

# City of Findlay City Planning Commission

**Thursday, October 10, 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:** Judy Scrimshaw, HRPC Staff  
Matt Cordonnier, HRPC Director  
Jacob Mercer, Planner  
Eric Adkins, City Zoning Inspector

**GUESTS:** Dan Stone, Tom Shindledecker, Lisa McClain

### 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 September 12, 2019 meeting. Jackie Schroeder seconded. Motion carried 5-0-0.

## **NEW ITEMS**

### **1. PRELIMINARY PLAT APPLICATION #PP-02-2019 filed by John and Roger Best for Best Liberty Addition.**

#### **CPC STAFF**

##### **General Information**

This subdivision is located south of SR 12 and east of CR 9 in Liberty Township. It is zoned R-2 One Family Residential in the Township. Parcels to the south and east are also zoned R-2. To the west and north is zoned A-1 Agriculture. It is not located within the 100-year flood plain. The City Land Use Plan designates the area as Single Family Large Lot.

##### **Parcel History**

This is currently farmland which was once proposed as a part of the Liberty Dold Subdivision. The last phase of that subdivision was done in 2001. The Preliminary Plat before you today was reviewed and approved on March 8, 2018. It was also reviewed and approved by HRPC on April 18, 2018.

##### **Staff Analysis**

The Preliminary Plat of Best Liberty Addition was approved with conditions in 2018. A Preliminary Plat is valid for twelve months after approval. Because it has been over the twelve month period, it must be resubmitted.

The original plat had the name of the north/south street on the east side connecting Moulton Drive and Early Drive as Eagles Edge Drive. The stub street going east from Eagles Edge Drive to the vacant land was labelled Eagle's Talon. We are trying to get away from repetitive forms of the same names as it often creates confusion particularly for emergency response. We currently have Eagle Street, Eagle Drive, Eagle Ridge Drive, Golden Eagle Drive and Eagle Hill Ct. in the County. The names of those streets have been changed to Hiegel Drive and Talon Drive respectively.

The plat from 2018 had picked up numbering from the last lot numbers in the Liberty Dold Subdivision. Because this is considered a new subdivision, it must start numbering with 1 and go consecutively from there. This has been corrected.

Lot 4 did not meet the size requirements of Liberty Township. Additionally, the setbacks along Early Drive for Lots 1, 8,9,16 and 26 were incorrect per their zoning. The developer went before the Liberty Township BZA on April 23, 2018 and received the variances on those issues. The plan now complies with all conditions imposed by FCPC and HRPC on the original plat from 2018.

##### **Staff Recommendation**

CPC Staff recommends approval of **PRELIMINARY PLAT APPLICATION #PP-02-2019 filed by John and Roger Best for Best Liberty Addition.**

**ENGINEERING**

No comment.

**FIRE PREVENTION**

No comment.

**RECOMMENDATION**

Staff recommends approval of **PRELIMINARY PLAT APPLICATION #PP-02-2019** filed by **John and Roger Best for Best Liberty Addition.**

**DISCUSSION**

Judy Scrimshaw noted that another item that needed addressed was the stub street for Talon Drive. This does not show a cul-de-sac as is required. HRPC's Subdivision Review Committee discussed this a couple days ago also. We have been looking at these required connectors recently. There is another stub of Jadlos north of this plat that goes to the land to the east. Ms. Scrimshaw noted that in the amendments to the regulations, we have done away with requiring these unless the Board determines it is needed. There are many of these on record that have just sat there and before long someone buys something off the end of that street, puts a driveway there and renders it useless. Mr. Stone will be asking for a variance from that at the HRPC meeting next week. He can possibly borrow from surrounding lots and create one more here or split it amongst other lots as platted to make those larger.

Dan Stone commented that drainage has been the major contention out here since it came up last year. They have reanalyzed the entire development over the last year. The outlets in the pond were not working. They were damaged, plugged, there were trees growing in them. The pond was not out letting water during low or high flows. They located all the existing catch basins in the subdivision and found all the low and high points. They compared those in relationship to the pond. The lowest point in a roadway on the road leading out of the subdivision is about two feet lower than the top of the pond. Mr. Stone said the rain water got into the subdivision, the outlets were plugged and damaged. There was a back flow valve that was not working properly. So there was essentially no outlet. As the water rose in the detention pond it backed up through the pipes, into the streets.

Mr. Stone said they are putting together a plan that will have an emergency overflow spillway in the southwest corner of the existing pond. The elevation will be set at the lowest pavement elevation in the subdivision. As the water gets into the pond, it will overtop and go into this overflow rather than back up and sit a foot or two deep in the subdivision. He believes the overflow is set about a foot higher than the pond elevation. It is an emergency overflow, the 100-year will still stay in the pond. Mr. Stone said they were required by the County to seek easements from adjacent property owners because they will go through their property with a "conveyance" for this pond. He, the developers and third party engineers have been working with Gateway Church on the plan to cross their property. They have secured an easement from the Church. They have been in deep discussions with HPD (Hancock Park District) and have their verbal approval. He hopes to have a written approval next month.

Dan Clinger asked if Talon Drive will be gone on the final plat. Dan Stone replied that the first Final Plat will be for the southwest portion of the subdivision and will not include that area yet. He stated that they will ask HRPC for a variance to eliminate that stub street next week and if that happens they will remove it. If they don't get the variance they will have to put a cul-de-sac in. One of the Liberty Township Trustees as well as their zoning inspector were at the meeting and neither wants a cul-de-sac. Mr. Clinger asked about the damage to the existing system. Dan Stone explained again about what they found in regard to blockages and theories about mowing equipment possibly crushing some pipes over the years, etc. There was also a valve on the secondary outlet that opens but the manhole was not built properly and that valve could not open. The Township has cleaned out the bottom of the pond in that area, they have fixed that secondary pipe and have taken that back flow valve off the manhole. They have remedied that for now. The developer will go and make sure those outlets are protected by some structure or some type of headwall or some concrete. Mr. Clinger asked if the water reaches those outlets, does it then drain into a tile that flows down to Aurand Run. Dan Stone replied that the existing 15" tile goes all the way down to Aurand Run. Mr. DeArment asked if that tile has been inspected. Mr. Stone replied that he did not know if it had been inspected. He stated that it does drain. They can physically see when water backs up and goes away. He does not know if there has been any concern with the tile. The pond for Gateway drains very well and it uses the same tile.

Judy Scrimshaw stated that these are all the things that will get addressed in the construction drawings/Final Plat stage. Dan Clinger asked if the detention was developed to serve the entire subdivision as planned. Mr. Stone replied yes, it was for what was to be the entire Liberty Dold Subdivision. It was increased a few years ago and had been reviewed by a third party engineer. There is additional capacity beyond what is required for the development.

Dan DeArment asked if the developer has responsibility for maintenance. Mr. Stone stated that the County is now requiring the developer to petition for the County to accept all the drainage in subdivisions. That includes rear yard, front yard and all ponds. This particular pond was placed under County maintenance when it was expanded. Soil and Water Conservation is the entity that takes care of this, but they were not aware that it was theirs to maintain. The subdivision maintenance will be requested to go under County maintenance and the owners will be assessed to take care of that from now on.

Dan Clinger asked if any developments to the east, south, etc. will have any effect on this pond. Mr. Stone replied that they can't drain into this as it's not designed to pick up those areas.

Mr. Clinger said he had two letters that came in. One from a resident of Dold and one from a resident farther down on CR 9.

Matt Cordonnier asked if the new homes will share any pipes with the old subdivision. Mr. Stone replied that the subdivision currently drains down three roadways. What they will do is put in new storm sewer in the back yards. They are trying to take as much of the new development and put it in new storm sewers and out letting it into the pond rather than tying in to the existing. The existing line was sized for all of this, but they are trying to relieve the existing pipes by taking as much water out of them as they can.

Mayor Muryn stated that she sees that the developer is addressing a lot of the concerns here, but they are required on the Preliminary Plat to make sure it meets the requirements for that plat. The County Engineer and HRPC will be the next steps in determining if the drainage is appropriate as it moves. Mr. Cordonnier replied that that is correct. The Preliminary Plat requires them to show an indication of the proposed drainage. They have shown the proposed locations of pipes and such. Drainage calculations are submitted to the County Engineer at the construction drawing phase. He will review those and look at all the minute details then. If they don't meet County standards, he will not approve and a Final Plat cannot be submitted. This phase (preliminary plat) of the review does not allow them to move dirt, sell lots, construct infrastructure, etc.

Lisa McClain came forward to speak. She stated that she lives on the south side of Aurand Run. She said that she has lived there about 21 years and has seen increasing amounts of flood waters. She stated that at the time she purchased her home she was not in the flood zone, but with the last update she now is in a flood zone. She commented that over the last year or so she has spoken with many public officials and business men about this. She stated that running water more quickly to Aurand Run will affect her property. The swale that is proposed in front of Gateway Church and into the Park land will run the water more quickly to her property. She and Mr. Stone have discussed this and she has spoken with Doug Cade but is still a little confused. Ms. McClain stated that she knows the proposal states it is a 100-year flood event but it is her understanding that it is a 100-year storm event. She says it is 3.7" of rain in a 24 hour period, but is not clear on that. Ms. McClain commented that most everyone has been helpful, they have explained getting the swale work approved, but none have been able to tell her it will not affect her property negatively. She would like the Commission to take all of that into account when this moves forward.

### **MOTION**

Dan DeArment made a motion to approve **PRELIMINARY PLAT APPLICATION #PP-02-2019 filed by John and Roger Best for Best Liberty Addition with the following conditions:**

- **A cul-de-sac is placed on the end of Talon drive or,**
- **A variance is granted by HRPC to remove Talon Drive**

2<sup>nd</sup>: Brian Thomas

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

### **ADJOURNMENT**

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Christina Muryn  
Mayor

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