

# City of Findlay City Planning Commission

Thursday, February 13, 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  
Erik Adkins, Flood Plain/Zoning Supervisor  
Jeremy Kalb, Engineering Project Manager

### **GUESTS:**

Jodi Mathias, Kyle Inbody, Jacob Mercer, Tom Shindeldecker, Beth Warnecke, Steve Welton, Jim Geyer, Josh Slough, Lou Wilin

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

### **NEW ITEMS**

#### **1. RIGHT-OF-WAY DEDICATION PLAT #FP-01-2020 filed by ODOT District 1, 1885**

**N McCullough Street, Lima, OH for an extension of Lake Cascades Parkway north of Lima Avenue.**

**CPC STAFF**

**General Information**

This is located on the north side of Lima Avenue just east of the US 68/15 interchange. The area is zoned I-2 General Industrial. It is not located within the 100-year flood plain. The City of Findlay Land Use Map designates the area as PMUD Planned Mixed Use Development.

**Parcel History**

None.

**Staff Analysis**

The businesses in this area were served by a private service road through the years. With the recent highway construction it was decided to create a public street.

The roadway is already installed and this plat is being filed to dedicate the right-of-way to make it an official public street.

The street name needs to be added to the drawing.

**Staff Recommendation**

CPC Staff recommends that FCPC recommend approval to Findlay City Council of **RIGHT-OF-WAY DEDICATION PLAT #FP-01-2020 for an extension of Lake Cascades Parkway north of Lima Avenue subject to:**

- **Addition of the street name on the actual right-of-way drawing**

**ENGINEERING**

No Comment

**FIRE PREVENTION**

No comment.

**RECOMMENDATION**

Staff recommends that FCPC recommend approval to Findlay City Council of **RIGHT-OF-WAY DEDICATION PLAT #FP-01-2020 for an extension of Lake Cascades Parkway north of Lima Avenue subject to:**

- **Addition of the street name on the actual right-of-way drawing**

**DISCUSSION**

Dan Clinger asked about the irregularities in the right of way. He stated that there are a few areas where there appear to be odd shaped small parcels surrounded by the right-of-way lines. Brian Thomas stated that he assumes this is what came out of the negotiation process with property owners. They are probably little left over pieces that were created by the roadway going through and the property owners probably did not want them. ODOT took the right-of-way as part of the project since they had to get rid of the existing service road and give them

access. ODOT thought they could just give it to the City and Brian had to let them know the process. Engineering had been getting calls from a business wanting an address so they could get their deliveries, etc. They could not give them a legal address without a dedicated street and name to address it to.

### **MOTION**

Dan DeArment made a motion to recommend approval to Findlay City Council of **RIGHT-OF-WAY DEDICATION PLAT #FP-01-2020 filed by ODOT District 1, 1885 N McCullough Street, Lima, OH for an extension of Lake Cascades Parkway north of Lima Avenue.**

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

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

### **2. ZONING AMENDMENT #ZA-01-2020**

**An amendment to the R-1 Single Family Low Density, R-2 single Family Medium Density, R-3 High Density and R-4 Duplex/Triplex zoning districts in the City of Findlay Zoning Ordinance. The proposed amendment allows infill development to match the front building setbacks of the neighboring existing properties.**

**An amendment to the R-3 Single Family High Density district in the City of Findlay Zoning Ordinance. The proposed amendment will make duplexes and triplexes a Conditional Use in the R-3 district.**

### **DISCUSSION**

Matt Cordonnier that this amendment is related to the zoning map amendment. We separated them into two ordinances.

Mr. Cordonnier stated that we are trying to address front yards for infill housing. There are the older neighborhoods, many that were built before zoning. Some houses may be set back 20', some 10' or even 5'. In most cases these are small lots. We are trying to keep some uniformity of the streetscape. If a house were to burn down and everything is built at 30' and it is zoned R-3, they could be allowed to put a new house out at only 10'. We want to avoid having a street with one house sticking way out in front of the others or one house that is set far back from the rest.

Mr. Cordonnier noted that we had a sentence on average front yard setback, but one part we did not like said that it was calculated on which ever one was lesser. We are proposing to change this for all three single family districts and the R-4 duplex/triplex district. This will only apply to infill development and additions to existing homes. This could eliminate the need for variances on adding a front porch for example.

Dan DeArment asked if there were recent issues that drove this change. Mr. Cordonnier stated that he anticipates with the map updates that more of the small lot neighborhoods that may now

be R-1 or R-2 could be changed to R-3. If that neighborhood was built with larger setbacks and now the owner has R-3, he may feel he should be able to jut his house out closer to the right-of-way and then be the odd ball on the street. We can avoid that with this language.

Josh Slough, a local realtor, came forward to speak. He asked about the case of losing a home to a fire. If this is changed, can it be rebuilt? Mr. Cordonnier replied that this only applies to the front yard. Other setbacks will be relative to the zoning district.

The second change that Mr. Cordonnier noted was adding duplexes and triplexes as Conditional Uses in the R-3 district. There are many of these located in the R-3 district now and this will eventually grant them Conditional Use status bringing them into conformity with the zoning. If the language is adopted and added to the zoning ordinance, the second part will be to take all the properties and grant them a Conditional Use. It will be a very long list that will go before City Planning Commission. In one swoop, they will grant the Conditional Use to those properties and the notation will go in that address file.

Mr. Cordonnier noted that in our research we found say roughly 1000 duplexes/triplexes. Maybe 500 were established before zoning, perhaps 400 were converted with permits on file, and 100 have no record with the City showing that they were legally converted. The conversation will be whether to grant all 1000 the Conditional Use or only those we know are legal and just not address the remainder that we have no paperwork or evidence of a legal conversion. That will all be in phase II after the map change.

Brian Thomas asked to clarify that the duplexes and triplexes will be added to R-3, but we will not do away with the R-4 zoning classification. Mr. Cordonnier replied that that is correct. Mr. DeArment asked what about a duplex in R-2 or R-1 zoning. Matt Cordonnier's suggestion would be to update those now. As we notify property owners we may get some responses that they have a duplex we didn't find and we could change them to R-3. They are probably legal non-conforming now and they would still be so.

Dan Clinger said he thinks it makes sense to add the duplexes and triplexes to R-3 as Conditional Uses.

Josh Slough stated that his concern would be with the 10% left of undocumented properties. The current owner may have no knowledge that the property they bought or inherited, etc. was not legally converted. It's an investment property and will be less valuable to them if it would have to be put back to a single family use instead of a duplex. Mayor Muryn replied that we would not be requiring anyone to do that. We understand that we need housing. The last thing we want to do is to limit the number of units we have. The property would stay as it is. If zoning gets a call to confirm they will have to say it is nonconforming. If at some point that happens and you have to request a change there is that option. Mr. Cordonnier said that this debate will happen when we are granting the Conditional Use, but he would say that the option again would be for the City to grant that to any that were legally converted/built. He concurred that they would not be actively pursuing any changes to the property. Perhaps at some point they may need a variance on the parking standard or something to legitimize them, but that would only happen if necessary. They can work through the system to rectify it. The Conditional Use will go through

Planning Commission. Mr. Cordonnier stated that one of the main criteria we have been looking at if not legally established, is the ability to meet parking standards. They could easily be giving the Conditional Use is so. If they cannot meet the parking standard, they may need to apply for variances or create some parking. That is one of the biggest detriments to a single family neighborhood.

Mayor Muryn commented that we are going to give owners an “opt out” opportunity for zoning changes. They will be notified of the proposed changes and if they think it is detrimental to them, they can stay as they are if they let us know.

Matt Cordonnier stated that he thought it might be beneficial to have this amendment follow the same course as the map amendment – have the same reading schedule. They are somewhat intertwined. A resident may have an issue with one or both and they could attend one meeting for both. He would like the Commission to give the recommendation to Council and state that they feel that both items should run concurrently.

### **MOTION**

Mayor Muryn made a motion to recommend approval to Findlay City Council of **ZONING AMENDMENT #ZA-01-2020**

**An amendment to the R-1 Single Family Low Density, R-2 single Family Medium Density, R-3 High Density and R-4 Duplex/Triplex zoning districts in the City of Findlay Zoning Ordinance. The proposed amendment allows infill development to match the front building setbacks of the neighboring existing properties.**

**An amendment to the R-3 Single Family High Density district in the City of Findlay Zoning Ordinance. The proposed amendment will make duplexes and triplexes a Conditional Use in the R-3 district.**

Ms. Muryn further recommended that this item be discussed at the same time as the zoning map update.

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

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

### **3. ZONING MAP AMENDMENT #ZA-02-2020**

**A request to repeal the existing City of Findlay Zoning Map and replace it with an updated version.**

### **DISCUSSION**

Matt Cordonnier gave a brief summary of a power point presentation on zoning and the map changes which he had shown to the Commission previously. Ms. Muryn stated to the audience that this full presentation is available on the City’s website. Mr. Cordonnier also showed the parcel search database, also available on the City’s website, and commented that once the changes are adopted he plans to leave this up with the current zoning to be used for residents and realtors, etc. for reference.

Mr. Cordonnier stated that we will possibly be changing around 6000 parcels. He and the Mayor agree that it is appropriate to take the time to have the conversations with the public. Mayor Muryn commented that their recommendation is going to be to send a letter to all affected property owners explaining the change and giving information on who to contact if they want to discuss it. This will include a postcard which they can mail back with an “opt out” reply that they can sign and return meaning they wish to retain their current zoning. They will keep that card in the appropriate property address file. The mayor also stated that they would like to have one or two public meetings or open house type settings for folks to come in ask questions, express concerns, etc. We are trying to make changes to benefit the owners. We are not trying to penalize or make it difficult for anyone. Mr. Cordonnier noted that the letters will be individualized for each property. We will sync the database so we can say what the property is be rezoned to, what it currently is zoned and with a reason that we feel it fits in the new classification. And of course there is the “opt out” if you don’t see any value in the change. He thinks we will contact those that do opt out just to be sure they understand that there could be issues down the road, but we certainly aren’t going to force them to change. Mr. DeArment said he thinks the “opt out” option will eliminate controversy.

Steve Welton asked if the duplexes that may be illegal and don’t have parking will be forced to go to single family. Mr. Cordonnier replied no. If there is no record of the conversion there could be two paths. If they exist and have enough parking, they can be granted the conditional use. If there is not enough parking, they can’t be given the conditional use. If a bank calls, zoning will have to say it is not a conforming use, but the City is not going to pursue the owner to change it back. These thing usually don’t show up until a time of sale. They can create some parking if possible or come in for a variance on the parking standard. Right now they just stay as they are. Mr. Welton asked if there is anything being proposed for parking in downtown. Mr. Cordonnier replied no. The only text amendments are for the average front yard setbacks and adding duplexes and triplexes to R-3. The map update is purely categories on the map.

### **MOTION**

Dan DeArment made a motion to recommend approval to Findlay City Council of **ZONING AMENDMENT #ZA-02-2020 to repeal the current zoning map and revise as presented after public input.**

**2<sup>nd</sup>: Christina Muryn**

**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