

MINUTES

CITY PLANNING COMMISSION

Thursday, April 9, 2009

Municipal Building Conference Room

MEMBERS PRESENT: Mayor Sehnert
Bruce Hardy
Joe Opperman
Thom Hershey
Tom Joseph

STAFF ATTENDING: Matt Carpenter, Assistant Chief Engineer.
Judy Scrimshaw, HRPC Staff
Dave Hackenberg, Law Director
Matt Pickett, Fire Prevention

GUESTS: 7

CALL TO ORDER

ROLL CALL

The following members were present:

Mayor Pete Sehnert
Bruce Hardy, Service Director
Joe Opperman
Thom Hershey
Tom Joseph

SWEARING IN

All those planning to give testimony were sworn in by the Clerk.

APPROVAL OF MINUTES

Thom Hershey moved to approve the minutes of the March 12, 2009 meeting. Joe Opperman seconded the motion. Motion carried 5-0.

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TABLED ITEM FROM THE 11-13-08 MEETING

SITE PLAN APPLICATION #7535-SP filed by Clifton Baxter, 2571 Blanchard Avenue, Findlay, OH 45840 for proposed single family residence and pole barn for storage to be located at 1415 E. Sandusky St., Findlay, OH 45840.

ACTION

Thom Hershey moved to remove Site Plan Application #7535-SP from the table. Joe Opperman seconded the motion. Following is the roll call vote: Mr. Hershey, aye; Mr. Opperman, aye; Mr. Joseph, aye; Mr. Hardy, aye; Mayor Sehnert, aye. Motion carried 5-0.

Judy Scrimshaw said the re-zoning is completed to C-Residential. There was discussion regarding screening and the type planned. Mr. Baxter said he plans to bring in nice trees and have rolling mounds. He said he plans to make it very nice.

Bruce Hardy noted that there could be no material added to the flood plain.

Thom Hershey moved to approve Site Plan Application #7535-SP as described and on the condition of working with Engineering to make sure the Flood Plain is not affected. Bruce Hardy seconded the motion. Following is the roll call vote: Mr. Hershey, aye; Mr. Hardy, aye; Mr. Joseph, aye; Mr. Opperman, nay; Mayor Sehnert, aye. Motion carried 4-1.

NEW ITEMS

HRPC

- 1. SITE PLAN APPLICATION #7940 -SP filed by Carrol's Corporation for proposed Burger King Restaurant to be located at 1700 Tiffin Avenue, Findlay.**

General Information

This site is located on the north side of Tiffin Avenue just west of the intersection of Plaza Drive. It is zoned B-2 General Business and all lots bordering it are also B-2 General Business. It is not within the 100 year flood plain. The City of Findlay Land Use Plan designates the area as Regional Commercial.

Parcel History

This parcel is currently the site of an existing Burger King restaurant.

Staff Analysis

The applicant proposes to demolish the existing restaurant building and replace it.

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The building will be shifted to the west and the parking on that side will be relocated to the east and north sides of the building. The west side of the building will still be the location of the drive thru window. This will actually be a safer layout for traffic. The existing layout has the drive thru lane, a thru traffic lane and parked vehicles backing out into the thru lane on this side of the building. Now only the drive thru lane and thru lanes will run parallel to each other. The new layout also provides separation of the cars stacked for the drive thru window on the north end from the parked cars and the thru traffic here.

Access to the site will not be changed. The new parking layout will have a net loss of one space (52 spaces on old plan and 51 on the new layout). A minimum of 30 parking spaces are required. The signage will remain in the same position on the site.

ENGINEERING

Access – The applicant is proposing no change in access to the public right-of-way.

Water – The applicant is proposing no change in water service.

Sanitary Sewer – The applicant is proposing no change in sanitary sewer service.

Stormwater Management – The applicant is proposing to reduce the amount of impervious area on the site, therefore no additional detention is required. However, in response to concerns from the Sewer Maintenance Department, the applicant is investigating whether minor modifications can be made without adversely impacting the site, which may improve the impact on the existing storm sewer system in the area.

Sidewalks – Sidewalks currently exist along Tiffin Avenue.

FIRE PREVENTION

- Fire Prevention requires drawings showing life safety items
- If natural gas or electric meters are within driving area, they shall have crash protection

STAFF RECOMMENDATIONS

Staff recommends approval of the site plan for the new Burger King Restaurant subject to the following conditions:

1. Fire Prevention requires drawings showing life safety items (FIRE)
2. If natural gas or electric meters are within driving area, they shall have crash protection (FIRE)

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ACTION

Tom Joseph moved to approve Site Plan Application #7940-SP with the following three (3) conditions:

1. Fire Prevention requires drawings showing life safety items (FIRE)
2. If natural gas or electric meters are within driving area, they shall have crash protection (FIRE)
3. Orifice plate to be placed on storm water discharge (ENG)

Thom Hershey seconded the motion. Following is the roll call vote: Mr. Joseph, aye; Mr. Hershey, aye; Mr. Opperman, nay; Mr. Hardy, aye; Mayor Sehnert, aye. Motion carried 4-1.

2. SITE PLAN APPLICATION #7941-SP filed by Tiffin Avenue Properties for proposed drive thru window to be located at 2560 Tiffin Avenue.

General Information

This site is located on the northwest corner of the intersection of Tiffin Avenue and CR 236. The lot is directly in front of the Wal-Mart store. The site is zoned B-2 General Business and all abutting property is also zoned General Business. The site is not within the 100 year flood plain. The City of Findlay Land Use Plan designates the site as Regional Commercial.

Parcel History

This is an existing small strip center.

Staff Analysis

The applicant is requesting to construct a drive thru window for a proposed coffee shop on the east end of the existing building. Drive thrus are a conditional use in the B-2 district requiring Planning Commission approval.

The drive thru is required to be 40' from any right-of-way. The existing building is only 30' from the right-of-way line. The applicant has submitted a request for a variance to the Board of Zoning Appeals that is being heard on April 9.

The traffic pattern shown on the plan brings the cars through the south end of the parking lot to turn north to the drive thru area. Staff recommends that either a small directional sign be posted and/or the pavement be painted with "Drive-thru lane" and directional arrows in the area to encourage vehicles to use this lane. If cars intending to use the drive thru use the driving lane closest to the building they could impede the traffic flow with the customers trying to enter or exit from the other shops.

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ENGINEERING

Access – The applicant is proposing no change in access to the public right-of-way.

Water – The applicant is proposing no change in water service.

Sanitary Sewer – The applicant is proposing no change in sanitary sewer service.

Stormwater Management – The applicant is proposing no change in impervious area on the site, therefore no additional detention is required.

Sidewalks – Sidewalks currently exist along Tiffin Avenue and CR 236.

FIRE PREVENTION

- Fire Prevention requires drawings showing life safety items
- If natural gas or electric meters are within driving area, they shall have crash protection

Provide a master key for the Knox Box

STAFF RECOMMENDATIONS

Staff recommends that FCPC grant the conditional use for a drive thru window subject to the following:

1. Variance is obtained from the Board of Zoning Appeals to permit the lesser setback from the right-of-way of CR 236 (HRPC)
2. Directional sign and/or posting on pavement that the southernmost lane be used for entry to the drive thru.(HRPC)
3. Fire Prevention requires drawings showing life safety items (FIRE)
4. If natural gas or electric meters are within driving area, they shall have crash protection(FIRE)
5. Provide a master key for the Knox Box (FIRE)

ACTION

Thom Hershey moved to approve Site Plan Application #7941-SP with the following five (5) conditions:

1. Variance is obtained from the Board of Zoning Appeals to permit the lesser setback from the right-of-way of CR 236 (HRPC)
2. Directional sign and/or posting on pavement that the southernmost lane be used for entry to the drive thru.(HRPC)
3. Fire Prevention requires drawings showing life safety items (FIRE)
4. If natural gas or electric meters are within driving area, they shall have crash protection(FIRE)
5. Provide a master key for the Knox Box (FIRE)

Bruce Hardy seconded the motion.

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Discussion followed and Mr. Hershey withdrew his motion.

Thom Hershey moved to approve the conditional use of the drive-thru contingent on the Board of Zoning Appeals granting setback requirements. Bruce Hardy seconded the motion. Following is the roll call vote: Mr. Hershey, aye; Mr. Hardy, aye; Mr. Joseph, aye; Mr. Opperman, aye; Mayor Sehnert, aye. Motion carried 5-0.

Thom Hershey moved to approve Site Plan Application #7941-SP with the following five (5) conditions:

1. Variance is obtained from the Board of Zoning Appeals to permit the lesser setback from the right-of-way of CR 236 (HRPC)
2. Directional sign and/or posting on pavement that the southernmost lane be used for entry to the drive thru.(HRPC)
3. Fire Prevention requires drawings showing life safety items (FIRE)
4. If natural gas or electric meters are within driving area, they shall have crash protection(FIRE)
5. Provide a master key for the Knox Box (FIRE)

Joe Opperman seconded the motion. Following is the roll call vote: Mr. Hershey, aye; Mr. Opperman, aye; Mr. Joseph, aye; Mr. Hardy, aye; Mayor Sehnert, aye. Motion carried 5-0.

3. PETITION FOR ZONING AMENDMENT filed to rezone part of Lot 2 in the Eastern Woods Subdivision from B-1 Local Business to C-Residential.

General Information

Blanchard Valley Health System is requesting to rezone 2.9 acres along the south side of Birchaven Lane from B-1 Local Business to C-Residential. The land to the north is zoned C-Residential and all other abutting land is zoned B-1 Local Business. The site is not within the 100 year flood plain. The City Land Use Plan designates the area as PMUD (Planned Mixed Use Development).

Parcel History

This area was zoned B-1 Local Business when it was annexed to the City of Findlay in 2007.

Staff Analysis

The applicant is requesting to rezone 2.9 acres for a proposed multi-family housing development. The B-1 zoning classification does not permit residential uses.

A replat of Lot 2 will need to occur in order to establish the boundaries of the proposed 2.9 acres to be rezoned.

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ENGINEERING

No concerns.

FIRE PREVENTION

No comments

STAFF RECOMMENDATIONS

Staff recommends that FCPC recommend approval of the rezoning to Findlay City Council.

ACTION

Tom Joseph move to recommend the zoning amendment from B-1 to C-Residential to City Council. Bruce Hardy seconded the motion. Following is the roll call vote: Mr. Joseph, aye; Mr. Hardy, aye; Mr. Hershey, nay; Mr. Opperman, nay; Mayor Sehnert, aye. Motion carried 3-2.

4. REQUEST FILED TO ZONE the A Schulman Invision Annexation as I-1 Light Industrial upon its annexation to the City of Findlay.

General Information

This property is located on the south side of CR 212 between the Best Buy Distribution Center and Cardinal Health. It is currently zoned M-1 Restricted Industrial in Marion Township. Land to the east, west and south is zoned I-1 Light Industrial in the City of Findlay. Across CR 212 to the north is zoned A-1 Agriculture in Cass Township. The City of Findlay Land Use Plan designates the area as Industrial

Parcel History

The final plat of Invision Place Subdivision was approved by FCPC on January 8, 2009. The annexation will have its second reading at Council on April 7, 2009.

Staff Analysis

The A Schulman property is an established industrial use and the zoning is therefore appropriate as well as being in agreement with the Land Use Plan.

ENGINEERING

No concerns.

FIRE PREVENTION

No concerns.

STAFF RECOMMENDATIONS

Staff recommends that FCPC recommend approval of the zoning to Findlay City Council.

ACTION

Thom Hershey moved to recommend approval to City Council. Tom Joseph seconded the motion. Following is the roll call vote: Mr. Hershey, aye; Mr. Joseph, aye; Mr. Opperman, aye; Mr. Hardy, aye; Mayor Sehnert, aye. Motion carried 5-0.

5. REQUEST FILED TO ZONE the Blanchard Valley Health System-Hammond Annexation as B-1 Local Business upon its annexation to the City of Findlay.

General Information

This property is located on the northwest corner of US 224 and TR 243. The land is currently zoned Agriculture in Marion Township. It abuts the Eastern Woods Subdivision on the west which is zoned B-1 Local Business. The parcels to the north and east are zoned Agriculture. To the south across US 224 is zoned R-1 Single Family Residential in Marion Township. The City of Findlay Land Use Plan designates the area as PMUD (Planned Mixed Use Development).

Parcel History

The former Hammond property was the site of a business (The Ohio Farmhouse) and a residence. A Township Cemetery which abuts Eastern Woods Subdivision is also in the annexation. The annexation had its 3rd and final reading at City Council on March 17, 2009.

Staff Analysis

The Hospital's request for B-1 Local Business would be an extension of the existing zoning pattern along US 224.

ENGINEERING

No concerns.

FIRE PREVENTION

No concerns.

STAFF RECOMMENDATIONS

Staff recommends that FCPC recommend approval of the zoning request to Findlay City Council.

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ACTION

Tom Joseph moved to recommend approval of the zoning request to City Council. Bruce Hardy seconded the motion. Following is the roll call vote: Mr. Joseph, aye; Mr. Hardy, aye; Mr. Hershey, aye; Mr. Opperman, aye; Mayor Sehnert, aye. Motion carried 5-0.

Pete Sehnert
Mayor

Bruce Hardy
Service Director