

Meeting Date:  
February 14, 2022

Location:  
District 4 – Historic Residential Neighborhood; District 5 – Village Core

Request  
Zoning Map Amendment to the Land Development Code

Applicant  
Nate Bailey, Peninsula Architects

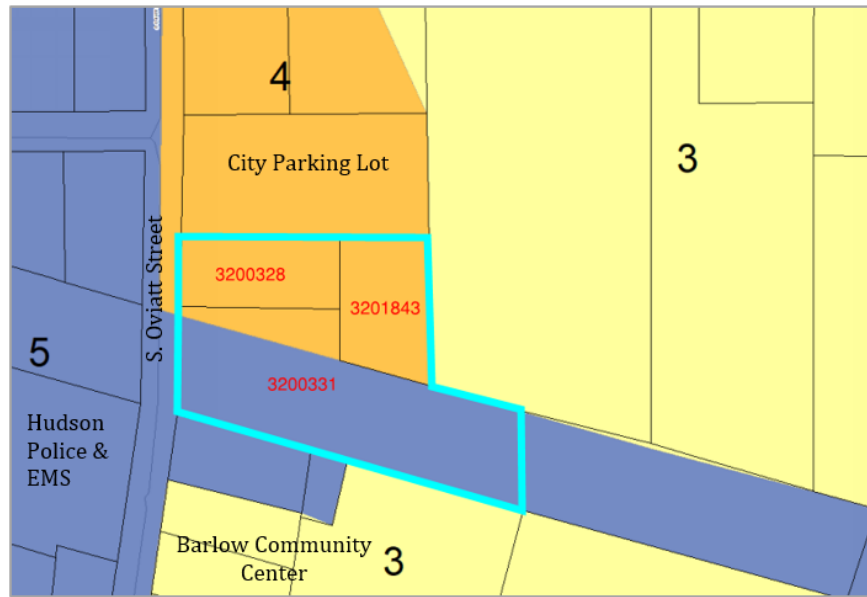
Property Owners  
Hudson Community Living; City of Hudson

Parcels  
3200328, 3200331, 3201843 (Partial)

Case Manager  
Nick Sugar, City Planner

Contents

- Project Narrative, 1.19.22
- Zoning Map Exhibit, 1.24.22
- Conceptual Site Plan, 1.18.22
- Preliminary Review Letter – Hudson Fire Dept., Dated 1.25.22
- Preliminary Review Letter, Engineering Dept. Dated 2.7.22
- Site Photos, 1.28.22



City of Hudson Zoning Map

Zoning District 3 – Outer Village Residential Neighborhood
  Zoning District 4 – Historic Residential Neighborhood
  Zoning District 5 – Village Core District

Area highlighted proposed to be rezoned D3 – Outer Village Residential Neighborhood

City of Hudson Zoning Map

**Project Background:**

The applicant has proposed a zoning map amendment to the Land Development Code to rezone three (3) parcels to Zoning District 3. The parcels include:

Parcel Number	Area (acres)	Owner	Current Use/Improvements	Current Zoning	Proposed Zoning
3200328	.28	Hudson Community Living Company	Single-Family Dwelling – 2016 sq. ft.	D4	D3
3200331	.98	Hudson Community Living Company	Machine Shop (Nonconforming Use) – 10,400 sq. ft.	D4 & D5	D3
3201843 (Partial)	.3	City of Hudson	Residual Land - City Parking Lot	D4	D3

The applicant has submitted a concept plan for an eighteen (18) unit residential development which would house adults with special needs. The Land Development Code classifies the proposed use as *Institutional Residential*. The use is permitted as a conditional use in Districts 3, 6, and 8. The concept plan includes the properties listed above, in addition to parcel #3201170, which is zoned District 3.

**Background Contd.**

**Location**

The properties in question are located along S. Oviatt Street and are adjacent to a public parking lot to the north, a commercial building to the south, the Hudson Police Department and Fire/EMS to the west, and vacant land to the east.



**Considerations**

**District Standards (Section 1204.01) Zoning Map and Text Amendments**

All applications for text or zoning map amendments shall be reviewed by the PC and City Council for compliance with the nine standards set forth within Section 1204.01 of the Land Development Code (LDC). The following provides a list of each applicable standard and brief staff comment:

**(a). Whether or not the proposed amendment is in accordance with the basic intent and purpose of the Land Development Code;**

The purpose and intent of the Land Development Code is stated in Section 1201.03. The purpose statement indicates the regulations of the Land Development Code are intended to implement the City of Hudson Comprehensive Plan. Item (b) on pages 2-3 of the staff report further discusses the Comprehensive Plan.

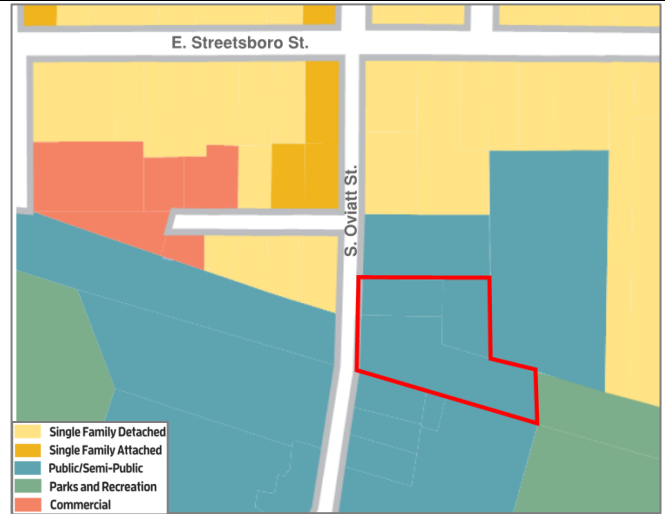
**Zoning District Purpose Statement:** In addition to the purpose statement of Section 1201.03, each zoning district contains a specific purpose statement. The District 3 purpose statement includes *...regulations are intended to continue the predominant single-family detached use, while providing for the addition of single-family, duplexes, and townhomes into the housing mix. Additional uses include supporting institutional uses....*

**(b). Whether or not the proposed amendment furthers the long-range planning goals of the City (as outlined in the City's Comprehensive Plan's goals and objectives);**

The City of Hudson Comprehensive Plan was adopted January 19, 2016. Staff notes the following:

- Land Use Plan Map (Page 24): *The Land Use and Development Plan identifies the future land uses for all areas within the City and provides a framework to guide future planning and land use policy decision.*

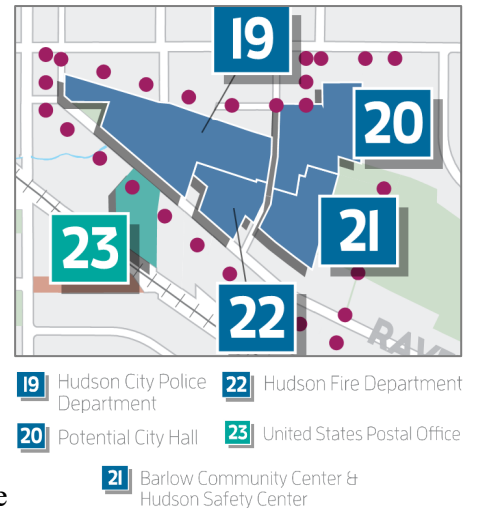
The Land Use Plan Map classified the parcels in question as Public/Semi-Public. This classification is defined as follows; *The Public/Semi-Public land use is composed of institutions and community facilities that define Hudson’s overall quality of life. This use includes both public facilities, such as government facilities and public schools, as well as private facilities such as private schools and religious institutions. Cemeteries are also included with this designation. Public/semi-public land uses and related policies are discussed more in Chapter 9: Community Facilities and Services Plan.* Staff notes the adjacent vacant parcel #3201170 included in the concept plan is also classified as Public/Semi-Public



• Community Facilities and Services Plan (pages 67-73):

The Community Facilities and Services Plan contains general policies and guidelines to help ensure Hudson remains well-served by high quality facilities and services. Services include City services, as well as those services provided by other governmental bodies, such as the public schools district, library, private schools, and a variety of utility providers.

The Plan outlines an *Oviatt Street Civic Campus*, which would be made up of the existing Barlow Community Center (with added EMS offices), existing police station, existing Post Office, existing Fire Station (possibly expanded), and a new Municipal Services Center. The plan is further outlined in the accompanying map.



Staff notes the parcels in question are within the area depicted as the planned municipal services center.

Summary Comment:

When the Comprehensive Plan was written, the City was temporarily leasing office space at 115 Executive Parkway to carry out administrative operations. The City subsequently performed a cost analysis study and determined purchasing an existing building would be more cost effective than a new build. In 2017, The City purchased the property at 1140 Terex Road and renovated to the present City Hall.

While the City currently has no plans to move the existing Fire/EMS building, Police Station, and Barlow Community Center, it is now highly unlikely a new Municipal Services Center would be built at the S. Oviatt Street location.

**(c). Whether or not conditions within the City have changed since the Land Development Code was last adopted/amended, or there was a mistake in the Land Development Code, that justifies the amendment;**

As previously mentioned in Standard (b) above, there is now clarity on the location of the City’s Municipal Services Center, suggesting alternate uses/zoning for the properties in question could be considered.

**(d). Whether or not the amendment corrects an inequitable situation created by the Land Development Code, rather than merely grants special privileges;**

Staff notes current conditions create a challenge in putting the parcels in question to a productive use:

- The building located at 35 S. Oviatt is a nonconforming industrial/machine shop use.
- The single-family dwelling located at 33 S. Oviatt is adjacent to a parking lot and an industrial use. Staff notes the property has been listed for sale on and off since 2018.
- The residual land from the city parking lot is located behind an existing lot (33 S. Oviatt). Staff notes the city has given the authorization to apply for the text amendment with this property included and is also discussing terms of a potential sale.
- The request would allow parcel #3201170 to be put to productive use. This parcel has an area of 2.38 acres and is currently land-locked with no potential access to a public right-of-way.

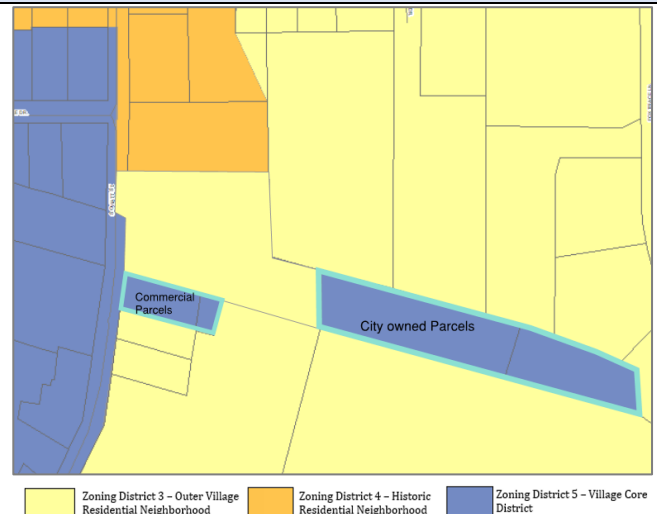
**(e). Whether or not the amendment avoids unlawful exclusionary zoning;**

Staff is not aware of this application creating unlawful exclusionary zoning.

**(f). With respect to zoning map amendments, whether the proposed zoning map amendment is consistent with the zoning classifications of the surrounding land;**

The following exhibit shows a potential zoning map, should the parcels in question be rezoned to District 3. The proposal would create the following inconsistencies with the zoning classifications of the surrounding land:

- City-owned parcel #3204067 and portion of City owned parcel #3200225 would no longer be contiguous to the District 5 zoning District. These parcels are part of the Barlow Community Center retention pond property. Staff notes; however, the remaining Barlow Community Center property is zoned District 3; therefore, these properties could be included into the requested map amendment with no perceived impact.
- Two commercial parcels, #3201037 and #3202111, comprising 37 S. Oviatt Street would now be bordered by Zoning District 3 to the north. The building on the site currently serves as a print shop for a professional printer located on Maple Drive. The property is currently bordered by District 3 to the east and south and is bordered by District 5 to the north and west. Surrounding the property with a different zoning classification could impact its future viability. Staff notes; however, the property is bordered by Barlow Community Center to the south and the east and the community facility is atypical to the more common housing developments of District 3 zoning.



**(g). With respect to zoning map amendments, whether all of the new requirements attendant to the proposed zoning classification can be complied with on the subject parcel(s);**

Staff notes the property in question would have an approximate size of 1.5 acres and a width/frontage of approximately 186 one hundred eighty-five (185) feet. District 3 requires a minimum lot size of 16,000 sq. ft., (.36 acres) and a minimum lot width of one hundred (100) feet. Therefore, a compliant use would be viable.

**(h). Does the amendment affect the city’s ability to provide adequate services, facilities, or programs that might be required if the application were approved; and**

Staff notes the amendment is not anticipated to impact the ability to provide adequate services, facilities, or programs that might be required.

**(i). Whether or not the amendment is necessary to address changed or changing social values, new planning concepts, or other social or economic conditions in the areas affected.**

Staff notes the comprehensive plan documents the intent to support additional housing types in this area not prevalent in the community.

**Required PC Action**

The PC shall conduct a public hearing, make specific recommendations to the City Council, and transmit the application to the City Council, together with the text and map amendments pertaining thereto, within 120 days from the date of initiation of the application for text or official zoning map amendments.

The City Council shall hold a public hearing and take final action within twenty days of said public hearing.

**Recommendation**

Staff recommends the Planning Commission receive testimony at the public hearing and then proceed with consideration of a formal recommendation to City Council. Staff notes the following items that should be addressed as part of a recommendation.

- Zoning status of city-owned parcels #3204067 and #3200225.
- Zoning status of 37 S. Oviatt Street, parcel #3201037.