

MINUTES

CITY PLANNING COMMISSION

Thursday, February 14, 2008

Municipal Building Conference Room

MEMBERS PRESENT: Mayor Sehnert
Bruce Hardy
Joe Opperman
Tom Joseph

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

GUESTS: 8

CALL TO ORDER

ROLL CALL

The following members were present:

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

*Thom Hershey was absent

SWEARING IN

APPROVAL OF MINUTES

Bruce Hardy moved to approve the minutes from the January 10, 2008 meeting. Joe Opperman seconded the motion. Motion carried 4-0.

NEW ITEMS

HRPC

- 1. PRELIMINARY PLAT APPLICATION #5814-PP filed by George Whitson for proposed 224 Interstate Subdivision.**

General Information

This site is located on the north side of US 224 (Trenton Avenue just west of the intersection of CR 300. It is zoned B-2 General Business in Liberty Township. Land to the west and south is also B-2 in the Township, to the north is I-1 Light Industrial in Liberty Township and to the east is zoned B-2 General Business in the City of Findlay. The site is not within a flood hazard area.

Parcel History

The land is currently one large parcel containing 9.991 acres. It is the site of a Shell gas station and convenience store.

Staff Analysis

The applicant is proposing a 3 lot commercial subdivision with a private street system. The streets will use existing drive cuts onto CR 300 (Northridge Rd.) and US 224 (Trenton Ave.) as the entry points into the subdivision. The road right of way will be along existing easements. The north/south easement entering from US 224 is currently only 45' wide but is proposed to be widened to 60' to accommodate the necessary right of way for the street. The existing Shell station, located on Lot 2, will have access to the north onto the east/west street and two (2) accesses onto the north/south street. All of these access points currently exist on the site.

There are two new detention areas proposed on the plan. A large pond in the northwest corner of Lot 1 and a smaller pond at the northwest corner of CR 300 and the proposed east/west street.

The plat indicates that the property boundary of the subdivision crosses over CR 300. According to the engineer for the applicant, existing deeds describe this as the boundary of the lot. If the right of way of CR 300 has not been properly dedicated and recorded, this should be taken care of in this plat.

ENGINEERING

The site in question is located in an area that is currently proposed for annexation into the City of Findlay. As the annexation process is not yet complete, the site is currently located in Liberty Township.

Access – The applicant is proposing to utilize two existing access points onto CR 300 and US 224. The two access points will be connected with a private street, which is proposed to be located within a 60' easement.

Water – The applicant is proposing to construct an 8" waterline loop around the perimeter of the subdivision. This should be adequate for typical commercial development that is likely to occur in the area. Valve and hydrant placement will be reviewed during specific site plan approvals.

Sanitary Sewer – The applicant is proposing to extend an existing public 8” sanitary sewer, which should have adequate capacity. Manhole placement will be reviewed during specific site plan approvals.

Stormwater Management – The applicant is proposing to construct a regional detention pond, located at the northwest corner of the subdivision. The pond must be constructed to the new standards for stormwater detention that were recently adopted by the City Council. The proposed outlet for the pond is an existing ditch located in the Westowne Subdivision, which is not shown in a dedicated drainage easement. If there is not an existing easement over the ditch, the applicant must provide the City with a written agreement between the existing property owners that permits the detention pond to outlet to the existing ditch along the Westowne Subdivision. In addition, there are currently some minor drainage issues at the southeast corner of the subdivision, near the intersection of CR 300 and US 224. During the reconstruction of the interchange, a suitable outlet could not be found to correct the issues due to utility conflicts with the petroleum lines that run through the subdivision. Perhaps the applicant would be able to modify the existing detention pond near the southeast corner to address these issues.

Sidewalks – Sidewalks do not currently exist along CR 300 or US 224. The applicant must install sidewalks along both roadways. The Commission may consider requiring sidewalks within the subdivision as well.

Right-of-way – The applicant is proposing to dedicate the necessary right-of-way to comply with the County Thoroughfare Plan.

FIRE PREVENTION

No concerns

STAFF RECOMMENDATION

Staff recommends approval of the preliminary plat of 224 Interstate Subdivision subject to the following conditions:

1. Proper right-of-way dedication on CR 300 if necessary (HRPC)
2. Detention calculations to be per the City of Findlay subdivision regulations.
(ENG)
3. Construction of sidewalks along US 224 and CR 300.(ENG)

ACTION

Joe Opperman moved to approve Preliminary Plat #5814-PP with the following three (3) conditions:

1. Proper right-of-way dedication on CR 300 if necessary (HRPC)
2. Detention calculations to be per the City of Findlay subdivision regulations.
(ENG)
3. Construction of sidewalks along US 224 and CR 300.(ENG)

Bruce Hardy seconded the motion. Following is the roll call vote: Mr. Opperman, aye; Mr. Hardy, aye; Mr. Joseph, aye; Mayor Sehnert, aye. Motion carried 4-0.

2. FLOOD PLAIN VARIANCE APPLICATION #5756-FV filed by Brian Bibler at 500 Findlay Street.

No comments from HRPC. Defer to letter from Todd Richard.

ENGINEERING

No comments.

DEVELOPMENT SERVICES

The Federal Emergency Management Agency (FEMA) gave the property owner about \$15,000 to fix his flood damaged home. The home was only valued at about \$10,000, according to the Hancock County Auditor's Office. Once the cost to repair exceeds 50% of the value of the home, the structure is considered substantially damaged and must be elevated to reduce the risk of damage during future flood events.

Once the money was received, the owner commenced his repairs without a Flood Development Permit. FEMA should have required the property owner to first produce a permit before giving him the money. The owner believed a check from the federal government was an endorsement to begin repairs.

If the variance is granted, this property may be subject to very high insurance premiums since it is noncompliant. This property will continue to be susceptible to future flood damage. Finally, the city must be able to justify to FEMA the reason for granting this variance while other substantially damaged structures are required to be elevated.

FIRE PREVENTION

No concerns

ACTION

After much discussion, David Hackenberg suggested that the Commission table the item for further review.

Bruce Hardy moved to table the item until next meeting to allow for further review. Mayor Sehnert seconded the motion. Following is the roll call vote: Mr. Hardy, aye; Mayor Sehnert, aye; Mr. Joseph, nay; Mr. Opperman, nay. Motion failed 2-2.

Tom Joseph moved to deny the Flood Plain Variance request. Joe Opperman seconded the motion. Following is the roll call vote: Mr. Joseph, aye; Mr. Opperman, aye; Mr. Hardy, aye; Mayor Sehnert, nay. Motion carried 3-1.

3. ALLEY VACATION PETITION filed to vacate the alley described as Shaffer Addition 2810-11 E 40 ft. & 2812 E 40 ft.

HRPC

General Information

This alley runs north from McConnell Street in the block between H and G Streets. Both owners have signed the petition.

Parcel History

None

Staff Analysis

The applicants are requesting to vacate the alley abutting the 140' stretch that abuts their respective lots. The alley continues north where it dead ends into the railroad.

The alley appears to be unimproved and does not connect to any other right of way. Staff recommends that the entire alley be vacated from McConnell north to the railroad.

ENGINEERING

The applicant must vacate the entire alley, from McConnell Street north to the railroad right-of-way. It does not appear that all abutting property owners have signed the petition for the full extent of the alley. The properties north of 614 and 618 McConnell Street may wish to access the rear of their properties from this alley.

FIRE PREVENTION

No concerns

STAFF RECOMMENDATION

Vacate entire alley from McConnell to railroad (HRPC)
Denial of the request. (ENG)

ACTION

Tom Joseph moved to recommend denial of the alley vacation request because all property owners had not signed the petition and also the whole alley should be vacated. Bruce Hardy seconded the motion. Following is the roll call vote: Mr. Joseph, aye; Mr. Hardy, aye; Mr. Opperman, aye; Mayor Sehnert, aye. Motion carried 4-0.

- 4. **PETITION FOR ZONING AMENDMENT filed to rezone 328 Howard Street, 1222 N. Cory Street, 331 Trenton Avenue, from C-Residential and B-2 General Business to University District.**

HRPC

General Information

The lots in this request are all owned by the University of Findlay. The Findlay Land Use Plan shows them as University District.

Parcel History

None

Staff Analysis

One of the addresses in this request, 1222 N. Cory Street, was actually on a prior zoning amendment application. That request was just approved on February 5, 2008 by Findlay City Council. So, there are actually only 2 lots in this request, 328 Howard Street and 331 Trenton Avenue.

The University District is a zoning classification only open to University of Findlay owned land.

Staff Recommendation

Staff recommends that FCPC recommend approval of the rezoning of 328 Howard Street and 331 Trenton Avenue from C Residential to University District.

ENGINEERING

No comments.

FIRE PREVENTION

No concerns.

ACTION

Tom Joseph moved to recommend the re-zoning request. Joe Opperman seconded the motion. Following is the roll call vote: Mr. Joseph, aye; Mr. Opperman, aye; Mr. Hardy, aye; Mayor Sehnert, aye. Motion carried 4-0.

Pete Sehnert
Mayor

Bruce Hardy
Service Director