

Planning Commission
March 27th, 2019
Meeting Minutes

The Chairman called the meeting to order at 4:31pm. The following members were present: Mr. Miller, Mr. Waddington, Chairman Zuilhof, Mr. McGory, Mr. Galea, and Mr. Whelan. Mr. Greg Voltz and Mr. Horsman represented the Planning Department; Mr. Trevor Hayberger represented the Law Department and Ms. Casey Sparks, Clerk from Community Development.

Mr. Waddington motioned to approve the February 27th, 2019 Planning Commission minutes; Mr. Miller seconded the motion.

Mr. Voltz stated that the applicant is applying for a Conditional Use permit to use the structure located at 413 W. Monroe Street for a sober living group home. The existing zoning is "R2F" Two- Family Residential. The existing use is vacant residential. The house is surrounded by other properties currently utilized as residential houses. The applicant has applied for a Conditional Use permit to allow the property to be used as a Public Facilities Use. The applicant has operated similar facilities in Ottawa County. There will be no offices or treatment services provided on site. The applicant has stated that there will be a house manager who will help one of the residents and act as an RA. Mr. Voltz stated that staff has concerns with the duration in which the clients will be staying at the facility and how this would affect the surrounding properties. Planning Staff believes that the applicant did make an effort to reduce the impact of the use to the surrounding properties. Planning staff would recommend approval of the Conditional Use with the following conditions:

1. The applicant would be required to update planning staff if any of the proposed guidelines for the program change, or if there are intentions to allow for more men to live within the house. If substantial changes are made Planning Commission approval would be required.
2. In lieu of the required off-street parking the adjacent on street parking shall be utilized to meet parking requirements.
3. No more than 4 vehicles will be parked between on- site and off-site for this proposed use.

Ken Bower, Executive Director of Lighthouse Sober Living, stated that they are requesting approval of a Conditional Use permit for the home located at 413 W. Monroe Street for the purpose to open homes for men in Erie and Ottawa County to journey through the recovery process. There is currently an operable homes in Port Clinton for men and one for women. The gentleman have to agree to a one year commitment but so don't have a maximum stay limit, they have had men stay up to two and half years. It is voluntary admission, they cannot be court ordered to this facility. While staying at the facility they are required to receive drug treatment and screening, attend recovery meetings, and perform community service. They do use local social services such as Bay Shore Counseling, and Sandusky Artisans. The home is extremely structured, they work very hard to maintain the homes and keep them, as well as blend in with the residents within the area. Their application was submitted with letters of support from surrounding residents within the Port Clinton area near the existing group home that they have as well as other local officials, and other supporters of the program.

Mr. McGory ask how the residents pay for their stay within the facility.

Mr. Bower stated that they are a non-profit organization, they do receive funding from the Mental Health Board, there are several fundraisers held, and the residents are required to pay a housing fee.

Mr. McGory ask how the residents prepare their food.

Mr. Bower stated the applicants cook for themselves and assure they have many life skills. They work to assure they are being a positive part of the community.

Mr. Galea ask to the applicant to clarify if the residents were not able to follow the rules would they be removed from the facility.

Mr. Bower stated that if the individuals are not following the rules they will receive a written write up, if they receive five of these they can be ask to leave. At that point the organization will try to connect with another treatment provider or homeless shelter.

Mr. Waddington ask staff to confirm who was notified of the hearing.

Mr. Voltz stated that residents within 300' were notified and the schools were also made aware of the application.

Mr. Whelan ask the applicant how the site was selected.

Mr. Bower stated that it was centrally located to many resources that the men will need, they would be able to bike, walk, or ride transit to these services with the home being located at this location.

Mr. Voltz stated that Public Facility zoning districts are not easily located in commercial locations.

Mr. Whelan ask if the applicant ask staff before moving forward with the property.

Mr. Voltz confirmed that they had worked with staff when reviewing the interest in the site.

Mr. Miller stated that he was surprised to see the last sale price and what the applicant is willing to pay for the site, Mr. Miller ask the applicant to explain what fiduciary deed is.

Mr. Bower stated that he is unable to clarify that but he does know that the home has been renovated recently and is ready for occupancy.

Mr. Zuilhof stated that similar applications that they have received in the past have included interior plans.

Ms. Byington stated that it was required for a similar application but it was a requirement by the building department.

Mr. Zuilhof stated that the area is located within a residential area and discussed the parking requirements, is it reasonable to expect only 4 vehicles and ask about the bus route near the property.

Mr. Bower stated that it is reasonable to only have four cars, they will have a maximum of nine men at one time and each room with a double bed will be approximately 120 square feet. They will have five sleeping rooms.

Mr. Zuilhof stated that one of the conditions of approval should be cultural norms be followed and if the use finds to be a nuisance the permit can be revoked.

Mr. Galea ask Mr. Miller if the seller sold to Lighthouse by fiduciary deed.

Mr. Miller stated that when purchased by current owner it was purchased by fiduciary deed.

Mr. Galea stated that if a house passes into estate, if the house is sold by a representative it is by fiduciary deed. The Commission discussed the previous sale of the property and the proposed purchase price.

Mr. McGory ask the property is currently zoned as R2F Residential Two Family, which would mean two families could live at this location.

Mr. Byinton stated that the zoning code does not require it to be separated before having two families living at the location.

Daie Vandebarger, current member of the Board, he worked extensively in the men's house in Port Clinton. These facilities are what would you consider good neighbors, very strict on what goes on at the facility. Most of them are involved in programs, not court ordered.

Clint Wilson, 622 Decatur Street, provided a petition from the surrounding neighbors against this use within the neighborhood. Mr. Wilson stated that he is concerned with parking on Decatur Street. They recently put 25,000-35,000 into the property and believes his property values will diminish if this is approved.

Mary Lou Zimmerman, 262 Decatur Street stated that she lived next to the home and gave history of the property. She stated that she is concerned about the proximity to the schools and is concerned about parking issues.

Rene Amburn, 411 Center Street stated that he lives approximately one block away from this house in question. He does not appreciate changing the status of the neighborhood. He discussed the condition of certain homes in the area and described another recovery home that was problematic.

John Straten, 413 W. Monroe Street, stated that he lives and works within the City. He would not have moved in the area if he had known that this would be in the neighborhood. He and the neighbors have been trying to improve the area. There is already a facility on Superior Street he does not agree with placing another facility within this location.

Mr. Whelan ask the applicant if it is not this house then what other locations will they look into.

Mr. Bowers stated that the major reason they looked within this area is that many of the residents would not need to walk to the services. They did have a strategic meeting with their board members and the Mental Health and Recovery Board as well as an outside agency did identify as recovery homes as the number one need within the area. The Board will have to make the decision as what the next move would be for finding another location for this facility.

Mr. Miller stated that he has great sympathy for individuals in the neighborhood, he feels great empathy for the uncertainty of this situation. Mr. Miller offered a suggestion of optimism, where else are you going to get neighbors that are subjective to drug testing, and paid staff with a resident in charge and enforce the rules. This may be a positive impact on the neighborhood.

Mr. Voltz stated that a Public Facility Zoning District area is very minimal and every other place than downtown would need to go thru this same process.

Mr. Galea move to approve the Conditional Use permit application with the proposed conditions presented by staff; Mr. Miller seconded the motion.

Mr. McGory appreciates Mr. Miller's comments and he has listened closely to the neighbors and acknowledges the perception of the negative impact to the existing homes. It is important to realize that the neighborhood may experience less problems with this use than with a yearlong tenant. Local residents do have the right to rely on the zoning, as such he is struggling.

Mr. Whelan stated that he is very torn, he commends them and would like them to work with the Planning Department on finding an alternative location.

Mr. Voltz stated that by right the applicant is allowed to apply for a Conditional Use permit in a residential district.

Mr. Whelan ask if this would the Downtown Business District permit the proposed use.

Mr. Voltz stated that this use would be permitted in the Downtown Business District or Public Facility by right.

Mr. Zuilhof stated that they need to work with the Planning & Zoning Department and the neighborhood should rely on the zoning to afford protection. They can offer that drug testing is a condition of approval as well as community norms and policies to assure additional and nuisance will not occur. He is more concerned that the facility won't kick them out, this may be inviting criticism of community.

Mr. Miller stated that the letters of support that have been referenced many of them do not live in the neighborhood, it seems fair to take the opportunity to work with staff to see if there is a more optimal location and table the application.

Mr. Galea stated if we table the application probably 90% of proposed locations we would receive opposition, Mr. Galea stated that it should be within the city limits.

Mr. Zuilhof stated that letters of support would be provided for whatever location they chose, however the Commission wants to make sure they get the right location.

Mr. Bower stated that the approval of Planning Commission is a contingency of purchasing the property, they will withdraw their offer if Planning Commission does not approve.

Mr. McGory stated that he does not feel comfortable approving the request.

Mr. Straten stated that he has information that shows if these use is constructed within a neighborhood property values decline by 17%.

With no further discussion the roll was called and the motion was denied; 2 ayes and 4 nays.

An application for a Conditional Use permit for an electronic message board sign at 2047 Cleveland Road.

Mr. Voltz stated that the existing zoning is "RB" Roadside Business. The property is currently adjacent to property zoned as "RB" Roadside Business, "RMF" Multi-Family Residential, "R2F" Two- Family Residential, and "R1-60" Single Family Residential.

Section 1143.06 states that electronic message board signs are prohibited unless approved through a Conditional Use permit. The applicant is proposing to replace the current message board sign, but maintain the surrounding free standing posts and upper portion. The application has stated that they only intend the sign to be used for onsite messaging.

The property is located along Cleveland Road corridor. Staff does not believe that the brightness and animations are a concern.

Staff recommends approval the Conditional Use permit for the digital message board sign located at 20147 Cleveland Road with the following conditions:

1. The minimum display time shall be 10 seconds.
2. Brightness shall not impose hazard to pedestrians or vehicular traffic, nor a nuisance to surrounding properties.
3. Flashing, animations, and videos are prohibited.
4. Display shall be limited to static displays.

Gary Hemper stated that the proposed sign is to improve look of the business. At the evening times it would be a little darker background so it would not put off as much light and it would turn off at midnight and not used during off season.

Mr. Zuilhof ask if it would it be similar size to the changeable text or would if it is larger would it be within the permitted sign area regulations.

Mr. Voltz stated that there is another sign currently on site if this sign is approved they would like to need discuss the total area of signage on site.

Mr. Hemper stated that if the digital message board sign is approved they would remove the additional sign.

Mr. Zuilhof stated that the Commission generally conditions approval that the image can only change every 10 seconds.

Mr. Galea stated that these signs are more prevalent now and ask if there was data collected stating that the effect these signs have on traffic.

Mr. Voltz stated that currently he has not looked into this information but he will if commission would like to see this.

Mr. Miller ask if there would be enforcement with the sign.

Mr. Zuilhof stated that if someone complains and staff is aware they are in violation of the regulations their permit can be rescinded.

Ms. Lawrson, 2054 Cleveland Road, stated that the sign will be right outside her bedroom window but appears, she does like all of the concessions but wonders how bright it will be.

Mr. Voltz stated that it does have a daylight sensor, which would mean at night time it would dimmer.

Mr. McGory stated that the light box of the current sign is a sign box is lighting within. The current sign box probably puts out more light than the proposed sign.

Ernest Ettorre, 2050 Cleveland Road, stated that he is concerned that the light is currently very dim, a flashing light will be an issue. Current location is hard to get out of current home. He understands that it is a hotel and the goal is to get more people into the facility, however more traffic will make it even more difficult within this area.

Kathy Ettorre, 2050 Cleveland Road, expressed her concern regarding the traffic within the area. The existing sign is not distracting, however the new sign will be distributive. She is concerned with only replacing one portion of the sign. She does not believe it is necessary and is concerned about the other residential uses across the street.

Mr. Galea ask if the homes predated the motel and ask the history of the signage.

Mr. McGory moved to approve the digital message board sign with conditions provided by staff including restricting the changing the image every 10 seconds and the sign must turn off at midnight as stated per applicant; Mr. Whelan seconded the motion.

Mr. Galea stated that he does not have a problem of the concept however it is closer to the residential area. He is interested in knowing the history of the existing sign and gathering more date including specifications regarding brightness.

Mrs. Ettorre stated that the restaurant is open more for the season, as such they would be using this sign for more than the season

Mr. McGory amended the motion to state that the approval was conditioned to remove the existing sign advertising the restaurant; Mr. Waddington seconded the motion.

With no further discussion the motion was approved: 5 ayes and 1 nay.

Mr. Horsman stated that there are two proposed changes to the design review guidelines that need to be approved by Planning Commission. Mr. Horsman clarified what the existing design guidelines are. One of the proposed changes include changing the name to the Sandusky Preservation Design Guidelines and some changes to the fencing regulations. Mr. Horsman discussed with the Commission the proposed fencing design and durability.

Mr. McGory ask if these regulations would pertain to the existing fences.

Mr. Horsman stated that these changes will be for new fences within the area these regulations are proposed to make the process more consistent.

Mr. Miller stated that he likes the modern looking fencing, however you may not have a modern looking building.

Mr. Horsman stated that the guidelines should consider a generally consistent look, in regards to the height this was instituted to assure the fences do not wall off the public space.

Mr. Whelan stated that he likes the height of 42" for the fences and likes the openness, however he does not like that it has to be all black. Mr. Whelan ask if the requirement that the fence needs to have 60" unobstructed area, is that distance from the tree or the curb.

Mr. Voltz stated that it is from the circular area around the tree.

Mr. McGory stated the property could also request a variance from these standards if necessary.

Mr. Zuilhof stated that these guidelines would be a baseline, they could approve deviate from the standards if necessary.

Mr. Miller ask what other commissions that have reviewed these proposed changes.

Mr. Horsman presented the comments from Landmark Commission.

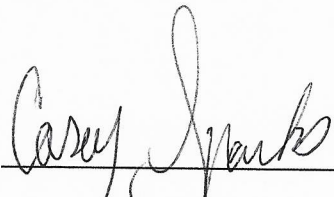
Mr. Miller made a motion to approve the proposed changes to the design review guidelines; Mr. McGory seconded the approval.

With no further discussion the motion was unanimously approved.

Mr. Galea motioned to adjourn the meeting; Mr. Waddington seconded the motion.

With no further business, the meeting at 6:40 PM.

APPROVED:



Casey Sparks, Clerk

Michael Zuilhof, Chairman