

MINUTES

CITY PLANNING COMMISSION

Thursday, August 13, 2009

Municipal Building Conference Room

MEMBERS PRESENT: Mayor Sehnert
Bruce Hardy
Joe Opperman
Thom Hershey
Jennifer Criblez

STAFF ATTENDING: Brian Hurt, Chief Engineer.
Judy Scrimshaw, HRPC Staff
Eric Habegger, Fire Prevention

GUESTS: 6

CALL TO ORDER

ROLL CALL

The following members were present:

Mayor Pete Sehnert
Bruce Hardy, Service Director
Joe Opperman
Thom Hershey
Jennifer Criblez

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 July 9, 2009 meeting. Joe Opperman seconded the motion. Motion carried 5-0.

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NEW ITEMS

HRPC

1. **SITE PLAN APPLICATION #8494-SP** filed by Country Club Acres for a proposed roller skating rink to be located at 2225 Keith Parkway.

General Information

This site is located on the west part of Lot 4 in the East Melrose Business Park. It is at the intersection of Keith Parkway with E. Melrose Avenue. It is zoned B-2 General Business and the all parcels abutting it are also zoned B-2. It is not within the 100 year flood plain. The 2007 City of Findlay Land Use Plan designates the area as Regional Commercial.

Parcel History

This parcel is currently vacant.

Staff Analysis

HRPC asked Paul Schmelzer as the consulting engineer for the applicant to design the plan using standards in the proposed Findlay Zoning Code. The reasoning behind this was threefold: The new code requires less parking, the development may not be able to fit on the site using today's code and just as a general test to the proposed standards. We have included pertinent sections of the proposed code with this review for your reference. Staff is still in the process of making some changes to sections which may not be reflected here. This "trial run" helps to get a grasp on how effective the requirements may or may not be and thus make some changes along the way.

The applicant is proposing to construct an approximately 12,000 square foot roller skating rink on the site.

The site will have access from two roadways. Access from the west side of the parcel will be via Keith Parkway. Access from E. Melrose will be through a shared access point located along the east side of the neighboring parcel which is the site of the Social Security Office. When the office building plan was approved, access from E. Melrose was restricted to an ingress/egress easement established across the front of the lot to service the western half of the parcel in the future. That easement will now be used for this development.

In the proposed Findlay Zoning Code, a skating rink is listed under "unique retail". The parking standard is five (5) spaces per 1000 square feet of GFA (Ground Floor Area). At 12,000 square feet in size, the development requires 60 parking spaces. The plan shows a total of ninety spaces. The parking stalls can be 9' wide by only 18' deep according to the new code. The plan still uses the 9' by 20' standard. The section of the code on

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Interior Parking Lot Landscaping (1162.5.04 (b)) requires that parking lots with 20 or more spaces have landscape islands or peninsulas. The applicant has provided these on the plan with tree plantings in each. Perimeter planting of shrubs and trees are also designated on the site plan. Landscaping criteria are not required in the City's current code.

A sign is proposed at the SW corner of the site. It will be located behind the clear site distance area 25' from the corner of each street. We do not have any sign details as yet. The B-2 General Business zoning could permit a pylon sign or a monument. Sign details will be reviewed by zoning prior to issuing a permit.

Sidewalks are required in the right of way of E. Melrose and along Keith Parkway.

ENGINEERING

Access-The applicant proposes access points onto Melrose Ave. and Keith Parkway. The applicant is proposing to use a shared access with the property to the east which then accesses Melrose Ave. No sidewalks are shown adjacent to the property. Sidewalks should be installed on the southern and western side of the property.

Water – The applicant is proposing to tap a proposed water line that is located on the north side of Melrose Avenue. A fire line is not shown on the site plan. If a sprinkler system is needed, a separate fire line should be constructed from the building to the water main.

Sanitary Sewer – The applicant is proposing to connect to an existing sanitary sewer that is located on the north side of Melrose Avenue.

Stormwater Management – The stormwater facilities on site will outlet to the southwest corner of the site. The applicant must submit stormwater calculations/narrative that proves the site meets all current stormwater runoff regulations.

FIRE PREVENTION

1. Clarification needed as to sprinkler system requirement.
2. Dumpster area must be 10 feet from building.
3. Street address must be displayed in front of building (4 inch minimum)
4. Gas & electric meters within driving area must have crash protection.
5. Prints showing life safety items must be provided to Findlay Fire Dept.

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STAFF RECOMMENDATIONS

Staff recommends the approval of Site Plan # 8494-SP for the skating rink subject to:

1. Installation of sidewalks on the south and west side of the property (ENG)
2. Submittal and approval of all stormwater calculations/narrative for the site (ENG)
3. Clarification needed as to sprinkler system requirement.(FIRE)
4. Dumpster area must be 10 feet from building.(FIRE)
5. Street address must be displayed in front of building (4 inch minimum)(FIRE)
6. Gas & electric meters within driving area must have crash protection.(FIRE)
7. Prints showing life safety items must be provided to Findlay Fire Dept.(FIRE)

MOTION

Thom Hershey moved to approve Site Plan Application #8494-SP with the following seven (7) conditions:

1. Installation of sidewalks on the south and west side of the property (ENG)
2. Submittal and approval of all stormwater calculations/narrative for the site (ENG)
3. Clarification needed as to sprinkler system requirement.(FIRE)
4. Dumpster area must be 10 feet from building.(FIRE)
5. Street address must be displayed in front of building (4 inch minimum)(FIRE)
6. Gas & electric meters within driving area must have crash protection.(FIRE)
7. Prints showing life safety items must be provided to Findlay Fire Dept.(FIRE)

Jennifer Criblez seconded the motion. Following is the roll call vote: Mr. Hershey, aye; Mrs. Criblez, aye; Mr. Opperman, nay; Mr. Hardy, abstain; Mayor Sehnert, aye. Motion carried 3-1.

2. **PETITION FOR ALLEY VACATION** filed to vacate a dead end alley located between lots 3309 (350 E. Foulke Avenue) and 3310 (400 E. Foulke Avenue) in the Scott Addition.

General Information

This request is located on the north side of E. Foulke Avenue. The land is zoned B-Residential.

Parcel History

Each parcel is the site of a residence.

Staff Analysis

The application is signed by both property owners which abut the alley.

The alley serves as driveway access for both properties. It dead ends into the right of way of Trenton Avenue to the rear. No access will ever be permitted to the Trenton Avenue roadway.

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The rear part of the alley is grass.

ENGINEERING

This alley does not contain any public utilities.

FIRE PREVENTION

No concerns

STAFF RECOMMENDATIONS

Staff recommends that FCPC approve the request to vacate the alley.

MOTION

Joe Opperman moved to recommend approval of the alley vacation to City Council.
Thom Hershey seconded the motion.

Discussion followed and Thom Hershey moved to amend the motion to add the requirement that adjacent property owners file at the courthouse for easements. Bruce Hardy seconded the amendment.

Roll call vote was taken on the amendment to the motion: Mr. Opperman, nay; Mr. Hershey, aye; Mrs. Criblez, aye; Mr. Hardy, aye; Mayor Sehnert, aye. Motion carried 4-1.

Roll call vote was taken on the motion as amended: Mr. Hershey, aye; Mr. Hardy, aye; Mr. Opperman, nay; Mrs. Criblez, aye; Mayor Sehnert, aye. Motion carried 4-1.

- PETITION FOR ZONING AMENDMENT** filed to amend the PUD for part of Lot 1 in the Findlay Commerce Park Subdivision.

General Information

The site in this application is located on the south side of CR 99 and the west side of Technology Drive. It is currently zoned PUD (Planned Unit Development) and is in the GB General Business district of that PUD. It is bordered by unzoned land to the west in Allen Township, PUD with Multi-Family designation to the south, PUD with LB Local Business designation to the east and PUD with CB Central Business designation and unzoned land in Allen Township to the north. The Land Use Plan designates the area as Office.

Parcel History

The Findlay Commerce Park PUD was originally adopted in February, 2002. Lots 4, 7, 10 and 11 were removed from the original PUD in February, 2007 and rezoned to B-4 Expressway Service.

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Staff Analysis

The applicants are requesting to add a new classification to their PUD called a Mixed Use District. After speaking with legal counsel for the applicant we learned this was prompted by the fact that the B-2 General Business classification that is now on the parcel was based on the existing B-2 district in the Findlay Zoning Code at the time. In 2005, the B-2 District was amended to no longer permit residential development. The intent in the original PUD was to be able to mix the uses between business and residential. They have been told that since the B-2 district was amended they would no longer have the option of developing anything residential on any part of that land.

The PUD classification was eliminated from the City's Code in 2005 and replaced with PRD (Planned Residential Development) and then the PMUD (Planned Mixed Use Development) was added to the Code in September, 2007.

Staff has recommended for other PUD changes as long as they were changing a parcel from one existing classification to another or to remove a portion of the PUD and zone it to an existing classification in the City's Code. When the PUD was eliminated Staff had stated that the existing PUDs could not be amended to add land to the district or to add new categories to the PUD.

ENGINEERING

The engineering department has no comments on this item.

FIRE PREVENTION

No concerns

STAFF RECOMMENDATIONS

Staff recommends denial of the request to create a new district within the PUD. We recommend that the applicant either use an existing district within the PUD to rezone the parcel or remove the parcel from the PUD and change the zoning to other appropriate districts within the City's Code.

MOTION

Thom Hershey moved to recommend approval of the PUD amendment as presented. Joe Opperman seconded the motion. Following is the roll call vote: Mr. Hershey, aye; Mr. Opperman, aye; Mrs. Criblez, aye; Mr. Hardy, abstain; Mayor Sehnert, aye. Motion carried 4-0.

Pete Sehnert

Bruce Hardy

Mayor

Service Director