

MINUTES

CITY PLANNING COMMISSION

Thursday, April 10, 2008

Municipal Building Conference Room

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

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

GUESTS: 15

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 intending on testifying before the Commission were sworn in by the Clerk.

APPROVAL OF MINUTES

Thom Hershey moved to approve the minutes of the March 13, 2008 meeting. Joe Opperman seconded the motion. Motion carried 5-0.

**CITY PLANNING COMMISSION MINUTES
APRIL 10, 2008
PAGE 2**

NEW ITEMS

HRPC

1. SITE PLAN APPLICATION #6095-SP filed by Max A. Findlay, Inc. for proposed bank and parking lot to be located at 15030 Flag City Drive.

General Information

This site is located on the north side of Flag City Drive immediately west of the Buffalo Wild Wings restaurant (Lot 2 in Flag City Center). It is zoned B-2 General Business and is surrounded by B-2 zoning. It is not located within a flood hazard area. The City of Findlay Land Use Plan designates the area as Regional Commercial.

Parcel History

This lot was proposed as a site for a Cooper Service Center in 2004. The plans were for that project were pulled from the agenda of the September 23, 2004 and never resubmitted.

Staff Analysis

The applicant is proposing to construct an approximately 3400 square foot bank with a drive thru.

Access is proposed at the east end of the lot off of Flag City Drive. No access is permitted via County Rd. 236 per restrictions placed on the subdivision plat.

Parking exceeds the requirements of the City Zoning Code. Banks are required to have one space per 200 square feet which would mean 18 parking spaces in this instance. The developer is proposing 29 parking spaces per the plan.

Building setbacks also exceed the requirements of the Code and the subdivision plat. The subdivision plat was more restrictive than the City Code in requiring a 90' front yard as opposed to the usual 30' setback.

The drive thru component requires a Conditional Use approval from the City Planning Commission. The drive thru lanes are located at the rear of the building. The traffic is directed north to the rear for the drive thru lanes and then circles the building in a one way pattern to come back to the one ingress/egress point.

A proposed sign location is shown on the west side of the entry. There are no details provided.

CITY PLANNING COMMISSION MINUTES
APRIL 10, 2008
PAGE 3

ENGINEERING

Access – The applicant is proposing to access Flag City Drive near the east edge of the property. The right-of-way of Flag City Drive is adequate.

Water – The applicant is proposing to tap an existing 12” waterline which has adequate capacity to serve the site. If the water meter can not be located within the right-of-way, an easement must be provided that covers the waterline up to and including the water meter.

Sanitary Sewer – The applicant is proposing to tap an existing 12” sanitary sewer which has adequate capacity to serve the site.

Stormwater Management – The applicant is proposing to connect to an existing storm sewer on Flag City Drive that drains un-detained to a storm sewer along CR 236. The applicant submitted a letter which states that the detention will be provided in the regional detention basin for the subdivision. The configuration shown on the site plan does not reflect this. As such, the detention for the site must be re-designed with calculations submitted for review. The Engineering Department will review the detention facilities prior to issuing any permits for the site.

Sidewalks – Sidewalks currently exist along CR 236 and are proposed along Flag City Drive.

FIRE PREVENTION

1) Fire prevention requires a set of drawings showing life safety items.

STAFF RECOMMENDATIONS

Staff recommends approval of the site plan for Old Fort Bank subject to:

1. Approval of the Conditional Use for the drive thru by the FCPC (HRPC)
2. Provide an easement for the water meter if necessary. (ENG)
3. Engineering Department approval of adequate detention facilities and calculations. (ENG)
4. Fire prevention requires a set of drawings showing life safety items. (FIRE PREV)

ACTION

Tom Joseph moved to approve Site Plan Application #6095-SP with the following three (3) conditions:

1. Provide an easement for the water meter if necessary. (ENG)
2. Engineering Department approval of adequate detention facilities and calculations. (ENG)

CITY PLANNING COMMISSION MINUTES
APRIL 10, 2008
PAGE 4

3. Fire prevention requires a set of drawings showing life safety items. (FIRE PREV)

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

Thom Hershey moved for approval of the Conditional Use for the drive thru. 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.

2. **SITE PLAN APPLICATION #6096-SP filed by Ballinger Family Partnership for proposed medical offices to be located at 1521 Bright Road.**

HRPC

General Information

This site is located on the northeast corner of Bright Road and Fostoria Avenue (State Rt. 12). It is zoned B-2 General Business and is bordered by B-2 General Business on the south, east and west sides. Land to the north is B-2 and I-1 Light Industrial. It is not located within a flood hazard area. The Findlay Land Use Plan designates the area as Regional Commercial and Industrial.

Parcel History

None

Staff Analysis

The developer is proposing a 22,396 square foot medical facility to be situated in the southwest corner of the 13.9 acre site.

There are two access points proposed for the site. One onto Bright Road will line up with the access to the bank across the street. The second is located toward the east end of the lot onto Fostoria Avenue. Both Bright Road and Fostoria Avenue are extremely busy thoroughfares. On Bright Road, there can be traffic management issues due to the railroad crossing that can periodically back up stopped traffic making it difficult to enter or exit in this area. Fostoria Avenue is also State Route 12 that carries high volumes of truck traffic daily. Of course the speed limit is reduced because it is within the corporate limits and traffic will have encountered other traffic signals on the way to this point. Due to the nature of the business to be located here there will not really be a peak hour of traffic flow such as a shift change for a manufacturing facility would invoke. The ingress/egress onto Fostoria Avenue is being pushed to the east end of the site keeping it

CITY PLANNING COMMISSION MINUTES
APRIL 10, 2008
PAGE 5

away from the intersection more than 600 feet. There is the new apartment complex just east of this site. The drive entry for that complex is located approximately 340' east of the proposed access for this site.

The building is well behind the 30' required front yard setback. The detention pond located at the corner of Bright and Fostoria appears to encroach into the setbacks here. However, it is a dry pond and its banks are still some 45' to 50' away from the pavement of either road.

The parking lot is oversized for the square footage of the building. Code requires one parking space per every 150 square feet of office area. This would calculate to 150 required spaces and there are 207 shown on the plan.

There is no sign location shown on the plan. The location and size of any signage will have to be reviewed by the zoning office prior to installation. Sidewalks are indicated along the Fostoria Avenue frontage and between the entry onto Bright Road and the corner. There is an existing piece of sidewalk coming south from the railroad crossing for about 180' that just stops. This piece should be connected down to the drive entry.

ENGINEERING

Access – The applicant is proposing one access point to Bright Road, which aligns with an existing drive approach and one access point to Fostoria Avenue, which is located approximately 650 feet from the intersection of Bright and Fostoria, providing adequate spacing. The applicant is proposing to dedicate additional right-of-way along both Bright Road and Fostoria Avenue, consistent with the County Thoroughfare Plan.

Water – The applicant is proposing to tap an existing pre-stressed concrete waterline on Fostoria Avenue that has adequate capacity to service the site. Since pre-stressed concrete pipe is very difficult to tap, the waterline for the site should be re-configured as follows. There is an existing 6" tee located just west of the proposed drive approach on Fostoria Avenue. The applicant should connect to the existing tee, install a fire hydrant on the site, and extend the fire suppression and domestic water services off of this line. An easement will likely be needed for the fire hydrant.

Sanitary Sewer – The applicant is proposing to extend a public sewer from the west side of Bright Road by means of boring under the road. The proposed sewer must be bonded prior to construction as per the City's policy. An easement must be provided over the proposed sanitary sewer.

Stormwater Management – The applicant is proposing to install two detention ponds on the site. Adequate detention calculations have been submitted and reviewed.

Sidewalks – Sidewalks currently exist along Bright Road only near the northern portion of the site. Sidewalks must be constructed along the remainder of Bright Road and along Fostoria Avenue.

FIRE PREVENTION

- 1) Fire prevention requires a set of drawings showing life safety items.
- 2) A Knox Box will be required.
- 3) The fire line must be installed by a State of Ohio Certified Underground Installer.
- 4) A Fire Hydrant needs to be placed on the property and the location approved by Findlay Fire and Engineering Dept.

STAFF RECOMMENDATIONS

Staff recommends approval of the site plan subject to:

1. Dedication of right-of-way as proposed.(ENG)
2. Re-configure waterline for the site as detailed herein. (ENG)
3. Provide easements for waterline and sanitary sewer. (ENG)
4. Bonding of sanitary sewer construction per the City's policy.(ENG)
5. Construction of sidewalks along Bright Road and Fostoria Avenue.(ENG & HRPC)
6. Fire prevention requires a set of drawings showing life safety items.
7. A Knox Box will be required. (FIRE PREV)
8. The fire line must be installed by a State of Ohio Certified Underground Installer. (FIRE PREV)
9. A Fire Hydrant needs to be placed on the property and the location approved by Findlay Fire and Engineering Dept. (FIRE PREV)

ACTION

Thom Hershey moved to approve Site Plan #6096-SP with the following ten (10) conditions:

1. Dedication of right-of-way as proposed.(ENG)
2. Re-configure waterline for the site as detailed herein. (ENG)
3. Provide easements for waterline and sanitary sewer. (ENG)
4. Bonding of sanitary sewer construction per the City's policy.(ENG)
5. Construction of sidewalks along Bright Road and Fostoria Avenue.(ENG & HRPC)
6. Fire prevention requires a set of drawings showing life safety items.
7. A Knox Box will be required. (FIRE PREV)
8. The fire line must be installed by a State of Ohio Certified Underground Installer. (FIRE PREV)
9. A Fire Hydrant needs to be placed on the property and the location approved by Findlay Fire and Engineering Dept. (FIRE PREV)
10. Re-zone section of I-1 to B-2.

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

- 3. SITE PLAN APPLICATION #6097-SP filed by Blanchard Valley Health Association for proposed medical building and parking lot to be located at 15900 Medical Drive South.**

HRPC

General Information

This site is located on Lots 10 & 11 of the Eastern Woods Subdivision. (directly east of the Spectrum Eye Care facility) It is zoned B-1 Local Business. Land to the north, south and west is also zoned B-1 Local Business. The land to the east is zoned A-1 Agriculture in Marion Township. It is not within a flood hazard area. The City of Findlay Land Use Plan designates the land as Planned Mixed Use Development (PMUD).

Parcel History

This site was before the FCPC on September 13, 2007. A site plan was approved with conditions at that time. The applicant has changed the configuration of the building and parking layout and has thus resubmitted a new plan for approval.

Staff Analysis

The applicant is proposing to construct a 20,245 square foot medical building on the site. There are two entry points onto Medical Drive South. The eastern most drive lines up with the entry to the existing Radiology Center on the opposite side of the street. This entry will mainly serve visitors to the mobile imaging unit that will be placed on the concrete pad at the east end of the building. This is also the reason for the wider (22.5') lane and heavier duty pavement at this end of the site. There is a third drive cut just north of the old Township cemetery which will permit the truck loading and unloading the mobile unit to travel through the site without backing up. This portion of the private street is not constructed and will have to be completed with this development.

The building is well behind the required front yard setback of 25' and the rear 20' setback. The dumpster enclosure is within the rear setback, but accessory structures are permitted within 4' of the rear property line. It is off the line almost 6 feet. Parking is also permitted within the setbacks as long as there is still 10' between the spaces and the line.

Parking for the medical building is calculated at one space per every 150 square feet. This calculates to 135 required spaces. The plan indicates 150 parking spaces on the site.

ENGINEERING

Access – The applicant is proposing to access the private drive known as Medical Drive South. The construction of this drive has been previously bonded by BVHA and is to be constructed as the lots along Medical Drive South are developed. At this point in time,

CITY PLANNING COMMISSION MINUTES
APRIL 10, 2008
PAGE 8

BVHA must complete the construction of the private drive to the eastern property line of the subdivision, as per the previously approved plans. Water service to the property will not be provided until the roadway work has been completed by BVHA.

Water – The applicant is proposing to tap a proposed waterline that has been previously bonded by BVHA and is to be constructed as development progresses. At this point in time, the waterline must be built to the northeast corner of this site. Water service to the property will not be provided until the waterline work has been completed by BVHA.

Sanitary Sewer – The applicant is proposing to tap a proposed sanitary sewer that has been previously bonded by BVHA and is to be constructed as development progresses. At this point in time, the sewer must be built to the eastern property line of the subdivision. Water service to the property will not be provided until the sewer work has been completed by BVHA.

Stormwater Management – The applicant is proposing to tap a proposed storm sewer that has been previously bonded by BVHA and is to be constructed as development progresses. At this point in time, the storm sewer must be extended to the northern property line of this site. Water service to the property will not be provided until the sewer work has been completed by BVHA. Detention for the site is accomplished through a previously-constructed regional detention basin.

Sidewalks – Sidewalks do not currently exist along Medical Drive South.

FIRE PREVENTION

- 1) Fire Prevention requires a set of drawings showing life safety items.
- 2) A Knox Box will be required.
- 3) The fire line must be installed by a State of Ohio Certified Underground Installer.

STAFF RECOMMENDATIONS

Staff recommends approval of the plat subject to the following:

1. Construction of various facilities previously approved and bonded by BVHA as detailed herein. (ENG)
2. Fire Prevention requires a set of drawings showing life safety items.(FIRE PREV)
3. A Knox Box will be required. (FIRE PREV)
4. The fire line must be installed by a State of Ohio Certified Underground Installer. (FIRE PREV)

**CITY PLANNING COMMISSION MINUTES
APRIL 10, 2008
PAGE 9**

ACTION

Thom Hershey moved to approve Site Plan #6097-SP with the following five (5) conditions:

1. Construction of various facilities previously approved and bonded by BVHA as detailed herein. (ENG)
2. Fire Prevention requires a set of drawings showing life safety items.(FIRE PREV)
3. A Knox Box will be required. (FIRE PREV)
4. The fire line must be installed by a State of Ohio Certified Underground Installer. (FIRE PREV)
5. Plans with specific location of fire and domestic water lines shown to be re-submitted to Engineering Dept. for approval.

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.

- 4. APPLICATION FOR SPECIAL REVIEW #6098-SR filed by Florida Equities Commercial for proposed new restaurant and retail to be located at 2503 Tiffin Avenue.**

HRPC

General Information

This site is located on the southwest corner of Tiffin Avenue and Bright Road. It is Lot 3 in the Leslie Addition. It is zoned B-2 General Business with the Tiffin Avenue Overlay (TAO). Land to the west is also B-2 with the TAO, to the east and north is B-2 General Business and to the south is a home that is zoned R-1 Single Family Residential in Marion Township. It is not within a flood hazard area. The Findlay Land Use Plan designates the area as Regional Commercial.

Parcel History

This is the former site of the Ryan's Steakhouse restaurant. The restaurant has closed and the building is currently vacant.

Staff Analysis

The applicant is proposing splitting the lot into two parcels for two separate businesses. The northern parcel is designated as a retail store with a drive thru component. The lot to the south is for a proposed 4800 square foot restaurant.

When this land was beginning to develop from its former residential/rural status to a commercial strip, the Hancock Regional Planning Commission in conjunction with the City of Findlay and Marion Township prepared a plan for the area. This plan included the rear service road system (Spruce Drive/Court) and the overlay zoning district (TAO).

CITY PLANNING COMMISSION MINUTES
APRIL 10, 2008
PAGE 10

The main purpose of the overlay was to keep the area developing in an orderly manner and to control access onto the extremely busy Tiffin Avenue corridor.

The plan presented for review is proposing a “right in only” (dive-in) lane from Tiffin Avenue into the retail site on Parcel A. Section **1170.03 Compliance with Tiffin Avenue Redevelopment Plan** in the City of Findlay Zoning Ordinance states that “Access to individual sites shall be by means of the service drive system only, and direct access onto Tiffin Avenue shall not be permitted. Redevelopment sites shall be designed to accommodate the service drive system...” Other businesses that are located along this corridor tried to argue for cuts onto Tiffin Avenue when they were about to build and were denied. In particular, the corporate offices for a gas station seemed to think that they couldn’t function without their own direct drive cut onto Tiffin Avenue. Their request was denied yet the gas station was built anyway and seems to be functioning well. HRPC Staff will recommend against the “dive-in” lane from Tiffin Avenue.

The applicant is also requesting another cut onto CR 236 that would align with the drive that falls between the IHOP Restaurant and the Walgreens across the street. If a drive is permitted in that location, Staff would see good reason to eliminate the existing access onto CR 236 at the south end of the parcel. The restaurant could be shifted more south on the lot and the access between the parking area and the building could be eliminated creating a cohesive site. The motel does not have any connections onto the north/south leg of the access drive so it would not be detrimental to anyone else to eliminate this area of roadway.

There should be ample room for parking requirements on both parcels.

Applicant will have to submit a replat of Lot 3 if they wish to create the two parcels as shown.

ENGINEERING

The applicant is proposing a right-in only off of Tiffin Avenue onto the site. These limiting access points have not proven to be very effective in the past at preventing opposing traffic from entering the site through them. In addition, its proximity to the intersection of CR 236 and Tiffin Avenue causes concern for rear-end type accidents on a roadway that is already suffering from heavy traffic congestion. The applicant is also proposing an additional drive approach onto CR 236, which would align with an existing drive approach on the east side of CR 236. This approach is approximately 325 feet from the intersection of CR 236 and Tiffin Avenue. It is likely that permitting this drive approach would add a significant number of left turns across traffic on CR 236. Due to the proximity to the intersection of Tiffin Avenue, this also causes concern for additional traffic accidents, although not as much concern as the proposed right-in access from Tiffin Avenue.

CITY PLANNING COMMISSION MINUTES
APRIL 10, 2008
PAGE 11

Recommendation: It is the opinion of the Engineering Department that adequate access to the site is provided from the service drive to the southwest and from the existing drive approach onto CR 236 near the southeast corner of the site. Furthermore, permitting additional access points onto Tiffin Avenue and CR 236 may exacerbate an already significant traffic problem.

FIRE PREVENTION

No concerns

STAFF RECOMMENDATIONS

Because this is only a Special Review, there is no formal action required by the Commission.

ACTION

No action was taken as this was only a Special Review.

5. **ALLEY VACATION PETITION filed to vacate the alley running west from S. Main Street to the first intersecting north/south alley between 838 and 830 S. Main Street.**

HRPC

General Information

This is an improved alley running west off of S. Main Street between the homes at 830 and 838 S. Main Street. Both property owners have signed the petition to vacate.

Parcel History

On April 13, 2006 FCPC heard a request to vacate the northern 8' of this alley as submitted by the property owners at 830 S. Main Street. The alley had a 30' right of way at the time. The request was granted in 2006 and the alley is now 22' wide.

Staff Analysis

The applicant is only requesting that the alley be vacated between the two properties listed to the first north/south intersecting alley. Normally, the City prefers to vacate an alley from street to street. Although the right-of-way appears to have a jog on the map, the actual alley pavement does run straight through to S. Cory Street.

Both properties in the application and the two properties west of them (835 & 837 S. Cory Street) use the alley as access to their garages. If the alley is vacated, a legal document should be recorded to guarantee shared access and maintenance of the alleyway as a private ingress/egress for the lots.

CITY PLANNING COMMISSION MINUTES
APRIL 10, 2008
PAGE 12

ENGINEERING

The applicant is proposing to vacate an east/west alley located between 830 and 838 South Main Street. There are no City-owned utilities present within the alley. Vacating this alley would not create any "land-locked" properties due to the configuration of the other existing alleys in the area. However, vacating this alley may cause some enforcement issues for the police department. Assuming that the alley will be physically blocked off near the western end of the property to address the environmental concerns of the applicant, there may still be motorists that enter the alley off of Main Street and are then forced to turn around in a private driveway or back out onto Main Street. In addition, both 830 and 838 South Main Street will be utilizing the alley as a shared driveway upon vacation. An access agreement should be executed between the adjacent property owners to ensure the future use and maintenance of this driveway.

FIRE PREVENTION

Our concerns are access to the large buildings located to the rear of the lots, and us having access to the Fire Hydrant located at 838 S. Main St.

STAFF RECOMMENDATIONS

Staff recommends that the alley be vacated through to S. Cory Street unless the City Engineer has issue with vacation.

ACTION

Attorney, Steve Roepke, was present representing the applicants and addressed the Commission. He explained that there have been a series of problems in this alley including drug activity, shootings and other criminal behavior. These incidents make it unsafe for the applicant's children and other children in the neighborhood to play outside.

John McManness and Elaine Ashley were also present to address the Commission. Elaine Ashley stated that it is critical to take action now to get these criminal activities stopped because they will only get worse.

Fire Prevention did not support the request because from a safety standpoint, it would not be safe to have the alley closed.

Joe Opperman moved to recommend to Council denial of the alley vacation request. Thom Hershey seconded the motion.

Discussion followed and it was noted that the Commission does not close alleys for reasons of speeding traffic and also the Commission does not like to close partial alleys.

Following is the roll call vote: Mr. Opperman, aye; Mr. Hershey, aye; Mr. Joseph, aye; Mr. Hardy, nay; Mayor Sehnert, nay. Motion carried 3-2.

