

1036 S. Perry

MEMORANDUM

TO: Members of the Planning Commission
FROM: Roger O. Freytag, Zoning Administrator **ROF**
SUBJECT: An application for the Minor Subdivision of
land inside the City of Napoleon Corporation
Limit to be known as Lutheran Home Addition.
DATE: 7 November 1989
MEETING: 13 November 1989 at 6:00 PM
MEETING NO.: PC 89/16, PC 89/16A, PC 89/16B (Combined)

RECOMMENDATION

It is recommended that the Planning Commission recommend to the City Council that they approve an application for the Minor Subdivision to be known as Lutheran Home Addition. It is also recommended that a Conditional Use Permit be approved for Phase 1 and Phase 2 of the development described in the following sections of this memorandum and attachments with the following minimum conditions:

1. That the properties being divided be granted a utility easement on the 50' Ingress/Egress Easement and the 32' Easement shown on the Plat.
2. That these condominiums remain under the strict control of the Nursing Home.
3. That the condominiums include in their contract verbally that the development be limited to parking one vehicle maximum outside of the garage at each dwelling unit and that any long term visitor parking, be parked in the Nursing Home parking lot.
4. That an 8" waterline be connected between the Proposed waterline loop around the condominiums and the new waterline which will be constructed by the City of Napoleon for Malinta.
5. That tax money be redirected to construct a public street from the existing Fifth Street at Raymond Street to the Property being developed and a private street being constructed from this public street to the private street being constructed around the condominiums. These improvements shall be completed before the condominiums are started in order to ensure safety to the residents by better police and fire access to the property.
6. That the 27" storm sewer be replaced with a new ??" size storm sewer line and manholes extending East out of the existing manhole and on a 20' drainage easement to the City of Napoleon and extended to the existing ditch.

7. That the development share in the cost of and connect to the proposed Palmer Ditch sanitary sewer project.
8. That the buildings constructed on this site meet all requirements of the C.A.B.O. 1 and 2 Family Dwelling Code that was adopted by the City of Napoleon.

BACKGROUND

An application by Richard A. Chase, Toledo, Ohio, on behalf of the Lutheran Orphans' and Old Folks' Home Society of Toledo, Ohio for the Minor Subdivision of land inside the City of Napoleon Corporation Limit. The application is in pursuant to Section 154.11 of the City of Napoleon, Ohio, Code of Ordinances. The property being subdivided is located East of (1036 S. Perry Street) the Lutheran Home. The six acre site is a parcel of land in the Northeast Quarter of Section 24, Town 5 North, Range 6 East, Napoleon Township, City of Napoleon, Henry County and is in a "B" and "C" Residential Zoning District.

An application by Richard A. Chase, Toledo, Ohio, on behalf of the Lutheran Orphans' and Old Folks' Home Society of Toledo, Ohio for a Conditional Use Permit to allow the construction of Phase 1 of the proposed seven - two unit condominiums, which will be leased out by the Lutheran Development Corporation at Napoleon, Ohio. The application is pursuant to Section 151.46 of the City of Napoleon, Ohio, Code of Ordinances. The proposed development is located East of (1036 S. Perry Street) the Lutheran Home. The 2.844 acre site is located on a parcel of land in the Northeast Quarter of Section 24, Town 5 North, Range 6 East, Napoleon Township, City of Napoleon, Henry County, Ohio and is in "B" and "C" Residential Zoning Districts.

An application by Richard A. Chase, Toledo, Ohio, on behalf of the Lutheran Orphans' and Old Folks' Home Society of Toledo, Ohio for a Conditional Use Permit to allow the construction of Phase 2 of the proposed seven - two unit condominiums, which will be leased out by the Lutheran Development Corporation at Napoleon, Ohio. The application is pursuant to Section 151.46 of the City of Napoleon, Ohio, Code of Ordinances. The proposed development is located East of (1036 S. Perry Street) the Lutheran Home. The 3.274 acre site is located on a parcel of land in the Northeast Quarter of Section 24, Town 5 North, Range 6 East, Napoleon Township, City of Napoleon, Henry County, Ohio and is in "B" and "C" Residential Zoning Districts.

Mr. Richard Chase had requested that each application be acted on separately. I have combined the information in this memorandum for your convenience.

Mr. Chase has asked that this property be split into two pieces to allow him two separate properties. He plans to develop Phase 1 and then Phase 2.

The use of this property does not fit the classifications of the City of Napoleon Zoning Code very well. Because of the use of this property, I have asked the developer to make application for the Conditional Use Permit. This gives the City of Napoleon the opportunity to set up any conditions they may feel is necessary for the approval of the plans of this project. A zoning permit to begin construction will be issued when all of the conditions of the Planning Commission and City Council have been met.

This development is located in a "B" and "C" Residential Zoning District. I do not feel that this causes any problems with the approval of the Conditional Use Permit.

I would also point out that there is a proposed thoroughfare going through this area as shown on the current zoning map. Because of the lack of an Official Updated Master Plan, I don't feel this Thoroughfare will be developed in this manner.

The Planning Commission should consider the following criteria, when recommending in favor of approving this request:

1. The establishment, maintenance of operation of these conditional uses will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare of the community.
2. The conditional use will not be injurious to the use and enjoyment or lawfully used property in the immediate vicinity or substantially diminish or impair property value within the neighborhood.
3. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.
4. The exterior appearance and functional plan of the conditional use will not be detrimental to the appearance and functional plan of any structures already in the immediate area, or with the character of the zoning district.
5. Adequate utilities, access roads, drainage, water, sewer and other environmental facilities have been or are being provided for the conditional use project.

6. Adequate measures have been or will be taken to provide ingress and egress to the premises so designed as to minimize traffic congestion in the in the public street.
7. The conditional use shall conform to the applicable regulations of this section.

