

**Planning Commission
March 23, 2022
Meeting Minutes**

Meeting called to order:

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

Approval of minutes from the February 23, 2022 meeting:

Mr. Miller made a motion to approve the minutes as submitted and Mr. Poggiali seconded. All voting members were in favor of the motion.

Public Hearing:

WPL SFH SANDUSKY II LLC has submitted an application for an amendment to the zoning map for the following parcels along First Street and Wildman Avenue: 57-03842.000, 57-03843.000, 57- 03844.000. 57-03845.000, 57-05755.000, 57-05756.000, 57-03847.000, 57-03849.000, 57- 03850.000, 57-06036.000. The application is to rezone the parcels from R1-40 Single Family Residential to Commercial Recreation.

Mr. Ochs stated that after talking with several people and looking at records on file, it was found that many of the parcels that were included on this application had already been previously approved by City Commission on February 21, 2021. The addresses that were previously approved included 1800-1830 First Street, 1900-1922 First Street, and 2022-2034 First Street. The ones relevant to this application are 1900-1922 First Street. Due to an unpredicted staff change soon after this approval and a non-immediate filling to the position, the zoning map was not updated. Since learning about this, staff has updated the zoning map. This leaves four parcels still zoned as Single Family Residential that the applicant could try to get rezoned at this hearing, but they decided to withdraw their application.

New Business:

Rio Holdings LLC has submitted a site plan application for an addition to an existing building at 1019 Pierce Street (parcel 58-02915.001).

Mr. Ochs stated that The Recovery Institute of Ohio is currently operating at this location. The addition will give the recovery center more space to expand their offices and also more floor area for detox patients. The proposal has 16 beds within 8 bedrooms, each bedroom is adjoining a shared bathroom for patients. There will also be consultation rooms, a kitchen and some office space added. The plan is to have some patients stay overnight as needed for treatment. The proposal contains 14 new parking spaces, totaling 42 spaces altogether. The site only needs 27 parking spaces. This site plan proposal meets all applicable zoning requirements with the exception of the required landscaping along the side edges of the parking lot. From what staff could find, the first phase of this project did not have any landscaping requirements, or if so, they were not followed. Therefore staff would recommend the applicant put in landscaping in a combination of trees and shrubs along the south edge of the site facing the right-of-way and along the west edge of the building division. This amount of landscape is sufficient to beautify the site as the code would have guided previous site plan applications. The proposed additional parking requires a combination of trees and shrubs along the west edge of the new parking lot. There were no concerns received from other departments. Staff recommends the approval of the proposed site plan at 1019 Pierce Street with the following conditions: 1) All applicable permits are obtained through the Building Department, Engineering Department, Planning Department, and any other applicable agency, 2) A combination of trees and shrubs are installed along the west edge of the new parking area. Mr. McGory asked staff if the applicant is willing to put landscaping where staff is saying it was not previously done. Mr. Ochs said that he does not know and that he thought the applicant was going to be at the meeting today, but does not see him. Mr. McGory stated that instead of tabling the application because the applicant is not available to answer

adding the landscaping that should have been required of the applicant in the first phase project. If they do not want to do that, then they can come back next month. Mr. Miller asked the Law Director if they are able to require the applicant to do that extra landscaping for the portion of the site plan that was already approved. Mr. Heil stated that he will need some time to look into that. Mr. Zuilhof stated he would be satisfied with approving the application as long as the applicant is meeting overall site plan requirements. Mr. McGory made a motion to approve the site plan application subject to staff's conditions, but also adding in the condition to meet the now existing landscaping requirements along the south edge. Mr. Zuilhof seconded the motion. Mr. Zuilhof asked if staff are allowed to make minor changes to a site plan. Mr. Blair responded that is correct. Mr. Whelan asked staff if the addition is 4,500 square foot addition. Mr. Ochs stated that is correct. Mr. Whelan then asked if there is an agreement with the neighbor or an easement on the west side of the property because they are entering the lot from the adjoining property. Mr. Ochs stated that the applicant did tell him that there is an easement. Mr. Miller asked for clarification that the motion is just asking for two or three more trees, is that correct. If so, he doubts the applicant would have any issues with that, as that will just make the property look better. Mr. McGory said that was correct. All voting members were in favor of the motion.

KG Real Estate Owner Sandusky, LLC has submitted a site plan application for an addition at 2401 Cleveland Road (parcels 57-05870.000 and 57-05873.000).

Mr. Ochs stated that the current use of this address is a car dealership and maintenance shop. The proposed addition will provide office space and also give Ganley more space to repair and detail cars. It will include four new detail bays and an area for a future paint booth. The same materials from the existing building will be used for the addition. No additional parking area is proposed. However, the existing parking spots well surpasses the required 70 spaces with over 260 parking spots on site. New parking areas must meet landscaping requirements but since the proposal does not call for new parking, landscaping requirements cannot be enforced. As this may be, staff would recommend landscaping be implemented in unutilized areas of the site. These small touches go a long way in beautifying the site. There were no concerns from other departments and divisions received. Staff recommends approval of the proposed site plan with the following condition: 1) All applicable permits are obtained through the Building Department, Engineering Department, Planning Department, and any other applicable agency. Mr. Poggiali asked the applicant if they would be willing to do the landscaping that staff suggested. John Decker with KG Automotive stated that they definitely planned on doing some landscaping. Mr. Miller moved to approve the application subject to staff's conditions and Mr. Poggiali seconded. All voting members were in favor of the motion.

Sandusky State Theater, Inc has submitted a site plan application for an addition to an existing building at 107 Columbus Avenue (parcels 56-64005.000 and 56-61045.000).

Mr. Ochs stated that the proposed addition at the State Theater will allow for an expansion for the existing theater stage house and additional theater support spaces. The proposed total building lot coverage is 99%. The project consists of approximately 66,000 square feet of renovation and new work. The addition includes a screened built-in area for the dumpster location to be accessed by the adjacent city right-of-way. There is no parking requirement for this property, as it is located in the Central Business District (defined by boundaries, north, Sandusky Bay; east, Hancock Street; south, Adams Street; west, Decatur Street). No parking is proposed on the site other than the continued use of the existing loading dock. The proposed building height for the restoration/stage expansion is to match the existing 70 ft. portion of the theatre. The height requirement in the Downtown Business District is 125 feet. There are no lot coverage limitations (for nonresidential structures) nor required setbacks. This project meets all applicable zoning requirements. There were no concerns received by other departments and divisions. Staff recommends approval of the proposed site plan with the following condition: 1) All applicable permits are obtained through the Building Department, Engineering Department, Planning Department, and any other applicable agency. Chris Parthemore, Executive Director of the Sandusky State Theater, stated that they have been discussing doing this addition for a while now, and it only makes sense to do it now while the restoration work is taking place. Mr. Zuilhof asked what the proposed service road is on the site plan, as that looks like it is a part of the city parking lot. Ms. Blair stated that the architects wrote that in to make sure that everyone is aware that they will need continued access to get into that alley for trash services.

Mr. Zuilhof asked that since the building is right up to the lot line, are there any encroachments? Ms. Blair stated that there are not. Mr. Zuilhof stated that it might be appropriate to dedicate an alley or grant an easement to ensure that something crazy does not happen in the future. Ms. Blair stated that she recommends not making action at this time because there is almost a perfect rectangle on the Jackson Street parking lot, which is rare, and it is big, so she would hate to specify where that would be at this time. However, she said that she agrees that connectivity is important. Mr. Zuilhof made a motion to approve the application subject to staff's conditions and Mr. Poggiali seconded. Mr. Poggiali asked the applicant when the work would start. Mr. Parthemore responded that he is hoping the work can start in April. Mr. Poggiali then asked if they have parking issues or hear of others complaining about parking there. Mr. Parthemore responded that he has yet to see a major parking problem. He said that if they have a great show there that people want to see, they will walk a couple of blocks to get there, as that is what people do in Cleveland and other cities. All voting members were in favor of the motion.

Other Business:

Discussion on potential updates to transient rental regulation.

Ms. Blair stated that first, staff wanted to make the Planning Commission aware of House Bill 563 that was recently introduced in February and is in regards to transient rentals. This bill is about 25% through the process. The bill suggests that cities treat short term rentals the same as any other rental property and would prohibit municipalities from regulating them. There is some support from some states and real estate players, but there has been some pushback as well. Mr. Heil stated that the content in the bill is vague so it is not clear if this bill would wipe out regulations that are already in place in municipalities or if it only applies to municipalities that do not already have regulations.

Ms. Blair then reminded everyone that at the last meeting a motion passed for Mr. Whelan and Mr. Miller to discuss with staff potential transient rental regulations. Staff came prepared to discuss a couple of options regarding that. The first option would be to update the ordinance so property owners have a path to getting a public hearing set for consideration of a new overlay district. This would include a set of parameters to accomplish this, such as proposing a district boundary and collecting signatures from surrounding property owners. The second option would be to allow a capped number of transient rentals outside the overlay districts within an otherwise defined boundary such as the Opportunity Zone. Both options could be used together or they could be used independent of one another. If the Planning Commission went with option two the intent is to still have the current transient rental overlay district remain in place. Mr. Zuilhof stated that he thinks both options are good idea, but does not think that both are needed. However, it might be a better idea to put a cap on the overall number of transient rentals instead of capping jut the ones outside the overlay districts. Ms. Blair stated that the City of Huron allows for 165 transient rental units, which is about 5.5% of total households in Huron. Mr. Miller asked if staff knows how many transient rental units they have currently. Ms. Blair stated that last she heard they were at 125. Mr. McGory stated he does not see a reason to not utilize both options presented. Mr. Whelan stated that an issue with placing a cap on all transient rental units throughout the whole city is that, say they reach the cap amount and someone applies that lives in a zone where transient rentals are permitted and they then get denied because the cap amount has been reached, would that be legal for the city to deny that person since their property is zoned for what they want to do? Mr. Zuilhof stated that another thing to think about is someone could build a huge building where transient rentals are permitted and have 600 units in there. Ms. Blair stated she heard that is happening in Traverse City. Mr. Poggiali asked what the boundaries are for the Opportunity Zone. Ms. Blair stated that it is Monroe Street to Meigs and Camp. Mr. Whelan stated he thinks there should be a cap and that the cap should start off small and include residential zoned properties, which would include transient rental overlay districts. His concern is that if they allow for too much, property values and costs could go up in Sandusky. Mr. Zuilhof stated that if they allow too many units, that could also mess with the census counts. Mr. McGory stated that he thinks the first wave of people wanting to do transient rentals will do so in empty buildings and houses that are underutilized, so he thinks it will be awhile before it is a problem. Mr. McGory asked if staff could come up with a proposal to bring back to the

Planning Commission to vote on. He thinks staff may have a good idea on some numbers to propose and then there could be further discussion at a later meeting.

Ms. Blair stated that Andrew Mulry, owner of 302 East Washington Street, contacted her about proposing a new transient rental overlay district along the properties facing Washington Street, across from the soon to be food hall. She said she wanted to bring this to the commission's attention to see if someone wanted to make a motion to have a public hearing on this proposal. The district would run from Hancock Street to Franklin Street. There are nine homes in the proposed district and he has received seven out of nine signatures for the proposed transient rental overlay district, which is 70%. Mr. Mulry currently lives in this home, but his family has outgrown the home, so he wants to move into a bigger home, but keep this one to come and visit downtown, but also let others use his home to visit downtown as well. Mr. Zuilhof stated that this seems like a reasonable request since this block is across the street from the Downtown Business District. Mr. Poggiali made a motion to have a public hearing at the next Planning Commission meeting to discuss the proposed transient rental overlay district and Mr. Miller seconded. All voting members were in favor of the motion.

Ms. Blair then stated that she received another proposed transient rental overlay district from James Maldonado, who owns 3328 West Monroe Street. He is proposing a district on West Monroe Street bound by Marquette, Tyler, and Lasalle Street. This district is adjacent to the entry of Lion's Park. Mr. Zuilhof asked if this proposal overlapped a district that was already entertained by the Planning Commission. Ms. Blair stated that there was a proposal brought to the commission back when Mr. Voltz still worked for the city and then when Mrs. Blair started, the Planning Commission asked her to hold a couple of public meetings to get feedback from the residents. There were some resident concerns, although those residents are not in the proposed boundary that is in front of the Planning Commission today. She said she did get an email from someone that said her husband just signed a petition that she is not sure she supports and Ms. Blair told her that if the Planning Commission decides to set a public hearing for this proposal she would be able hear more information and share her thoughts at that public hearing. Ms. Blair stated that the proposal contains about 39 homes and Mr. Maldonado has received 15 signatures from those 39 homes, which is 27.7%. Mr. Zuilhof stated that having streets as boundaries is not the best way to create a district. In the previous proposal, the boundary was the back of the lots. He thinks that the houses across the street should also be included in the district. Mr. Whelan stated that the boundaries could be discussed and changed at the public hearing. Mr. Whelan then made a motion to set a public hearing at the next Planning Commission meeting to discuss the proposed transient rental overlay district and Mr. Zuilhof seconded. Mr. Zuilhof then asked if the notice requirement could be expanded a little bit so that if the boundaries do change in the public hearing, all of the proper people will be notified. Ms. Blair stated that the current notice requirement has staff send notices to properties within 300 feet of the property lines. She asked how much further out they want staff to send notices. Mr. Zuilhof responded to go 300 feet from the houses across the street from the proposed boundary line in case those get added to the overlay district. Whelan stated that he thinks the boundary lines should go down to Superior Street. Mr. McGory asked that if they get to the public hearing and a motion is made to expand the overlay district to include a few more addresses, what happens if Mr. Maldonado does not say that is what he wanted or the people that live at those addresses say that is not what they wanted? Mr. Zuilhof stated that is for the Planning Commission to decide on. He said that is why he thinks it is unwise about forcing the Planning Commission to have to hear every proposal that is brought forth, instead of letting the professionals decide this, who have went to school for this sort of thing. Mr. Whelan asked if he could amend the motion to have a public hearing for the map proposed, at the next meeting, but also add parcels after talking more with staff on staff's opinion. Mr. Poggiali stated he thinks they should just move forward with what was proposed and then discuss further at the public hearing. He then asked if there is a percent of signatures needed to even have a public hearing. Ms. Blair stated no, not at this time. He then asked if anyone knows if the signatures that were brought to staff are renters or owners of the properties because he thinks that makes a big difference in his mind. Mr. Heil stated that there is currently no process for a resident to bring forth a transient rental overlay district, so that is why those two options were presented earlier, as a way to move forward with that. Also, to clarify, the Planning Commission does have to

have a public hearing in order to create a transient rental overlay district. All voting members were in favor of the motion, except for Mr. McGory, who abstained.

Mr. Ochs stated that staff was asked to provide a presentation on transient requirements since there has been some discussion on RVs and boats being used as transient rentals. Staff will be working something up and send it out to everyone via email.

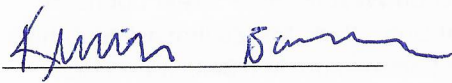
Meeting Adjourned:

Mr. Miller made a motion to adjourn and Mr. Zuilhof seconded. The meeting ended at 7:11pm.

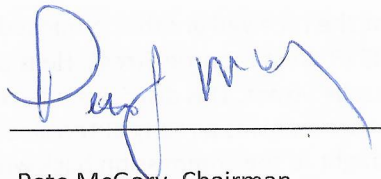
Next Meeting:

April 27, 2022

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 "Pete McGory", written over a horizontal line.

Pete McGory, Chairman