

City of Findlay City Planning Commission

Thursday, November 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: Mayor Christina Muryn
Jackie Schroeder
Brian Thomas
Dan Clinger
Dan DeArment

STAFF ATTENDING: Matt Cordonnier, HRPC Director
Judy Scrimshaw
Erik Adkins, Flood Plain/Zoning Supervisor
Matt Pickett, Fire Prevention
Jeremy Kalb, Engineering Project Manager

GUESTS: Brett Gies, Tom Miller, Ralph Vandervlucht, Mike Dunipace, Lou Wilin, Jacob Mercer, John Haywood

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 October 10, 2019 meeting. Dan DeArment seconded. Motion carried 5-0-0.

NEW ITEMS

1. PETITION FOR ZONING AMENDMENT #ZA-09-2019 filed to rezone 2321 N. Main Street, Findlay from C-2 General Commercial to R-3 Single Family High Density.

CPC STAFF

General Information

This request is located on the southeast corner of N. Main Street and Ely Avenue. It is zoned C-2 General Commercial. Land to the north is zoned C-1 Neighborhood Commercial. Land to the east and south is C-2 General Commercial and to the west is zoned R-2 Single Family Medium Density. It is not located within the 100-year flood plain. The City of Findlay Land Use Plan designates the area as Single Family Small Lot.

Parcel History

This parcel was previously the site of Crossways Ministries/Sunshine Day Care Center.

Staff Analysis

The applicant has recently split the church building from a business in the rear. He plans to convert the old church building into a single family home.

CPC Staff has no issue with the request.

Staff Recommendation

CPC Staff recommends that FCPC recommend approval to Findlay City Council of **PETITION FOR ZONING AMENDMENT #ZA-09-2019 filed to rezone 2321 N Main Street, Findlay from C-2 General Commercial to R-3 Single Family High Density.**

ENGINEERING

No comment.

FIRE PREVENTION

No comment.

RECOMMENDATION

Staff recommends that FCPC recommend approval to Findlay City Council of **PETITION FOR ZONING AMENDMENT #ZA-09-2019 filed to rezone 2321 N Main Street, Findlay from C-2 General Commercial to R-3 Single Family High Density.**

DISCUSSION

Dan Clinger stated that he was not opposed to the zoning change, but thought there may be some issues with lot coverage and setbacks. He noted a proposed garage addition shown on the drawing. Erik Adkins stated that the applicant had applied for a garage addition and went to BZA for variances on the setbacks which BZA has approved.

MOTION

Dan DeArment made a motion to recommend approval to Findlay City Council of **PETITION FOR ZONING AMENDMENT #ZA-09-2019 filed to rezone 2321 N. Main Street, Findlay from C-2 General Commercial to R-3 Single Family High Density.**

2nd: Jackie Schroeder

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

2. APPLICATION FOR SITE PLAN REVIEW #SP-24-2019 filed by Rusk OP Findlay, 2930 Centennial Rd, Toledo , OH for a 28 space parking lot for EverDry Waterproofing, 1760 Romick Parkway.

CPC STAFF**General Information**

This site is located on the east side of W. Romick Pkwy on Lot 26 in the Deer Meadows Subdivision. It is zoned I-1 Light Industrial and surrounding parcels on the west, east and south sides are also zoned I-1. The parcel to the north is zoned C-2 General Commercial. It is not located within the 100-year flood plain. The City of Findlay Land Use Map designates the area as General Commercial.

Parcel History

This is a vacant lot.

Staff Analysis

The applicant is proposing to construct a 28 space parking lot. The lot will be accessed from a new cut onto W. Romick Pkwy.

The applicant is in the process of dividing off the south 100' of Lots 26 and 25 and will add that to Lot 27 which is the site of their business, Every Dry Waterproofing. An increase in number of employees has triggered the need for more parking.

Because this is a dead parking layout, the code requires a turnaround at the end of the lot. An empty stub 10' deep with a 5' radius off the last parking spot is required. One of the last parking spaces is to be striped out for no parking. In this instance, the applicant will lose one parking space unless they wish to add on to the east side and end up with 29.

Staff Recommendation

CPC Staff recommends **approval to of APPLICATION FOR SITE PLAN REVIEW #SP-24-2019 for a 28 space parking lot for EverDry Waterproofing, 1760 Romick Parkway subject to the following conditions:**

- **The proper turn around area is added to the east end of the lot**

ENGINEERING

Access –

Will be from the existing drive.

Sanitary Sewer –

Plans show no proposed sanitary sewer.

Waterline –

Plans show no proposed water service or waterline work.

Stormwater Management –

The proposed site plan will be utilizing the regional detention pond for the area.

MS4 Requirements –

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

Recommendations:

- Approval of the Site Plan

Permits Needed Before Construction

- Storm Sewer Tap- 1 EA
- Drive Permit (54 LF)- 1 EA
- Curb Cut Permit

FIRE PREVENTION

Apply for all necessary permits with Wood County Building Department.

RECOMMENDATION

Staff recommends **approval of APPLICATION FOR SITE PLAN REVIEW #SP-24-2019 for a 28 space parking lot for EverDry Waterproofing, 1760 Romick Parkway subject to the following conditions:**

- **The proper turn around area is added to the east end of the lot**
- **Apply for all necessary permits with Wood County Building Department.**

DISCUSSION

Judy Scrimshaw noted that she can send Mr. Dunipace the drawing from the zoning code to illustrate the parking configuration she talked about in her comments. Jeremy Kalb stated that he failed to mention the new curb cut in his comments. Matt Pickett noted that since there is no building addition in this application, to scratch his comment about applying with Wood County.

Dan Clinger noted swales on both sides of the lot. He asked if that was detention or just the way to get the water to the catch basins. Mr. Dunipace replied that it was a way to convey the water to the catch basins.

Mr. Clinger stated that since this is to be combined as one property with the building, he would like a walkway between the business and this parking lot. Mr. Dunipace commented that it was their intention to construct a walkway.

MOTION

Dan Clinger made a motion to approve **APPLICATION FOR SITE PLAN REVIEW #SP-24-2019 for a 28 space parking lot for EverDry Waterproofing, 1760 Romick Parkway subject to the following conditions:**

- **The proper turn around area is added to the east end of the lot**
- **A walkway is constructed between the business' building and the new parking lot.**

2nd: Mayor Muryn

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

3. APPLICATION FOR SITE PLAN REVIEW #SP-25-2019 filed by 50 North, 339 E Melrose Avenue, Findlay for building additions to the east and west sides, parking lot areas and additional site improvements.

CPC STAFF

General Information

This request is located on the southwest corner of N. Blanchard Street and E. Melrose Avenue. It is zoned O-1 Institutions and Offices. Parcels to the north and south are zoned M-2 Multiple Family High Density. To the east is zoned R-2 Single Family Medium Density and to the west is the Railroad tracks and R-1 Single Family Low Density. It is not located within the 100-year flood plain. The City Land Use Plan designates the site as Civic.

Parcel History

The site is the current location of 50 North.

Staff Analysis

The applicant is proposing to construct new additions on the east and west sides of the building. The west addition will have a new art studio, offices and expanded dining facility. The east addition will expand the fitness center facilities and include a new indoor track.

All setbacks are well within the minimum requirements. There is no new free standing signage indicated.

The applicant is proposing to widen the existing curb cuts to allow for one lane of ingress and two for egress. This will allow for a left turn out lane.

The elevation drawings show a matching brick veneer on the new additions. The highest roof ridge of the building appears to be at 27'. The site will be heavily landscaped with foundation plantings and new perimeter landscaping around the parking areas. Landscape islands will also be added in the parking lots.

The photometric plan indicates that there are some areas particularly in the southeast corner of the lot where the readings exceed the .5 maximum threshold noted in the code. The pole details show the heights at the 25' maximum limit.

Details provided for the dumpster and recycling enclosures show that the walls will be 6' in height and constructed of vinyl fencing. Both are 3-sided structures without gates. The architect for 50 North stated that the trash truck drivers do not want gates and sometimes break them off. The recycling area is meant as a service to the community and therefore needs to be accessible for the public at all times.

Staff Recommendation

CPC Staff recommends **approval of APPLICATION FOR SITE PLAN REVIEW #SP-25-2019 for building additions to the east and west sides, parking lot areas and additional site improvements for 50 North, 338 E Melrose Avenue subject to the following conditions:**

- **Correction of the lighting to bring into compliance with the code. Will need to provide explanation of what was done in order to correct this.**

ENGINEERING

Access –

Will be from the existing drives, one off of E. Melrose and one off of Blanchard Street

Sanitary Sewer –

Plans proposing two new laterals to be tied into the private sanitary sewer that runs on the property.

Waterline –

Plans show no proposed water service or waterline work.

Stormwater Management –

Due to the proposed site layout creating new landscape areas in the parking lot and along the building, the post development reduces the runoff coefficient for the site. Since the development reduces runoff from the site, storm water detention is not required.

MS4 Requirements –

The amount of erodible material that will be disturbed will be more than one acre so the site will be required to comply with the City of Findlay's Erosion & Sediment Control Ordinance. A SWPPP plan was submitted as part of the proposed plans.

Recommendations:

- Approval of the Site Plan

Permits Needed Before Construction

- Sidewalk Permit (55 LF & 50 LF)- 1 EA for (105 LF)
- Curb Cut/ Drive Permit (76 LF & 75 LF)- 2 EA

FIRE PREVENTION

Apply for all necessary permits with Wood County Building Inspection.

RECOMMENDATION

Staff recommends **approval of APPLICATION FOR SITE PLAN REVIEW #SP-25-2019 for building additions to the east and west sides, parking lot areas and additional site improvements for 50 North, 339 E Melrose Avenue subject to the following conditions:**

- **Correction of the lighting to bring into compliance with the code. Will need to provide explanation of what was done in order to correct this.**

DISCUSSION

Judy Scrimshaw stated that our code does say that four-sided enclosures are required for dumpsters. The dumpsters are directly behind the building and not in public view. The recycling area is open to the public and Ms. Scrimshaw stated that she is confident that 50 North will make sure it is maintained in an orderly manner and cleaned up if needed.

Matt Pickett noted that the facility has a sprinkler system and it will be expanded into the new areas so there is no need for any new water lines.

Mayor Muryn stated that she would add that we waive the requirement for four-sided enclosures as part of the approval.

Dan DeArment said he has been there for special events and that the parking lots are full. He stated that they are taking away parking with the additions and that concerns him. Brett Gies replied that they are not taking away parking. He explained how the parking is shifted over to the east side to make up for the spots lost with that addition. They have made the west side more efficient by removing the light poles in the drive aisle and adding islands. Mr. Gies quoted the O-1 Institutions and Offices guidelines for required parking. He stated that they are required to have 165 spaces and will have 190 on site. Ms. Scrimshaw commented that they have also oversized the parking spaces to be 10' x 20'. Code only requires 9' x 18'.

Brett Gies added that there is a small commemorative sign proposed in one of the parking islands. It will be a monument sign and they will apply for a permit with zoning.

Mr. Gies also noted that he had contacted their electrical engineer in regard to the lighting issue at the south property line. They are suggesting an alternate fixture for the three poles on the south side utilizing a backlight control type distribution. This will reduce the foot-candle levels to below the maximum .5 foot-candles. They also intend to add glare shields as an added option to help be a good neighbor.

Mr. Gies stated that the plans show three roll off containers in the recycling area. There will only be two at a time. They have shown three to allow for stacking during the drop off and removal process.

MOTION

Christina Muryn made a motion to **approve APPLICATION FOR SITE PLAN REVIEW #SP-25-2019 filed by 50 North, 339 E Melrose Avenue, Findlay for building additions to the east and west sides, parking lot areas and additional site improvements.**

2nd: Jackie Schroeder

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

4. REVIEW OF PROPOSED AMENDMENTS TO CITY OF FINDLAY ZONING MAP AND TEXT

Mr. Cordonnier explained that over nearly two years we have been working on the map update. It is a large undertaking. The main purpose of the update is to correct inconsistencies in the zoning map as compared to actual use.

Mr. Cordonnier presented a power point that covered what zoning is, what our process was, how the maps compare, etc. Mr. Cordonnier covered the residential districts and stated that the only change will be to propose that Duplexes and Triplexes would be allowed as a Conditional Use in the R-3 District.

Matt Cordonnier explained that we have created a database that will be available on the City of Findlay website by which the public can search for parcels they own to see if there is any change proposed. He explained that around 6,000 parcels are proposed to change out of nearly 21,000 in the City.

Dan DeArment asked if anyone will be negatively impacted by this and whether it may be controversial. Mr. Cordonnier replied that he doesn't believe so. Mayor Muryn replied that from the City's standpoint they don't believe it is negative in any way. The public perception may be that if they change from R-1 to R-2 or R-3 that it will have a negative impact on property values. It does not. We hope that by putting so much information out there with examples, that it will help with understanding. We are more than willing to answer questions and listen to concerns related to any particular properties. Dan DeArment asked who we asked about the impact on property values. Matt Cordonnier replied that we spoke with local realtors and appraisers and they claimed the zoning classification has no impact on the valuation of a property. Currently the only way to find your zoning classification it to call and ask or look at a map. We have requested that the County Auditor put this information on their site, but for technical reasons they have not done so. To our case in point, the County Auditor does not know what your property is zoned when they evaluate it. So it definitely does not play any part in the tax evaluations.

Dan Clinger asked how we would treat the house just south of the one we just recommended to rezone to R-3 today on N Main Street. Just south of that is an apartment building which can't be R-3. Mr. Cordonnier replied that yes in that instance there could be two lots of R-3 and then an M-2 parcel. He proceeded to explain the process we used in our research. HRPC used interns one summer to drive around town and try to locate any duplex, triplex or multiple family properties. Another tool we used is how the Auditor is taxing a property. If the field work showed a property single family, the Auditor taxes it as single family and it's is currently zoned C-2 on the map, we are going to change that to a single family zoning.

Mr. Clinger then said that we should see a lot of spottiness on the new map then. Mr. Cordonnier further explained that often the entire block is of similar sized lots. There are parts of town where some lots are small, some large in the same block perhaps. As an example, if there are 50 homes in the neighborhood and 40 are small lots, 5 are medium size and 5 are large, we propose the area as R-3 because the majority fit that classification. If you have an R-1 size lot but have R-3 zoning it is definitely to your benefit being R-3. We don't want to have a block with three different residential zoning classification, one has a 30 foot setback, one has 25' and one only has 10'. That would ruin the look and feel of the neighborhood.

Dan DeArment used an example of possibly being able to put a garage closer to a neighbor. That could be a possible negative to the neighbor. Erik Adkins replied that for a detached garage there is no change. Accessory structure setbacks are the same in all the districts. If a property is going from R-1 to R-3, the side yard would go down to 3' from 5'. That would only apply to an addition to the primary structure. So, it could end up closer to the property line in that case. Mr. Adkins noted that they have had many cases in older neighborhoods where a home is only 3' from a property line, but is zoned R-1 or R-2. They end up at BZA if they want to follow that line for an addition. Mr. Cordonnier noted that in most cases the neighborhood is already build to a more dense scale. So, he would see this as a negative. We are really just putting the correct zoning to the dimensions of the lot.

Mr. Cordonnier stated that the searchable data base will be going live as early as this afternoon. He would like the citizens to look at the data base, see how their property may or may not be affected and call HRPC with any questions. Brian Thomas noted that he thinks one of the largest hurdles they may have is the misconception that R-1 is better than R-2, etc. Erik Adkins noted that one of the biggest issues he has seen since coming here is the number of properties that should be zoned R-3, but are R-1. They are always coming in for variances on setbacks.

Matt Cordonnier then discussed the one text amendment that is proposed to go along with the map update. This amendment will make duplexes and triplexes a Conditional Use in the R-3 district. This will bring existing duplexes and triplexes into conformance with the zoning code. Mr. Cordonnier commented that that are close to 1000 duplexes and triplexes non-conforming at this time because they are not zoned R-4. If this goes through, he envisions then granting formal Conditional Use to some 750 of these. We did research to determine how many of the close to 1000 units are legal. These have some record whether they were there before zoning was adopted, they have a permit for the conversion on file in zoning, if there was not a permit for the conversion but a permit for some other structure and it mentioned that it was a duplex we took that as legal also. If we could find no paper trail of any type, then we considered it illegally converted.

Mr. Cordonnier stated that the two schools of thought would be to grant the Conditional Use to all the confirmed legal conversions, the other to establish a “point in time” where all will be given the Conditional Use.

Dan Clinger commented that the Conditional Use for duplexes and triplexes may cause concern for others in R-3 that it will affect their property value. Matt Cordonnier said that he can agree with some of that concern. In a way this is going back to the way things were before 2012. Judy Scrimshaw stated that A Residential was the only single family district in the prior code. B Residential allowed duplexes as well as single family and C Residential allowed all types of housing as well as offices. It was the old pyramidal effect. Mr. Cordonnier said he thinks it is the best solution because it does give Planning Commission the most flexibility to say yes or no. Matt stated that we are working with an attorney to write some of the conditional use language, but there is always flexibility for the Commission. Mr. Cordonnier said that another thought could be to make all the existing units legal, then decide on a particular area to zone to R-4 and that is the only area that new duplexes or triplexes could occur.

Christina Muryn commented that both she and Mr. Schmelzer were not fans of that option. How do you choose the area?

Dan DeArment asked about the 250 that are not legal. If we make those apply, could some be turned down because they don’t meet criteria? Mr. Cordonnier stated that he still sees two options, either do all or leave those out and handle them on a case by case basis as something happens with them.

Tom Miller asked about a duplex that he owns that doesn’t have parking on site. Vehicles park along the street. Would he be forced to cut back on the units or have to make parking somewhere? Matt Cordonnier said that if the units were legally established, he would not have to do anything.

MOTION

Dan Clinger made a motion to recommend **approval to Findlay City Council of the Zoning Map Amendments as presented.**

Jackie Schroeder seconded.

Tom Miller stated that he thinks this is a good idea, but he would like to see the time frame changed to allow for more public input. Waiting until 2020 seems like a better idea.

Dan Clinger amended his motion to state that FCPC recommends **approval to Findlay City Council of the Zoning Map Amendments as presented as long as the legislation is not considered until 2020.**

Christina Muryn seconded.

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

Christina Muryn made a motion to recommend **approval to Findlay City Council of an amendment to add duplexes and triplexes as Conditional Uses in the R-3 Single Family High Density district. This also will not be presented as legislation until 2020.**

Brian Thomas seconded.

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

ADJOURNMENT

Christina Muryn
Mayor

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