

Planning Commission
June 22, 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, and Mike Zuilhof. Alec Ochs and Arin Blair represented the Community Development Department, Brendan Heil represented the Law Department, Aaron Kline and Josh Snyder represented the Public Works Department, and clerk Kristen Barone was also present.

Approval of minutes from May 25, 2022:

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

New Business:

S&S Realty Ltd has submitted a site plan application for a building addition at 1935 Cleveland Road (parcel 57-01378.000).

Mr. Ochs stated that the applicant proposes to expand the kitchen by 240 sq. ft. The addition is to accommodate seasonal service to the existing patio during normal restaurant hours and the addition will result in no additional building or patio occupants. The total parking spaces shared between the mixed use development is 352 spaces. The addition will not take away any existing parking. Staff has determined that no additional parking is necessary. With no additional parking requirements, no additional landscaping is required. All area standards are satisfied as well as yard regulations. Staff recommends the approval of the proposed site 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 motioned to approve the application subject to staff's conditions and Mr. Poggiali seconded. All voting members were in favor of the motion and the application was approved.

The City of Sandusky has submitted a site plan application for renovation of the existing Sandusky Justice Center at 222 Meigs Street (parcel 56-64019.000).

Ms. Blair stated that since there is not an addition being added onto this building, it is unclear in the code on whether this needs to come to Planning Commission for approval, but since it is a high profile project that the City of Sandusky is doing, staff wanted to make sure that members of the Planning Commission are aware of the changes that are taking place. The staff report focuses on changes to the vehicle circulation and public access to the site. Mr. Ochs stated that the building will still house the police and court staff in their day-to-day operations. The court section of the building will operate during business hours, while the police will have 24-hour operations. The buildings use and occupancy will not change. The footprint of the building will remain the same size at approximately 38,000 sq. ft. The height will remain the same. The parking on the parcel is increasing from 183 spaces to 228 spaces. Staff has determined that no additional parking is necessary. Landscape standards are satisfied. With 10 trees and nearly 8,000 square feet of lawn area, the existing landscaped island, to remain in the main

public parking area, sufficiently covers the 10 landscaping requirement in the code. In this case, the requirement is 9 trees and 900 total square feet of landscaped island. The site plan also further beautifies the site with landscaping facing Meigs Street. All exterior lighting will be dark sky friendly. All area standards are satisfied. All yard regulations are satisfied. All use standards 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 asked staff if there is a difference between dark sky friendly and dark sky compliant. He then asked if there is a dark sky code requirement. Ms. Blair stated there is not, but staff is aware that the Planning Commission prefers dark sky friendly lighting and relays that message to applicants. Mr. Miller asked where the Rec Department is located currently and will they be located at Meigs Street after that is renovated. Ms. Blair stated that that Rec Department has a temporary home with a three year lease at the former Mills School, with the possibility of extending that lease. Mr. Miller then stated that it looks like there is secured parking for staff and asked if staff could confirm that. Ms. Blair stated that is correct, there will be a fence outlining the staff parking lot and that is shown in the staff report in red and three staff entry points in that secured area. There will only be one public entry at the front of the building. Mr. Miller asked if anything was happening to the skate park area. Ms. Blair stated that the skate park will remain as is for now. Mr. Jackson stated that he notices there is just one entrance for the public into the whole building, but since the Police Department needs to be available to the public 24/7, how will they be able to get there. Mark Schmitzer and Timothy Larke with Red Barn Engineering, stated that once the public walks through the front door there will be a vestibule that leads to the police station, which will be open 24/7 and then a separate vestibule that leads to the court house, which will only be open during business hours. Mr. Schmitzer and Mr. Larke then reviewed the rest of the site plan with the commission. They stated that generally things are saying the same, but the police department radio antenna is being relocated from the courtyard to the southeast corner and will be freestanding in some landscaping. Also, the current horseshoe drive located long the police station will no longer be there but will be the secured parking lot that is shown in the site plan. Mr. McGory asked if the police department and court house will be remaining at Meigs Street during renovations or will they be operating somewhere else. Mr. Kline stated that the Police Department will remain at the building, but will be shifting around as needed during renovations. Staff is trying to see if there is somewhere the court house could be relocated temporarily. Mr. Zuilhof stated that on the site plan it looks like on the northern side of the building there is no longer a way to get from the southern parking to the northern parking lot from the eastern end of the lots like there is now, but instead people would have to turn around in the parking lots and land then go back out into the road if the one parking lot is full and they need to park in the other parking lot. Mr. Schmitzer and Mr. Larke stated that staff stated that the parking lot closest to the building rarely fills up and they wanted to separate the two lots for future planning purposes. Mr. McGory stated he believes the circular flow of the current parking lot is nice to have and it creates less congestion when you go to leave so that you are not running into someone coming into the parking lot. Mr. Kline stated that in 2016, 17, and 18 there was a detailed analysis done between the administration, courts, and police on the maximum number of spots needed and the layout far exceeds what is needed. The main reason the two northern parking lots are not connected is because they are trying to maintain a secondary access into the sailing club and Battery Park and the majority of users for the skate park use that northern parking lot, so staff wanted to avoid the conflict of the two uses. Mr. Zuilhof stated that eventually Battery Park will be redeveloped and there will be events there so it would be a shame to overkill on the secured parking

here and not have enough parking available for visitors. Mr. Zuilhof then stated that as far as lighting goes, he believes the only lighting rule there is, is that City owned property lighting will be shielded from upper stories, but he is not sure if that rule still exists or not, so he would be more comfortable if that was made a condition that they use dark sky friendly lighting, as that has been a condition for many other projects. Mr. Zuilhof stated that we need to keep in mind that a strong part of the concept for the Downtown Master Plan, which includes Battery Park, is that there will probably be a road going down Washington and along the water closer to the water and around probably connecting to Water Street, so as long as we keep this in mind and that Washington Street remains open. He then said that there was a study done probably about 25 years ago about roundabouts and having one at Meigs and Washington. So he is disappointed that is not being explored, as now would be the time to do it. Mr. Zuilhof then stated that there is a antenna colocation ordinance and asked if this is a larger antenna and if the City is subject to follow that ordinance. Mr. Schmitzer and Mr. Larke stated that they believe the antenna is 60 feet tall. Mr. Zuilhof stated that it might make more sense to collocate then instead of sticking in another mass that we might not need later. Mr. Heil stated that the City will follow all ordinances during this process. Mr. Schmitzer and Mr. Larke clarified that they are not relocating an old tower, they are replacing the old one and putting it in a new location. Mr. Zuilhof stated that then he believes that they need to consider using the old tower. Mr. Kline stated that they did go over that option with the former IT Director and it was determined that was not an option. Mr. Miller made a motion to approve the site plan application as presented and Mr. Poggiali seconded. Mr. Zuilhof stated that it is his understanding that staff may approve minor changes to this site plan. Ms. Blair stated that is correct. All voting members were in favor of the motion and the motion passed.

FEMA and NFIP Required Changes to Floodplain Regulations

Mr. Snyder stated that he is the Floodplain Administrator for the City of Sandusky. He then reminded the Planning Commission that months ago the floodplain ordinance was updated and then forwarded those changes onto FEMA. FEMA then came back with some revisions that includes their standard language and that was included in the Planning Commission packet for this month. He stated that the new map is effective September 1st and these changes need to be approved before then. If the changes are not approved, the City will be kicked out of the National Flood Insurance program. So those that pay flood insurance they would be at their own risk for getting different rates from different insurance companies. Right now those that pay flood insurance can get the same rate regardless of which insurance company they go through. Mr. Poggiali asked if Mr. Snyder can give an example of where zone AO is in the city. Mr. Snyder stated that the only place in the City of Sandusky that is in the AO zone is the mid of the chaussee. He stated that on the new mapping effective September 1st, there is a two foot freeboard requirement added to that zone, so when he is considering construction to occur in this zone, he needs to account for the base flood elevation plus the two foot run up. Mr. Jackson asked Mr. Snyder if he believes the changes that FEMA made are major or minor. Mr. Snyder stated in his opinion they are very minor. Mr. Zuilhof stated that they are technical changes. Mr. Snyder stated that is correct. Alicia Silverio with the Ohio Department of Natural Resources, added that the revisions that everyone has looked at are needed to meet the minimum Federal requirements, but if there are things that the City of Sandusky wants to add to those minimum requirements, they can certainly work with the City on that, but they cannot add anything that conflicts with the minimum Federal requirements. Mr. Jackson asked if those that have floodplain insurance already be affected by these changes. Mr. Zuilhof stated that from what he understands there is no downside to the residents by these changes, and the citizens will be able to continue to participate in the program. Ms. Silverio confirmed that is correct. Mr. Poggiali

asked for clarification on if the City did not approve these changes and removed from the program insurance costs would go up. Ms. Silverio stated there would not be flood insurance and disastrous assistance would be limited. Mr. Poggiali asked if people could get their own insurance. Ms. Silverio stated it would not be available. Mr. Poggiali then asked if it would be difficult for someone to get a loan on a property in a floodplain because they would require you to have insurance before getting a loan. Ms. Silverio stated that flood insurance is required where it is available, so if it is not available then it would not be required. However, lenders may choose not to approve loans in high risk areas where they are not sure they could recover their losses. Mr. Zuilhof moved to recommend approval of the changes to City Commission and Mr. Miller seconded. All voting members were in favor of the motion and the motion passed.

Findings and Recommendations on Transient Rental Property Regulation from the Planning Commission Subcommittee

Ms. Blair stated that the subcommittee continues to meet to discuss this topic but does not yet have a recommendation. Every time an idea is brought up more questions arise and that need to be looked into and they want to make sure they do this right and do not rush into anything. Mr. Zuilhof stated that they need to consider that the ordinance is good the way it is and that an option would be to not make any changes. Mr. McGory stated that he thinks it is not a good idea to let there be an unlimited amount of transient rentals so the question is do you limit it by numbers? He said that he also thinks there needs to be a plan forward for those that want to pursue transient rentals. Mr. Jackson said that it needs to be made more clear to the public how to go about it. Mr. Zuilhof stated that the simple answer is no, you cannot do it if your property is not zoned to do it and your property is not in the overlay district. A zoning change can be initiated by the Planning Commission, City Commission, or a property owner. The overlay district can only be initiated by the Planning Commission or City Commission. Anyone can petition a zoning change. Ms. Blair stated that to Mr. McGory's point, transient rentals are currently limited not by a number but by the six zoning districts where it is permitted as well as the overlay district. To Mr. Jackson's point, staff try to continuously improve how they communicate to the community where transient rental is permitted. There is a page on the City's website that explain this and that can be found at cityofsandusky.com/transientrental. One mechanism people can pursue when a property is not zoned to be able to do transient rental is submit a rezoning application to staff and then staff bring that to the Planning Commission and City Commission for approval. Mr. McGory stated that he has to believe that the overlay district in the Cove District was initiated by the property owners in that area. Mr. Zuilhof stated that is not what happened. Mr. Poggiali stated that he believes all of these comments have been considered in the subcommittee meetings and asked that the Planning Commission give them more time to keep looking into questions that have come up during these meetings and to make sure they are not missing anything.

Old Business:

Tabled on May 25, 2022: 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. Zuilhof stated that the owner of the one property submitted an application for her property, but also included a neighbor's property on her application. It was brought up at the last meeting that Ms. Jacksich's neighbor needed to fill out an application for his own property or allow Ms. Jacksich to be authorized agent and represent him in wanting to rezone his property. Mr. Ochs stated that he has not received any additional information from the applicant or her neighbor regarding this matter. Mr. Heil stated that Planning Commission could remove this item from the table and approve the rezoning for

the property that the applicant owns, they could deny the application, or they could leave the application on the table. If the Planning Commission wanted to deny the application Ms. Jacksich could reapply for just her property if she would like. Mr. Zuilhof asked Mr. Heil if they could deny the application today or would they have to wait until next month. Mr. Heil stated they could do that today. Mr. McGory stated that he would like to leaving this on the table one more month and asking staff to reach back out to the applicant. Ms. Blair stated that staff did touch base with the applicant after the last meeting and asked her to provide what was being asked for, so she knows. Mr. Heil stated that it is Robert's Rules of order to wait until next month's meeting to make a decision but it is the Chairman's decision if he wants to make a decision today or not. Mr. Zuilhof moved to remove this item from the table. Mr. McGory stated he would like to hear from staff first on whether or not they feel comfortable with that and that they have communicated enough with the applicant so that she knows what was needed to move forward. Mr. Ochs stated that he did talk with the applicant immediately after the meeting and he felt that she understood what was needed from her to move forward. Ms. Blair stated that she would be comfortable with this since the applicant is able to apply again if she would like to for just her parcel. Mr. Heil reminded the committee that if the applicant has not followed through then the Planning Commission could make a decision on just the applicant's address tonight. Ms. Castile stated she would prefer to keep this item on the table until the transient rental regulations are established because she might do the extra work to make her application valid and then it's possible when/if the transient rental guidelines change, she may not be able to do this anyways. Mr. McGory stated that he does not see an issue with leaving this on the table to have staff reach out one more time and to give the applicant another chance to make her application valid. With no second on the motion to take this item off the table, the motion failed and the item remained on the table.

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 moved to remove this item from the table and with no second on the motion, the motion failed and the item remained 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. Zuilhof moved to remove this item from the table and with no second on the motion, the motion failed and the item remained on the table. Some residents in the audience asked if this item would be up for discussion at the next meeting. Mr. Zuilhof stated that if this item was removed from the table at this meeting, it would be heard at the next meeting, but it was not. If it is removed from the table at the July meeting then it will be heard at the August meeting.

Other Business:

Adjournment:

Mr. Miller moved to adjourn the meeting and Ms. Castile seconded. The meeting ended at 6:37pm.

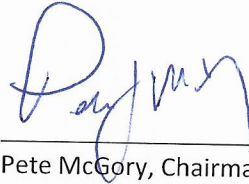
Next Meeting:

July 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