



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

Date: December 6, 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 regarding the use regulations within the Land Development Code (LDC) for North Main Street. City Council has discussed the current zoning regulations and the consideration of allowing additional ground floor office uses.

Current Text: Staff has reviewed the District 5 LDC regulations in detail since previous Council discussion. The First and Main Planned Development also contains a similar prohibition on ground floor level office uses. City staff has focused the discussion and exhibits on North Main Street; however, any final amendment would be appropriate to apply to both North Main and the First and Main Planned Development

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. Any planned development to the west of Main Street within the area bounded by Clinton Street, Morse Road and State Route 303 must limit ground floor non-public uses to permitted uses by right or conditionally as commercial and retail uses referred to in divisions (b)(2) and (c)(2) of this section, but shall not include division (b)(2)G. and (b)(2)H of this section, business service establishments of division (b)(2)M. of this section, or division (c)(2)A., (c)(2)F., (c)(2)I., and (c)(2)N. of this section.

Discussions to date:

- September 19, 2023: City Council completed a brief discussion and requested further information from city staff.
- October 24, 2023: City Council reviewed additional information from city staff and determined to not advance with formal consideration of an amendment.
- November 28, 2023: City Council briefly discussed the topic and confirmed interest in a more formal discussion regarding possible amendment.

Possible amendments:

City staff have refined the below options to study the feasibility of permitting additional office space on North Main without fully permitting such for any tenant space. Fully allowing office uses throughout N Main could lead to reduced pedestrian activity on evenings/weekends, a reduction in the size of the shopping/dining district, and have the potential to increase rental rates over time.

- A. 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 may arise with possible variance requests when businesses seek to occupy a space that is less than 200 ft distance.
 - Property owners and proposed businesses may find this option challenging as their ability to operate is dictated by other uses in the district.
 - Typically a property owner or businesses can view the LDC to determine the allowed uses. Feasibility to establish additional office space would require analysis/interpretation by staff as each use is proposed.

- B. Percentage – The allowance of office space could be permitted as a percentage of the area:
 1. Percentage Cap based on total number of businesses: Office uses could be permitted with a fixed percentage cap of 20% of all North Main St uses (or as determined). There are currently 28 storefronts along North Main Street.
 - This amendment could permit five office based businesses.
 - Difficulty could arise with changes in percentages over time and the concern over numerous office uses clustered in one area.
 - Typically a property owner or businesses can view the LDC to determine the allowed uses. Feasibility to establish additional office space will require analysis/interpretation by staff as each use is proposed.

 2. Percentage Cap based on the total ground floor sq ft along North Main Street: Office uses could be permitted at 20% of the total square feet of all North Main Street uses (or as determined). There is 50,400 sq ft of ground floor tenant space on North Main St. This would allow 10,080 sq ft of office space.
 - Typically a property owner or businesses can view the LDC to determine the allowed uses. Feasibility to establish additional office space will require analysis/interpretation by staff as each use is proposed.
 - Detail determinations would be needed to fully define the actual square footage of the each tenant space.

- C. Boundary Revision The boundary 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 offices uses for 230-238 North Main Street. This parcel is somewhat distinct from the remainder of North Main
 1. The parking is located off of Owen Brown Street (residential street)
 2. The on-street spaces are limited
 3. The parcel is at the northern terminus of the retail corridor

- While this consideration is the smallest change to current allowances, it would provide the clearest text for future businesses and property owners and the least about of potential difficulties with administering the text.

Additional Comments:

- A. The owner of 238 North Main Street has recently leased the space to a retail based tenant.
- B. Current vacancies: The current vacancies along these two blocks is 7%. This percentage is quite low and is a sign of a stable retail district. Staff understands some of this vacant space may be vacant for reasons other than lack of prospective tenants.
- 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.
 - 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.
 - Economic Development could generate a survey to the businesses and/or property owners to gather more complete information if desired.

Conclusion:

Amending the current zoning code to allow office use in a limited basis is challenging due to the items noted above.

The clearest method to provide some additional flexibility would be to remove 230-238 from this standard.

If further amendment is determined to be appropriate, staff recommends regulation on a percent basis of the total number of storefronts; however, this will create some administrative challenges for business and property owners.