

**City of Huron
Planning Commission
August 26, 2020**

The meeting was called to order at 5:30p.m. in the Council Chambers at Huron City Hall, 417 Main Street by Chairman Gary Boyle. Members in attendance: Jim Hartley, Mark Claus, Bob Howell and Mark Cencer. Staff in attendance: City Engineer/Zoning Inspector Doug Green, Interim City Manager Mike Spafford, Zoning Admin. Assistant Christine Gibboney, Law Director Amelia Leonard.

Approval of Minutes (1-22-20 & 7-22-20)

Motion by Mr. Hartley to approve the minutes of January 22, 2020 as written and received. Motion seconded by Mr. Cencer. Mr. Boyle abstained. The remaining members were all in favor, motion passes and minutes approved.

Motion by Mr. Claus to approve the minutes of July 22, 2020 as written and received. Motion seconded by Mr. Hartley. Mr. Howell and Mr. Cencer abstained. The remaining members were all in favor, motion passes and minutes approved.

There were no Audience Comments and no Old Business.

New Business

2401 Sawmill Parkway – New building for Stride Mobility & Safe Harbor

Insurance. Project description from summary:

The proposed new facility is to be located on the 2.25ac parcel located adjacent to and directly North of the existing multi-tenant commercial facility located at 2401 Sawmill Parkway. The 2.25ac parcel was created by a previously approved lot split that has not yet been recorded or given an address but will be prior to permitting/construction.

The property is accessed from a land connection to Sawmill Parkway that is 30' wide on the West side of the parcel, which satisfies the frontage requirements of the code, and via a driveway connection on the East side that connects to Sawmill Parkway via a shared access easement with the existing multi-tenant facility in front of the site.

The proposed facility meets all code requirements set forth in section 1125.04 in terms of height, setbacks and use.

The proposed entrances, parking and drive aisles meet all geometric requirements of section 1133. The amount of proposed parking spaces also meets the code requirements set forth in section 1133.03 (min of 1 space per 300sf for business/retail use) and section 1133.09 (maximum of 125% of the minimum amount) The building contains 13,590sf of floor space which requires a minimum of 46 spaces and a maximum of 57 spaces and a total of 51 have been proposed. (Note: the submitted site plans use a minimum parking calculation of 1 space per 400sf of floor area which is incorrect as that requirement is for business/administrative offices whereas the proposed building is a mixture of office and retail space)

The proposed parking area includes a space for dumpsters which is fully enclosed by a masonry wall and cedar board-on-board gate which meets all screening requirements in section 1131.07.

Exterior lighting is comprised of shielded exterior mounted wall-packs that are located on the North, South and West walls of the building and downlights mounted in the entrance soffits of the building.

Storm drainage will be contained within the limits of the site via catch basins and directed to a water quality detention basin located behind the proposed building. (note: The applicant will submit a full drainage analysis/calculations to the City Engineer for approval prior to the issuance of a building permit)

Water service for firefighting will be provided by two existing hydrants located along the South side of the proposed building directly behind the existing multi-tenant building. HFD has also requested that an additional hydrant be placed on the North side of the proposed building near the Western side of the proposed parking lot and this has been communicated to the applicant to include on their final plans submitted for building permit review.

Mr. Boyles referenced the staff report and reviewed the proposed site plan. It was confirmed that exterior lighting would be shielded. Mr. Green reported that the lot split was previously approved, but it has not yet been recorded by the applicant. Members reviewed the site plan. Mr. Boyle noted all setback requirements have been met and asked if members had any questions. Mr. Claus asked if they will be issued a new address. Mr. Green confirmed new addresses would be issued.

Motion by Mr. Howell to approve the site plan as presented. Motion seconded by Mr. Cencer. Roll call on the motion:

Yeas: Cencer, Claus, Howell, Boyle, Hartley (5)

Nays: none (0)

There being a majority in favor, motion passes and site plan approved.

Amendment to section 1125.02 (B-2 District) – Recommendation to City Council for a potential code amendment. Project Description from Summary:

Proposed amendment to B-2 to include residential use as an allowable use, similar to the way B-1 reads, by allowing residential usage as regulated in the least restricted adjoining residential district.

There are two areas within the city that are currently designated as B-2: The area immediately surrounding the Boat Basin along Main St. and a small area along the East side of Main St South of Bogart Rd consisting of 5 parcels containing a cemetery, a car wash, a drive-through, a veterinarian's office and a residence (existing non-conforming).

If the Planning Commission makes recommendation to amend 1125.02 to include residential uses, draft legislation will be prepared by the Legal Department for Council consideration and adoption following the required Public Hearing.

Mr. Boyle noted that this amendment was referred to the Planning Commission from City Council. Ms. Lenard advised that while a public hearing is not required at the Planning Commission level, she would recommend one due to the history of this issue. Members and Ms. Leonard discussed the need and legal opinion of holding a Public Hearing. Members discussed the history of the original request which started with a rezoning application submitted by Mr. Garry Savage and noted the public hearings that have been held at the Planning Commission, Council, and BZA levels relative to Mr. Savages applications. It was noted the matter before the Planning Commission now is from City Council for an amendment to include residential use in a B-2 district. Mr. Hartley pointed out that these are two separate, but related issues. Members discussed the required public meeting notice time frame and the potential to hold a special meeting for expediency. Members agreed that they would accommodate a special meeting on September 9, 2020 to hold the Public Hearing on the matter.

Mr. Garry Savage, property owner of 360 Main Street, recapped the history of his actions, applications and appearances before various boards in trying to have residential use allowed on his property which is within a B-2 district. He expressed frustration in the time spent, noting he is running out of time and that in all the public hearing that were held, no one came to oppose his request. Mr. Boyle commented that the board is not saying that a decision will not be made, however, per the advice of legal, the board will need to hold a public hearing. Mr., Savage expressed his disagreement, referencing the amount of time this has cost him. Members reiterated Mr. Savage's application history and actions that resulted and clarified that presently this is an issue that was referred by City Council to the Planning Commission to consider a change to the current ordinance to allow residential use in all B-2 districts and not a matter of Mr. Savage's property alone. Mr. Boyle explained the process of the referral and the Planning Commission role to make recommendation to City Council. Ms. Leonard addressed Mr. Savage explaining that the matter before the Planning Commission is not just about his property, it is about all property within B-2 districts and this is why a hearing is recommended as the change affects everyone in a B-2 district. Mr. Boyle thanked Mr. Savage for his comments and noted the commission will entertain a special meeting.

Mr. Chris Wechter Lighthouse Realty, addressed the board noting that he is the agent handling the sale of Mr. Savage's property. He noted that he spoke to Law Director Todd Schrader 3-4 times and he never mentioned that another public hearing was required. He mentioned that they did know about the public hearing requirements and referenced that he believes that they have not been told the truth about the process and that they were given mis- information. He added that he has a buyer interested now and they may lose yet another buyer because of the process. He expressed his frustration in the process taking so long.

Con-Agra/ODNR Property – Lot split/combination approval. Project Description from Summary: *The City of Huron and ODNR have reached an agreement to swap portions of their existing parcels located at the former Con-Agra site pursuant to their original development plan that was created when the peninsula was acquired by both parties in 2007 followed by the removal of the existing structures and the construction of the ODNR boat launch facility.*

When the two current parcels were created, the City's parcel included a narrow strip of land along the shoreline and directly between the ODNR facility and the waterfront ('Parcel B' on attached plat) and the ODNR parcel included an irregular piece of land that projects into the S.E. corner of the City's 'Con-Agra' parcel ('Parcel A' on attached plat) which the city intends to develop moving forward. At the time this land was acquired by both organizations an agreement was put in place that the two parties would swap these two pieces of land and combine them with their parcels. Additionally, the City would dedicate the existing roadway that provides access to both the ODNR facility and the City's parcel as a City street that would provide permanent access and public ROW frontage to both parcels.

The attached legal descriptions and plats reflect this agreement and has been reviewed and approved by both the City of Huron and ODNR and requires Commission approval prior to final recording and dedication.

Mr. Boyle reviewed the application for a lot split/combination for the ConAgra and ODNR properties. He referenced the staff report, survey details, and noted this is also establishing a future public street right-of-way. He noted the only question he had was if members were good with the fixed location of the right-of-way. Mr. Green noted there would be conversations with Norfolk Southern about combining their entrance into the dedicated

road. Mr. Spafford addressed the board, reviewing the locations of parcels A & B and recapping the history of the ConAgra Redevelopment Project in 2009-2010 and the origins of the land swap matter. He explained the need for the dedicated the right-of-way, adding that in an effort to clean up Route 6 and reduce the number of curbs cuts the city is working with Norfolk Southern and trying to convince them to eliminate their curb cut adjacent to the city's. Mr. Spafford noted there has been a bit of hesitation from NS, but the city will continue discussions. He referenced the ConAgra utility project anticipated to cost \$750,000 to \$800,000 and noted discussions regarding utilities easements with ODNR and Norfolk Southern and stated that both parties are receptive and the city is working through logistics. He explained the city is working on an in-kind agreement with Norfolk Southern as the city will provide a clean, dedicated, access to a public street in exchange for the easements for the utilities. Mr. Boyle commented that his only question was the location and alignment which he feels has been addressed. He asked if members had any other questions/comments.


Motion by Mr. Cencer to approve the application for the lot split as submitted. Motion seconded by Mr. Claus. Roll call of members:

Yeas: Cencer, Claus, Howell, Boyle, Hartley (5)

Nays: none (0)

There being a majority in favor, motion passes, and lot split approved.

With no further business, motion by Mr. Cencer to adjourn, seconded by Mr. Hartley. All in favor, meeting adjourned at 6:04p.m.


Christine M. Gibboney
Zoning Administrative Assistant

Adopted: 10/20/20