr. Binner had any floor plans of units, he offered that looks more like a single-family home. Mr. Binner said he mostly dealt with ranch style homes. He deals mostly with young families or elderly, and that single story homes were more desirable.

Mayor Muryn thought that as proposed, she would have to vote to deny the request. Erik Adkins offered that they could table the item to come back in a month with a reworked plan to see if it was a better fit. Mr. Binner said that he would agree with that.

MOTION

Mayor Muryn made a motion **to table APPLICATION FOR CONDITIONAL USE #CU-12-2024 filed by Richard Binner to establish a triplex on the vacant lot west of 615 Edgar Avenue**
2nd: Dan Clinger

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

There being no further business, Mayor Muryn adjourned the meeting.