



COMMUNITY DEVELOPMENT • 115 Executive Parkway, Suite 400 • Hudson, Ohio 44236 • (330) 342-1790

DATE: December 5, 2018

TO: City of Hudson Planning Commission for December 10, 2018 Meeting

FROM: Kris McMaster, City Planner
Greg Hannan, Community Development Director

SUBJECT: Preliminary Review Zoning Map Amendment
Permanent Parcel # 30-01071, 30-01072, 30-01155
District 6 - Western Hudson Gateway to District 1- Suburban Residential Neighborhood.

Case No: 2018-5029

Project Introduction

The application has been received for an amendment to the Official Zoning Map. The requested proposed zoning map amendment is to rezone the below referenced vacant parcels from District 6 - Western Hudson Gateway to District 1 – Suburban Residential Neighborhood. The property is being considered for a map amendment to allow the subject properties to be marketed for future single-family residential development.

The subject parcels are:

Parcel No.	Acreage
30-01071	0.92
30-01072	0.92
30-01155	1.88
Total	3.72

The subject properties are between Martin Drive and Terex Road in the Chittenden Acres Subdivision. To the west, north and east is single family residential and to the south is land owned by Ohio Edison. Mr. John Carse, representing the Michael L Martin, Trustee of the Hudson Property Land Trust under Declaration of Trust dated 11/9/2001 would like to be able to

construct single family residential home on the parcels. Mr. Carse has indicated, and staff concurs that the properties were rezoned to District 6 when the Land Development Code (LDC) was adopted in 1999. Prior to the adoption of the LDC the properties were in the former Hudson Township zoned residential. Mr. Carse has indicated that since adoption of LDC the properties have not been able to sell for development under the permitted uses within District 6. The map amendment is being pursued to return the permitted use to residential to allow single family residential currently already established adjacent to the properties. The subject parcels, if rezoned would not be restricted to single family residential and could be developed with any use permitted in District 1.

The following information is attached to this report.

1. District 1 and District 6 Use Comparison.
2. Trustee's Deed dated 11/19/2001.
3. GIS view of property.
4. City of Hudson Zoning District Map, January 2017.
5. Comprehensive Plan 2004, Potential Non-Residential Development Areas, Pg. 3.7.
6. Comprehensive Plan 2015 Land Use Plan Map Pg. 23.
7. Comprehensive Plan 2015 Land Use & Development Plan. Pg. 24.
8. Proposed locations of home placements and driveways of the properties.
9. Water and sanitary connections to properties.

Applicable Approval Procedure

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

	Step	Meeting Date
1	Planning Commission Preliminary Review	December 10, 2018
2	Council First Reading and Referral to Planning Commission	January 22, 2019
3	Planning Commission Pubic Hearing and Recommendation	February 11, 2019
4	Council Public Hearing and Second Reading	March 5, 2019
5	Council Third Reading and Action	March 19, 2019

Section 1204.01 Zoning Map Amendments

Zoning map amendments are subject to the following six standards set forth within Section of the Land Development Code (LDC). We provide brief comment for each standard in *italics*.

1. The site-specific development plan, which the proposed amendment to this Code would allow, is compatible and consistent with the policies and intent of the Comprehensive Plan and with existing growth and development patterns in the city. *The 2004 Comprehensive Plan, page 3.7 shows the Potential Non-Residential Development Areas where development or redevelopment should be directed. The subject properties are within the area for non-residential growth. The 2015 Comprehensive Plan, page 23 sites*

under the Goal & Recommendations “Direct new residential and non-residential development to areas planned for such uses within the Land Use Plan, so that future land use patterns maximize the use and efficiency of public services, existing and planned infrastructure, and protect and reinforce existing land uses. The requested zoning map amendment to allow single family residential align with the land use maps of the 2004 and 2015 plans.

2. The site-specific development plan complies with all applicable standards for review of planned developments as set forth in Section 1204.02. *This provision does not apply as a Planned Development is not being requested.*
3. The site-specific development plan complies with all applicable requirements set forth in Chapter 1207, "Zoning Development and Site Plan Standards," of this Code, except to the extent modifications, variances, or waivers have been expressly allowed. *The draft site specific plan generally complies with applicable standards of Section 1207. Staff notes the if the applicant develops housing facing Terex Road the front yard setback of 100 feet would apply for an arterial road. The City has the ability to provide public services to the site from Terex Road.*
4. The site-specific development plan would not have the potential to reduce the level of ecological integrity from the existing level to a lesser level as shown on any of the individual metrics or the undeveloped composite set forth in Appendix B to this Code. *The site is currently vacant land and the construction of a single-family residential home would not be anticipated to reduce the level of ecological integrity from the existing level of permitted uses in District 6.*
5. The City shall have the ability to provide adequate services, facilities, or programs that might be required if the application were approved. *The applicant is proposing to use utilities from Terex Road verses applying for variances to allow a water well and septic system from Martin Road where utilities are not available.*
6. The amendment is necessary to address changed or changing social values, new planning concepts, or other social or economic conditions in the areas affected. *The 2015 Comprehensive Plan, page 13, cites the following for District 6 for Economic Growth; “The district provided commercial and industrial development opportunities along the western border. Permitted uses encourages the development of high-quality office and industrial parks that can benefit from easy access to Route 8” Staff notes the Commercial Development north of Route 303, Hudson Industrial Crossing has significant growth in business commercial development.*

Findings: Section 1204.01 Zoning Text Amendments

Staff finds that the proposal is worthy of consideration and recommends PC forward the application to Council for first reading and formal referral back to PC for consideration of the

site-specific development plan, the conducting of a public hearing and formal recommendation.

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

PC action shall first consist of a preliminary review of the application at a public meeting. Within thirty (30) days for the date of the PC's public meeting, the applicant shall prepare a final site-specific development plan. Council will then conduct a first reading and refer the matter back to PC for a public hearing and recommendation for final action.

Recommendation

Staff recommends the Planning Commission forward to City Council the zoning map amendment request for Parcel No. 30-01071, 30-01072, and 30-01155 from District 6 Western Hudson Gateway to District 1 Suburban Residential Neighborhood.

District 1 and District 6 Use Comparison

Use Type

P=Permitted Use C=Conditonal Use	Zoning District 1	Zoning District 6
Assisted Living		C
Duplex		
Dwelling units stacked above or mixed with offices or other commercial space		
Family day care home, small (1—6 children)	P	
Model Home	C	
Multi-Family		
Residential group homes for up to 5 handicapped/elderly people	P	
Residential group homes for 6—8 handicapped/elderly people	C	
Single Family, Attached	C	
Single Family, Detached	P	
Townhomes	C	
Open Space Conservation Subdivisions	C	
Shared Driveways for Dwellings	C	
Commercial/Retail		
Adult businesses		P *
Artisan studios, photography studios and shops, and art galleries		
Assembly and Meeting Halls		C
Automated teller machines (ATMs)		
Automobile repair and services		C*
Automobile service stations		
Automotive dealers		
Bank or other financial institution		P*
Bar or tavern		
Bar or tavern located within 200 feet of a residential use		
Bed and breakfast inn	C	
Boarding Kennel		
Family day care home, large (7—12 children)		
Car Wash		
Commercial nurseries		C
Commercial operations that involve operation, parking, and maintenance of vehicles, cleaning of equipment, or work processes involving solvents, transfer stations, storage of goods, including self storage.		C

District 1 and District 6 Use Comparison

Use Type

P=Permitted Use C=Conditonal Use	Zoning District 1	Zoning District 6
Convenience store		
Day care center, child or adult		C
Entertainment and amusement facilities, indoor		
Funeral Home		
Golf course, private	C	
Liquor store		
Lodging		C
Medical clinics		P
Office, business or professional		P
Office business park		P
Parking lot as principal use		
Parking structure as principal use		
Private membership recreational facility or club	C	
Recording, radio or television studios		P
Recreational facilities, commercial or sports training facility		C
Recreational facilities, outdoor		
Restaurant		P*
Restaurant located within 200 feet of a residential use		
Retail Uses		P*
Retail with outdoor sales or storage		
Services, business		P*
Services, personal		P*
Services, repair		P*
Showrooms and salesrooms for wholesale distribution		P
Wholesale trade		P
Vehicle and equipment rentals		C
Vehicle repair/services		C
Veterinary facility, small animal clinic (allow overnight, indoor boarding)		
Wireless Telecom Facilities		C
Industrial Uses		
Industrial use, light		P
Industrial use, heavy		C
Industrial business park		P
RV, boat, or truck storage		C
Research laboratory		P
Resource recovery operations		P*

District 1 and District 6 Use Comparison

Use Type

P=Permitted Use C=Conditional Use	Zoning District 1	Zoning District 6
Warehousing, distribution, and storage		P*
Workshops and custom small industry uses		P
Planned Developments		
Planned Development	P	P
Institutional/Civic/Public Uses		
Cemetery	C	
Continuing care retirement community		C
Convention or conference center		C
Installations by essential public utility and public services, including but not limited to bus shelters and bus stops, but not including water towers, power generating stations, transfer stations, or outdoor storage	P	P
Golf course, public	C	
Government administrative offices, and services		P
Government public works and service facilities		P
Hospitals, including heliports as accessory use		C
Institutional residential for the handicapped or elderly (for 9 or more people)		C
Places of religious worship, including churches and synagogues. Religious schools and day care centers may be permitted as accessory uses within the same structure as the principal conditional use.	C	
Public safety and emergency services	P	P
Public (noncommercial) facility for composting		
Public recreational facilities, indoor or outdoor	P*/C*	P
Public, non-profit, or private cultural facilities		
Public park or recreation area, including multi-	P	P
Schools, public or private—preschool, elementary, secondary, or post-secondary; ** (including dormitories)	C	
Transportation facilities without repairs (bus terminal, depot, etc.)		
Agricultural		
General agricultural operations	P*/C	C

* additional conditions

TRUSTEE'S DEED

KNOW ALL MEN BY THESE PRESENTS:

That **MICHAEL L. MILLER, TRUSTEE**, ("Grantor"), hereby grants and conveys with general warranty covenants and the covenant that he is empowered to convey as trustee with fiduciary covenants, to **MICHAEL L. MILLER, TRUSTEE OF THE HUDSON PROPERTY LAND TRUST** under Declaration of Trust dated 11/9/01, ("Grantee"), and his successors and assigns, the following described property:

Situated in the Village of Hudson, County of Summit and State of Ohio; and known as being Lot Nos. 14, 15 and 16 of the Chittenden Acres Allotment as recorded in Plat Book 27, Page 47 of Summit County Records.

PPN: HU-0410-02-003	Account No.: 30-01072
PPN: HU-0410-02-004	Account No.: 30-01071
PPN: HU-0410-02-005	Account No.: 30-01155

Prior Instrument Reference
Volume OR 1961, Pages 775-776
Volume OR 481, Pages 361-362
Summit County, Ohio, Official Records.

Description approved by Tax Maps
Approval good for 30 days from
11-19-01 HU/410

The Grantee's tax mailing address is Rockefeller Building, Suite 200, 614 West Superior avenue, Cleveland, Ohio 44113.

This conveyance is subject to conditions, covenants, restrictions, reservations, and easements of record; all legal highways; zoning and building resolutions; rights of tenants including oil and gas lessees, and real estate taxes and assessments, both general and special, not yet due and payable, which Grantee assumes and agrees to pay.

IN WITNESS WHEREOF, the undersigned has hereunto subscribed his hand effective the 9th day of November, 2001.

Witnessed and acknowledged
in the presence of:

Jean Charvat
Print Name: JEAN CHARVAT

Michael L. Miller, Trustee
Michael L. Miller, Trustee

Connie Burger
Print Name: CONNIE BURGER

 54623100
Page: 1 of 2
11/19/2001 02:18P
DE 14.00
FRANK WILLIAMS, SUMMIT CO AUDITOR

STATE OF OHIO)
) SS.
COUNTY OF CUYAHOGA)

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above named Michael L. Miller, Trustee, who acknowledged that he did sign the foregoing Trustee's Deed and that the same is his free act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal, at Cleveland, Ohio, effective the 9th day of November, 2001.

Jeannette F. Charvat

NOTARY PUBLIC

JEANNETTE F. CHARVAT
Notary Public, State of Ohio, Cuy. Cty.
My Commission Expires Dec. 18, 2005

Plac. This instrument prepared by:
Attorney Nicholas T. George
BUCKINGHAM, DOOLITTLE & BURROUGHS, LLP
50 S. Main Street; P. O. Box 1500
Akron, Ohio 44309-1500
(330) 376-5300

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23603
TRANSFERRED IN COMPLIANCE WITH
SEC. 319.202 REV. CODE

\$ exempt \$ M FEE
Consideration
FRANK WILLIAMS BY [Signature]
County Auditor Deputy Auditor
No of pages 2

TRANSFERRED
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FRANK WILLIAMS
COUNTY AUDITOR

 54623100
Page: 2 of 2
11/19/2001 02:18P
DE 14.00
FRANK WILLIAMS, SUMMIT CO AUDITOR

PARTNERSHIP
Of
MARTIN AVENUE

AKA: Chittenden Acres Lots: 14, 15 & 16

To : The City of Hudson, Ohio 44236
Planning and Economic Development

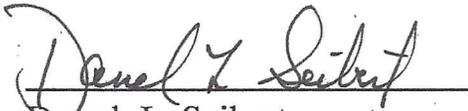
To: Kris McMaster
Assistant Planner

Regarding: By signing below, the Five Partnership Owners (an undivided equal share)
of Martin Avenue Lot Numbers 14 (Per. Par # 30-01072), 15 (Per. Par. #
30-01073) & 16 (Per. Par. # 30-01155) agree to submit said Lots to
REZONING of said Lots from Hudson **District 6** to Hudson **District 1** at the
Planning Commission Meeting on December 10, 2018

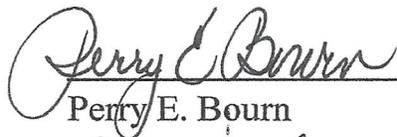
Partnership Members are:

**Darrel L. Seibert, Perry E. Bourn, John J. Carse, Mrs. Judy Payne and
Diana Lauren Miller.**

By signing below we Partnership Members hereby agree to the above.



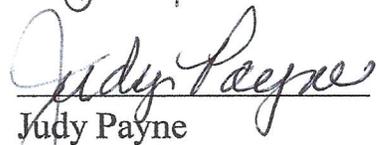
Darrel L. Seibert 10/15/18
Date



Perry E. Bourn 10/15/18
Date



John J. Carse 10/15/18
Date



Judy Payne 11-6/18
Date



Diana Lauren Miller



10-30-18
Date

Prepared by the Owners

City of Hudson, OH



1 Miller Michael L Trustee MARTIN DR	3 Miller Michael L Trustee MARTIN DR	
2 Miller Michael L Trustee MARTIN DR		

Disclaimer: Map and parcel data are believed to be accurate, but accuracy is not guaranteed. This is not a legal document and should not be substituted for a title search, appraisal, survey, or for zoning verification.

Map Scale
1 inch = 154 feet
 12/4/2018

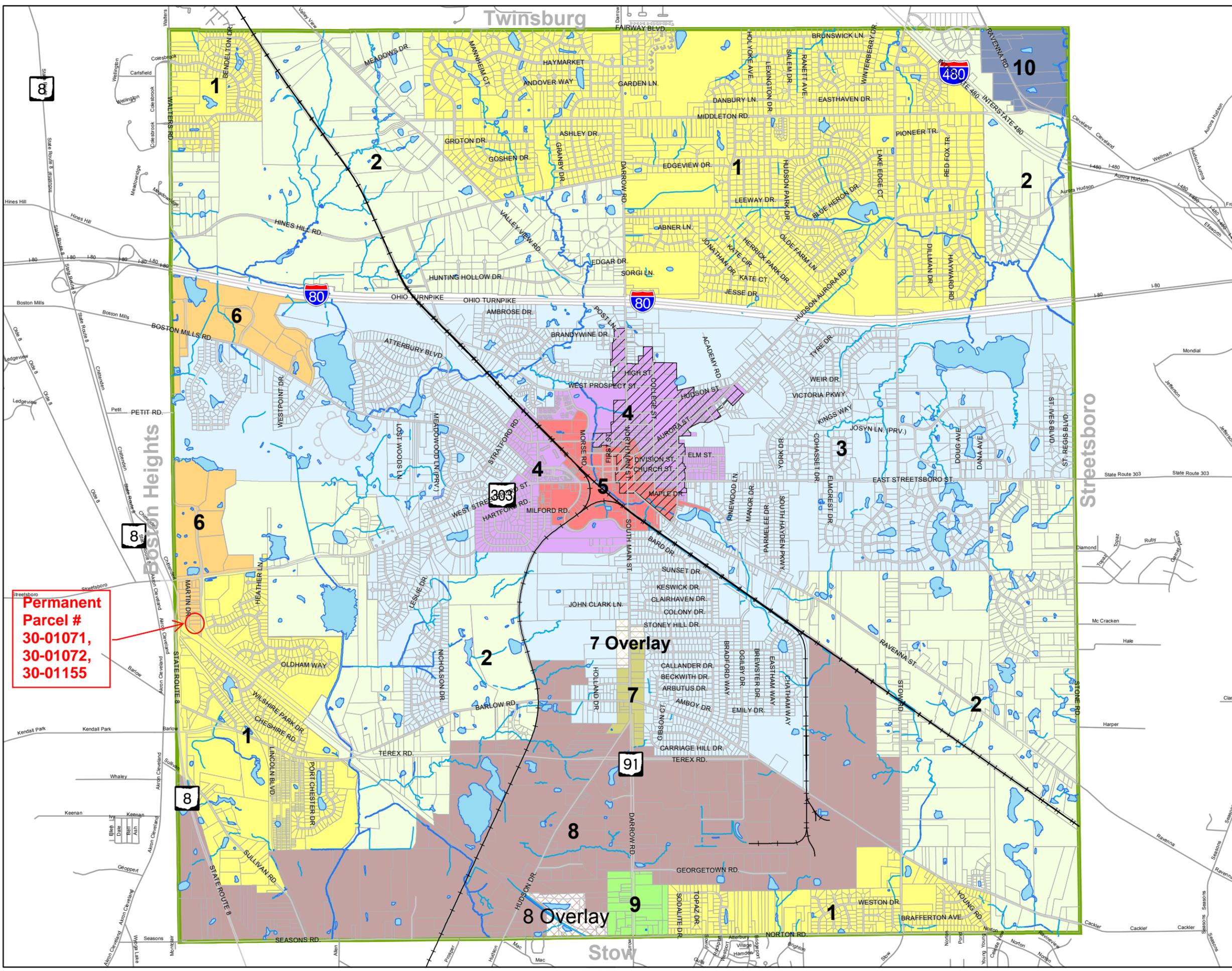
City of Hudson Community Development Map Zoning Districts

Legend

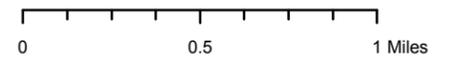
- Railroads
- Lakes & Ponds
- Historic District
- Rivers & Streams
- Parcels
- Hudson Boundary

Districts

- 1-Suburban Residential Nbhd.
- 2-Rural Residential Conservation
- 3-Outer Village Residential Nbhd.
- 4-Historic Residential Nbhd.
- 5-Village Core District
- 6-Western Hudson Gateway
- 7-Outer Village Commercial Corridor
- District 7 Office Overlay
- 8-Industrial/Business Park
- District 8 HB Senior Housing Overlay
- 9-Darrowville Commercial Corridor
- 10-Ravenna Road Corridor



Permanent
Parcel #
30-01071,
30-01072,
30-01155



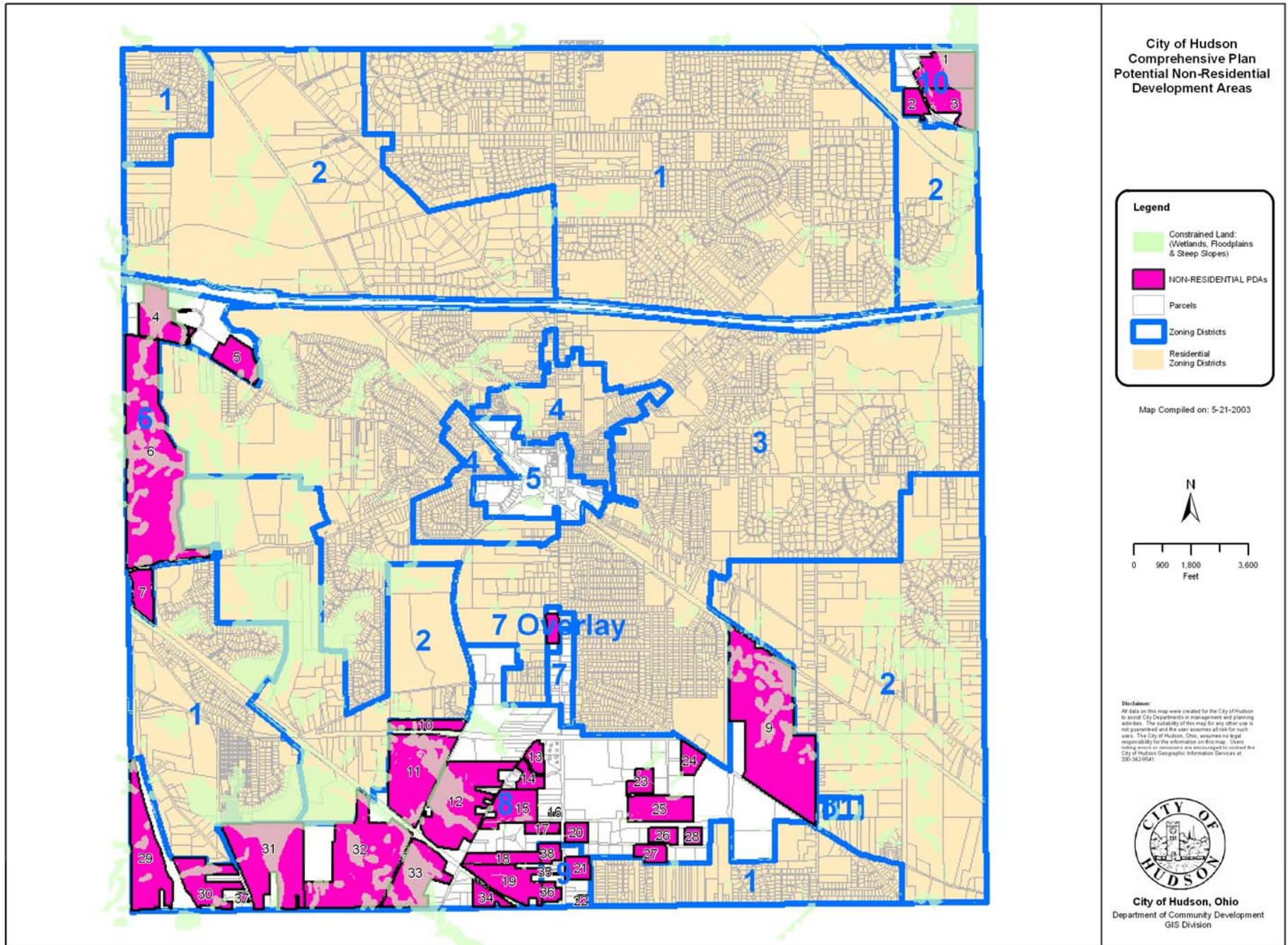
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City of Hudson, Ohio
Department of Community Development
GIS Division

Map Compiled: January 2017

2004 Comprehensive Plan



Map 3.4 Non-Residential Development Areas Map

LAND USE & DEVELOPMENT PLAN

Land use and development patterns have significant implications on the appearance, character, form, and function of the community. Over the past decades, Hudson's built environment has been meticulously managed and the community's attractive and historic physical character is its most defining feature.

The Land Use and Development Plan identifies desired future land uses for all areas within the City of Hudson and provides a framework to guide future planning and land use policy decisions. At its core, it represents a continuation of, and not a departure from, Hudson's past planning efforts in 1995 and 2004. However, these efforts have been updated and adapted in this Plan to accommodate changing market and demographic trends and the evolving views of the community.

The Land Use & Development Plan is composed of three main parts:

- The **Land Use Plan**, detailing community-wide land use;
- The **Residential Areas Framework Plan**, detailing policies and recommendations for residential areas, character areas, housing types and tenures, and the existing Growth Management Allocation System;
- The **Commercial & Employment Areas Framework Plan**, detailing policies and recommendations for the City's major commercial and employment areas, including Downtown Hudson, commercial corridors, office areas, business parks, and industrial areas.

GOAL 2 RECOMMENDATIONS

Support a healthy balance of land uses that can continue to make Hudson an attractive place to live and work, and carefully manage new growth and investment to ensure preservation of the community's historic character and small-town charm.

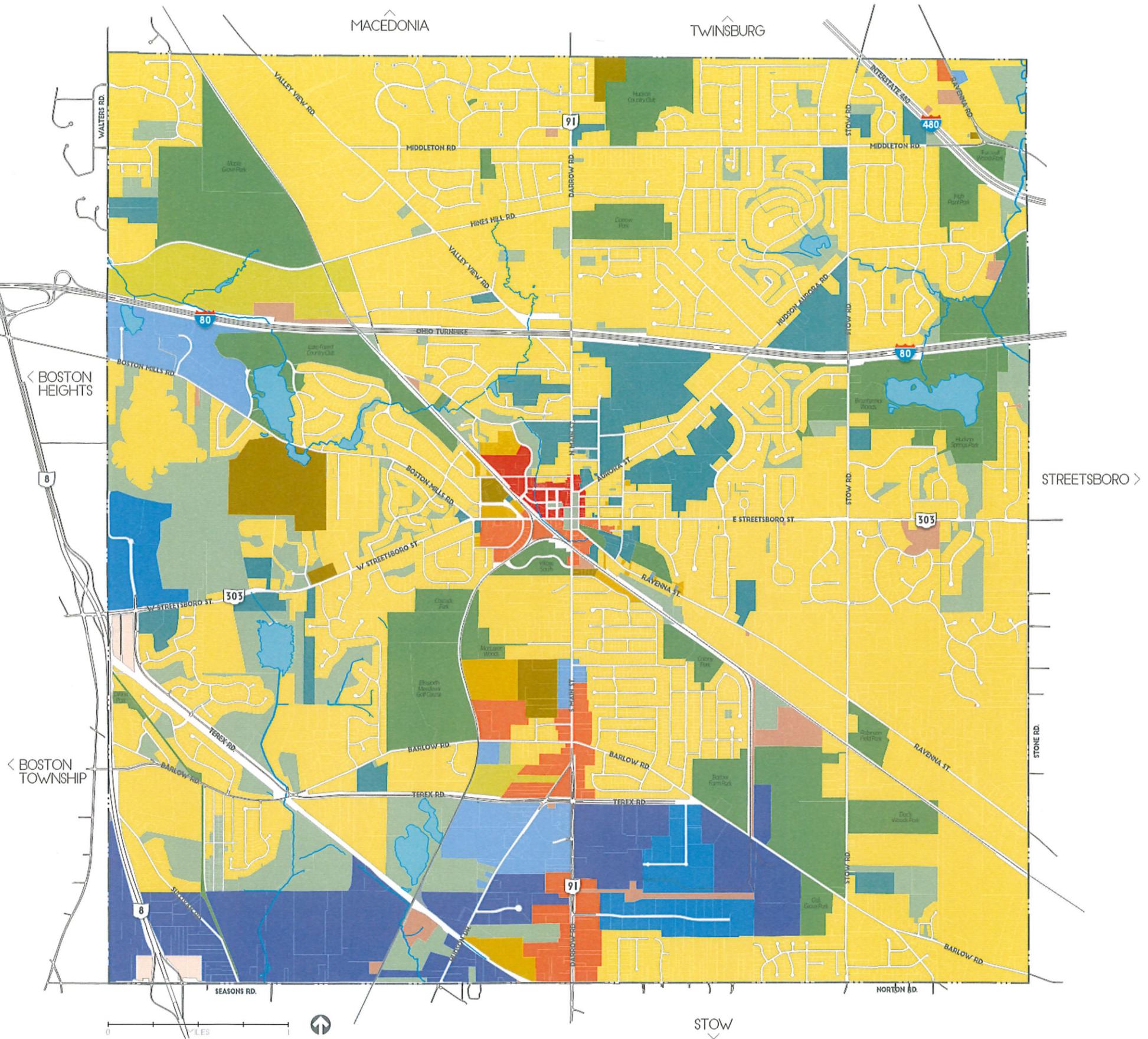
- Support the creation and maintenance of stable residential neighborhoods, ranging from medium or large lot single family homes to small lot single family detached homes, duplexes, town-homes, condominiums, and apartments.
- Enhance Downtown Hudson as the physical, civic, cultural, and social heart of the community and an exciting mixed-use environment.
- Concentrate commercial corridor uses at key nodes along Route 303 and 91.
- Support the creation and maintenance of offices, industrial areas, and business parks of varying sizes that can accommodate a diverse array of industries, support well-paying jobs, and generate new tax revenue.
- Support the creation and maintenance of an integrated network of parks and open spaces that preserve Hudson's rural heritage, protect the natural environment and health of the community, and allow for recreational opportunities.
- Prioritize development in areas of Hudson that are already served by infrastructure and services before investing in less developed areas.
- Discourage the premature or unnecessary conversion of farmland or rural residential areas.
- Support the mission of the Western Reserve Land Conservancy and the usage of conservation easements to prevent development of environmentally sensitive and rural areas.
- Direct new residential and non-residential development to areas planned for such uses within the Land Use Plan, so that future land use patterns maximize the use and efficiency of public services, existing and planned infrastructure, and protect and reinforce existing land uses.
- Continue to ensure new development reflects the scale of existing development within Hudson.
- Continue to rigorously evaluate development proposals to ensure the intensity of any new development does not overburden existing and planned utility systems, water resources, schools, roads, and other infrastructure and taxing bodies.
- Continue to ensure that new developments utilize quality building materials, appropriately sensitive environmental strategies, and employ an architectural design that is in keeping with the existing character of the community and the Land Development Code.
- Identify the highest, best, and most appropriate use for the YDC site.

LAND USE PLAN

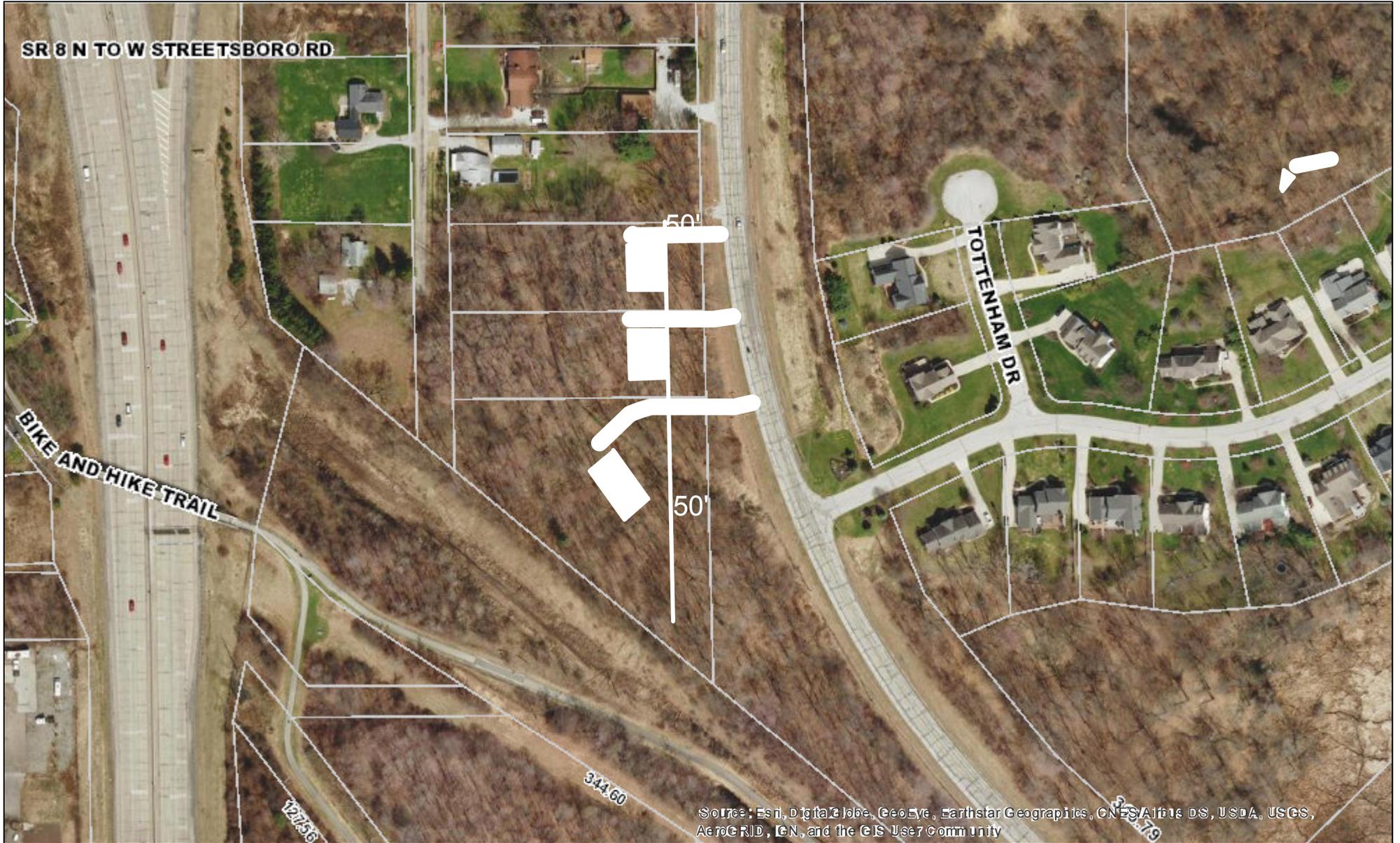
The Land Use and Development Plan identifies desired future land uses for all areas within the City of Hudson and provides a framework to guide future planning and land use policy decisions. It supports a healthy balance of land uses that can continue to make Hudson an attractive place to live and work, while preserving Hudson's historic character and small-town charm. Downtown Hudson remains the heart of the city, with commercial and office uses clustered along main corridors. Stable and peaceful single family detached neighborhoods are the "building block" of the community, with an adequate mixture of smaller and denser residential units to help diversify the stock. Employment areas in the south accommodate a diverse array of businesses and support well-paying jobs.

MAP KEY

- Single Family Detached**
Single Family Detached homes are stand-alone housing units with one unit per parcel and are the predominant land use within Hudson.
- Single Family Attached**
Single Family Attached homes include townhomes, rowhomes, or duplexes, and should be mostly located within or near Downtown Hudson, major corridors, and commercial areas.
- Multi-Family**
Multi-Family residences include apartments, condominiums, and senior housing. They should be located within or near Downtown Hudson, major corridors, and commercial areas, and should be in keeping with the quality and appearance of Hudson's neighborhoods.
- Core Mixed-Use**
The Core Mixed-Use area comprises Downtown Hudson and consists of a blend of uses within a vibrant and walkable environment.
- Commercial**
Commercial uses include a range of uses that provide for the day-to-day retail and service needs, including restaurants, retail shops, entertainment venues, grocery stores, and service uses. Office uses are also supported within the commercial designation, where appropriate.
- Interchange Commercial**
The Interchange Commercial designation accommodates commercial uses near Route 8 interchanges at Route 303 and Seasons Road. These areas are oriented towards a more regional and automotive audience than other commercial areas of the community.
- Office**
Office uses are composed of professional offices and medical uses. It is also appropriate for office uses to be found within areas designated as Commercial and Business Park Flex on the Land Use Map.
- Business Park Flex**
The Business Park Flex designation accommodates many of Hudson's business parks that permit a blend of light industrial and office uses within a subdivision-like or campus-like setting.
- Industrial**
Industrial uses include higher-intensity land uses such as processing, manufacturing, storage, or distribution of goods.
- Parks and Recreation**
Parks and Recreation areas include grounds used for active recreation, including parks, athletic fields, trails, playgrounds, and golf courses.
- Open Space**
Open Spaces are natural areas that are set aside for conservation purposes, are not conducive to development due to flooding or topographical issues, and/or provide passive green space within a subdivision or development.
- Public/Semi-Public**
The Public/Semi-Public land use is composed of institutions and community facilities that define Hudson's overall quality of life.
- Utilities / Rail**
Utilities and railroad rights-of-way and facilities provide critical infrastructure throughout the city.
- Flex**
The Flex designation is a special land use category reserved for two properties owned by the City of Hudson whose future use will be dictated by a combination of the City's administrative and operational needs as well as community attitudes and market forces.



House Locations and Driveways



November 9, 2018

Override 1

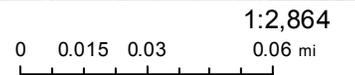
Override 2

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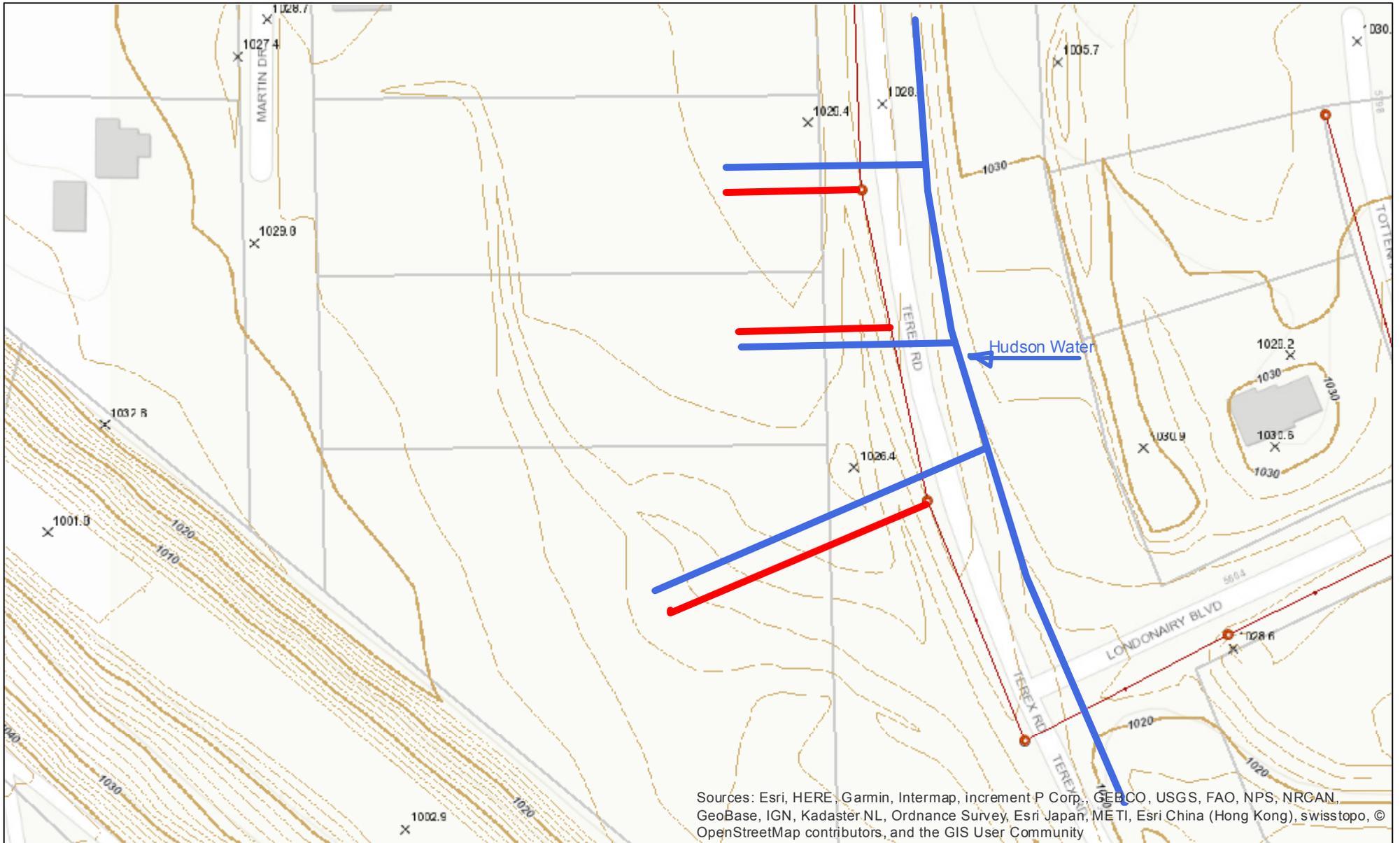


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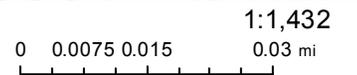
Sanitary Sewer Connections and water connections



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, © OpenStreetMap contributors, and the GIS User Community

November 9, 2018

- Valves
- Manholes (Private)
- Manholes
- Manholes Split
- Pump Stations
- Grinder Pumps



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