



CITY OF HUDSON

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DATE: August 6, 2014

TO: City of Hudson Planning Commission for August 11, 2014 Meeting

FROM: Greg Hannan, City Planner
Mark Richardson, Community Development Director

SUBJECT: Public Hearing
Zoning Map Amendment
Permanent Parcel #3009586
District 6 to District 3

PC Case No: 2014-14

Project Introduction

Prestige Homes has applied for a proposed zoning map amendment of Parcel No 3009586 from District 6 Western Hudson Gateway to District 3 Outer Village Residential Neighborhood. The subject parcel contains 90.63 acres and is located on the south side of Boston Mills Road. The map amendment application has been submitted along with a preliminary site specific plan proposing an extension of the adjacent The Reserve at River Oaks project into the subject parcel. This map amendment request is a resubmittal of the application reviewed by Planning Commission per case 2013-23 which was not approved by City Council on May 7, 2014.

Immediately east of the subject parcel is the 355 acre The Reserve at River Oaks Open Space Conservation Subdivision, Phase I of which has received Final Subdivision Plan approval. Commercial office development within District 6 is to the north across Boston Mills Road. Hudson Crossing Commercial/Industrial Park within District 6 is adjacent to the south. The Village of Boston Heights and several multi-acre lots within the City of Hudson border the western boundary of the subject parcel. The abutting development within Boston Heights contains large lot residential along Boston Mills Road and vacant business/industrial land.

The following information is attached to this report.

1. Letter from Chris Brown of Prestige Homes dated May 27, 2014.
2. Letter from Chris Brown of Prestige Homes addressed to City Council received July 17, 2014.
3. Planning Commission staff report without attachments from the June 9, 2014 meeting.

4. Planning Commission staff report without attachments per case 2013-23, the original zoning map amendment request from the December 9, 2013 and March 10, 2014 meetings.
5. Site specific development plan submitted November 15, 2013 by Donald G. Bohning and Associates.
6. Comparison between District 6 and District 3 Development and Use Standards, Dated April 8, 2014.
7. Executive Summary of Traffic Impact Study prepared by TMS Engineers, Inc. dated July 7, 2014.
8. Ordinance 97-156 modifying the 1995 Comprehensive Plan to amend land use concept area 6, "Western Hudson Gateway", and amending Planning Code Section 1205.01.
9. Memorandum from Community Development Director Mark Richardson to City Council, dated April 29, 2014 discussing the wellhead protection area standards.
10. Memorandum from Community Development Director Mark Richardson to City Council, dated April 29, 2014, discussing the Index of Ecological Integrity.

Applicable Approval Procedure

The applicant has resubmitted the map amendment request that was previously not approved per case 2013-23. Neither the request nor the site-specific development plan has changed. At the May 7, 2014 City Council meeting the motion for the map amendment received a tie vote and thus was not approved as it did not receive a majority vote. The applicant has elected to reapply for the map amendment with additional information. The applicant was required to begin the process again.

As a private-party initiated zoning map amendment application, this case is subject to the procedure set forth in Section 1203.03(c)(2). The applicant is before the PC for step three of the below process.

Step	Dates	Notes
Step #1 Planning Commission	June 9, 2014	Preliminary review of the application at a public meeting.
Step #2 City Council	August 6, 2014	City Council conducts a first reading of the application and refers the case back to PC for a public hearing, review of the site specific plan, and recommendation.
Step #3 Planning Commission	August 11, 2014	Planning Commission conducts a public hearing and reviews the site specific plan. Recommendation is forwarded to Council.
Step #4 City Council	September, 2014	City Council conducts a second reading, another public hearing, and takes final action.

Section 1204.01 Zoning Map Amendments

Zoning map amendments are subject to the six standards set forth within Section 1204.01 of the Land Development Code (LDC). Staff provided comment based on applicable standards in the March 2014 and December 2013 staff reports per case 2013-23. These comments are still applicable and are attached to this report. Staff provides a brief summary of other points previously discussed:

1. Impact on the Hudson City School District: Hudson City Schools Business Manager Derek Cluse noted that the school system has the capacity for additional students as their projected enrollment suggests a gradual and continuing decline over the next ten year period.
2. Loss of commercial/industrial tax base: The 2013 commercial/industrial build out report completed by Mr. Matt Beesley on behalf of the Hudson Economic Growth Board did not indicate any potential development on this parcel due to the wetland constraints on the site.
3. History of zoning for the parcel: Below is a brief timeline of the historical zoning:
 - a. The property was within Hudson Township prior to the 1995 merger and zoned R-2. The Township R-2 zoning permitted single family residential development with a minimum lot size of 20,000 square feet.
 - b. The Comprehensive Plan of 1995 proposed the District 6 zoning for the subject area and additional acreage to the east. In 1997 City Council adopted a modification to the Comprehensive Plan description of District 6 to include single family detached and cluster housing.
 - c. The Land Development Code was adopted in 1999 establishing the current District 6 boundary and excluded the residential uses suggested by the 1997 modification to the Comprehensive Plan.
4. Viability of development under the present District 6 zoning:
 - a. The 2013 build out report prepared by Mr. Beesley did not propose any commercial/industrial development of the parcel due to the environmental constraints of the property.
 - b. Staff identified two potential developable areas on the subject parcel. The northern section contains approximately 3-4 acres of buildable area in an elongated strip restricting large scale development. A southern section would be able to accommodate larger scale development as roughly 20-30 acres of area may exist that is developable. A road of at least 2,000 feet in length would need to be constructed to access this area making commercial/industrial development impractical.

In addition to the four discussion points from the March 2014 staff report summarized above, City Council discussion focused on the below points as part of the review of the 2013-23 request. The applicant and staff have submitted additional documentation related to each:

1. Potential reduction in the level of ecological integrity as set forth in Appendix B of the LDC.

Mr. Richardson prepared a memorandum to City Council detailing a review of the Land Characterization Study prepared for the City in December 1996 by ACRT, Inc. According to the memorandum "Staff does not believe it is the intent of the IEI to prevent development as any development would have the potential to reduce the level of ecological integrity. Studying the IEI provides an

understanding of what impact the site specific development plan might have on ecological integrity. Other provisions of the LDC, which are imposed during plan review, guide development way from those areas of highest quality.”

2. Proximity to the City wellhead protection area

Mr. Richardson prepared a memorandum to City Council dated April 29, 2014 which details the wellhead protection area standards of Section 1207.08. The memorandum acknowledges that the proposed 90 acre map amendment parcel is located outside of the wellhead protection area.

3. Loss of commercial/industrial tax base within the city

Staff has previously provided documentation from Economic Development Director Chuck Wiedie indicating no objection to the request and documentation from the 2013 commercial/industrial build out report indicating commercial/industrial development is not likely to occur on the subject parcel.

4. Potential traffic impact generated by residential development versus the existing commercial/industrial zoning

Prestige Homes has submitted a traffic impact study prepared by TMS Engineers Inc. looking at the following potential development scenarios of the subject property:

Option	Land Use	Size	Traffic signal recommended	Turn lanes recommended
1	No Build	0	No	No
2	Single Family Residential–Proposed	88 units	No	No
3	Single Family Residential–Maximum	155 units	No	No
4	Townhouses	309 units	No	No
5	Office Business Park	378,000 sf	Yes	Yes
6	Hi-Rise Office w/ Parking Garage	650,000 sf	Yes	Yes
7	Industrial Park	378,200 sf	Yes	Yes
8	Warehousing/ Distribution Center	378,200 sf	No	No
9	Hospital w/ Parking garage	650,000 sf	Yes	Yes

The traffic impact study acknowledges that none of the proposed residential development scenarios (Options 2,3, & 4) would justify the installation of a traffic signal or turn lanes along the Boston Mills Road right of way. The submitted report indicates Option 8 (Warehousing/Distribution Center) would create the least traffic impact of the proposed commercial/industrial options and the least impact of all development options followed by Option 2, the applicant’s requested 88 unit single family residential development. The additional

commercial/industrial scenarios (Option 5,6,8, and 9) would justify a traffic signal at Boston Mills Road and turn lanes; however these scenarios represent fairly dense, intensive development which are not likely to be established at the site and which the residential developer and property owner have no intention of developing. The study is currently under review by the Engineering Department. Applicable comments will be forward by the August 11, 2014 meeting.

Adjacent Development

Three residual parcels along Boston Mills Road west of the subject property have been discussed for inclusion within the proposed map amendment.

Parcel No.	Address	Acreage	Present Use
3001861	780 Boston Mills Rd	1.77	Office use in converted residential structure
3000920	Boston Mills Rd	1.89	Undeveloped
3000580	800 Boston Mills Rd	10.54	Single family residential

As part of the City Council consideration of case 2013-23, The two property owners forwarded written correspondence regarding the request. The owner of parcels 30011861 and 3000920 has stated they are in support of the requested map amendment and have requested that their parcels be added to the map amendment consideration. The owner of 3000580 has stated a desire to keep their property within the current District 6 zoning. Although Planning Commission can make a recommendation regarding these parcels, the current application can be expedited by acting on only the requested parcel at this time. The property owners of the three adjacent parcels can pursue a map amendment as a separate application if they wish along with a site specific development plan.

Required PC Action, Chapter 1203.03(c)(2)(A)

PC shall proceed with formal consideration at a public hearing regarding the proposed map amendment. The Planning Commission shall make specific recommendations for final action to City Council. City Council shall then conduct a public hearing and take final action. An amendment before City Council for consideration shall take effect only if passed or approved by not less than five members of City Council.

Recommendation

Pending testimony offered at the public hearing, staff recommends that Planning Commission recommend that Council approve the requested map amendment of Parcel No. 3009586 from District 6 Western Hudson Gateway to District 3 Outer Village Residential neighborhood Overlay.

If Planning Commission agrees with this recommendation it may use the following as the basis for its recommendation to Council:

Based on the evidence and representations to the Commission by Prestige Builders, 17 West Streetsboro Street, Hudson, Ohio 44236, as applicant, City staff and other interested parties, at a

public hearing of the Planning Commission held at its regular meeting on August 11, 2014, the Planning Commission in Case No. 2014-14 recommends that City Council approve draft Ordinance No. 14-106 AN ORDINANCE AMENDING PART TWELVE OF THE ORDINANCES OF HUDSON TO AMEND THE OFFICIAL ZONING DISTRICT MAP TO REZONE SUMMIT COUNTY TAX PARCEL 3009586 WHICH IS SOUTH OF BOSTON MILLS ROAD AT THE CORPORATE LIMITS WITH THE VILLAGE OF BOSTON HEIGHTS FROM “DISTRICT 6 – WESTERN HUDSON GATEWAY” TO “DISTRICT 3: OUTER VILLAGE RESIDENTIAL NEIGHBORHOOD ZONE”

Planning Commission bases its recommendation to approve the zoning map amendment on the application’s conformance with the standards listed in Section 1204.01 of the Land Development Code as Follows:

1. The site-specific development plan is compatible and consistent with the policies and intent of the Comprehensive Plan and with existing growth and development patterns in the City.
2. The site specific development plan complies with all applicable standards for review of Planned Developments including those related to adverse impact.
3. The site specific development plan complies with all applicable Zoning Development and Site Plan Standards set forth at Chapter 1207.
4. The site specific development plan directs development away from areas with high ecological integrity as stipulated in the Index of Ecological Integrity.
5. The City has the ability to provide adequate services, facilities, or programs that would be required if the map amendment and site specific development plan are approved.
6. The map amendment is necessary to address new planning concepts and economic conditions in this area of the City.
7. The Planning Commission also notes the following:
 - a. Hudson City School District has stated the ability to accommodate additional students and have experienced a sustained and further projected decline in enrollment.
 - b. Hudson Economic Development Corporation determined in the 2013 Commercial-Industrial Build-Out Analysis that the subject parcel does not represent a developable parcel for commercial-industrial development.
 - c. Staff analysis has determined the existing site constraints make commercial and industrial development impractical.
 - d. The submitted traffic impact study prepared by TMS Engineers Inc. documents the proposed residential development would have a comparable or less intensive traffic impact than development permitted under the current District 6 zoning.