



COMMUNITY DEVELOPMENT • 1140 Terex Road • Hudson, Ohio 44236 • (330) 342-1790

Date: October 11, 2023
To: City Council
From: Greg Hannan, Community Development Director
CC: Thomas J. Sheridan, City Manager
Katie Behnke, Economic Development Manager
Nick Sugar, City Planner
Re: LDC Amendment - North Main Street – Use Allowances

Staff has prepared the following memorandum to provide regarding the use allowance regulations within the Land Development Code (LDC) for North Main Street. City Council discussed the current regulations relevant to North Main Street uses on September 19, 2023.

Current Text:

1205.08(d)(4): Locational restrictions on permitted uses–Main Street. On the west side of Main Street in District 5, extending from Park Lane on the south to Owen Brown Street on the north, all Main Street floor level uses shall be limited to restaurants, bars/taverns, retail trade or personal service establishments less than 5,000 square feet in gross floor area. No new business or professional offices, business service establishments, banks or financial institutions, or ATMs shall be allowed or established on the Main Street floor level of existing or new structures located on the portion of Main Street specified in this provision....
[LDC Link](#)

Possible amendments:

1. Variance- amend the LDC to permit variance requests for North Main Street uses. This consideration would be difficult as the LDC currently has a clear restriction on requesting use variances which has worked well to uphold the zoning regulation.
2. Separation setback – Office uses could be permitted with the establishment of a 200 ft (or as determined) separation from adjacent office uses. Of the 880 linear ft along North Main Street, this would permit a maximum of 4-5 office uses. Difficulty could arise with possible variance requests when business seek to occupy a space but can not fully comply (ex: 190 ft) and from proposed businesses not being permitted based on tenants located within other buildings.
3. Percentage – Office uses could be permitted with a fixed percentage cap such as 20% of all north main street uses. There are approximately 25 storefronts along North Main Street. This amendment could permit approximately five office based businesses. Difficulty could arise with changes in percentages over time and the concern over numerous office uses clustered in one area.

4. Revise the boundary which currently extends from Park Lane to Owen Brown Street – This boundary could be revised to terminate at a point 100 feet south of the Owen Brown Street right of way. This would permit office uses for 230-238 North Main Street. This parcel is somewhat distinct from the remainder of North Main
 - a. The parking is located off of Owen Brown Street
 - b. The on-street spaces are limited
 - c. The parcel is at the northern terminus of the retail corridor
 - d. The parcel is across the street from Windstream office facility and parking lot.While this consideration is the very narrowest it would provide the cleanest implementation and the least amount of potential difficulties with administering the text.

Additional Comments:

- A. The Economic Development staff has been working with a prospective tenant for seeking to establish an office use for a real estate company on North Main Street. Staff anticipates this tenant has been able to locate some additional viable spaces to consider.
- B. The owner of 238 North Main Street has noted an intent to proceed with removing the interior walls from the previous tenant, to reopen the space and encourage a retail type tenant. The owner noted a preference to see a retail, service, or pedestrian focused tenant to benefit the district.
- C. Economic Development Manager Katie Bhenke informally discussed the topic with multiple landowners and merchants:

Preliminary feedback from merchants engaged was that they were strongly opposed to allowing office users on the first floor of Main Street citing concern over reducing foot traffic. One merchant noted that they don't get pedestrian traffic from the real estate offices or their customers and would prefer to see these spaces turn over to retail/restaurant uses. Another merchant located on Main Street since the early 90s commented that there was a noticeable increase in foot traffic after the 1999 restriction was put into effect and businesses began to turn over. They strongly encouraged not to change the restriction. Finally, a building owner was not opposed to a variance process, but they did indicate a strong preference to refill their spaces with retail or restaurant users to support the overall vitality of Main Street. The building owner has multiple properties and therefore has an interest in finding tenants that will generate foot traffic for his other buildings and tenants within the district.

As this feedback was gathered from merchants as the Economic Development Manager had the opportunity to engage with them on other issues, it is certainly not a complete set. Economic Development could generate a survey to the businesses and/or property owners to gather more complete information if desired.

Conclusion:

Completing the applicable research and engagement with existing businesses and owners has been helpful to better understand the current regulation and how such is perceived by merchants and owners. It does not appear an LDC amendment is of critical need at this time. If an LDC amendment is desired, incorporation of item #4 may properly address the concern.