



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

## **PLANNING COMMISSION**

### **CASE NO. 22-822**

### **CONDITIONAL USE AND SITE PLAN – HUDSON COMMUNITY LIVING**

**33 S. OVIATT, 35 S. OVIATT, PARCEL #3201170,**

**PARCEL #3201843 (PARTIAL)**

### **FINAL DECISION**

Based on the evidence and representations to the Commission by Chris Gurreri, Hudson Community Living, and City staff at a public meeting of the Planning Commission held at the regular meeting on September 12, 2022, continued to the regular meeting on November 14, 2022, and then continued to the regular meeting on December 12, 2022, the Planning Commission approves the Conditional Use and Site Plan Request for Hudson Community Living, an Institutional Residential Use, in Case 22-822 for an approximate four acre site containing parcels 3200328, 3200331, 3201170, and 3201843 (partial) according to plans received November 14, 2022 and November 28, 2022 as the Planning Commission finds the application is in compliance with the general conditional use standards of Section 1206.02(b) and the Special Conditions and Standards 1206.02(c)(4),(14),&(22) applicable to Institutional Residential Uses.

The Planning Commission makes the following Findings of Fact:

1. The proposed use is in compliance with the Section 1213.02(160) definition of Residential Institutional Use as the proposed use will accommodate nine or more unrelated persons who are developmentally disabled and will provide optional group facilities/services including daily check ins, optional meal service, regular programming, and point of contact services for outside agencies. The applicant has additionally proposed a deed restriction on the property to further direct the proposed use.
2. The proposed institutional residential use is permitted as a conditional use within District 3 and is in compliance with the Section 1206.02(b) general conditional use criteria as:
  - a. The proposed use is consistent with the Comprehensive Plan;
  - b. The proposed use is physically and operationally compatible with the surrounding neighborhood including the use of low, residential scaled lighting and a privacy fence;
  - c. The proposed use can be generally accommodated on the site consistent with architectural and design standards;
  - d. Access points are located away from intersections and provide adequate sight distances;
  - e. Traffic circulation patterns shall not adversely impact adjacent uses as documented in the trip generation study prepared by TMS Engineers;
  - f. The proposed use will be served by public facilities and services;
  - g. Adequate parking is provided including 17 parking spaces and single car garages;
  - h. Fencing and landscaping in excess of standards have been incorporated including Bufferyard D (25 ft depth) and a six foot privacy fence; and
  - i. The proposed use is compatible with the existing neighborhood by use of architecture, orientation of structures and parking, and landscape buffer including the internal orientation of the buildings, the landscape/fence design in excess of code requirements, and the reduction in unit count to a maximum of sixteen units.

3. The proposed use is in compliance with the Section 1206.(c) Special Conditions and Standards criteria relevant to Institutional Residential uses as
  - a. No state licensing is applicable, adequate provisions for emergency medical and fire vehicles has been made;
  - b. Twenty four hour supervision shall be present;
  - c. No kitchen facilities shall be located in any bedroom; and
  - d. The use complies with occupancy standards and off street parking requirements.
4. The proposed site plan is in compliance with the Section 1205 District Standards as the layout complies with the minimum setback requirements, distance between buildings, orientation, and pedestrian accommodations.
5. The proposed site plan is in compliance with the Section 1207 Site Plan Standards as:
  - a. The proposed 45.6% impervious surface coverage is less than the maximum 60% permitted
  - b. The proposed site plan complies with the required Bufferyard D and additionally includes a six foot privacy fence in excess of the bufferyard requirement.
  - c. Stormwater management will be incorporated under the review of the Asst City Engineer.
  - d. The site plan proposes low in height, residential scaled exterior lighting.

The Planning Commission decision shall be subject to the following conditions:

1. Site plan shall be revised to reposition the fencing in the northwest and southeast portions of the site so as to be located closer to the private drive on a higher slope.
2. The submitted deed restriction shall be reviewed and accepted by the City Solicitor and recorded prior to issuance of a zoning certificate.
3. A variance shall be obtained from the Board of Zoning and Building Appeals from Section 1207.03 Wetland/Stream Corridor Protection to fill the approximate 0.2 acres of delineated wetlands onsite.
4. The comments of Assistant City Engineer David Rapp shall be addressed per the December 5, 2022 correspondence.
5. The site plan shall be revised to incorporate a maximum of sixteen units, provided the total building footprint is not increased and the limits of disturbance and building setbacks are not decreased.

Dated: January 13, 2022

CITY OF HUDSON  
PLANNING COMMISSION

*Ron Stolle*

---

Ronald Stolle, Chair