

**Planning Commission
October 27, 2021
Meeting Minutes**

Meeting called to order:

Chairman Dennis Murray called the meeting to order at 5:00pm. The following members were present: Pete McGory, David Miller, Mike Zuilhof, Conor Whelan, and Jade Castile. Alec Ochs, Arin Blair, and Jonathan Holody represented the Community Development Department. Brendan Heil represented the Law Department. Clerk Kristen Barone was also present.

Approval of minutes from the September 22, 2021 meeting:

Mr. McGory moved to approve the minutes as submitted and Mr. Miller seconded. All voting members were in favor of the motion.

New Business:

1) Kagland, LLC submitted an application for an amendment to the zoning map for 1012 Columbus Avenue (parcel 57-68035.000).

Mr. Ochs explained that the applicant has requested to rezone this address from "R2F" Two-Family Residential to "RMF" Residential Multi-Family as the applicant would like to turn the old church building that is not being utilized into a three-unit dwelling. The parcel is mostly adjacent to parcels zoned Two-Family Residential to the east & south, and Local Business to the north & west. Staff examined the City's Bicentennial Vision Comprehensive Plan as it relates to this area and we believe that this rezoning could offer great potential towards developing human capital, connectivity, and help shape Sandusky as a livable city. The rezoning to Residential Multi-Family is the minimum zoning change to permit the applicants proposed project. In staff's opinion, the Residential Multi-Family zoning will create a logical transition between the adjacent Local Business and Two-Family Residential zoned properties on either side. Staff recommends approval of the proposed amendment. Mr. Miller asked if the applicant would be expanding the building or if they would be subdividing the current footprint. Mr. Ochs stated that they would be subdividing the current footprint. Mr. Miller asked how long the building has been vacant and what the condition is like on the inside. Applicant Bryan Kasper of 2007 Cedar Point Road, stated that when the church that was there did meet, it was not very often. He said that he thinks they might have had an Easter service there, but over the winter, the plumbing was all broken and running in the building. He said the building is completely gutted. Mr. Zuilhof asked what other solutions were considered or exist other than rezoning the parcel. Ms. Blair stated that the only variance that would apply in this case would be a use variance and those variances are difficult to make a case for and most often advised against. She then stated that the Conditional Use Permit language is pretty vague and only applicable in small cases. Mr. Ochs stated that when staff discussed this application this was the only route that they saw that would work for what the applicant wanted to do. Faith Hixson of 115 Scott Street, stated that she walks passed this building every day and has noticed that the building next door that the applicant also owns is in big disrepair and was wondering if the applicant was going to do anything with that building. Mr. Kasper stated that he would like to fix up all of the houses in the area and have made a few offers, but the building Ms. Hixson is referring to, is currently condemned and he is working with staff to try and save it. He said that he would like to make an apartment out of that building. He said that he would have already started working on fixing it up if he were allowed, but since it is condemned he has to go through a process. Mr. Murray asked if staff could clarify for everyone what the rezoning process is like and how much longer it would take for the applicant to proceed. Ms. Blair explained that if Planning Commission recommends to City Commission approval today, the City Commission president would need to set a public hearing at the next City Commission meeting, then there would need to be a 30 day notice put in the paper, then it would be heard at the December 13th City Commission meeting. Law Director Brendan Heil stated that he is also skeptical that a Conditional Use Permit would be a quicker process, as those also require notices and other hurdles. However, if the Planning Commission wants to recommend approval to City Commission tonight and then staff finds a quicker route,

there is no reason staff cannot dual track something. Mr. Murray stated that he thinks this would improve the neighborhood, it would be a good development, and it would clean up the blight. He said he has seen Mr. Kasper's work and he does it the right way and gets it finished, so he would be in support of this application. Mr. Whelan stated that he is also in support of this application, but asked how a Planned Unit Development would work and if that would be a route that may work for this applicant. Mr. Murray stated that he believes the project would have to be much larger. Mr. Zuilhof asked what the notice requirement is for a Conditional Use Permit. Mr. Heil responded that a Conditional Use Permit does require a 10 day notice and a hearing. Mr. Heil then added that he would want staff to double check that a Conditional Use Permit would even make sense before going that route because he is not sure it does. Mr. McGory stated that since staff are able to dual track more than one process if necessary, he made a motion to recommend approval of this application to City Commission. Mr. Miller seconded the motion. Ms. Castile asked staff to explain why it was said earlier that a variance route would not make sense. Mr. Ochs responded that when an applicant applies for a use variance they have to explain why the current situation and following the code is a hardship to them and staff could not come up with a good explanation for that. All voting members were in favor of the motion.

Other Business:

1) Discussion on Transient Rental Regulation

Ms. Blair reminded the Planning Commission that there were recently two meetings on transient rental use in two different locations that were brought to staff by two different City residents and property owners. She stated that she put together a presentation on the findings of those meetings and the online survey and also included some considerations and recommendations from staff. At the Lion's Park meeting, there were seven people in support of the proposed transient rental overlay district, two people that were not sure, and five that were opposed. Mr. Maldonado who has property in that neighborhood said that he sent out over 300 letters himself to the neighborhood and did not receive any opposition. Someone else claimed to have 46 signatures from residents that are against the proposed transient rental overlay district, while another person claimed to have 17 signatures in support of it. At the McDonough St meeting, there were seven people in support of the proposed transient rental overlay district, five people who were not sure, and zero who were opposed. She explained that there were several comments shared from those that have had good experiences staying at transient rentals in other cities, some residents feel it would be a good experience in Sandusky, there was interest in understanding where transient rentals are currently allowed, and there was interest in the permitting process. She then explained that the following concerns were raised: fear of noise, fear of property damage, fear of parking issues, how would nuisance properties be enforced, fear of decreasing housing affordability, desire to know neighbors, fear of personal safety. Of those who took the online survey, 68% were not concerned about transient rentals happening in their neighborhood. Arin ended her presentation by stating that staff get multiple calls daily from people interested in doing transient rentals in Sandusky. She said that staff believe that transient rentals are an opportunity to bring people to Sandusky to spend money at local businesses, it will allow for some blighted properties to get cleaned up, and it may also be a way to get developers to buy and preserve some historic buildings as it is expensive to build new. Ms. Castile asked Arin if she has a map that shows where transient rentals are allowed currently and how many properties are located within that area. She said that she would be more interested in pushing investors to buy properties in those areas instead of bringing overlays to where investors want them and then adding on to where it makes most sense for the city economically. Ms. Blair said that she does have that map in the presentation. Mr. Miller asked if there is something in the ordinance to consider when establishing a transient rental overlay district that the neighborhood must be in a declining area. Ms. Blair said that is correct and brought up that slide. Mr. Miller said that then brings up a question on why there are so many transient rentals currently on the Cedar Point Chaussee. Mr. Murray stated that those must be ones that are grandfathered in before the transient rental ordinance took effect. Ms. Blair pointed out that after reading that slide, some may then wonder, what defines a declining neighborhood and what constitutes close proximity to commercial and retail areas. Ms. Blair then showed a map of where Mr. Maldonado's property is located and where transient rentals are currently permitted close by and his property is within walking distance to that district and other places that may be of interest to those that are visiting the area. She then showed some pictures of the neighborhood and stated that she believes this could be a

neighborhood that would benefit from investment. Arin then stated that the local business zoning district is currently the only commercial district that does not allow transient rental. There are a cluster of local business zoned properties along Hancock and Columbus where there is some historic architecture that needs preserved and staff believe that transient rental income could bring in a lot of money and help with the preservation of those buildings. Mr. Zuilhof stated that she is correct that the local business zoning district does not allow transient rentals, but asked Ms. Blair if it is also true that the transient rental overlay legislation does not allow the overlay to apply to local business. Ms. Blair stated that she is not sure, but would assume that it could go over top of any zoning. Mr. Zuilhof stated that he believes it was deliberate that local business is not a permitted zoning district for transient rental because local business is meant for neighborhood business. Mr. Murray said that may be true but things may have changed since then in what people would like to see in local business. Mr. McGory stated that he would like to be forthcoming in letting everyone aware that he helped Mr. Maldonado draft his letter to residents in the Lion's Park area, so he would not be able to vote on any application from him, but in general, for the city as a whole, he is in favor of transient rentals. Mr. Murray stated that he thinks it will be awhile before the Planning Commission votes on anything but would advise Mr. McGory to reach out to the Ohio Ethics Commission on any possible conflict. Ms. Blair stated that in conclusion, staff would support amending the Local Business zoning district to permit transient occupancy. Staff would also recommend to consider a slow and measured expansion of overlay districts in neighborhoods, especially in areas with strong, local interest. Ms. Castile stated that she supports transient rentals, but struggles with the idea of allowing them in random areas where people are proposing them. She said that when Ms. Blair explained why a transient rental may work in the McDonough St area from a planning perspective, that made sense. For example a 15 minute walk from downtown would include the McDonough Street area. She said she would like to see a hypothetical map of all areas that would be included in that walkable distance from downtown. Ms. Blair stated that people will generally spend about 15-20 minutes to walk somewhere, which is about $\frac{3}{4}$ of a mile to a mile. So if it is assumed that most visitors will spend their time downtown, that kind of radius will go south to Monroe Street, Camp to the west, and Meigs to the east. Mr. Zuilhof stated that for each property that is converted to a transient rental, there is a loss in residents and we are hoping the city stays above 25,000 in the next Census, so that will be something to consider. Mr. Murray further pointed out that the largest source of revenue for the city is income tax and transient rentals do not pay income tax. Mr. Whelan mentioned that transient rentals will increase property values, but he does not think that an increase in property values will result in less people living in the city and if residents have to leave a place because it is getting turned into a transient rental that those people will just move into another place in the city. Ms. Castile stated that another thing to consider is that the more transient rentals that are allowed, the more business that will be taken away from the local hotels. Mr. Zuilhof stated that on the other hand, he just read that there will be a triathlon in Sandusky for the next three years in the summer time, when there is not a surplus of hotel rooms normally available. Mr. Murray stated that it would be helpful if staff can get some information on different approaches and also some feedback, maybe from the law director, on defining the current ordinance in regards to what a declining neighborhood is and what close proximity is. Mr. McGory stated he would like to see what the global approach is and then see if attention needs paid to the current ordinance, instead of seeing what the current ordinance says and seeing what we can do within that. Mr. Murray stated he thinks it would be good to look at both. Mr. Zuilhof stated that he needed to remind everyone that a self-selected survey is meaningless, but what can be done with the results is hear thoughts that may not have otherwise been thought of before. Mr. David Stuck of 922 West Adams Street, stated that he owns the two properties on McDonough Street that have been in discussion for transient rentals. He said that his home is adjacent to the two properties, so he would be an on-site property manager. His mother also lives in the downstairs unit of the one. The 414 property was in disrepair and bankruptcy when him and his wife bought it and they did a full renovation there. They currently allow friends and family to stay there when they are visiting, but would like to see some return on the investment and to share the home with others visiting the area. Mr. Jim Maldonado, stated that he owns the property at 3328 West Monroe Street and has been rehabbing it for awhile and has put a lot of money into it. He said that he thinks the location is great, as you can walk out the front door and see Lions Park, the water, the City of Sandusky sign. He said he has talked to a lot of people that do not want to stay at hotels anymore but say that

there are not many options for transient rentals in Sandusky, so he thinks having more transient rentals is a great way to get more people visiting the area.

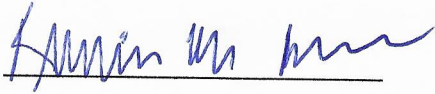
Meeting Adjourned:

Mr. McGory moved to adjourn and the meeting ended at 6:17pm.

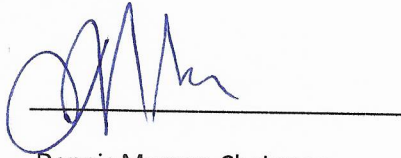
Next Meeting:

November 24, 2021

Approved:

A handwritten signature in blue ink, appearing to read "Kristen Barone", written over a horizontal line.

Kristen Barone, Clerk

A handwritten signature in blue ink, appearing to read "Dennis Murray", written over a horizontal line.

Dennis Murray, Chairman