

City of Findlay City Planning Commission

Thursday, April 11, 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:

Mayor Christina Muryn
Jackie Schroeder
Brian Thomas
Dan Clinger
Dan DeArment

STAFF ATTENDING:

Matt Cordonnier, HRPC Director
Eric Adkins, City Zoning Inspector
Jeremy Kalb, Engineering Project Manager
Judy Scrimshaw, Development Services Planner

GUESTS:

Jodi Mathias, Kyle Inbody, Holly Frische, Dan Stone, Tom Shindeldecker, Lou Wilin, Shawn Hoover, Melissa Zuern, Garry Lanagan, Todd Jenkins, Ed Romatowski, Paul Craun, Deric Luginbihl, Gary McMillen

CALL TO ORDER

ROLL CALL

The following members were present:

Mayor Christina Muryn
Dan Clinger
Jackie Schroeder
Brian Thomas
Dan DeArment

SWEARING IN

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

APPROVAL OF MINUTES

Dan Clinger made a motion to approve the minutes of the March 14, 2019 meeting. Dan DeArment seconded. Motion carried 5-0-0.

NEW ITEMS

1. ALLEY/STREET VACATION PETITION #AV-01-2019 filed to vacate an east/west alley between 319 and 321 S. Main Street from S. Main Street east to the first north/south alley.

CPC STAFF

General Information

This request is for an alleyway in downtown Findlay. The area is zoned C-3 Downtown Commercial. It is located within the 100-year flood plain. The City of Findlay Land Use Plan designates the area as Downtown.

Staff Analysis

This alley has been used as outdoor dining space for several years. Because it is still public right-of-way, the restaurant has had an outdoor dining permit from the City to use it.

The petition is only signed by the owner of 319 S. Main Street. We have received an email from the owner of 321 S. Main Street stating that they are not in favor of the vacation.

Therefore, Staff recommends denial of the petition. City Council does have a process that the applicant can pursue without signature of all adjoining owners. The applicant can choose to follow that course. It will be City Council's decision to vacate or not after that process has run its course.

ENGINEERING

No comment.

FIRE PREVENTION

No comment.

RECOMMENDATION

Staff recommends **that FCPC recommend denial to Findlay City Council of ALLEY/STREET VACATION PETITION #AV-01-2019 filed to vacate an east/west alley between 319 and 321 S. Main Street from S. Main Street east to the first north/south alley.**

DISCUSSION

Dan Stone explained that they are requesting the vacation in order to comply with a State of Ohio Building Code review that is requiring them to construct a secondary means of egress from the second floor. This will mean that a set of stairs has to be constructed. Since there are three tiers on the building itself, the only place it can go is on the south side of the building into the alley. Mr. Stone said they have been in discussion with the owners at 321 S. Main Street. They are aware of what is going on. The property owners are cordial with each other. He thinks Mr. Koehler did not want to sign the petition because they are not sure how it is going to work out with the current outdoor dining area that 321 S. Main uses here. He said they do not intend to close off or block the alley from use, but they need some of the area to construct this secondary means of egress from the second floor.

Mr. Stone reported that the stairwell design has been through the Downtown Design Review Board process and it has been approved. They are working with zoning and the City on a possible encroachment agreement.

Dan DeArment asked if the stairs could come off the back of the building. Dan Stone explained that since the building stair steps down from three to one floors toward the back, there is no access to the second floor at the rear. There are six or seven parking spaces at the back also that could be reduced if the stairway had to locate there. He is also not sure how the State would look at the route or travel paths for that either. Probably not the most efficient for time to exit in an emergency.

Dan Clinger said they received an email that Mr. Koehler and the Gardners had not discussed this and he was opposed. Mr. Stone said he has talked to James personally but did not know if the two parties had discussed face to face. They are both his clients so he knows there is some communication even if through him. He knew that James wouldn't sign initially because they did not have any agreement on the outdoor seating.

Mr. Clinger asked if there has been any discussion that if the alley is vacated the restaurant could still use the other half. Mr. Stone said that is one of the things that needs discussed and worked out. They now know exactly where the stairwell will be and how it will be positioned. They know how it will impact the outdoor seating now. Mr. Clinger said he thought it would be good to have some kind of agreement between the owners before we proceed with the vacation. He asked what the schedule on the construction would be for the staircase. A representative for the applicant stated that Phase 2 for the second floor is scheduled to be complete August 1.

Mayor Muryn said that since we currently have the objection to the vacation, and it would be our recommendation to deny the vacation at this time, would the applicant prefer this is denied or tabled to give them time to discuss. Mr. Stone said he would rather have the recommendation and move it on to Council. Mr. Clinger said he thought a denial would make Council not look favorably on it. Might be better to table and look at it next month after some discussion between the property owners.

Mr. commented that at long as Mr. Koehler is willing to talk about it he is okay with that. He stated that only about 6' will be taken up with the addition. It will still remain a thoroughfare except during construction when it will have to be closed for safety reasons. Dan DeArment asked if the stairs would go toward the front or back. Mr. Stone replied that they will go toward the front. Mr. DeArment said then it would block the view from the street. Mr. replied that it doesn't change either way, it is still the same size of structure. Dan Stone stated that this is a full enclosure, not an open staircase. According to the architect, the Stated does not allow those anymore. Mr. Stone said it is offset from the front around 40'.

Mr. DeArment stated that if they table this and the owners come back with some sort of agreement, then they can approve it, it will look more favorably for City Council.

MOTION

Dan DeArment made a motion to table ALLEY/STREET VACATION PETITION #AV-01-2019 filed to vacate an east/west alley between 319 and 321 S. Main Street from S. Main Street east to the first north/south alley.

2nd: Dan Clinger seconded

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

2. PETITION FOR ZONING AMENDMENT #ZA-02-2019 filed to rezone 305 & 307 W. Lincoln Street from C-2 General Commercial to R-4 Duplex/Triplex.

CPC STAFF**General Information**

This request is located on the south side of W. Lincoln Street just west of S. West Street. It is currently zoned C-2 General Commercial. All surrounding lots are also zoned C-2. It is not located within the 100-year flood plain. The City of Findlay Land Use Map designates the area as Single Family Small Lot.

Parcel History

There are two existing single-family homes (one on each lot) on the parcel.

Staff Analysis

The applicant is proposing to demolish both houses and would like to construct a new duplex in their place. Both are in poor condition and sit on extremely small lots. One lot is listed as 22.57' wide and the other is 27.93' wide.

The applicant has stated that he would combine the two lots and construct a new duplex there. The new lot will be just over 50' wide and the applicant will have to submit drawings to the zoning office to show that he can meet all setback requirements and provide off street parking for a minimum of 4 vehicles in order obtain the permit.

The area has several two and three family dwellings mixed into the neighborhood now. This area is definitely not commercial property as zoned now.

Staff Recommendation

CPC Staff recommends that FCPC recommend approval to Findlay City Council of PETITION FOR ZONING AMENDMENT #ZA-02-2019 filed to rezone 305 & 307 W. Lincoln Street from C-2 General Commercial to R-4 Duplex/Triplex.

ENGINEERING

No comment

FIRE PREVENTION

No Comment

RECOMMENDATION

Staff recommends that FCPC recommend approval to Findlay City Council of **PETITION FOR ZONING AMENDMENT #ZA-02-2019 filed to rezone 305 & 307 W. Lincoln Street from C-2 General Commercial to R-4 Duplex/Triplex.**

DISCUSSION

Dan DeArment asked how they would provide parking. Deric Luginbihl replied that he does not have access to the alley. He would request a curb cut off Lincoln Street. The plans are not drawn yet, but the intent is for a garage for each unit as well as one off street parking spot. Ms. Scrimshaw confirmed that four spots are required for a duplex unit. Mr. Clinger asked if that will fit here. Mr. Luginbihl replied that he has checked out the setbacks required and it will comply. He said it will also depend on if he can have one normal size curb cut or because it is technically two lots, if that could be combined in to one larger cut.

Mr. Clinger commented on some of the setbacks required for this project. Matt Cordonnier replied that this would be considered and “infill” project. It is new construction, but it’s infill for the neighborhood. Those have different, less intense setbacks. The code is designed that way to fit in these older neighborhoods. Mr. Clinger asked if he knew what the current setbacks were on adjacent houses. Mr. Luginbihl said he did not know for sure. Mr. Clinger said that he just did not want to see it come any closer to the street than the other homes. Mr. Luginbihl said that he could not go closer in order to have any off street parking. He can’t have cars hang over the sidewalk.

Melissa Zuern, 311 W Lincoln Street, spoke first. Ms. Zuern said she had concerns about parking at the front of the property and how it might affect her property value. She thought parking would be in the rear. Mr. DeArment thought that is what it would be initially also. He asked if Mr. Luginbihl could make that work. Mr. Luginbihl replied that he has not finalized any plans yet. It would take quite a bit of room to be able to get a driveway there and have less than 40’ to work on for the building. The only option that he could have would be to contact the neighbor to the east to see about an easement to come through his property. Mr. Luginbihl said that if he would allow it, he would rather do that.

Mr. Luginbihl said his goal is to make the City and the neighborhood better with this project. These are the worst houses in the area. He wants to put in a nice property that he can get nice people to live in. He stated that he thinks the house to the west is at least a quad unit. It may interfere with his parking. He said he would pursue that route before designing the building.

Dan Clinger asked about the garage to his south and if it has an occupied living unit in it. Ms. Scrimshaw the Auditor site implied there was a unit there. The neighbors stated that it has not been used as a living space for some time. Dan Clinger said he is hesitant to approve this without some investigation into that option. He and Mr. DeArment said they were inclined to table this until that conversation could take place.

Gary McMillen stated that he lives directly across the street and has looked at this property for many years. His hat is off to Mr. Luginbihl for tearing it down. His biggest concern is the parking situation. He said he does not like front in parking. He is concerned if the owner can fit a house and garage on the property at all. He would like to see some site plan drawings. He has concerns about who may tear them down, how long that will last. He doesn't want to see a lot of trash there for six months. When they moved into the neighborhood, they were good houses but they have just gone downhill over time. They were turned into rentals and were not taken care of.

Mr. Luginbihl said the demo would probably take a week. He has professionals coming in, fences will be set up, it will be demoed and leveled. He will not make the place look trashy. If he cannot build this year, it will be planted in grass. He would like to get them demoed now and be able to start his project before winter. The property is of no value financially now, so the sooner he can get going the better. Gary McMillen said he knows there is probably asbestos in the homes and has some concerns with that in the demolition. Mr. Luginbihl said there will be water during the demo process to keep those type of things from travelling. His contractors will be professionals. This is what they do and they know how to handle that.

Next to speak was Ed Romatowski, 315 E. Lincoln Street. Mr. Romatowski said he would be heavily opposed to a curb cut. He stated that going from Arby's to Western, there is not a curb cut onto Lincoln. He agrees that the houses need to come down and it would be great to put something aesthetically nice there. He too would like to see some rendition of what is being proposed. Dan Clinger concurred that it's very much a walking neighborhood. He said he does not have any concerns that Mr. Luginbihl wouldn't follow through with anything he says he is going to do.

Mayor Muryn stated that she would like to clarify one thing. The matter they are asked to consider today is zoning. The parking would be a zoning matter when a site plan is submitted. The question in front the Commission today is if we are fine with a rezone. She stated that she gets the impression that the members are okay with that. Matt Cordonnier stated that she correctly brings up a point. The applicant can bring in any picture and he is no way legally obligated to build that. We cannot put conditions on a rezoning such as we will rezone for you, but you cannot have a curb cut onto the street. Dan Clinger replied that they could hold onto this until they know for sure if there is another option for access. Ms. Scrimshaw stated that he does have a process to go through yet. He has three readings at Council. We are only making a recommendation to Council. Council has the ultimate decision to make once it goes through the process.

Dan DeArment asked who does the site plan review. Matt Cordonnier replied that the zoning department gets the site plan. The City of Findlay does not have a residential building code. In the zoning districts we have here, there is no clause to prevent a garage in the front or an access onto the street. It would be similar to a newer development in a subdivision. It may not be in keeping with the aesthetics of the existing old neighborhood, but our code cannot prevent that.

Dan DeArment asked that if they recommended approval and the zoning was approved, the site plan would then go to zoning. If they could not get access to the rear and it ends up designed with a garage in the front, can zoning deny the front garages. Mr. Cordonnier stated that they either meet the standards of zoning or they do not. Erik Adkins stated that they approve the placement of the building on the property, but they do not approve curb cuts. Those come from the Engineer's office. If they get the curb cut, and he can show he meets the parking requirements, they would issue a zoning permit.

Dan Clinger asked how Engineering would look at that. Jeremy Kalb stated that they look at the curb cuts in the area, but they cannot deny someone access to their property. So if that is the only way to give access to the lot, they cannot deny them a way to get on their property. Brian Thomas stated that there are restrictions on the size of the access. They cannot have a cut the full width of the lot. Twenty-four feet is the normal access for a residential lot.

Dan DeArment said his concern is that if they approve this, they lose control of the process. Mr. Romatowski said he would like to see the tabling until they can see if there is the possibility of getting access elsewhere. Brian Thomas stated that if this does not get rezoned, the houses could stay there. Mr. Cordonnier said that another option would be he demolishes them requests a curb cut and builds a single family home in the same manner with a garage at the front. Mr. Cordonnier said he can share some of the neighbors' concerns, but he has to walk the balance of their property rights as well as the property rights of the applicant.

Mr. Romatowski asked Jeremy Kalb about his comment that they survey the area for curb cuts. Jeremy replied that sometimes a person wants a second access and they look at the area to see how close drives are and if any have two now. In this situation, he has no access at the back. If he did, they could deny him since he can get through there.

Mayor Muryn asked Mr. Luginbihl is tabling this today would cause him significant issues in his process. Mr. DeArment said it would be on next month's agenda. He would just need to try to get the easement from the neighbor in that time. Dan Clinger stated that they approve contingent on the access, but if he can't get it..... Ms. Scrimshaw interrupted to state that they are not approving anything. They are only making a recommendation to council on them proceeding with the process. She said she does not think they can put a condition of the recommendation.

Mr. DeArment said he would move to table it then.

Mrs. McMillen came forward and said her concern is for the school children walking home. During the hours of 9 and 9:30 and 3 and 3:30 there are many students coming and going. With parking in the front, she is concerned with the backing out. Jr. High students walk the area also.

MOTION

Dan DeArment made a **motion to table PETITION FOR ZONING AMENDMENT #ZA-02-2019 filed to rezone 305 & 307 W. Lincoln Street from C-2 General Commercial to R-4 Duplex/Triplex.**

2nd: Dan Clinger seconded

Dan Clinger asked if he could proceed with his demolition plan and possibly go in and build single family if this does not go through. Ms. Scrimshaw stated that he may still need to rezone to R-3 because C-2 does not permit housing. Eric Adkins stated that he has already gotten his demo permit as well as one for another property he plans to redevelop.

VOTE: Yay (4) Nay (1) Abstain (0)

3. PETITION FOR ZONING AMENDMENT #ZA-03-2019 filed to rezone 731 W. Sandusky Street from R-3 Single Family High Density to R-4 Duplex/Triplex.

CPC STAFF

General Information

This request is located on the south side of W. Sandusky just west of the railroad tracks. It is zoned R-3 Single Family High Density. Land to the north and west is also zoned R-3. To the south and east is zoned I-1 Light Industrial. It is not located within the 100-year flood plain. The City of Findlay Land Use Plan designates the area as Planned Mixed Use Development (PMUD)

Parcel History

This is currently the site of a single family home.

Staff Analysis

The applicant would like to change the zoning to R-4 Duplex/ Triplex in order to construct a garage with an apartment on the property. It is our understanding that the owner will occupy the new unit.

There appear to be a few duplex/triplex units in the 800 block of the street.

The owner will have to comply with setback standards of the zoning code for the new structure and provide off street parking for at least four vehicles in order to obtain their zoning permit.

Staff Recommendation

CPC Staff recommends **that FCPC recommend approval to Findlay City Council of PETITION FOR ZONING AMENDMENT #ZA-03-2019 filed to rezone 731 W. Sandusky Street from R-3 Single Family High Density to R-4 Duplex/Triplex.**

ENGINEERING

No Comment

FIRE PREVENTION

No Comment

RECOMMENDATION

Staff recommends **that FCPC recommend approval to Findlay City Council of PETITION FOR ZONING AMENDMENT #ZA-03-2019 filed to rezone 731 W. Sandusky Street from R-3 Single Family High Density to R-4 Duplex/Triplex.**

DISCUSSION

Judy Scrimshaw commented that she was given the information that it is an elderly gentleman that is allowing another family member to take over the house to help take care of him. He would move to the apartment in the rear. Mr. Clinger asked if it would be a single floor apartment with a garage. Erik Adkins said the drawing he saw would have the garage with the living unit in the rear. Mr. Cordonnier said the shape of the lot makes it a little challenging, but if the zoning is approved he still has to meet the standards and it will be up to them to figure it out.

There was no one present to speak on behalf of the applicant and no neighbors to comment either.

MOTION

Jackie Schroeder made a motion to recommend approval to Findlay City Council of **PETITION FOR ZONING AMENDMENT #ZA-03-2019 filed to rezone 731 W. Sandusky Street from R-3 Single Family High Density to R-4 Duplex/Triplex.**

2nd: Dan DeArment seconded

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

4. APPLICATION FOR FINAL PLAT #FP-02-2019 to combine parts of Lots 6 & 7 of Findlay Industrial Center and vacate a portion of an existing surge pond easement.

CPC STAFF

General Information

This request is located on the north side of Fostoria Avenue. It is zoned I-1 Light Industrial. Land to the north, east and west is also zoned I-1. To the south is zoned MH Mobil Home. It is not located within the 100-year flood plain. The City of Findlay Land Use Plan designates the area as Industrial.

Parcel History

This is currently the site of an industrial business.

Staff Analysis

The applicant has purchased pieces of the lots over time and would like to have them combined into one lot.

There is a drainage easement recorded on the original plat that is no longer necessary and they want that removed in order to be able to use that portion of the land.

Staff Recommendation

CPC Staff recommends **approval of APPLICATION FOR FINAL PLAT #FP-02-2019 to combine parts of Lots 6 & 7 of Findlay Industrial Center and vacate a portion of an existing surge pond easement.**

ENGINEERING

No Comment

FIRE PREVENTION

No Comment

RECOMMENDATION

Staff recommends **approval of APPLICATION FOR FINAL PLAT #FP-02-2019 to combine parts of Lots 6 & 7 of Findlay Industrial Center and vacate a portion of an existing surge pond easement.**

DISCUSSION

Brian Thomas stated that he had a comment that he did not have time to get to the staff before the packets went out. The applicant did submit calculations and there is room to expand the pond if needed at some time, but it has plenty of capacity as it sits now to exceed the standards. Therefore, he has no concerns with vacating the easement.

Dan Clinger asked if the parking lot expansion that was done was simply a zoning approval. Ms. Scrimshaw stated that she couldn't remember what all had been through here, but there have been a couple of items recently on this site. Todd Jenkins said there will be a plan for a building coming in soon. This replat will clean up property lines and get that easement vacated. Some of the existing buildings near Fostoria Avenue are leased buildings. Mr. Jenkins said the new building will be occupied by FABCO.

MOTION

Dan Clinger made a motion to **approve APPLICATION FOR FINAL PLAT #FP-02-2019 to combine parts of Lots 6 & 7 of Findlay Industrial Center and vacate a portion of an existing surge pond easement.**

2nd: Jackie Schroeder seconded

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

5. APPLICATION FOR SITE PLAN REVIEW #SP-07-2019 filed by Service Leaders, LLC, 8146 US 224, New Riegel for a 9792 square foot industrial building, pavement and drive access for its business at 1744 Romick Pkwy, Findlay.

CPC STAFF**General Information**

This request is located on Romick Parkway. It is zoned I-1 Light Industrial. To the north, south, east, and west is zoned I-1 Light Industrial. It is not located within the 100-year flood plain. The City of Findlay Land Use Plan designates the area as Regional Commercial.

Parcel History

A site plan was reviewed and approved in October, 2018 for two structures on this lot. One was a 6000 square foot industrial storage building and the other was a 4600 square foot salt hoop building. An 1833 square foot salt building has been constructed so far on the site.

Staff Analysis

The applicant is now proposing to construct a 9792 square foot building and add more pavement and an additional curb cut onto Romick Parkway.

All setbacks for the I-1 district are met with the layout.

Parking in I-1 is based on 1.1 spaces per employee on the largest shift. The plan indicates that the maximum number of employees on site will be five. This calculates to six (6) parking spaces. The plan shows six (6) spots.

Maximum building height in I-1 is 60'. The elevation drawings indicate that the building is 28'-10" at the peak.

There is no freestanding signage on the plan. A letter from the Engineer for the prior site plan stated that any signage will be mounted on the building.

All lighting is provided by wall packs mounted on the building. There is no residential use currently in proximity to the site.

The entries, and an approximately 45.6' wide area on both sides of the building are paved. Much of this was stone in the original submittal. There was only one overhead door on the original proposal at the west end. Now there are two on that end, two on the south side and one on the north side.

Staff Recommendation

CPC Staff recommends **approval of APPLICATION FOR SITE PLAN REVIEW #SP-07-2019 filed by Service Leaders for a 9792 square foot industrial building, pavement and drive access for its business at 1744 Romick Pkwy, Findlay.**

ENGINEERING

Access –

Two new asphalt drives will be installed on the east side of the property onto W. Romick Parkway. The existing drive will be replaced with full height curb.

Sanitary Sewer –

The proposed plans show a new sanitary sewer to run to the existing 6-inch lateral on the NE side of the property.

Waterline –

The plans are proposing a new 2-inch domestic water service to be tied into the existing 8-inch waterline that is located on the west side of W. Romick Parkway.

Stormwater Management –

Detention for the site will be achieved by directing drainage to the ditch at the rear of the property, which will then continue to the regional detention facility.

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 (2inc) - 1 total

Sanitary Sewer Reconnect- 1 total

Curb Cut/ Drive Permit (74 LF & 98 LF) - 1 total

FIRE PREVENTION

Apply for all necessary permits with Wood County Building Department

RECOMMENDATION

Staff recommends **approval of APPLICATION FOR SITE PLAN REVIEW #SP-07-2019 filed by Service Leaders for a 9792 square foot industrial building, pavement and drive access for its business at 1744 Romick Pkwy, Findlay subject to the following conditions:**

- **Apply for all necessary permits with Wood County Building Department (FIRE)**

DISCUSSION

Dan DeArment commented that there is no roof on the current salt building. He stated that he was concerned about the environmental contamination when they had approved this. It was supposed to be a hoop building. The applicant stated that Wood County wanted engineered trusses on this. He said that if they had to go to the expense of that, they were going to increase their investment and go larger on the property. They stopped putting the hoop on. It was December when it happened.

They have decided to match the structure with the building they are putting up to make it more aesthetically pleasing. They took their \$15,000 hoop barn and stuck it in storage. All the salt is gone. Did have some in there in the winter, but used it up and cleaned it out for now.

Dan Clinger asked if the City has any problems with the double access points for the lot. Jeremy Kalb stated that for the amount of traffic and kind of businesses here, they don't have a concern. There is another business in the area that was just approved in the last year that has two also.

Dan Clinger noted that the salt structure is built over easement lines. The applicant said that the concrete guys pinned it off wrong. Dan Stone said he wasn't sure how the easement was set up, but going north it has been filled in and they park on it.

MOTION

Dan DeArment made a motion to approve **APPLICATION FOR SITE PLAN REVIEW #SP-07-2019** filed by **Service Leaders, LLC** for a **9792 square foot industrial building, pavement and drive access for its business at 1744 Romick Pkwy, Findlay** subject to:

- **Applying for all necessary permits with Wood County (FIRE)**

2nd: Brian Thomas seconded

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

6. APPLICATION FOR SITE PLAN REVIEW #SP-08-2019 filed by **Nipper Industrial Holdings, PO Box 923, Findlay** for a **parking lot and fence at 1700 Fostoria Avenue, Findlay.**

CPC STAFF**General Information**

This project is located on the north side of Fostoria Avenue west of Bright Road. It is zoned C-2 General Commercial. Land to the south is zoned O-1 Institutions and Offices. To the north is zoned I-1 Light Industrial and C-2 General Commercial. To the east is I-1 Light Industrial. To the west is zoned R-3 Single Family High Density. It is not located within the 100-year flood plain. The City of Findlay Land Use Map designates the area as Regional Commercial.

Parcel History

The existing building on this site has been a mixed use with a former school, offices and small industrial uses housed inside.

Staff Analysis

The applicant is proposing to construct a parking lot on the east side of the building containing 60 parking spaces. Access will be through an existing drive location toward the east side of the building from Fostoria Avenue.

On the west side of the building the applicant is proposing to fence in an area with 6' chain link fencing with three (3) strands of barbed wire on top. We believe this is for outdoor storage of equipment for an industrial user in the building. Per the Fence section of the zoning ordinance (1161.03) barbed wire is only permitted in Industrial zoning districts.

Outdoor storage is a Conditional Use in C-2 and requires Planning Commission approval. If the Commission grants the use, we believe the highest level of screening should be required to protect the abutting residential uses to the west and the office uses to the south.

Section 1161.07.4 Level 3 Screening Option 3 is recommended along the west side abutting the housing development. Staff observed that there is chain link fencing with barbed wire along that property line. This is most likely a remnant from the former factory days. Because it is not permitted in C-2 we recommend removal of the barbed wire. That fencing may be completely removed anyway to accommodate new fencing required for screening. Some type of solid fencing would be preferable around the storage area with landscaping to eliminate that view from the new Credit Union building that was approved last month and the Wells Fargo office in the southwest corner.

The Courier had a large ad in the April 2 paper about Kirk Corporation locating all of its operations to this site. Staff is wondering if there will be semi-trucks and trailers parked on the premises for the trucking component of the business. If so, what accesses will those be using and where will they parking?

Staff Recommendation

CPC Staff recommends **approval of the parking lot on the east side of the building as shown in APPLICATION FOR SITE PLAN REVIEW #SP-08-2019.**

If Planning Commission grants the conditional use for the storage area Staff recommends that:

- **Section 1161.07.4 Level 3 Screening Option 3 be used for the west side abutting the residential area**
- **The barbed wire is removed from the chain link fence remaining along that line or that fence is eliminated completely**
- **If other outdoor operations/storage will eventually be on the premises, the plans for those need to be considered and approved also.**

ENGINEERING

Access –

Will be from the existing private parking lot and drive.

Sanitary Sewer –

No proposed sewer

Waterline –

No proposed waterline

Stormwater Management –

Detention calculations and a SWPP plan have been submitted with the plans. The plans are proposing a new detention pond to be located on the NE side of the property. The detention pond will be metered into the existing storm manhole that is located within the new parking lot.

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. A SWPPP plan has been submitted with the plans.

Recommendations:

- Approval of the Site Plan

FIRE PREVENTION

No Comment

RECOMMENDATION

Staff recommends **approval of the parking lot on the east side of the building as shown in APPLICATION FOR SITE PLAN REVIEW #SP-08-2019.**

If Planning Commission grants the conditional use for the storage area Staff recommends that:

- **Section 1161.07.4 Level 3 Screening Option 3 be used for the west side abutting the residential area**
- **The barbed wire is removed from the chain link fence remaining along that line or that fence is eliminated completely**
- **If other outdoor operations/storage are intended to be on the premises, the plans for those need to be considered and approved also.**

DISCUSSION

Dan Clinger asked what the intent was for the fenced area. Any type of construction equipment? Richard Kirk stated that they have a lay down area about 2 miles east on SR 12. They intend to maintain that. All the lay down and storage of lumber and pipe will stay there. This facility will be for their offices, their shops for equipment maintenance, and parking of dump trucks. There will be some temporary storage of items that will then move to the long term storage area.

Dan Clinger asked if there would be office trailers there. Mr. Kirk explained that when they come off a job and need repaired they will have them there for repairs. The long-term storage will not be at that facility. Dan DeArment asked how big a fleet of dump trucks they have. He replied twenty. Mr. Kirk said the facility has been used for warehousing for years. There is about 150,000 square feet of warehousing there. The truck entrance is on the far west side and they will maintain that for their warehousing.

Matt Cordonnier asked where they accessed the outdoor storage area. Mr. Kirk said it is on the east side of the fenced area. He commented that the buffer area along the residential is already screened. It appears that years ago, when the residential was going to go in, that a buffer was put in. He knows there is barbwire on the fence and they could probably take that off, but they would like to leave the fence there. Todd Jenkins stated that he has lived in that subdivision for 18 years and he would agree to leave the fence and the barbwire, too. He said they get kids coming through all the time and he thinks they need that separation.

Mr. Kirk said this will be the corporate office for all their construction business. The family has considerably improved the property since they have purchased it. They will continue to do that. Dan DeArment said he was concerned about mud coming off from vehicles coming from a construction site. Will that be an issue with the dump trucks coming in and out? Mr. Kirk replied that 30 years ago you would have. You do not have that now. At the sites, you have to get the mud off before you get on the road normally. Towns require that you keep the pavement clean around job sites these days. Dan Stone stated that EPA has stepped up their rules over the years.

Dan Clinger asked what type of screening is along the fence area. Mr. Kirk replied that there is some mounding and trees. Jackie Schroeder noted that there are a lot of trees and such toward the south end, but as you move north it gets sparse. If you're looking out your window on that end, you can easily see everything on this property. Mr. Kirk said it appears that some of the planting died. He stated that some of the residents have been putting trees back up there. There is an area where it thins out and there is a lot of brush. Dan Stone noted that they have to be cautious of power lines back in that area.

Judy Scrimshaw reported that she did have one phone call from a lady who lives on Fostoria Avenue across from the area where Wells Fargo is located. She had concerns about heavy truck traffic going in and out and whether it might affect her property value.

Mr. Kirk said that the truck traffic will be required to use the entry at the west end instead of at the traffic light. They do not come and go at the same times depending on the jobs of course. They are generally gone for the day once they leave.

Christina Muryn asked about the barbwire. She understands that it is not permitted in this zoning now. Should that be removed on the existing fence or should we make some allowance for it to remain? Matt Cordonnier stated that he would consider it grandfathered in and if it stays it will be fine. He does not think we would have to take any action to allow it to stay. Mayor Muryn then asked if the barbwire on the new fencing is to be permitted, should we be sure to have some distinction between the two.

Dan Clinger asked if there will be other heavy equipment like backhoes on the site also. Mr. Kirk replied that it will be at the lay down site. It may come for service and maintenance on occasion, but will not be stored here.

Jackie Schroeder asked if they would consider any solid fencing even on portions of it to reduce interest from kids walking through. Mr. Kirk replied that when you are up at the road because there is a big hump, much of the view is blocked. Wells Fargo is probably the low point of the site. Where the new bank is going is a little higher.

Mr. Kirk stated that he feels that most of what you see now is the large AEP transformer station and you will still see that. Mr. DeArment said he feels we need to be respectful of the new bank and that they will still have a view of construction equipment. He stated that he was in favor of some solid fence and landscaping on that side of the enclosure between the bank and the storage. Mr. Kirk asked if that included landscaping. Mr. DeArment replied yes. Matt Cordonnier read the Level 3 Screening in the City Zoning Code as required for Industrial abutting residential or institutional. Mr. DeArment clarified that we were talking about solid fence on the west and south sides of the enclosure. Mr. Cordonnier noted that Planning Commission has the flexibility to place requirements as they see fit for the circumstances for a conditional use.

Mr. Clinger noted that right now it is a sea of asphalt and for the benefit of the new commercial developments it would be nice to have something down by them. Mr. Kirk said he liked that idea. He said he could work with the bank to get screening down at that end. Mr. Kirk said he would rather keep it tighter to the bank property. Dan Stone talked about helping to define the drive area that goes around the bank more. Mr. Kirk said he has no problem working with the bank to either get something on their property or the other as far as screening.

Ms. Muryn asked if rather than requiring the solid fencing, to give an option to use some of the wind break type material on the fence instead. Mr. Cordonnier said our code addresses the chain link fence with the “webbing” in it. He said it is either discouraged or just not permitted.

Dan Stone replied that he would propose that they work down near the bank and create the landscape buffer. Keep the enclosure chain link and work the residential to help re-establish the buffer toward the north. Mr. Cordonnier said he likes that idea just need to be on the same page as to what constitutes the buffer. Mr. Stone said he would work with the bank and put together a schematic to submit to HRPC for an internal review. Once they get the comments, then they can implement a final plan.

Mr. Clinger said he knows Mr. Kirk keeps coming back to keeping the buffer on the bank property, but he really likes the idea of moving it north to define the drive area from the parking lot. Mr. Kirk said he doesn't know the future plans for the rest of the property, but they will do something. Mr. Stone noted that there is no irrigation out here. The bank will be having irrigation and there's a better chance of keeping the vegetation alive as opposed to out in the parking lot. Brian Thomas stated that if the whole point is to be in the best interest of the credit union and he is willing to work with them on a solution, doesn't that accomplish what we want?

Matt Cordonnier said that when you are driving by he would like to think that people wouldn't notice that there is storage of a lot of construction vehicles out there as well as helping the new bank. He agrees with the filling in along the residential, maybe with arborvitae that will create a barrier but not get so tall to interfere with the power lines.

MOTION

Dan Clinger made a motion to approve **APPLICATION FOR SITE PLAN REVIEW #SP-08-2019 for a parking lot and fenced storage area at 1700 Fostoria Avenue, Findlay with the following conditions and approvals:**

- **Work with HOA for the residential area to the west on a plan to fill in the voids along the north end**
- **Barb wire can remain on the fence along the residential, no barb wire on storage enclosure**
- **Work with the Credit Union and Wells Fargo on acceptable screening plan along their properties.**
- **Planning Commission granted permission for the conditional use with this approval**
- **Parking lot on east side of the building is approved as submitted**

2nd: Jackie Schroeder seconded

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

ADJOURNMENT

Christina Muryn
Mayor

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