August 2024

| Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |
|--------|--|--|--|----------|--------|----------|
| 28 | 29 | 30 | 31 | 1 | 2 | 3 |
| 4 | 5 6:00pm Technology Committee-cancelled 7:00pm City Council | 6 | 7 | 8 | 9 | 10 |
| 11 | 12 6:00pm Muni Prop. 6:30pm BOPA-cancelled 6:30pm Electric Com-cancelled 7:00pm Water/Sewer-cancelled | 13 4:30pm BZA- cancelled 5:00pm Planning Commission | 14 | 15 | 16 | 17 |
| 18 | 19 6:00pm Parks and Rec Commission 6:00 Tree Commission 7:00pm City Council | 20 | 21 | 22 | 23 | 24 |
| 25 | 26 6:30pm Finance and Budget 7:30pm Safety and Human Resources | 27 4:30pm Civil Service | 28 6:30pm Parks and Rec Board | 29 | 30 | 31 |



255 West Riverview Avenue, P.O. Box 151 Napoleon, OH 43545 Telephone: (419) 592-4010 Fax; (419) 599-8393 www.napoleonohio.com

Memorandum

To: Board of Public Affairs, City Council, Mayor, City Manager, City Finance Director, City Law Director, Department Supervisors, News-media
 From: Mikayla Ramirez, Clerk
 Date: August 9, 2024
 Subject: Board of Public Affairs Meeting Canceled

The regularly scheduled meeting of the Board of Public Affairs for Monday, August 12th, at 6:30 pm has been CANCELED by the chair.



255 West Riverview Avenue, P.O. Box 151 Napoleon, OH 43545 Telephone: (419) 592-4010 Fax; (419) 599-8393 www.napoleonohio.com

Memorandum

| To: | Electric Committee, City Council, Mayor, |
|----------|---|
| | City Manager, City Finance Director, City Law |
| | Director, Department Supervisors, News-media |
| From: | Mikayla Ramirez, Clerk |
| Date: | August 9, 2024 |
| Subject: | Electric Committee Meeting Canceled |

The Electric Committee meeting scheduled for Monday, August 12th, 2024, at 6:30 pm has been CANCELED by the chair.



255 West Riverview Avenue, P.O. Box 151 Napoleon, OH 43545 Telephone: (419) 592-4010 Fax; (419) 599-8393 www.napoleonohio.com

Memorandum

To:Water, Sewer, Refuse, Recycling & LitterCommittee, City Council, Mayor, City Manager, City FinanceDirector, City Law Director, Department Supervisors, News-mediaFrom:Mikayla Ramirez, ClerkDate:August 9, 2024Subject:Board of Public Affairs Meeting Canceled

The regularly scheduled meeting of the Water, Sewer, Refuse,

Recycling & Litter Committee for Monday, August 12th, at 7:00 pm has been CANCELED by the chair.

City of Napoleon

MUNICIPAL PROPERTIES, BUILDINGS, LAND USE, AND ECONOMIC DEVELOPMENT COMMITTEE SPECIAL MEETING AGENDA

Monday, August 12, 2024 at 6:00 pm

LOCATION ~ Council Chambers, 255 West Riverview Avenue, Napoleon, Ohio

- 1. Call to Order
- 2. Approval of Minutes- May 13, 2024 (In the absence of any objections or corrections, the Minutes shall stand approved)
- 3. Discussion/Action: Review request by Pillars of Success to establish Safe Haven Emergency Housing in the City.
- 4. Adjournment.

Mikayla Ramivery

City of Napoleon, Ohio MUNICIPAL PROPERTIES, BUILDING, LAND USE AND ECONOMIC DEVELOPMENT COMMITTEE SPECIAL MEETING MINUTES Monday, May 13, 2024 at 6:00 pm

| PRESENT | |
|-------------------|--|
| Committee Members | Robert Weitzel-Chair, Brittany Schwab, Ross Durham, Joe Bialorucki |
| City Manager | Andrew Small |
| City Staff | |
| Others | News-media |
| Recorder | Marrisa Flogaus |
| ABSENT | |
| Committee Member | |

CALL TO ORDER

Weitzel, Chair of the Municipal Properties, Building, Land Use and Economic Development Committee, called the meeting to order at 6:00 pm.

APPROVAL OF MINUTES

Hearing no objections or corrections, the minutes from the May 15, 2023 Municipal Properties Committee meeting were approved as presented.

CITY OWNED PROPERTY

Small stated, a couple months ago councilman Weitzel asked for a general review of city owned properties and I wanted to present my thoughts and ideas for these properties. I also wanted to present the master list of significant city owned properties. Significant because I went through 175 different properties last week and narrowed it to 5. There are many parcels that are smaller than a streetlight, so I went through the properties and scratched them off unless they were a significant size. For example, East River Down Park is made of 25 parcels. Some properties are made of multiple parcels. I also want to discuss the memo that basically summarizes all the significant properties. The first is the Commerce Drive parcel that we discussed previously. That was purchased in 2021 and the previous city manager wanted to sell it to ODOT. However, ODOT discovered a few acres of wetland, so they backed out. Now, there is roughly 13 acres of the parcel with wetlands on it. It is zone I2 and it's in an industrial park so the goal is to get a developer in there to get something out on that property, but we can't do that til the wetlands are mitigated. Small said, we are currently in the process of applying for All Ohio Future Fund money to mitigate those wetlands because it can be very expensive. I suggest we mitigate just a portion if we can get the right project and developer in there. I am meeting with a developer in a few weeks to discuss these parcels and others. Weitzel said, what parcels have the wetlands on the maps and how much do we want to mitigate. Small replied, primarily the front of the property can be mitigated but eventually I want to mitigate it all. Weitzel then asked Small, since the property was never cleaned up before the city purchased it would cleaning add an additional cost? Small responded, there is some scrap metal. Weitzel replied, I bet down you could find more metal scraps in the grass. Small responded I am not aware of a phase 1 or 2 environmental done on this property nor was it ever requested. Weitzel replied, in a past council meetings I watched they stated that it would cost \$30,000-50,000 to clean then higher to \$80,000-\$90,000. How much would it be to clean up. Small said, I was approached by someone who said they could clean it up for \$25,000 but it was a high number. I am willing to discuss it further. Weitzel replied, if the property was cleaned up would it make it more marketable at a state of use. Small said, yes absolutely some of the property can be mitigated without having to do the whole thing. Weitzel said, we should leave an access road to the back to the wetlands so that if we wanted to clean it

up later we would have access. Small replied, yes if we mitigate but leave the right of way open to the wetlands then we could leave a road. Weitzel said we could lay gravel and make it an alley way, that way they still have access to that city owned property and potentially make it marketable. Schwab asked did we pay \$90,000 for both parcels. Small replied, yes. Weitzel asked Small if there are immediate plans to clean it up? Small replied no, not until I receive more information about the All Ohio Future Funds. If it is successful then yes. As you can see in this vintage aerial from 1990 it was all farmland. Weitzel said if we don't do anything to these lands they naturally reforest and become unusable if we don't continue maintenance on them. Durham asked Small do we have a timeline for the All Ohio Fund. Small replied, there is no deadline but we are getting close to finishing the application.

Small said, the next parcel I want to discuss is Commerce Drive that is our Clean Ohio Revitalization Property that was cleaned up 15-18 years ago. This is a clean parcel, with that being said there is a covenant not to sue that year we must sign off stating we didn't change this property. If we ever sell the property that person would be required to sign off on it every year. Bialorucki asked Small what do you mean by changing the property. Small replied if we develop or do anything to that land we must sign off. Schwab said, why do we have to sign off on this every year. Small replied because of the covenant not to sue by the state of Ohio when they cleaned the area up. Weitzel said if I recall there was a cap covered over the top of the property. Small replied no that didn't happen when they mitigated it. This land is specifically used for commercial or industrial use only. Weitzel said, if it is purchased by someone else, do they still have to report what they are doing with the land. Small replied yes, they would be required to do paperwork every year. Durham then asked Small can you please show on the map where this parcel is. Small said the property is 7.7 acres and we plan on having someone this summer to mow it down about 3 times to get it cleaned up. Weitzel asked will the sapling trees be taken off. Small said, yes that we will take some down possibly. I had someone approach me about the wetlands property but I wanted to wait til after it was mitigated because it would be worth more. Because of this the person asked about this property and wanted to purchase it. I am now starting to work with these people to purchase the parcel and come to an agreement on price then, I will bring it to the city council. Durham asked what will our price be. Small said it was purchased for a small amount because we cleaned it up because it once was a junk yard. Another similar parcel we had once was a landfill that was cleaned up. I have been chatting with Jen at CIC on how to sell these properties so that I am more educated. Bialorucki asked how many utilities would be used on that parcel. Small replied, it would be for outdoor storage not new jobs. Durham asked are we are going to let them purchase parts or the full parcel. Small stated I would prefer to sell it all then, the new owners could sell it in parts if they wished.

Small said, lets move onto the parcel on Glenwood Avenue that is also a wetland. I was already approached by a buyer. It is 16 acres and its zoned planned commercial. We paid \$50,000 for it and wanted to do a water treatment plant but it has been determined to be wetland. Bialorucki asked is it all wetland or parts. Small replied, I'm not sure but in terms of development it is commercial not industrial. I am also not sure of the value of this property. Bialorucki said we have no chance of making this a road anymore and it's a liability. Durham said, I agree because it is a wetland. Small said I will continue to work with the person interested in the property.

Small said the last 2 significant parcels I am not interested in selling. The East Riverview property is 4 acres and the reason there is a stone road there is because we are rebuilding Washington St. and still need access to the wastewater treatment center. I want to add a stone pad for storage for parks and recreation vehicles on the parcel. Long term parks and recreation could get a building down there to help with storage issues and a maintenance garage. Weitzel asked is there is still a right of way for East Washington. Small replied, yes, I believe. Weitzel said I like the trees but would prefer they get removed

since people like to be up to no good back there. Small said at the very least I want to add more crushed concrete for the stone path to move parks and recreation vehicles.

Small then said, I want to speak about the 5th parcel. Last fall, it was one parcel, so I sectioned it off from that property in zone c1 and it's the only commercial building left over there. I am going to work with Jen to make it more marketable especially if we can move poles and different things off it. I also would like to relocate the parks and recreation vehicles from this parcel to the other one just mentioned. The pad doesn't have to be used just for parks and recreation, but it would require cleaning this parcel up. Weitzel replied, has it been parceled off, but the city hasn't updated it yet. Small replied, yes it hasn't been updated yet. This is the last large property on the river that is still downtown, and that could be very profitable. Schwab said, I agree, and we should promote the river front. Small said if we can find the right people and project then we will work with them. Weitzel asked if we would be able to reroute the right of way for the residential home? Small replied yes, we would, and Greg already mentioned it to the homeowner. Weitzel asked Small can we go back to the master list and speak more about the bad property on Commerce Drive that has the wetlands. I did not know we own the solar fields but not the solar itself. Why didn't AMP continue this on the entire property. Small replied, I don't know why the solar wasn't on all the property. Weitzel said it looks like AMP ran out of panels and just suddenly stopped and decided not to use the entire property. I regularly gets complaints about this property and have been trying to get it mowed regularly. Small replied, I agree it is very wet. Weitzel said the longer we wait the harder the mitigation will be. Small, is there anything we can do to it now to make it better. How do the mowers access that property since the solar panels are located there. Small said, I don't know. Weitzel said the bill to mitigate will be very high and the residents over there know it is a big problem when it's not mowed. The property nearby maintained by the apartments over there has been mostly maintained although we don't own it. We own the tree line on the map. I want to mention this property because they get complaints regularly. I want to do something to the parcel now, so it saves money in the future for mitigation. Durham said is there another way to access this parcel behind the solar fields. Weitzel stated at one time there was another way to access it by a private owner but I don't know if that was a written agreement or if it still exists. Schwab said can we access the parcel from a residential area through the apartments. Weitzel said no we can only access it off Interchange but it's not technically a road but there is a residence there that we could ask to access it. Is there an effort to identify all of the parcels and what are the uses. Is it possible to give them back to the property owners. Small said I didn't know we had that many parcels that were so small. Weitzel said the old dirt property that can help people get from Oakwood to Scott without going through the bank. Small said, First Federal bought the property so we can no longer join the two roads. Weitzel replied there is an ability to go around the property if we bought property from the owners who don't use it then we could make the trail. That way it could cross and connect to North Crest but we would have to purchase it from private residence. This is important because in my past life there was a fire at the nursing home and emergency personnel couldn't access the area. They did a great job but this is why a street needs cut over there. Small said I agree that a road needs to be there. Weitzel said that is why I wanted to talk about it during the committee. Durham asked who owns the strip in that area and Small replied, the Mercy clinic but that we would need it. Weitzel said I want the road to be a 90-degree road as long as we work with the property owner. Schwab said I think it's the responsibility of the city to get this road added because the nursing home is there. Durham asked can a survey be done to mitigate the land behind the solar field. Small replied only if we mow it down and maintain it with some dirt. Durham said is there any dirt to put out there. Small said no we have not had any clean dirt from our street projects. Bialorucki asked do we know how long the solar fields will be there. Small replied I am unsure at this time but I think it will be a long time. Bialorucki asked can the area on the parcel that has wetland remain a wetland. Weitzel said no because residents complain about the grass, bugs, and animals. I think AMP should use the entire

field for the solar panels. I do not want to abandon this property. Small said I meet with AMP regularly and will discuss. Weitzel said animal nuisance is also a big issue.

Adjournment

Motion: Weitzel Second: Schwab to adjourn the Municipal Properties Committee meeting at 7:00 pm

Roll call vote on the above motion: Yea- Weitzel, Schwab, Durham, Bialorucki Nay-Yea-4, Nay-0. Motion Passed.

Approved

Robert Weitzel – Chair Municipal Properties, Building, Land Use & ED Committee



255 West Riverview Avenue, P.O. Box 151 Napoleon, OH 43545 Telephone: (419) 592-4010 Fax; (419) 599-8393 www.napoleonohio.com

Memorandum

| To: | Board of Zoning Appeals, City Council, Mayor, City Manager, City Finance Director, Law Director, | |
|----------|---|--|
| | Department Supervisors, News-media | |
| From: | Mikayla Ramirez, Clerk | |
| Date: | August 9, 2024 | |
| Subject: | Board of Zoning Appeals – Cancellation | |

The regularly scheduled meeting of the Board of Zoning Appeals set for Tuesday, August 13th, 2024, at 4:30 pm has been CANCELED due to lack of agenda items.

City of *Napoleon*, Ohio PLANNING COMMISSION MEETING AGENDA

PC-24-06- Application for Amendment

Tuesday, August 13, 2024 at 5:00 pm

Council Chambers, 255 West Riverview Avenue, Napoleon, Ohio

- 1) Call to Order
- 2) Approval of Minutes April 9, 2024 (in the absence of any objections or corrections, the minutes shall stand approved)
- 3) New Business

PC-24-06- Application for Amendment

An application for a change in zoning is being requested by the Napoleon City Manager, J. Andrew Small. The requested is in pursuant to chapter 1121.02 of the Napoleon Codified Ordinance, Application for Amendment. The request if for the following plats within the City of Napoleon to be changed from a C-5 Highway Commercial Zone and an I-2 Open Industrial District to a C-4 Planned Commercial District.4)

5) Adjournment

Mikayla Ramirez- Acting Clerk

PLANNING COMMISSION MEETING MINUTES Tuesday, April 9, 2024, at 5:00 pm

PC-24-05- Special or Conditional Use Permit- 1124 Willard St.

| PRESENT: | |
|------------------------|--|
| Commission Members | Tim Barry-Chair, Suzette Gerken, Joseph Bialorucki, Cory Niekamp |
| City Staff | Kevin Schultheis-Zoning Administrator/Code Enforcement Officer |
| Others | News-Media Greg Snyder |
| Acting Clerk ABSENT | Marrisa Flogaus |
| Commission Members | Larry Vocke |

CALL TO ORDER

Barry, Chairman of the Planning Commission called the meeting to order at 5:00 pm noting a quorum was present.

APPROVAL OF MINUTES

In the absence of any objections or corrections, the February 13, 2024 Planning Commission meeting minutes were approved as presented.

New BUSINESS

PC-24-05- Special Use or Conditional Use Permit- 1124 Willard St

Barry read the background on PC-24-05. An application for public hearing has been filed by Greg Snyder of 1124 Willard St. Napoleon, Ohio 43545. The applicant is requesting a Special Use or a Conditional Use Permit for small machine shop to build silencers with Alcohol, Tobacco and Firearms authorization. The request is pursuant to Chapter 1141 of the Codified Ordinances of Napoleon Ohio. The property is located in an R-2 Low- Density Residential District.

RESEARCH AND FINDINGS

Schultheis presented his research and findings.

1. 1131.01 RESIDENTIAL DISTRICTS ESTABLISHED/GENERAL PROHIBITIONS.

The R-2 LOW-DENSITY RESIDENTAL DISTRICT provides to preserve the fine tradition of very stable areas presently committed to moderate-density single-family residential development. This District is designed for areas having approved public water supply and sanitary sewer systems.

(a) <u>Permissible Uses</u>: Permissible Uses shall be in accordance with Chapter 1145 of the Napoleon Codified Ordinance.

1145.01 TABLE OF PERMISSIBLE USES.

The Table of Permissible Uses should be read in close conjunction with the definitions of terms set forth in Definitions of Basic Terms and the other interpretive provisions set forth in this Planning and Zoning Code.

- (a) Use of the Designation "P" and "C" in Table of Permissible Uses. When used in connections with a particular use in the Table of Permissible Uses, the letter "P" means that the use is permissible in the indicated zone with a zoning permit issued by the Zoning Administrator. When the letter "P" is <u>nonexistent</u> in the Table, then it shall be deemed a no permissive use <u>unless</u> a special use or conditional use permit is approved in accordance with this Zoning Code.
- (b) Jurisdiction Over Uses Otherwise Permissible with a Zoning Permit. Notwithstanding any other provisions of this Planning and Zoning Code, whenever the Table of Permissible Uses (interpreted in light of subsection (a) hereof and the other provisions of this Planning and Zoning Code) provides that a use is permissible with a zoning permit, and/or a conditional use permit, as applicable, shall nerveless be required if the Zoning Administrator shall consider, among other factors, whether the use is substantially unique or is likely to have impacts that differ substantially from those presented by other uses that are permissible in the zoning district in question.

(c) Accessory Uses:

C. Home occupations when carried on by the owner-resident of the dwelling when no physical or visual effects are observed beyond the walls of the dwelling.

The applicant is asking for a Special Use or a Conditional Use Permit along with a Zoning Permit to use a two car garage located on the property of 1124 Willard St. Napoleon, Ohio 43545. The Applicant (Greg Snyder) requesting to use the garage as a small machine shop to design and develop silencers for weapons (guns).

Mr. Snyder states the hours of operation would be from approx. 2:30 pm to 6:00 pm with limited noise from the drill press. All work and material will be confined to the interior garage with no outside storage and no testing of the product on site.

Alcohol, Tobacco and Firearms would regulate and monitor the quality of the product once approved for the licensing.

(e) Certificate of Zoning

(1) Certificate required. No land shall be occupied or used, and no building hereafter erected, reconstructed, or structurally altered shall be occupied or used, in whole or in part, for any purpose whatsoever, until a certificate of zoning has been issued by the Zoning Administrator, stating that the use is in compliance with all provisions of this Planning and Zoning Code.

(2) Change in use. No change shall be made in the use of land or the use of any building or part thereof now or hereafter erected, reconstructed, or structurally altered without a certificate of zoning having been issued by the Zoning Administrator. Certificate for change in a use shall not be issued unless the premise is in conformity with the provisions of this Planning and Zoning Code.

(f) Violations.

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(1) No person shall recklessly violate any provision of this Planning and Zoning Code or any condition or restriction contained in a conditional use permit.

Recommended Conditions:

- In Accordance with Section 1141.02(f)
- 1. If approved, this permit is issued to the owners of 1124 Willard St. Napoleon, Ohio, and shall last for the duration of their agreement.
- The Planning Commission may recommend such conditions or restrictions on the construction, location, use, and operation of a conditional use as shall be deem necessary to adequately address the general objectives of the Master Plan and this Planning and Zoning Code after considering those things, as applicable, as listed in subsection (e)
- 3. The use will be harmonious with and in accordance with the general objectives, or with any specific objective of the City's Master Plan and this Planning and Zoning Code

DISCUSSION

Schultheis stated basically he is requesting for a special or conditional use permit to make silencers for weapons. Barry asked is this to run a business out of his garage? Or is it because of what he's making? Schultheis replied that's what he's making. Barry asked if it could be considered a machine shop? Schultheis replied yes, it's going to be a drill and taps. He just wants to be legal and in the right for Alcohol, Tobacco and Firearms. Barry asked Snyder to tell them a little bit about what he's planning. Snyder stated I came up with a couple different designs for gun silencers that no ones ever patented. In order to make them legally I have to go through the ATF. I have to do all the paperwork otherwise I could go to jail. That takes about a year in itself. Before I can even fill out my paperwork with the ATF I have to be in a zoned area. If you guys do approve this I can start my paperwork. To be able to make the silences and get them patent would take another year or two, but I have to start somewhere. This just allows me to do everything right. Barry asked if the long term plan would have people stopping by his house to check them out? Snyder replied people won't be stopping by my house. At some point if it does kick off I would have to rent or by a building. It takes a lot of time and money. This would at least allow me to start. Barry asked if large trucks would be delivering large chunks of steel? Snyder replied no, everything is on really small scale. It shouldn't impact any of my neighbors. They won't even know I'm doing it in my garage. Barry ask what are you thinking for security down the road? Snyder replied the license would be my home address and I have a gun safe to store them. Everything would be under lock and key. Gerken asked if the gun safe would be in the garage? Snyder replied no, it'll be in my home. It's more secure in my house and it's temperature controlled. Gerken asked Snyder if he had any experience? Snyder replied I don't drink anymore or put nicotine into my body as of last year. Life's been great. God just blessed me to come up with this design. I have some machine experience and I've been a mechanic forever. Niekamp asked if the plan is to have the garage door open or shut? Snyder replied the less people who know about this the better I feel. Also, to cut down on noise I feel like having the doors shut would be the best option. Niekamp asked if this is set up to operate with the garage door closed? Snyder replied yes. Bialorucki asked how loud would the machine be? Would your next door neighbor be able to hear it? Snyder replied they shouldn't be able to hear anything. It's just a small press and saw. Bialorucki stated the older I get, the crabbier I get. I enjoy sitting outside

and I hear my neighbors dog barking or different noises. It may not be a loud obnoxious noise, but it maybe. Snyder interjected I get along with my neighbors really well. They're older and I help shovel their sidewalks. I think it's a testament to itself that no one is here. Going forward I know it can be taken away from me, so I want to tread lightly to not upset my neighbors. Barry asked Schultheis if there was an ordinance against noise? Schultheis replied yes. I don't image it would exceed it. Snyder stated the work I would be doing in my garage would be less noise than the neighbors across the street playing music. Gerken stated the work being done would be from 2:30pm – 6:00pm. Niekamp asked if this has been communicated to all the neighbors? Schultheis replied I haven't received a complaint. In fact I received a call from one of his neighbors in support. Small stated I have a wood shop in my garage. I operate a table saw, miter saw, band saw and scroll saw. I make a lot of noise. What he's talking about doing is 1/10th of the noise that I generate. Even if he had his doors open I couldn't imagine anyone hearing it.

Motion: Bialorucki Second: Niekamp

To approve PC-24-05 Special Use or a Conditional Use Permit for small machine shop to build silencers with Alcohol, Tobacco and Firearms authorization

Roll call vote on the above motion: Yea- Gerken, Barry, Niekamp, Bialorucki Nay-Yea-4, Nay-0. Motion Passed.

ADJOURNMENT

Motion: BialoruckiSecond: NiekampTo adjourn the Planning Commission meeting at 5:15 p.m.

Roll call vote on the above motion: Yea- Gerken, Barry, Niekamp, Bialorucki Nay-

Yea-4, Nay-0. Motion Passed.

Approved

Tim Barry - Planning Commission Chair



City of Napoleon, Ohio Kevin Schultheis, Zoning Admin. Code Enforcement ^{255 West Riverview} Napoleon, OH 43545 Telephone: (419) 592-4010 Fax; (419) 599-8393 www.napoleonohio.com

MAY 13, 2024

Memorandum: Application for Amendment

An application for a change in zoning is being requested by the Napoleon City Manager, J. Andrew Small. The requested is in pursuant to chapter 1121.02 of the Napoleon Codified Ordinance, Application for Amendment. The request if for the following plats within the City of Napoleon to be changed from a C-5 Highway Commercial Zone and an I-2 Open Industrial District to a C-4 Planned Commercial District.

Back Ground and Research:

Under the current zoning regulations the following is unlikely to be used as an I-2 or a C-5 with the commercial development in place. A C-4 is the most likely alternative zoning code and functional for the betterment of the City Planning Code and the City's Master Plan.

These two businesses are currently under an I-2 Open Industrial District and with the current location of the commercial businesses a Zone I-2 will no longer be applicable within this district:

Parcel # 411192120040, Murphy Oil USA, Inc. Scott St. Napoleon, Ohio 43545 Parcel # 411100300000, Farmers and Merchants State Bank, 2255 Scott St. Napoleon, Ohio 43545

These three businesses are currently located within a C-5 Highway Commercial Zone and with the current locations of the commercial business a zoning change can be made without impacting the local business, however, with the change, and if a new free standing sign is to be placed at the back of the commercial development that exceeds 25 feet to a height of 75 feet, a planning commission hearing would be made for the adjustments.:

Parcel # 411293610020 Scott Elliot A, Trustee, 2296 Scott St. Napoleon, Ohio 43545 (Burger King and back lot) Parcel # 411200360000 Bockelman Investments, LLC, 2276 Scott St. Napoleon, Ohio 43545 Parcel # 411293610040 Gunn's Properties, LLC, Scott St. Napoleon, Ohio 43545

All Parcel mentioned in this request would be within the table of permissible uses or a Conditional uses variations under section 1145.01 of the Napoleon Codified Ordinance.

Kevin Schultheis, Zoning Administrator / Code Enforcement Officer