

# City of Findlay City Planning Commission

Thursday, May 14, 2020 – 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, Development Services Planner  
Erik Adkins, Flood Plain/Zoning Supervisor

**GUESTS:** Dan Stone, Tom Shindledecker, Michael Dunipace, Kyle Inbody, Chad Oman, Susan Bowers

### 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 April 9, 2020 meeting. Jackie Schroeder seconded. Motion carried 5-0-0.

### NEW ITEMS

**1. PETITION FOR ZONING AMENDMENT #ZA-05-2020 filed by Tamarack Construction North LLC to rezone Lot 30 & pt. of alley in the Walkers Addition (Midland Avenue) from R-2 Single Family Medium Density to R-4 Duplex/Triplex High Density.**

**CPC STAFF****General Information**

This request is located on the north side of Midland Avenue just east of N Blanchard Street. It is zoned R-2 Single Family Medium Density. All abutting parcels are also zoned R-2. 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 is a vacant lot.

**Staff Analysis**

The property owner is requesting to change the zoning to R-4 Duplex/Triplex. A preliminary sketch submitted with the application suggests that he would like to construct a triplex on the lot. This is only a request to rezone and no plans are required with the application. Any structure will have to meet the required setbacks and be able to provide the off street parking per code or the zoning department will not issue a permit.

Currently, the north side of Midland in this block is all single family homes. The south side has a group of four duplexes (501-517) and a commercial building at the corner of Midland and Crystal Avenue.

The request is not unreasonable, but we have some concerns because a few neighbors have voiced negative opinions on the matter.

**ENGINEERING**

No Comment

**FIRE PREVENTION**

No Comment

**DISCUSSION**

Chad Oman introduced himself. He explained his vision for the project. They wish to create something that fits in with the aesthetic of the neighborhood. They hope to enhance the area with their product. They wish to create a property that will attract the best tenants. They wish to have a quiet place that is pleasing to the eye, well maintained and provides enough parking for tenants and guests. Mr. Oman stated that even though they have submitted a sketch for a triplex, it was primarily to show that they could meet setbacks and parking on the lot. A duplex may be more prudent. He said that one of the main focuses is to create enough off street parking. They don't want to build anything that would compromise that. Parking on the street is not an option. The building will be one story with some stone work.

Mr. Oman stated that they want to rezone to the R-4 as they believe that it fits into the neighborhood profile. He noted that the neighborhood is being proposed to be changed to R-3 on the map update. R-3 is proposed to have the potential for duplexes and triplexes. He noted the duplex complex across the street and another a few houses down. He also stated that the properties on either side of his vacant lot are rentals as well as many other properties in the area.

He stated that it makes sense to fill that need here. He commented that it is a mixed community with some degree of higher traffic with a few commercial properties also in the area.

Mr. Oman stated that he has a couple other rental properties in the area and is inundated with calls when he posts a vacancy. He commented that he does full background and credit checks as well as full interviews with his potential tenants.

Dan Clinger asked Mr. Cordonnier about the map Mr. Oman referred to. Matt Cordonnier replied that it is the zoning map update and the change to R-3 is primarily based on lot size in the area. He stated that duplexes will be a conditional use in the R-3 district. Those wishing to build one must go before City Planning Commission. Now he has to rezone if he wants to do this. The rezoning goes to Planning Commission, then Planning and Zoning Committee and then to Council. After the map changes, he would have to have his plan reviewed by Planning Commission and it stops there. Dan DeArment asked about Council not reviewing it and our decision standing. Ms. Scrimshaw explained that when it is a Conditional Use, Planning Commission gets to review the plan and approve or deny. They can place any conditions they feel necessary on the plan in order to approve. They do not have to approve a duplex or triplex if they do not feel it appropriate. If the zoning is changed, Planning Commission does not see any plans, they just get a zoning permit.

Dan Clinger asked if Mr. Oman owned any other property on the street. Mr. Oman replied that they own the house immediately west of this lot. Mr. Clinger stated that one of the problems he has when someone takes an individual lot and puts a triplex on it is they end up with building facing sideways on the lot. The back door will face a neighbors' side yard. Mr. Clinger thought it interesting that we received many letters from people on Allen Avenue but not on Midland Avenue. Mr. Oman stated again that he is willing to make the structure fit in with the neighborhood.

Dan DeArment asked where the parking would be located. It appears it is across the front of the lot. Judy Scrimshaw stated that she doesn't think it is permitted in the front. It will have to go in the rear. Mr. Cordonnier clarified that required parking is not permitted in a front yard. Mr. Clinger stated that he realizes there are duplexes across the street that are older and have been there a long time. He stated that he has issue with taking one small site in a residential area and turning it into a duplex. We have had that in other instances, but it was usually a case where other duplexes were prevalent.

Susan Bowers, 519 Allen Avenue, requested to speak on behalf of herself and neighbors. Ms. Bowers stated that she has lived there for nearly 31 years. She explained that the four homes abutting the former north/south alley asked to vacate it was because of drug issues over some 20 years in a house next to hers. The City Police raided the home a couple years ago and the problem has ceased. The current proposal will abut her back yard. They are a single family neighborhood and do not particularly want something like this in their back yards. Ms. Bowers stated that they are concerned about who the tenants may be, possible two story building and the fact that there are two rental properties on either side of this lot. She asked what would prevent the owners from selling those properties and constructing more similar buildings there also. She is also concerned about people walking through her or the neighbors' properties to get to the

rental units. She again asked about who the tenants may be, if children are allowed and where could they put all the parking that is needed.

Mayor Muryn thanked Ms. Bowers for expressing her concerns. She told Ms. Bowers that the alley that was vacated is now part of the abutting neighbors' personal property. If someone is illegally using it, she has all rights to contact the Findlay Police and take action. Ms. Muryn said she can understand some concerns but wanted to share that she has lived in a duplex, she has owned a duplex in the past. She wanted to assure her that zoning standards help to make sure there is ample parking, that there are yard requirements.

Dan DeArment commented that we are not tearing down an eyesore and improving it with a new build. In this case we are taking a vacant lot with trees and putting a large structure on it.

Mayor Muryn asked the applicant if his zoning request was denied would he move ahead with a single family structure. The applicant replied yes.

Jackie Schroeder asked where we stand with the zoning map update. Mr. Cordonnier stated that we are in a virus pause. It was recommended that we have a couple of public meetings/open houses. We would anticipate somewhat of a crowd and since we cannot hold such meetings at this time, so we are paused right now. We really want to be able present the materials in that format and to answer citizens' questions.

Judy Scrimshaw asked to clarify our process here for Mrs. Bowers. This body is only making a recommendation today to a committee of council. There is no decision today and more of a process to go through.

### **MOTION**

Dan Clinger made a motion off denial to Findlay City Council of **PETITION FOR ZONING AMENDMENT #ZA-05-2020 filed by Tamarack Construction North LLC to rezone Lot 30 & pt. of alley in the Walkers Addition (Midland Avenue) from R-2 Single Family Medium Density to R-4 Duplex/Triplex High Density.**

**2<sup>nd</sup>: Dan DeArment**

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

## **2. APPLICATION FOR FINAL PLAT #FP-02-2020 for a replat of Lot 1 – Replat of Lots 17 & 18 and Lot 8 & 9 in the North End Commercial Park 2<sup>nd</sup> Addition.**

### **CPC STAFF**

#### **General Information**

This request is located inside the circle created by Speedway Drive and Marathon Way. It is zoned I-1 Light Industrial. To the south and east is also zoned I-1. To the north and west is zoned C-2 General Commercial. 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**

In 2019 Lots 8 & 9 were rezoned to I-1 Light Industrial. The existing storage units on Lot 1 were approved in various phases from 2017 through 2019.

### **Staff Analysis**

The applicant is proposing to combine the existing lots herein to create one new lot. They also wish to vacate a recorded utility and drainage easement through the middle of what will be the new Lot 19.

The replat will take care of creating a unified lot and vacating those recorded easements.

### **Staff Recommendation**

CPC Staff recommends **approval of APPLICATION FOR FINAL PLAT #FP-02-2020 for a replat of Lot 1 – Replat of Lots 17 & 18 and Lot 8 & 9 in the North End Commercial Park 2<sup>nd</sup> Addition.**

### **ENGINEERING**

No Comment

### **FIRE PREVENTION**

No Comment

### **RECOMMENDATION**

Staff recommends **approval of APPLICATION FOR FINAL PLAT #FP-02-2020 for a replat of Lot 1 – Replat of Lots 17 & 18 and Lot 8 & 9 in the North End Commercial Park 2<sup>nd</sup> Addition.**

### **DISCUSSION**

Dan Clinger asked for verification of the location of the easement to be vacated. Dan Stone replied that there is a 15' utility easement running north/south on the property line. When subdivisions are platted there are some side and rear lot line easements required to be shown. When this plat was done that utility easement was placed on the rear lot line. It was never utilized. All the infrastructure was places in the public right of way.

Mr. Stone stated that there was an easement for a drainage pond in the initial design. When the pond was developed for The Cube and this whole area, that easement and drainage area went away. They wish to remove these, make it one lot and continue to develop the site. The overhead transmission line easement will stay along with a high pressure gas line running through here. He is guessing the site will be more storage unit buildings.

### **MOTION**

Christina Muryn made a motion to **approve APPLICATION FOR FINAL PLAT #FP-02-2020 for a replat of Lot 1 – Replat of Lots 17 & 18 and Lot 8 & 9 in the North End Commercial Park 2<sup>nd</sup> Addition.**

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

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

**3. APPLICATION FOR SITE PLAN REVIEW #SP-09-2020 filed by Rusk OP Findlay LLC, 2930 Centennial Rd, Toledo, OH for a 1,350 square foot building addition, gravel pit, concrete shed, dumpster and walkway relocation for EverDry Waterproofing located at 1760 Romick Parkway.**

### **CPC STAFF**

#### **General Information**

This site is located on the east side of W. Romick Pkwy on Lot 27 and a portion of Lots 25 & 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**

In November, 2019 FCPC approved the parking lot to the north of the building. The original building was approved in May, 2017.

#### **Staff Analysis**

The applicant proposes to construct a 50' x 27' addition to the north end of the existing building. The addition will be used to park two trucks and for storage. An overhead door will provide access along the west side of the building. The building will be constructed with the same finishes as the existing structure.

The areas north of the new addition will be secured with chain link fencing along the west side with gates for access to a gravel storage area with concrete block walls and a roll off dumpster. An 8' wood fence will make up the north and east sides. There will be a gate at the northeast corner for access to a premix concrete storage shed.

A walkway to the north parking lot is being moved from its original location to the east side of the fenced area. It was proposed to be more centered with the building.

The new addition and all the accessory small structures are in line with the original building footprint, so all the setbacks are met. The heights are the same also.

The applicant is in the process of combined the lots and portions of lots so this will be one unified parcel.

#### **Staff Recommendation**

CPC Staff recommends **approval of APPLICATION FOR SITE PLAN REVIEW #SP-09-2020 filed by Rusk OP Findlay LLC for a 1,350 square foot building addition, gravel pit, concrete shed, dumpster and walkway relocation for EverDry Waterproofing located at**

## 1760 Romick Parkway.

### ENGINEERING

#### *Access –*

Will be from the existing parking lot that is on the property.

#### *Sanitary Sewer –*

No sanitary sewer is proposed.

#### *Waterline –*

No water line work is proposed.

#### *Stormwater Management –*

Detention calculations were previously approved on past site plans for the property.

#### *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

### FIRE PREVENTION

No Comment

### RECOMMENDATION

Staff recommends **approval of APPLICATION FOR SITE PLAN REVIEW #SP-09-2020 for a 1,350 square foot building addition, gravel pit, concrete shed, dumpster and walkway relocation for EverDry Waterproofing located at 1760 Romick Parkway.**

### DISCUSSION

Michael Dunipace stated that this new addition to the building will be for more storage for the business.

Dan Clinger stated that they had requested a walkway to the parking lot on the last site plan. Ms. Scrimshaw replied that they had shown that more in the center, but it is now moved to the east. Mr. Clinger noted the distance someone now has to walk to get into the building. He thought it was more logical to have it farther east. Ms. Scrimshaw noted that this is most likely employee parking. Clients would park near the building.

Dan DeArment asked if there would be an issues getting the roll off container in and out. Mr. Dunipace replied that he did not think it should be.

### MOTION

Christina Muryn made a motion to **approve APPLICATION FOR SITE PLAN REVIEW #SP-09-2020 filed by Rusk OP Findlay LLC, for a 1,350 square foot building addition,**

**gravel pit, concrete shed, dumpster and walkway relocation for EverDry Waterproofing located at 1760 Romick Parkway.**

**2<sup>nd</sup>: Dan DeArment**

**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