

**August 3, 2021**

## **Economic & Community Development Committee Meeting**

### Board Members Present

Pat Hovis  
Gabe Below, Chairman

### Board Members Not Present

Roseann Hickman

### Guests

Barb Ritter  
Pam Hatfield  
Jerry Tarolli  
Lisa Slobodizan  
Lisa Sarty  
Tracy Colston  
Avery Robinson

The meeting was called to order at 6:00 p.m.

## **Old Business**

None

## **New Business**

### **Ordinance 19-21**

Chairman remarks on the July 13, 2021 public hearing

1. Public hearing comment: "Fulton Street parking was already reduced to address congestion along that route. Rezoning will cause further congestion and that will slow emergency vehicles."

*Response: This example indicates traffic congestion mitigation efforts were taken before, and therefore further congestion mitigation efforts can be implemented again in the future as warranted.*

2. "Intersection is already a mess. People running the stop sign at E. Third & Washington. Running the lights.'

*Response: Drivers ignoring stops signs and traffic lights, while very dangerous, has no linkage to how these parcels, or any of the neighboring parcels, are zoned.*

*Further Response: I inquired with the Police Department (PD) on traffic incidents in this area of town. Citywide, the PD responds to an average of 90-100 crashes of various types and severity per year, maxing out at around 114. In the 200-400 blocks of Fulton Street, there were six in 2020. Five involved no injuries; one involved a (visible) injury. In 2019, six, just two involved injuries. Going further back to 2016, three. I asked, does PCPD find there to be a disproportionate number of crashes along Fulton Street 200-400 block compared to other notable corridors within the City? No.*

*Fulton Street 200-400 block*

*2016 3; 1 visibly injury; 2 no injury  
2017 5; 1 possible injury, 1 visible injury; 3 no injury  
2018 4; 1 visible injury  
2019 6; 2 possible injury; 4 no injury  
2020 6; 1 visible injury; 5 no injury  
2021 4; all no injury*

*These also include trucks being stuck at the railroad underpass.*

3. "Please do a study on traffic flow."

*Response: I am sure a traffic study or similar analysis will take place should the property owner put forth its site plan to the Planning Commission for approval.*

4. "So many vacant businesses downtown, why not direct them downtown?"

*Response: The City already has taken steps to attract and incentivize commercial businesses to locate downtown. At the same time, new businesses and business expansions are occurring across the City, most notably along the E. Perry Street corridor through the City limits. Balanced commercial development is important, and I heard of nobody recommending the City take steps to restrict those commercial businesses to only build or expand in the downtown.*

5. "Sewer systems are probably not capable of supporting a large apartment building."

*Response: While the site plans for properties are not finalized and approved, the City is implementing a water & sewer infrastructure improvement project that will benefit property owners and residents, and likely address capacity issues citywide. The recent Shepherds Crossing project at S. Jefferson Street was a large residential project with water & sewer flowing today.*

6. "Adding any more traffic would be bad; not enough space to add more business or anything else. R-3 can be handled but anything more, no."

*Response: This suggests the City should actively block anything that may produce more traffic in that corridor, not just at the specific properties but beyond. But surely, we can all agree that Fulton Street traffic patterns are the result of much more than just the cars attributable to individual properties on that block. Should we take steps to block or slow business expansion at the industrial park off S Railroad Street, anything that would lead to more visitors to Magruder, or even more customers visiting Bell Mell or Pat's Party Mart, or Masonry Construction? What about customers at the Treasure Shop? Should the City do all it can to make sure the Treasure Shop continues like it is?*

*The City has never held that posture toward any particular intersection or corridor within the City. It seems like aggressive government interference to me. It suggests we impose an arbitrary "AT CAPACITY" designation for particular business corridors. It is a business corridor, numerous properties along that stretch are already zoned GB, they just have houses on them. That is because the property owners made decisions about how best to manage their property. Just like the current owner of the Treasure Shop. I count 18 properties at that intersection already zoned GB.*

*Further Response: On the claim that "R-3 can be handled but nothing more," I would ask on what basis was that claim made. The current R-3 zoning allows for up to two two-family dwellings per parcel. The sought GB zoning permits no residential use, except if granted a Special Use Permit by the Planning Commission. That means the GB designation would, all else held equal, reduce the number of families and residents living there. Constructing Multiple-Family dwellings, or apartments or condominiums, would require a Special Use Permit, and that process includes several criteria the applicant would need to satisfy. Commercial use, businesses like stores, restaurants & some offices would be the only use permitted solely by the proposed zoning change. Anything further would require additional approval from the Planning Commission.*

Mr. Below showed audience members the Port Clinton Zoning Map to clarify which eighteen parcels are already zoned GB.

Mr. Below advised the following:

Ohio Revised Code and the City's codified ordinances provides that City Council may amend the zoning map for several reasons, including "promoting prosperity and general welfare," as well as good zoning practices, among others.

I find the proposed zoning changes to be consistent with the existing zoning in the neighborhood and an acceptable extension of the existing GB district along Fulton and Third Streets.

The potential for new commercial businesses and rejuvenation along that corridor, alone, is a worthwhile endeavor, apart from any residential elements being considered. While no plans are final or approved, the zoning change recommendation to GB itself appears to be in order, and I find it to promote the general welfare by encouraging economic development; furthermore, it aligns with adjacent zoning that has been on the books for many years without significant incident or disagreement.

I trust that any issues related to traffic can be addressed by the City, as has been done in the past; and I encourage neighbors and residents to work with City Hall to see that any needed traffic improvements are carefully considered and addressed, both now, most importantly, and in the future should this specific project become a reality. This committee will certainly work with you on this important topic.

But the zoning change in and of itself I do not find to be a detriment to public safety. In addition, Council is to consider and act upon the zoning change alone. With GB, the baseline is commercial use, businesses; a little bit more of what is there now. Remember, this is just two parcels, and a zoning change to GB guarantees nothing other the opportunity to put forth a site plan, for the owned properties only, for further review. I see no justification to close that door at this time. Whether or not the neighbors sell is their own decision and outside the jurisdiction of this committee.

Ms. Hovis commented that she was unaware of the eighteen properties were currently zoned GB. It is only two parcels zoned R-3. This was an eye opener for her.

Ms. Hatfield voiced her concerns about the current low-income housing in the City that has drug dealings, overdoses and guns. Concerned about a three-story building in the middle of town in a nice neighborhood with small children and the same thing occurring in the middle of the City, robberies will follow. It would bring this activity close to the wealthy homes on Perry Street.

Mr. Below stated he was not aware of any crime problem at Shepard Crossing, the referenced development along Route 2. Do you have evidence of that?

Ms. Hatfield stated no. She knows that the Police sit around there a lot. In addition, hearsay she is hearing from other individuals.

Ms. Ritter recommended that the City drive through Shepard Crossing on a Sunday. It is nearly impossible to get through for the amount of cars there. Parking is one of her concerns on passing Ordinance 19-21.

Mr. Below stated that Lakeshore Club, LLC indicated when asked at the Planning Commission meeting that they have no plans for low-income housing assuming they acquire all the required properties needed for the development. Not that that has any impact on the his vote today.

Mr. Below stated at an earlier meeting somebody made a point to say, this is not about low-income housing but rather this is about safety and traffic congestion, making a left turn on Fulton, so he was surprised now to hear there is a specific concern about affordable housing.

Ms. Hatfield continued to voice her concerns if this becomes low-income housing it would bring crime to the neighborhood. There is so much low income. Put it in the center of town?

Mr. Below asked Ms. Hatfield what her specific problem is.

Mrs. Hatfield stated it is the individuals living in low-income housing. Which means free living and they are going to be searching things out.

Mr. Below strongly disagreed. He requested that she bring any evidence proving her claims. Mr. Below is happy to look at it, just has he researched the traffic concerns on the Fulton Street corridor. The Police Department indicates that there is not a disproportionate number of crashes, let alone serious crashes, compared to anywhere else in the City like Perry Street, Fremont Road / Harrison curve, and the curve going across the drawbridge. If you are going to make a claim on hearsay and your gut feeling, for me that is not going to cut it. And he hopes that she would expect him not to accept those claims based on gut feeling.

Ms. Hatfield stated she is just making comments - she is not ATF. They would need to be involved in that situation.

Mr. Below asked "Alcohol, Tobacco and Firearms?" You are encouraging us to bring in a federal agency to help determine a zoning issue?

Ms. Hatfield stated no. She is not willing to provide where she hears these things from. It is very concerning about what goes in there – bottom line.

Mr. Below recommended to the audience if the ordinance is approved that any additional concerns regarding about residential development - which is on top of what we are acting on today GB - are best to be addressed with the Planning Commission in the future. They will be determining if it is approved, what the site plan ultimately is and how that is executed.

If the ordinance is approved by Council, continued concerns about residential development is best addressed to the Planning Commission and its members, those are, Mayor Mike Snider, Jeff Morgan, Phillip Bolte, Louis Evans, and City Safety-Service Director Tracy Colston. Residents can write to or call the Planning Commission directly or through the commission Secretary, Sandye Ostheimer, or the Zoning Inspector, Todd Bickley. Phone and email for both are available on the City's website.

Mr. Below asked for a motion to recommend Council adopt Ordinance 19-21. Is there such a motion from the Committee?

Ms. Hovis motioned to adopt Ordinance 19-21; seconded by Mr. Below. All agreed.

Ordinance 19-21 is scheduled for its third of three readings at the Council meeting to be held Tuesday, August 10, 2021, at 6 pm here in Council chambers. As always, the public is welcome to attend and provide public comment.

**Next Meeting:** The next scheduled meeting will be determined.

## **Adjourn**

Ms. Hovis motion to adjourn at 6:30 p.m., seconded by Mr. Below

Minutes submitted by:  
Sandye Ostheimer  
Council Clerk