

Planning Commission

May 25, 2022

Meeting Minutes

Meeting called to order:

Chairman Pete McGory called the meeting to order at 5:00 pm. The following members were present: Pete McGory, David Miller, Jade Castile, Jim Jackson, Steve Poggiali, Conor Whelan and Mike Zuilhof. 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 March 23, 2022:

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

Approval of minutes from April 27, 2022:

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

Public Hearings:

- **Sandusky Holdings LLC has submitted an application for an amendment to the zoning map for the following parcels along Milan Road: parcel 57-03541.000, parcel 57-03542.000, parcel 57-03374.000, and parcel 57-00159.000. The application is to rezone the parcels from "R1-40" Single-Family Residential to "GB" General Business.**

Mr. Ochs stated that the parcels currently contain part of a parking lot, a vacant parcel of a recently demolished house, and an existing residential structure. The four parcels in this application along with the four parcels contingent to the south along Milan Rd. are owned by the applicant. The applicant is proposing the rezoning of this land as they look to add these parcels in the sale of the lower four parcels on the corner of Milan Rd. and Perkins Ave. The larger area will make the property more marketable for larger developments. The rezoning to "GB" General Business would open the door for high intensity business uses, but not allow for low intensity commercial / manufacturing zoning uses. These parcels currently abut a General Business zoned parcel. The single-family homes on this stretch of Milan Rd. lack a strong neighborhood connection due to commercial development and high traffic counts on Milan Rd. From a long-term planning perspective, staff believe business uses and other larger development such as multifamily structures are a more logical land use than single-family homes on Milan Rd. between Perkins Ave. and Sycamore Line. Rezoning these parcels supports this perspective and the long-term growth potential of the corridor. Staff supports the approval of the proposed amendment to the zoning map with the following conditions: 1. All applicable permits are obtained through the Building Department, Engineering Department, and any other applicable agency prior to any development. Mr. Zuilhof asked staff if they know how the north end of the lot came to be a nonconforming use. Mr. Ochs stated that staff could not find any record of what enabled that use. A parking lot is a permitted use if it is attached to a residential structure, so the only thing that would make this a nonconforming use would be a fence. Mr.

Zuillhof made a motion to approve the application subject to staff's conditions and Mr. Jackson seconded. All voting members were in favor of the motion and the motion passed.

- **Ronda Jacksich has submitted an application for an amendment to the zoning map for 702 and 706 Perry St (parcels 57-03889.000 and 57-04347.000). The application is to rezone the parcels from "R1-40" Single-Family Residential to "RRB" Residential Business.**

Mr. Ochs stated that the sites at 706 & 702 Perry St. currently both have single family structures. Each house has roughly 1,200 sq. ft. of living space. Both homes have off street parking. The applicant is proposing the rezoning of this land as they look to use the home at 706 Perry St. for transient occupancy. Staff recommended that the corner parcel at 702 Perry St. be included in this application to create a more cohesive district with the properties along Monroe St. west of Perry St. The resident at 702 Perry St. stated he is not interested in transient occupancy but has given a signed letter of consent to planning staff in favor of re-zoning his property to RRB – Residential Business. Mr. Ochs then read aloud a letter from the owner of 702 Perry Street, which stated "I Steven Ruff, representing SPR Rentals LLC, owner of 702 Perry Street, give consent to the City of Sandusky to change the zoning to my property given that there is absolutely no additional fees or taxes assessed to me." The rezoning to "RRB" Residential Business is the minimum zoning change to permit the applicant's proposed project. In staff's opinion, the RRB zoning will create a logical transition due to the fact the block to the west is already zoned RRB, and is also used as residential homes. The property at 702 Perry St. is also contiguous to a Local Business zoned parcel to the north, which would allow transient occupancy with a conditional use permit. The RRB zoning allows the most restricted business uses and the existing residential use. If the applicant desires the property to be utilized for transient rental, it will need its own transient rental application and would be thoroughly reviewed by the Code Enforcement Department and the Division of Planning. Staff supports the approval of the proposed amendment to the zoning map with the following conditions: 1. All applicable permits must be obtained through the Building Department, Engineering Department, and any other applicable agency prior to transient occupancy. Mr. Miller asked if the driveway at 706 Perry Street is a shared driveway with the neighboring property. Mr. Ochs said that it does look to be that way as the property line goes through the middle of the driveway. However, staff considers there to be adequate parking. Mr. Zuillhof asked staff to clarify that even if this rezoning is approved, would the applicant still have to apply for transient rental and include a parking plan in that application. Mr. Ochs stated that was correct. Mr. Zuillhof stated that he would not characterize the letter from the owner of 702 Perry St as approval to go through with this. Also, the owner stated some conditions in that letter that the Planning Commission cannot promise will happen. He then asked if this is the only way to achieve what the owner wants to do with her property because allowing a rezoning will not only allow transient rental, but it will also allow a lot of other uses. He said he does not like getting in the habit of approving transient rental via this route because of that reason. Mr. Poggiali stated that he agrees and is more inclined to wait on this application until the transient rental regulations that they have been working on are in place. Mr. McGory stated that it might not be such a leap considering there is local business zoned across Monroe Street and Residential Business across Perry Street. Mr. Miller stated he does not think this would be considered spot zoning for that reason. Mr. McGory reminded the Planning Commission that they also approved

a rezoning for transient rental purposes, and that property is across the street and over a couple of properties. Mr. Whelan stated that he does not have a problem with changing the zoning, however Mr. Zuilhof brings up a good point about the letter from the owner of 702 Perry Street. Charles Kraisner of 705 Perry Street, said he owns the property right across the street from 706 Perry Street. He asked what the parking plan would be because there is no parking there now. He said he is not against anyone making money off of their own property or having transient rentals but if there is no parking there now he is not sure where they will park. Mr. McGory stated that in order to do transient rental they would need to submit a parking plan to staff along with the application and if they do not have a parking plan that is sufficient then they may not be able to do that there. Mr. Ochs stated that the transient parking requirements reflect the zoning requirements for any new building. So in this case it would be two spaces are needed. By looking at 706 Perry Street, staff estimated at the minimum two cars would fit there, but possibly three, and showed the Planning Commission a picture of the property and the shared driveway. 702 Perry Street has a driveway which staff estimated could fit 4-6 cars. Staff does not consider parking an issue at either address. Ms. Castile stated that this rezoning might make sense, but she would also like to hold off on further rezonings for transient occupancy use until the Planning Commission knows what they updating the regulations. Rhonda Jacksich of 706 Perry Street, stated that she has lived in this home for maybe 25 years. She said there has never been an issue with parking and sharing a driveway with her neighbor. She said there is room for probably five cars at her address. She said that the property that got the approval to do this same thing across the street, that person has only been living there a few months. She said they also do not have off street parking at that address. She said she knows all of her neighbors since she has lived there so long and none of them have an issue with what she wants to do. She said that the people that lived on the other side of her passed away and so did the person that lives behind her, and there are no plans for those homes at this time. Ms. Jacksich stated that she may possibly try to buy the property next to her if they put it up for sale. Mr. Whelan asked the applicant if she could clarify whether or not she currently lives at this address. Ms. Jacksich stated that she does, but her mother is not doing well, so she wants to move in with her mother and then do transient occupancy at this address so that she would not have to give up her home. She said her home is very nice and she would be very picky with whom she would allow to stay there if this is approved. Law Director Brendan Heil stated that he has questions as to whether or not the letter from the owner of 702 Perry Street is sufficient enough authorization to consider a rezoning for his address. The zoning code states that if the applicant is not the actual owner of the property, there must be a verified statement from the owner of the property allowing someone to make the application on their behalf. He is not sure the letter submitted by the applicant is sufficient. He would recommend not making a decision on this tonight so that staff can further look into what the code requires. Mr. Zuilhof made a motion to table this application until next month's meeting and Mr. Poggiali seconded. Mr. McGory stated that he believes the Law Director's concern is legitimate. He does however believe, besides the proposed transient rental use, that the zoning change does make sense for this location. Mr. Miller stated that he does have mixed feelings on this, but hates to make someone wait on a decision when the Planning Commission has been taking some time to figure out the transient rental regulation changes. However, he does agree with the Law Director with his recommendation. Mr. Poggiali stated that he does want to be consistent and the applicant did

bring up some good points about what was approved across the street, which is why he thinks it is important to get the transient rental regulations squared away. Mr. Whelan stated he would be prepared to vote if it were not for the Law Director's comment. Ms. Castile said that Mr. Poggiali brought up a good point about being consistent but Mr. Zuilhof also brought up a good point about how many times do you keep approving these just because it was done before so hopefully when the transient rental regulation changes take place, that will help. Mr. Miller stated that the transient rental revisions may not require that corner lot to be rezoned in order to not be spot zoned because it wouldn't be a zoning change that allows a transient rental but a cap on transient rentals, and that also appeals to him. If they decide to allow transient rentals in other areas not already approved but put a cap on them, Ms. Jacksich may be able to do what she wants to do and not have to worry about getting the owner of the corner lot to do anything further. All voting members were in favor of the motion and the motion passed.

New Business:

- **Hoty Marine Group has submitted a site plan application for demolishing and replacing the current restroom and community building at 2035 First Street (parcel 57-02639.000).**

Mr. Ochs stated that the applicant proposes to demolish and replace the current community building/restroom building at Venetian Marina. The building footprint will expand to a total of 3,659 sq. ft. and will have the same community space/restroom use as the existing structure. The existing playground, parts of the wood deck and parts of the existing sidewalk are to be removed. A new concrete entranceway and walkway configuration is proposed. The existing pool and part of the existing wood deck is to remain. Staff has determined that no additional parking is necessary. With no additional parking requirements, no additional landscaping is required. All area standards are satisfied. All yard regulations are satisfied. Staff recommends the approval of the proposed site plan with the condition that all applicable permits must be obtained through the Building Department, Engineering Department, and any other applicable agency prior to construction. Mr. Miller made a motion to approve the application subject to staff's conditions and Ms. Castile seconded. Mr. Miller asked staff for clarification on why this needs Planning Commission approval. Mr. Ochs stated that the expansion of a commercial use needs Planning Commission approval. All voting members were in favor of the motion and the application was approved.

- **MRK Real Estate LLC has submitted a site plan application for expanding the current manufacturing, storage, and warehousing operations at 2901 West Monroe Street (parcel 59-00360.001).**

Mr. Ochs stated that the applicant proposes to expand the current manufacturing, storage, and warehousing operations by approximately 51,800 sq. ft. Addition 1 will add 44,566 sq. ft. of warehouse space. And addition 2 will add another 6,720 sq. ft of warehouse space. This addition will put the total site coverage at nearly 53.9%, 3.9% over the maximum requirement of 50%. The applicant is seeking an area coverage variance at the 5/19/22 Board of Zoning Appeals. The proposal contains 58 parking spaces. The code calls for 112 spaces. The proposed parking area coverage is 49,000 sq. Ft. The landscaping area is 5,000. Staff has spoken to the applicant and determined 58 spaces will adequately meet the parking need for the site. The applicant stated that 58 spaces will be more than enough for current and future employees. Staff notes that warehousing operations typically produce a minimal amount of jobs – therefore, should not require the amount of parking the code calls for. Staff observed the small size of the parcel and

additional parking would not fit on the site based on the proposal. Due to these restraints and the conversation with the applicant, staff recommends waiving any additional parking requirements. The parking addition requires one additional tree to be planted in a landscaping island. The Planning Commission has the authority to require landscaping features if it is in close proximity to residential uses. Staff supports this approach. Staff recommends adding 2 trees along the western edge of the parking areas. A tree lawn currently exists, and staff recommends the old entry aisle is replaced with a tree to match the existing trees as best as possible. Staff also recommends adding additional trees on this western edge due to its close proximity to a residential neighborhood. A tree buffer would help minimize the visual impacts for residents and future users of the Sandusky Bay Pathway which is planned in the right-of-way along the southern and western edges of this property. This amount of landscape is sufficient to beautify the site as the code would have guided previous site plan applications for this site. Mr. Ochs then showed a map where he pointed out where there is additional landscaping highlighted in orange that is not required, but planning staff recommends additional landscaping at this location to further beautify the site. Staff recommends approval of the proposed site plan with the following conditions: 1) All applicable permits must be obtained through the Building Department, Engineering Department, and any other applicable agency prior to construction, 2) The landscaping plan is updated according to staff recommendations in the staff report. Mr. McGory asked if staff had discussed with the applicant what all they would like to see as far as landscaping goes. Mr. Ochs stated that he did mention to them that staff would like to see the one tree that is required and the recommended landscaping buffer and they seemed willing to do that, but staff did not mention to the applicant the additional landscaping. Mr. McGory stated he would be uncomfortable making a motion conditioned upon everything being suggested by staff if the applicant is not in agreement with it. Mr. Ochs stated that he believes the applicant is here if the chairman wants to invite him up to speak. Mr. Zuilhof stated that it looks to him like the plan encroaches onto a strip of City owned land that runs from Monroe to the Marina and bounded to the east by the yellow line within the red boundary on one of the photos provided in the staff report. He asked does the City need that strip of land or can it be vacated? Ms. Blair stated it is her understanding that this site plan does not encroach onto the City owned land and that strip of land will become part of the Sandusky Bay Pathway. Craig Dunaway, General Manager at Rheteck stated that there are currently a bunch of nice trees currently next to where the bike path will possibly go. He said they are not against beautifying the property and will do whatever the Planning Commission decides as far as landscaping goes. He said they would like to eventually purchase the property from the owner if this site plan gets approved. Mr. Zuilhof moved to approve the application subject to staff's conditions and subject to the site plan not encroaching onto City property. Mr. Poggiali seconded. All voting members were in favor of the motion and the motion passed.

Old Business:

- **The Planning Commission has set a public hearing to consider a transient rental overlay district for the following parcels along East Washington Street: 56-01210.000, 56-00444.000, 56-00518.000, 56-00747.000, 56-00097.000, 56-01158.000, 56-00643.000, 56-00585.000, 56-01137.000, and 56-01136.000 (tabled at last meeting).**

Mr. Zuilhof made a motion to take this item off the table. Mr. Miller asked if there is an idea on when there will be a draft transient rental ordinance revision, as the Planning Commission was reluctant to move forward with this item due to waiting on that direction. Mr. Heil stated that

he wanted to let everyone know that a motion to take this item off the table does not mean that the Planning Commission discusses this tonight but means that this will be back on the table at the next meeting. With a lack of a second to the motion, the motion failed and the item remains on the table.

- **The Planning Commission has set a public hearing to consider a transient rental overlay district roughly bound by West Monroe Street to the north, Marquette Street to the west, Superior Street to the east, and then extending to the railroad tracks to the south (tabled at last meeting).**

Mr. Poggiali stated that he knows there are a couple of people at the meeting tonight that wanted to speak so he asked if this item needed to be removed from the table in order to hear what these people wanted to say. Mr. Zuilhof stated that taking it off the table would continue the public hearing so either they do that and here new thoughts or they wait. Mr. Heil stated that he believes that everything that was tabled at the last meeting was tabled without a specific time frame which means that an affirmative vote is needed to remove it from the table and then the matter can be heard at the next meeting. However, the chair has the ability to elicit discussion during old business on any and all topics. Mr. Zuilhof stated he would like to hear what others have to say on this issue if they had not yet had the chance to speak on the matter, but does think the discussion should be limited to three minutes considering how long the previous month's meeting went and to give everyone a chance to speak. He said that is also a rule that is followed at City Commission. Also, if this item is not taken off the table, members of the Planning Commission should refrain from having discussion after comments are heard.

Other Business:

Mr. Poggiali stated that he, Mr. Miller, Mr. Castile, and staff have met to discuss potential changes to the transient rental regulation and plan on meeting again soon. Mr. Jackson stated that it is difficult if you are not in a transient rental overlay district to try to decide who gets approval to do transient rental and who does not. Mr. Zuilhof states that the ordinance does lay out some pretty good reasons to help with that. Mr. Whelan asked Mr. Poggiali if they think there might be some draft language at next month's meeting. Mr. Poggiali said that they plan on meeting before next month's meeting but would hate to promise anything.

Dan O'Loughlin, 3426 West Monroe Street stated that he had the pleasure of speaking with the Planning Commission at the end of April regarding the public hearing for the transient rental overlay district in the West Monroe Street area. He said it was brought up more than one time that the petition he had was six months old. He had 40 signatures against at that point. He spoke with some of the neighbors after that meeting. Mr. Poggiali brought up a good point in saying he would be curious to know how many of those signatures are owners versus renters. He said it was also discussed how this would affect the whole area not just that small area as the west end goes all the way to Edgewater Drive. So he brought in a new petition and 130 people signed it stating they were against the transient rental overlay district and out of the 130 people, 8 were renters. He said that a lot of the renters in the area did not want to sign it out of fear that they would get evicted if they did. At the end of Lasalle Street he heard there was a guy that fixed up a home and was getting ready to do this even though he does not think it

is allowed there. He said the west end is a peaceful neighborhood and this is just not the place for transient rentals.

Barb Manner, 1317 Lasalle Street, stated that the gentleman that wants to do the Airbnb had a sign up (and she showed the sign) from May 16th-May 20th, until Erie Metro Housing asked him to take it down. She then stated that the sign said "Section 8 housing only. Must be willing to sign a 31 day lease so that multiple families will be able to enjoy throughout the year. Erie Metro Housing does not rent for 31 days but one year at a time. He is trying to get someone in long term but it is not Erie Metro route to go, so he was asked to take the sign down by Erie Metro Housing.

Ms. Gessinger, 620 Lasalle Street, stated she has lived at her address for 22 years and she is opposed to the transient rental housing. She does not want to have to look out the window and wonder who is out there. She said that her house is next to Lions Park and she knows everything that goes on in that neighborhood. She said there has been a murder suicide and homeless people stay down there so they already have enough to worry about. She said her house burned down and then someone broke into her home after that. She said that people that are coming up here are coming up here to party and that is not what the families want that live in the neighborhood.

Charles Kraisner of 705 Perry Street asked Dan O'Loughlin if he was the man that offered people \$5.00 to sign a petition. Mr. O'Loughlin replied no. Mr. Kraisner said he heard there was a guy that was doing that. He said that the City should take into consideration what people have to say that have been living in areas for as long as they have when developing plans. He then said that the neighbors that passed away next door to Ms. Jacksich, their home is probably in probate court since they have been passed away for a while now.

Mr. Poggiali stated that any time the City does a Comprehensive Plan or something similar they do invite people to come give opinions, but it is usually difficult to get people to show up.

Mr. Jackson stated that he does want people to know that they do take into account their comments when they come and speak at meetings.

Ms. Blair stated that she wanted to let everyone know that the Mills School Open House for the Sandusky Recreation will be next Wednesday, June 1st from 3pm-7pm at the Mills School.

Adjournment:

Mr. Miller motioned to adjourn the meeting and Mr. Poggiali seconded. The meeting ended at 6:31pm.

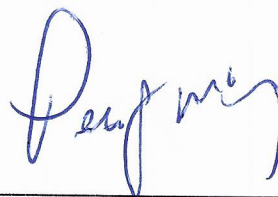
Next Meeting:

June 22, 2022

Approved:



Kristen Barone, Clerk



Pete McGory, Chairman