

# City of Findlay

## City Planning Commission

Thursday, February 14, 2019 – 9:00 AM

### 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:**

Acting Mayor Ron Monday  
Jackie Schroeder  
Brian Thomas  
Dan Clinger

**STAFF ATTENDING:**

Matt Cordonnier, HRPC Director  
Eric Atkins, Code Enforcement Office  
Jeremy Kalb, Engineering Project Manager  
Judy Scrimshaw, Development Services Planner  
Matt Pickett, Fire Inspector  
Don Rasmussen, Law Director

**GUESTS:**

Jodi Mathias, Kyle Inbody, Phil Rooney, James Koehler, II  
Tim Mayle, Holly Frische, Dan Stone, Tom Shindeldecker,  
Dan Shaffer, Lou Wilin, Todd Valentine, Ben Taylor,  
Kelley Foltz, Rod Siddons, Tom Kochheiser, Sarah  
Corney, Dave Burns, Jamie Cunningham, Russell  
Cunningham, John Thomas, Patty Thomas, Darlene  
Beuschlein

**CALL TO ORDER**

**ROLL CALL**

The following members were present:

Acting Mayor Ron Monday  
Dan Clinger  
Jackie Schroeder  
Brian Thomas

**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 January 10, 2019. Jackie Schroeder seconded. Motion carried 4-0-0.

### **NEW ITEMS**

**1. SITE PLAN APPLICATION #SP-02-2019 filed by HuntCar, LLC, 1329 White Birch Drive, Findlay for Northern Lofts hair salons and associated parking to be located at 3150 N. Main Street, Findlay.**

### **CPC STAFF**

#### **General Information**

This request is located on the west side of N. Main Street just north of Alpine Drive. It is currently zoned C-2 General Commercial. Land to the north is also zoned C-2. To the south is zoned CD Condominium. To the west is zoned CD Condominium and R-1 Single Family Low Density. To the east is zoned R-1 Single Family Low Density. It is not located within the 100-year flood plain. The City of Findlay Land Use Map designates the area as Neighborhood Commercial.

#### **Parcel History**

This site is a vacant parcel.

#### **Staff Analysis**

The applicant is proposing to construct an approximately 3650 square foot single story commercial building to be used as hair/beauty salon space. The building location meets all required setbacks.

Parking in the C-2 district is based on one space per every 375 square feet. This size of building requires a minimum of 10 spaces. The plans indicate 26 parking spaces. The dead end of the lot on the west side shows the required stub for turnaround however, the last space across from the dumpster needs to be striped out per code to allow for turn around. Parking lots are required to be set back 5' from side lot lines and 10' from the front and rear. The south side of the lot at the front (east side) is only 5' from the right-of-way. The rear of the lot is only slightly under 8' from the rear lot line (west side).

A dumpster enclosure is shown in the northwest corner of the parking lot. The details indicate that the enclosure is constructed with 6' high vinyl fencing. Dumpsters are required to be set back 10' from any property line. It appears to be only 7' from the north line.

Lighting for the site will consist of wall packs. The photometric plan shows foot-candle readings at lot lines abutting residential at 0 - .1. Readings are to be no higher than .5 per the code.

The elevation drawings indicate the height of the building to be 13'-6". This is well below the maximum height permitted of 60' in C-2. A rendering provided shows black and gray coloring with red accented awnings. Architectural siding and split face block will be used on the sides of the building. The split face block is only used on two sides, the east (front) and north sides. The west side will directly face the condominium development and the rear yards of some homes on

Woodcliff Drive. The south side faces the entry (Alpine Drive) into the condominium development. The Findlay Code does address four-sided architectural design (Section 1161.02) The building is a very basic design and Staff feels that at least continuing the split face block to the other two sides of the building would be preferable. The west side in particular, without any windows gives a very flat, industrial appearance.

The parking lot entry needs some landscaping on the south side of the entry. Parking lots are to be screened from the street. That side will need to be set back about another five feet as stated earlier leaving more space available for planting. There are no foundation plantings shown on the plan. There are a few existing pine trees along the south side of the property. We believe these may have been planted by the condominium development. The new development will need to fill in that area with more landscaping. A row of arborvitae is indicated along the west property line and along the north side to just below the dumpster location.

A sign location is shown but no details are provided. A monument sign no taller than 8' is permitted.

#### **Staff Recommendation**

CPC Staff recommends **approval of SITE PLAN APPLICATION #SP-02-2019 for Northern Lofts hair salons and associated parking at 3150 N. Main Street, Findlay subject to the following conditions:**

- **Correct parking lot and dumpster set backs**
- **Continue decorative split face block to the south and west sides of the building**
- **Submit landscaping plan with items listed above corrected**

#### **ENGINEERING**

##### *Access –*

A new concrete drive will be installed in the same location as the existing drive.

##### *Sanitary Sewer –*

The proposed plans show a new sanitary sewer lateral to be ran on the east side of the building to the existing 8-inch Sanitary Sewer located on the west side of Main Street.

##### *Waterline –*

The plans are proposing a new domestic water service to be tied into the existing waterline that is located on the west side of Main Street.

##### *Stormwater Management –*

Detention calculations have been submitted with the plans. The plans are proposing a new detention pond to be located on the southwest end of the property. The detention pond will be metered into the existing storm sewer that is located on the west side of Main Street.

##### *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 & Sediment Control Ordinance.

*Recommendations:*

- Approval of the Site Plan

*Following Permits are Needed Before Construction Can Start:*

Waterline Service Connections-	1 total
Sanitary Sewer Taps-	1 total
Storm Sewer Permit-	1 total
Drive/ Curb Cut Permit (46 LF) -	1 total

**FIRE PREVENTION**

Apply for all necessary permits with Wood County Building Department

**RECOMMENDATION**

Staff recommends **approval of SITE PLAN APPLICATION #SP-02-2019 for Northern Lofts hair salons and associated parking at 3150 N. Main Street, Findlay subject to the following conditions:**

- **Correct parking lot and dumpster setbacks (CPC Staff)**
- **Continue decorative split face block to the south and west sides of the building (CPC Staff)**
- **Submit landscaping plan with items listed above corrected (CPC Staff)**
- **Apply for necessary permits with Wood County Building Department (FIRE)**

**DISCUSSION**

Jackie Schroeder asked if the detention for the site is along the front. Mr. Stone replied yes, there is a swale in the southeast corner. It naturally flows that direction and there is plenty of storm sewer capacity out there.

Dan Clinger asked the owner about the parking. He stated that there are 15 units in the building plus and office. If each has a hairdresser and a client, there could be 32 or 33 people there and there is not enough parking. The code only requires a lower amount. Dan asked if there is an alternative for parking. Tom Kochheiser replied that these will never be full at one time. The tenants will schedule their appointments and won't have walk-ins. They will also not keep the same hours of work. Mr. Stone stated that with the appointments slots, there will be staggered clientele.

Dan Clinger asked if this is a "leased" space arrangement. Mr. Kochheiser replied yes. They will be individual entrepreneurs in each loft space. There will only be one station per room. Mr. Clinger said he didn't see much room for people to wait either. Mr. Kochheiser said they should have room for six seats or so. Dan Stone stated that they have a pretty good neighbor to perhaps help out if overflow parking is needed.

Mr. Clinger noted that he thought it unfortunate that the building does not have a little more style. It does not carry the character of the community there. He stated that he thinks that the additional split block fenestration around the building is a pretty minimal request. Dan Stone commented that one of the reasons they did not put it on the west side is that they hope to allow for expansion

of the building at some time. It will be additional cost up front. He noted the heavy screening along the west side. He stated that you will not be able to see much of it. Mr. Stone also noted that on the south side is just a driveway and we have asked for more screening there also. So that will not be seen either. Mr. Clinger stated that the split faced block is a very minimal expense from the standpoint of trying to enhance the fenestration of the building. He stated that he is not in favor of eliminating that. Jackie Schroeder said she agreed. Even with additional plantings, you will be able to see the building.

Dan Clinger asked if they can still maintain the number of parking spaces when they comply with the setbacks as required. Dan Stone said that would be taken care of.

### **MOTION**

Dan Clinger made a motion to approve **SITE PLAN APPLICATION #SP-02-2019 for Northern Lofts hair salons and associated parking to be located at 3150 N. Main Street, Findlay subject to the following conditions:**

- **Correct parking lot and dumpster setbacks (CPC Staff)**
- **Continue decorative split face block to the south and west sides of the building (CPC Staff)**
- **Submit landscaping plan with items listed above corrected (CPC Staff) These include: Landscaping on the south side of driveway, foundations plantings, additional screening along the south side of lot along Alpine Drive,**
- **Apply for necessary permits with Wood County Building Department (FIRE)**

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

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

**2. APPLICATION FOR SITE PLAN REVIEW #SP-03-2019 filed by Stewart Hengsteler, Shelly Hengsteler, Todd Hengsteler, 6981 Hampton, Castle Road, CO for a wind turbine to be located at 2749 Crystal Avenue, Findlay, OH.**

### **CPC STAFF**

#### **General Information**

This request is located on the south side of E. Bigelow Avenue between Crystal Avenue and Bright Road. It is zoned I-1 Light Industrial. Land to the north and east is also zoned I-1 in the City of Findlay. To the south is zoned I-1 in the City and B-1 Institutions and Offices in Marion Township. To the west is zoned R-2 Two 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 PMUD (Planned Mixed Use Development).

#### **Parcel History**

This is currently farmland with an existing house. The property was annexed to the City as of January 18, 2019 and given the I-1 Light Industrial zoning classification.

**Staff Analysis**

The applicant is proposing to construct a wind turbine toward the east side of the parcel.

Section 1161.14 of the City of Findlay Zoning Ordinance addresses wind turbines. The code only allows for Small Wind Turbines as certified by the Small Wind Certification Council (SWCC).

The only turbines eligible for certification by the SWCC or ICC-SWCC, as it is now called, are either Small Wind Turbines having a swept area of no more than 200 square meters or Medium Wind Turbines having a swept area between 200 square meters and 1000 square meters.

A turbine with a swept area of 200 square meters would have a blade no longer than 7.98 meters or 26.18 feet. The wind swept area of the proposed wind turbine is approximately 5,944 square meters. The proposed wind turbine is larger than the Findlay Code permits.

The intent of the code was for small wind turbines as defined by the SWCC guidelines. Staff believes that the SWCC gave clear intent in their language as to the qualifications required for their certification.

The proposed wind turbine does not meet the City's standards.

**Staff Recommendation**

Staff recommends that FCPC deny APPLICATION FOR SITE PLAN REVIEW #SP-01-2019 for a wind turbine to be located at 2749 Crystal Avenue, Findlay, OH for the following reasons:

- The turbine far exceeds the size for wind turbines as permitted in the City of Findlay Zoning Ordinance under the guidelines of the SWCC.
- Potential negative impact on neighboring properties.

**ENGINEERING**

No Comment

**FIRE PREVENTION**

No Comment

**RECOMMENDATION**

Staff recommends that FCPC deny APPLICATION FOR SITE PLAN REVIEW #SP-012019 for a wind turbine to be located at 2749 Crystal Avenue, Findlay, OH for the following reasons:

- The turbine far exceeds the size for wind turbines as permitted in the City of Findlay Zoning Ordinance under the guidelines of the SWCC.
- Potential negative impact on neighboring properties.

**DISCUSSION**

Brian Thomas stated that we had received an email yesterday from the applicants. He asked if someone was here to represent them. Attorney Sarah Corney came forward. Ms. Corney stated

that they would like to request that this item be tabled. There is a case with the Board of Zoning Appeals tonight at 6 p.m. and whatever action would occur at this meeting would be contingent on that meeting.

Dan Clinger said he was concerned about whether this is an appropriate place for a wind turbine of that size. He said he has some reservations about that location.

Ms. Corney replied that they just wish to table this at this time.

### **MOTION**

Brian Thomas made a motion to table **APPLICATION FOR SITE PLAN REVIEW #SP-03-2019 filed by Stewart Hengsteler, Shelly Hengsteler, Todd Hengsteler, 6981 Hampton, Castle Road, CO for a wind turbine to be located at 2749 Crystal Avenue, Findlay, OH.**

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

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

A member of the audience asked when we were notified that this would be requested to be tabled. Ms. Scrimshaw stated that the email came from the attorney's office at 5 p.m. yesterday. This did not allow any time to send out any notifications to the neighborhood. She apologized to those present that they could not tell them ahead of time. She let them know that if they wished to attend the BZA hearing at 6 p.m. tonight that it is a public meeting. The man said that Mayor Mihalik had assured them that they would receive notification and they did not know anything about the BZA meeting. Ms. Scrimshaw explained that Mayor Mihalik was referring to the fact that this would come back to CPC for Site Plan Review and we would definitely notify them again for that. Ms. Scrimshaw stated that the rules of notification for BZA may be different and asked City reps to comment on their procedure. Don Rasmussen stated that there are no set rules of notification. It is normally abutting owners and he did not think that those outside the City limits were included in the past. He stated that whatever happens tonight, this will have to come back to Planning Commission. If they wish to leave their names for notification, we will be happy to notify them.

### **3. REVIEW OF PROPOSED AMENDMENTS TO CITY OF FINDLAY ZONING ORDINANCE.**

- **Parking standards in M-1 & M-2 districts**
- **General standards for Conditional Uses**
- **Planning Commission action to apply conditions to an application**

### **DISCUSSION**

Judy Scrimshaw stated that the first item was the parking standards for the Multiple Family zoning districts. The change is coming about due to discussions with developers doing Multi-family projects. Many have reported over the last few years that our standards far exceed most of those they encounter in other communities. Our code currently requires 2.5 spaces per unit and 1 space for every 2 units on the plan. This translates to 3 spaces per dwelling unit. This proposal makes it 2 spaces per unit and one additional per every 5 units in the development.

At this time, Matt Cordonnier took over the discussion. Mr. Cordonnier stated that he was looking at some case law regarding Conditional Uses. He stated that the Ohio Supreme Court relies on the five statements listed in the proposal. These give the Commission the authority to look at the conditional use and apply these statements when using their discretion. He said these are standard statements in most zoning ordinances. Mr. Cordonnier stated that since they were missing in ours, he felt it was better to add them making our cases more defensible.

There is also a statement added under the Powers and Duties of the Planning Commission regarding Conditional uses.

Ms. Scrimshaw noted that we are making a recommendation to City Council to add these amendments today. Mr. Cordonnier again reiterated that we are adding language that is in most Ohio zoning ordinances. On the parking section, he is reacting to feedback we have had the last few years from other outside developers that say our standards are well above those in most communities. Mr. Cordonnier did research in local communities and found out that we do require an extra amount of spots compared to them.

Dan Clinger asked if there was any difference in a case with four bedroom units versus one or two. Mr. Cordonnier replied that a few communities took into account the number of bedrooms. However, 80% or 90% did it strictly by unit. Mr. Clinger asked that if a project came to us with multi four bedroom units do we have the ability to make adjustments to that. Mr. Cordonnier replied that he thinks so. They can request additional parking if they feel the case would require it. He said that we set a minimum. Most developers know their product and usually exceed our minimum knowing that the bare minimum would not be to their benefit. They don't want to cause a parking issue on their site which may affect their business.

### **MOTION**

Dan Clinger made a motion that **CPC recommend to Findlay City Council to adopt the Amendments as proposed.**

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

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

Brian Thomas asked if we had received any additional information on the item that was table last month. Ms. Scrimshaw stated that there is none.

Brian Thomas made a motion to remove **APPLICATION FOR SITE PLAN REVIEW #SP-01-2019 filed by Blanchard Station Housing Partners, LLC, 12125 Pleasant Valley Rd, Chillicothe, OH for Blanchard Station Apartments to be located on the west side of Bishop Lane on Lot 73 in the Krystal Ridge 2<sup>nd</sup> Addition from the table.**

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

**VOTE:      Yay (4) Nay (0) Abstain (0) Item is removed from the table.**

### **CPC STAFF**

#### **General Information**

This request is for an 11-acre parcel located to the south of Bishop Lane. It is currently zoned M-2 Multi-Family. Land to the west is zoned R-3 single family. To the east is zoned MH – mobile home district and R-3 single family to the south and north. It is not located within the 100-year flood plain.

#### **Staff Analysis**

This request is for a multi-family development consisting of 14 buildings with a total of 50 units. The proposed 50 units falls within the permitted density, the M-2 zoning district would permit up to 116 units be constructed on the 11-acre site. All the proposed buildings meet or exceed the required setbacks. The development exceeds the minimum parking requirements, they provide 157 parking spaces and only 150 spaces are required. Staff has calculated the lot coverage to be at 38 percent which is under the maximum lot coverage of 40 percent. The proposed site plan meets all the landscaping standards expect for the foundation planting requirement. They are required to plant 2 shrubs per 12 lineal feet of building circumference.

Staff does have some concern about the overall traffic circulation for the site. There is less concern about this development as a standalone project. However, there is a significant amount of undeveloped land and the overall traffic flow could be problematic as the surrounding property is developed in the future.

### **ENGINEERING**

#### **Access –**

The plans are proposing two new drives to come off of the extension of Bishop Lane. Each drive is roughly 70 LF in size and will serve as the access points to the Blanchard Station Apartments.

#### **Sanitary Sewer –**

The plans show a new sanitary sewer to be ran throughout the apartment complex to serve each of the buildings. The proposed sanitary sewer ties into the sanitary sewer that will be running along the new Bishop Lane extension. The new sanitary is proposed to be 8-inch to 6-inch in size. Consultant will need to verify if the sanitary within the complex is private or public.

#### **Waterline –**

The plans are proposing a new waterline to be looped throughout the apartment complex. The proposed waterline will tie onto the waterline that is running along Bishop Lane. Each apartment building will have its own 1.5 inch service line. Consultant will need to verify if the waterline within the complex is private or public.

#### **Storm water Management –**

Detention calculations have been submitted with the plans. The plans are proposing two detention ponds to accommodate the storm water for the subject area. The first pond (N) is a proposed wet pond that will detain the storm water for the apartments, and the second pond (SW)

will received the metered flow from the apartment's pond, along with flow from the 11 acres surrounding the Krystal Ridge subdivision.

*MS4 Requirements –*

The amount of erodible material that will be disturbed will be more than one acre so the site is will be required to comply with the City of Findlay's Erosion & Sediment Control Ordinance.

*Recommendations:*

- Approval of the Site Plan

*Following Permits are Needed Before Construction Can Start:*

Waterline Taps -	2 total
Waterline Service Connections-	14 total
Sanitary Sewer Taps-	4 total
Storm Sewer Permit-	3 total
Drive/ Curb Cut Permit (70 LF & 75LF) -	2 total

**FIRE PREVENTION**

-Maintain sufficient turn radius for fire apparatus throughout the development.

-The dead end of the proposed Bishop Ln. extension shall accommodate the largest FFD apparatus when backing from the most southern drive entrance of the development.

-The number of proposed fire hydrants are sufficient but will realign as discussed with Dan Stone.

**RECOMMENDATION**

Staff recommends approval of the **APPLICATION FOR SITE PLAN REVIEW #SP-01-2019** filed by **Blanchard Station Housing Partners, LLC, 12125 Pleasant Valley Rd, Chillicothe, OH** for **Blanchard Station Apartments to be located on the west side of Bishop Lane on Lot 73 in the Krystal Ridge 2<sup>nd</sup> Addition.**

- Meeting the requirements for foundation plantings (CPC Staff)
- Maintain sufficient turn radius for fire apparatus throughout the development. (FIRE)
- The dead end of the proposed Bishop Ln. extension shall accommodate the largest FFD apparatus when backing from the most southern drive entrance of the development. (FIRE)
- Verification that water and sewer lines are public or private (ENG)

**DISCUSSION**

Mr. Cordonnier stated for clarification that this item was tabled at last meeting. He stated that we had a few calls from people concerned that in between last month's meeting and today this item had been approved. Just for explanation, no project can be approved unless it is at a public meeting of the Planning Commission. One of the reasons the item was tabled was to allow the applicant

to look at all of their options. Some options were presented at the last meeting and they only had a couple minutes to consider those. This gave them some time to try and remedy concerns and see what they can do considering the site constraints.

Dan Clinger asked if the owner has come up with any changes to the layout from what was previously presented. Dan Stone replied that based on the discussion at last meeting, they connected the street down to Concord Court. He stated that the preliminary plat and the site plan have been updated to show that. He stated that some of the concerns were the access, and the amount of traffic on Bishop Lane. That has not changed. They had asked them to try to make a connection over to Breckenridge. After some review on that, they found that there was a final plat that went through CPC that showed a cul-de-sac on the end of Breckenridge. Lots surrounded the cul-de-sac with no connection to any other road. It was approved by CPC with no comments on making any connections to any other street.

Mr. Stone also commented that in reviewing other apartment developments in the City he could not find any other ones they are aware of that show connections to off the end of other public roadways, off the end of a cul-de-sac. The majority of connections are perpendicular access points to public roadways. Trying to put a 24' to 25' drive through to that cul-de-sac would mean the owner loses developable lots. It will restrict what can be built back there.

Mr. Stone said there were safety concerns brought up by the residents. They checked with the Fire Department. They have not had any incidences or issues providing safety back in this area. There were questions regarding parking on the street along the residential area there now and not being able to drive through. The homes along Bishop are single-family residences with 2-car garages and 2-car wide driveways. This is ample parking for the residents to park on their property. There may be spillover parking on road at times, but from historical photos and just driving through there, they did not see that there are a lot of cars normally on the roadway that are impacting traffic going up and down Bishop Lane.

Mr. Stone stated that in planning, they try to soften the roadways with curves. This is supposed to slow the traffic. Having stop signs and turns also slows traffic. Breckenridge is a more straight piece of roadway with potentially more inclination for people to travel faster. At this time, he would like to present the original layout with the connection down to Concord Court added to allow more than one way in and out of the development.

Dan Clinger asked when that area was platted previously that he spoke of. Mr. Stone stated that it was in 2006. It was never recorded, but it was reviewed and approved then. There was never any discussion at that point knowing that the plan for this area was a mix of multi-family and single family. Mr. Stone stated that they are not trying to change any of the development plans that were set up back in 2000. They are now implementing what was planned and designed at that time.

Dan Clinger brought up points from the last meeting. He asked if 50 units was correct. Mr. Stone replied yes. Mr. Clinger asked if the maximum number of units that the code could allow was over 100. Mr. Stone replied yes, he thinks it was around 116. Mr. Stone replied that that is less than half the density that could be approved for the site. These are all single story units. Someone could go vertical on the site and double the number of units. That would mean more traffic. Even

if you would develop this as single family, it would have more traffic than this plan will. Mr. Stone said the trips based on ITE numbers for this will amount to 300-350. If it is all residential homes, the estimated trips is 550-600. Mr. Stone said he can understand the concern to some point, but this is the least dense plan that could happen here.

Mr. Clinger clarified on the map that the owner to the west side of the street is the same and there is an option for land to the east for more Multi-family and that the area along the south is zoned R-4. Mr. Stone verified that. Mr. Clinger stated that he understands that the R-4 area will not be developed for that, but could be detention. Mr. Stone replied that it will be open grass/park area. There will be a small detention pond in there. That will be used as an amenity. It is required for storm water management also. They will integrate it with walking paths, etc. Mr. Clinger asked if the rest of the property to the east and north of that area is owned by the Mobile Home park. Mr. Stone replied yes.

Jackie Schroeder asked how long the property we are reviewing today has been zoned Multi-family. Mr. Stone replied since 2000. Judy Scrimshaw stated that this was done as a PUD back then with those areas designated for different dwelling types. Mr. Cordonnier clarified that when the zoning code/map update was done in 2012, there was a poor translation of the PUD into the current standards which was our fault. Later in the year, the zoning was returned to what the PUD had planned. Other than that hiccup for a few months, it has always been zoned for Multi-family.

Judy Scrimshaw stated that she had a letter received by Planning Commission that the writer wished to have read. Ms. Scrimshaw read a letter from Tim Mayle of Findlay-Hancock County Economic Development into the record. The letter endorses the project due to a need for workforce housing.

Ryan Brown, 1835 Bishop Lane, came forward to speak. He said they had expressed concern at the last meeting about pushing more traffic onto Bishop Lane. He said he is glad they are making the connection out to Concord Court, but the majority of traffic will probably be heading north and still use Bishop Lane. He commented on Mr. Stone saying that Breckenridge could pose a safety risk since it is a straight shot. Mr. Brown said you are doing the same to Bishop Lane now. Now they will be adding a safety issue to Bishop which Mr. Stone admitted was a problem. Mr. Brown said he just wanted to reiterate that he is still concerned about this.

Darlene Beuschlein, 1840 Bishop Lane, spoke next. She stated that the letter that was read stated that there were 1000's of employees within the area of the new housing. She said you are adding that many more cars. There is one way in and way out. There are already houses on her street for sale because of this. Ms. Beuschlein stated that it is not fair to the single family homes on a short road to have to absorb this. Soon there will be a phase 2 and still one way in and one way out. She stated that she understands the need for the housing and they are not opposed to that. They are opposed to just one road only being used for construction traffic, and the new constant flow of traffic that will come. If that was what was approved in 2006 and nothing has happened since then, what's saying it ever will. Let's use that, like we talked before, about opening up the cul-de-sac. Why is that not being discussed? Ms. Beuschlein said nothing is being fixed, that is why it was tabled last time. There is still the concern of one way in, one way out.

Brian Thomas asked Ms. Beuschlein to remind him which cul-de-sac she was talking about. Darlene Beuschlein stated that it was on Breckenridge. Mr. Thomas said that as they had stated at the last meeting, they do not own that property and the Commission cannot make them put a road on someone else's property. He stated that Concord is a second way out. He said she is stating that there is only one way out. When they show a second way out, she is saying it isn't good enough and they won't use it. Ms. Beuschlein commented that we talked about some 2000 employees in Tall Timbers that will be coming here. Mr. Thomas replied that anyone can rent these. Ms. Beuschlein again said that the comment was made that Tall Timbers was closest for all those families there looking for a home. Therefore, everyone will be going down her road. Mr. Thomas noted that not everyone living there is going to work in Tall Timbers. Ms. Beuschlein said that they will still go there to get to Melrose, Crystal or Bright Road.

Ben Taylor, 1845 Bishop Lane, came forward to speak. Mr. Taylor said he doesn't think anyone here has a real problem with what they want to build. They understand a need is there. He just thinks they have to come up with a second northern access. People wanting to go to Meijer, people wanting to go to Bright Road, will all come up now through Concord Ct. area to go out. That is now the fastest way to get north. He stated that the larger development to the south will also go through this one point. Logic says that is the way they will go. Mr. Taylor stated that Bernard and Concord are both stub entrances. He asked if these were designed to be stub roads. Jackie Schroeder replied yes. Subdivision Regulations have always required that when a subdivision abuts vacant, unsubdivided land, they provide those access points to potentially be used at some time for connectivity. That is why the original stubs for Concord, Bernard and Bishop were built. Mr. Taylor commented that it is very likely that the Bernard stub will be connected in phase 2 of the development. That will give another access point for those in the south to come this way.

Jackie Schroeder stated that on the original PUD the ultimate plan was for this to completely curl around the existing mobile home park and connect back into Melrose. The City doesn't construct that, it goes along with the development of the property. Mr. Taylor said that that makes sense for the area. You then have multiple ways to get to a main traffic area. Ms. Schroeder stated that we are trying to work towards that with what is presented. We are connecting Concord, we have Bishop continuing around, and ultimately it would be hoped to connect in some form back into Melrose. Ms. Schroeder said we can only review what we have now. Mr. Taylor argued that we could plan and say they need to connect now. Ms. Schroeder said we have the original PUD and that is a guide for future development. Part of the original PUD did connect to Concord Court as this phase does.

Mr. Taylor asked what school district this is in. The reply is Findlay City Schools. He asked which particular school. The commission did not know for sure. Mr. Taylor said that should be part of the plan review. Is there room in those schools? Mr. Cordonnier said the school system has never communicated that they have a population issue. He said he had read somewhere that they were losing population due to kids using open enrollment in other surrounding school districts. Mr. Cordonnier stated that what they have put on paper today is exactly what was put on paper back in 2000. The connection to Concord Court, the future connection to Bernard were there. Who is to say what will happen with the road around the mobile home park. The park has seemed to stop development. The rest of that land could be sold for some commercial or other use and the City could require them to put a road back. When we look at phase 2 we will have to

look at how the roadways connect again. But if some of the land got sold and went to a light industrial zoning and use, the City could require them to construct a roadway at that time.

Ms. Beuschlein said these are a lot of “what ifs”. She wants to know now what all that traffic is doing now, not if something else happens. This is now affecting her property. Mr. Cordonnier said there are a lot of factors to consider when looking at this property. One is the property owner has a right to develop their property. Ms. Beuschlein said the committee has a right to say no. If the neighbors are concerned, they can vote no. Mr. Cordonnier stated that there are property rights on both sides. The zoning allows the possibility of constructing up to 116 units on this size parcel. If we deny this today, someone else can come in with a larger density plan pushing that limit. This could be someone who doesn’t have a track record of success in the community. The reality is whether it is this year or three years from now, this land will be developed and it is zoned for Multi-family. We have to make the best of the situation. There are other situations where there are different problems. There is a 97 unit development west of town that accesses via a dead end residential road. There were concerns there but we have not heard of any issues since it has been under construction and people have been travelling in and out. As parts of this area develop, we can continue to strive to make that connection back out to Melrose. Mr. Cordonnier stated that in his experience, because of cost and such, you don’t normally see a developer required to install a large amount of roadway at one time. It gets pieced together like a jigsaw puzzle as each part comes into place. It may not always be the best way, but that is the way development occurs. He wishes there was a better access solution, but he believes that having two ways in and out is the best that we can do within the power of the developer at this time. Mr. Cordonnier said there has to be some recognition that the density they are providing is less than half of what could be built here.

Dan Clinger asked if Traffic Commission looks at these issues before going to Council. Mr. Cordonnier replied no. They generally have to look at changes to one way, parking on one side or the other, etc. Dan Stone stated that the developer will be putting in a request for no parking on the east side of this portion of Bishop Lane.

Dan Clinger asked how many R-3 Single Family lots are on the west side of the street. Dan Stone replied he wasn’t sure without the plat in front of him, but about 19 comes to mind.

Judy Scrimshaw commented that one thing that should go to Traffic Commission is the intersection of Bishop and Sheridan. Right now, there is a stop sign on Sheridan only. This should become a 3-way stop with the added roadway to the south. That will make people stop and then it is only a short block before they get to another stop sign at Crystal Lane. This will impede speeding.

Mr. Clinger said he concurs that the optimum layout would have a continuation of the roadway around to Melrose, but we are reviewing this to the fact that the zoning is appropriate, it meets the requirements of the district, and he doesn’t know on what basis they can deny the application. It has some issues that he understands the neighbors are concerned with. He is not sure it is any different than other cases where you develop and have to go through other areas for traffic access.

Ms. Scrimshaw commented that the original layout had this as a part of the plan. There was always going to be something done, it just had not happened until now. She said she knows people get

used to the fact that there is an open field in their back yard, there is no street there, but it will happen at some time. It was planned for, it was zoned for that. The folks on Vincent and such have been sitting there for as long as their homes have existed with nothing behind them. Unless you own the land, you do not have the control over what happens on it.

A man in the audience commented that Mr. Stone stated that the connection to Breckenridge would be unsafe. We are now doing the same thing to Bishop. Ms. Scrimshaw stated that she thinks he misspoke a little there. He was trying to describe how they had put curves in the Bishop Lane extension. If something is not a straight road it makes it less likely for people to just shoot down the street faster. Curves slow traffic down a bit more. The end of Bishop would just go straight. She said she thinks that is more what he intended to say.

Matt Cordonnier pointed out Vincent Street on the map. He stated that it is a post WWII development with many 800 – 900 square foot homes. What you will not see today is a long straight stretch of road as you see here. Good design and planning state that you use curvilinear streets which make the neighborhood more interesting and calms traffic. He commented that Ms. Scrimshaw's statement that this goes to Traffic Commission to request stop signs at Sheridan and Bishop is also a good idea to prevent speeding.

A gentleman asked what the purpose of asking for no parking on one side of the street was. Mr. Stone replied that that is just something the owner wanted to do. The gentleman replied that a clearer road means faster traffic.

Kelly Foltz, 550 Markle Street, came forward to speak. She stated that she lives between the 2 retention ponds on the west side. She asked how the second phase will affect the retention ponds on either side of her property. She said her home is close to WWII. The other homes were not there. Her grandfather built this house after the war. She does not want the house to be affected by this. She said Mr. Stone has been to her house. She doesn't want her grandfather's home having water because someone wants to make a quick dollar. Mr. Stone said the second phase will also have its own pond. There is a large drainage swale. When it rains, the whole field goes into it and into here. The intent is to have another pond that will intercept the water, bring it in here and slowly meter it out. So it will actually get there slower than what it does during heavy rain events now. Ms. Foltz said she gave Mr. Stone the dates of when the ponds overflowed.

Mr. Stone said the introduction of another pond slows the water down because they are metering it through a small, normally 8" pipe. Right now, the ground gets saturated, it's clay, the water just zips down there much quicker. By running it through another pond, you slow it down, it backs up into another pond and slowly releases into the swale that will go down there. Ms. Foltz went up to the map and pointed to the area where a new pond will go and asked how large it would be. Mr. Stone said that if he had to guess it will be a little larger than this pond now just based on the size of the area. It will be at least the same size or a little larger in order to handle the 100-year storm event detention wise and any water quality issues that EPA requires them to handle.

Ms. Foltz said they discussed water problems they had had. Mr. Stone said that right now it meets or exceeds the current 100-year storm design. It meets all requirements for the City and the County. It also handles what the EPA refers to as water quality. Therefore, it actually has

additional capacity above and beyond just the storm water regulations. Mr. Stone stated that they know what happens with that pond during catastrophic events, events higher than the storm, where it comes north across the driveway and down Markle. They are looking at it to see if they can eliminate that, reduce it going forward when they get to that phase. They will be digging in this area and providing additional capacity in the southern pond. Ms. Foltz says she hears a lot about cost. So if this becomes too expensive, will they not do it? Mr. Stone said this is a requirement. They have to have all the drainage approved and if it is not, they cannot go forward with the plans. There is no choice to do it or not. Ms. Foltz asked that he guarantee that she will not have water. Mr. Stone said he could not guarantee she will never have water. You have rain events where nothing in the City of Findlay or State of Ohio is designed to handle it. Last July, for example, there is no system in the State of Ohio that could handle that. He cannot guarantee she won't have water in that type of event. He stated that there are downstream restrictions that he cannot do anything about. All he can do is design this for the requirements. What he can physically let go based on the system that is there. They have proven right now that it meets and exceeds the requirements. If the second phase moves forward, there will be another pond there.

Dan Clinger stated that any development that is created with any hard surfaces – roofs, driveways, sidewalks, etc. - is required to contain that water and release it slowly so you do not have more flood problems. It is a part of the City's requirements. A lady in the audience commented again on the road situation. She said there is still no solution for traffic coming down her street. Mr. Thomas stated that we cannot force them to put a road all the way to Melrose through land they do not own. What we can do, is when a phase II comes in, we set it up that it gets extended. If something happens to this we can set it up to go to the north. It can be set up so we eventually get there and that will be following the plan as proposed back in 2000. But it can't be done now since this developer doesn't own it. Mr. Clinger stated that they did make the connection to Concord which was not on last month's plan. It is not the most ideal probably, but it does give another point of access.

Matt Cordonnier said that there seems to be concern with connecting Concord. Would the residents prefer that it not be connected to Concord at this time? A gentleman in the audience said he doesn't think it helps his neighborhood at all. He doesn't need another way out of his neighborhood. He thinks it will just bring more people out to Bishop. He mentioned closing off their neighborhood somehow to not have the influx. Why would they want everyone from Bernard and Concord coming through their neighborhood. He said this body could make recommendations as a planning group. They can say that if you want to build here, here is what it needs to look like. This is the way we will approve it.

Brian Thomas replied that that is what they are doing now. When they come with a phase II, they will look at that. They can't respond to phase II now because they don't know what that may look like. They can't make it go faster. The man commented on Matt's comments about the area east of the mobile home park possibly turning commercial or industrial. He said there are other factors in this that don't make this the best solution.

Darlene Beuschlein asked where construction traffic will be travelling. Todd Valentine, one of the developers, said it will come down Bishop Lane. It is public access. He said they have spent a lot of money based on a plan that the City approved in 2000. Ms. Beuschlein said she is not

concerned about his money, she is concerned about her home. The gentleman asked when she had purchased her home. She replied 13 years ago. Mr. Valentine replied that 13 years ago this zoning was in place. He asked if she had ever thought that since Bishop Lane stopped, that it may go through someday. Multi-family has been a part of the plan from day one. He stated that it is dead end street, not a cul-de-sac. It was planned to be extended. They are following the plan that the City reviewed, approved and moved forward with. Ms. Beuschlein asked if they could take the construction traffic through Breckenridge. Mr. Valentine stated that he cannot cross someone else's private property. The streets are public and he can use any of those whether he comes from Melrose or Crystal. But they will more than likely have to come down Bishop.

Dan Clinger said they has discussed a connection over to Breckenridge and he thought that seemed like a possible win-win situation. However, the layout of the plat did not have the cul-de-sac butting up to this property. That owner would lose real estate to accomplish this and he doesn't know how they can require another adjacent property to accommodate that. A gentleman in the audience asked if there were two roads through on the plan. If there were, would we be looking at something different. Mr. Clinger stated that if this was R-3 Single Family, it might make sense that both roads came through and you had back to back properties with houses.

Ms. Schroeder commented that we are looking at public roads which anyone has the right to travel and use as well as this developer. We are looking at residential development being extended for more residential development. It is not like we are putting commercial or industrial development coming off a residential street. This is what the streets are intended for, the extension of residential development. Ms. Beuschlein asked what we tabled it for last month then. Ms. Schroeder replied that it was for the developers to determine if there was any agreement that could be reached to get an access out through the other street also. The plan last month did not show any second way out. They did not come to any agreement. It is not something Planning Commission can force them to do. Ms. Beuschlein asked why they couldn't buy two lots off Breckenridge to use. Mr. Thomas said they can't require someone to buy additional property either. Ms. Schroeder stated that they are connecting through to a stub street that was put there according to regulations to make a connection some day to other development. She understands it is not the preferable connection the neighborhood would like.

Ms. Beuschlein again commented that the plan was done in 2006 and nothing has been done since then. Mr. Cordonnier stated that the plan for the development as a whole was done in 2000. A plat for the end of Breckenridge was approved in 2006 but has not been recorded. Ms. Schroeder commented that development in residential areas is definitely based on what the market is calling for at the time. Back in the 80's when there was a lot of single family development going on, maybe this would have all been platted as single family with large lots, but that is not what the market calls for now. It is now going toward smaller lots, multi-family development. The market drives these things. That is part of the reason this has sat for so long. The market stalled out 10-13 years ago and nothing much was happening in development.

A gentleman in the audience said he is okay with a higher density development if there is a more sensible way to get out of the area. If they would use the two roads, planning commission stated they would not have a problem with two roads. That is just not what is presented right now. It doesn't mean it's not the best plan just because it isn't presented now. Ms. Schroeder commented

that this is the only option within their control right now. She said she can't tell these folks to develop that property. He replied then tell them they cannot development this one. Ms. Beuschlein again stated that they can tell them to buy property at Breckenridge and connect there. Brian Thomas asked Mr. Rasmussen if the City can require a developer to buy additional property. Mr. Rasmussen replied no. They cannot make someone buy someone else's property nor can they make that person sell it to them.

A gentleman asked if they could table this one more meeting and let the property owners discuss purchasing some more land. Dan Stone replied that they had already discussed this and the property is not for sale.

Jackie Schroeder stated that Concord Court definitely needs connected. If there are emergencies on the north end of Bishop, there is a secondary exit. She said she thinks it would exceed the normal allowable dead end without it. She commented that we could stay here and go over this again and again, but it was tabled last month. They asked the developers to go over that option with Breckenridge. It appears that is not an option. We have public roadways, we have the property that has been zoned multi-family for many years, and a site plan before us that meets or exceeds the requirements of our zoning. It is at a lower density and lower building heights than they could construct. There is public access from two points that is agreed to.

### **MOTION**

Jackie Schroeder made a motion to approve **APPLICATION FOR SITE PLAN REVIEW #SP-01-2019 for Blanchard Station Apartments to be located on the west side of Bishop Lane on Lot 73 in the Krystal Ridge 2<sup>nd</sup> Addition subject to the following conditions:**

- **Maintain sufficient turn radius for fire apparatus throughout the development. (FIRE)**
- **The dead end of the proposed Bishop Ln. extension shall accommodate the largest FFD apparatus when backing from the most southern drive entrance of the development. (FIRE)**
- **Verification that water and sewer lines are public or private (ENG)**
- **Application to Traffic Commission for a 3-way stop sign for the intersection of Sheridan Avenue and Bishop Lane (CPC)**

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

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

### **ADJOURNMENT**

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Christina Muryn  
Mayor

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Brian Thomas, P.E., P.S.  
Service Director