



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

DATE: April 3, 2015
TO: Mayor Currin, Hudson City Council
FROM: Mark Richardson, Community Development Director
RE: Hudson Industrial Park Development Agreement

Staff has requested that Council authorize the City Manager to terminate the development agreement for Hudson Industrial Park that was executed on or about May 3, 1996. Legislation concerning this matter received its first reading March 17. The second reading is scheduled for April 7. Final action could occur April 21. At the request of Council we provide the attached table that compares key provisions of the agreement with provisions in the Land Development Code that was adopted after the agreement was executed.

The development agreement for Hudson Industrial Parkway was executed in 1996. This time period was shortly after village/township merger but prior to the adoption of the Land Development Code. The agreement incorporated development regulations in the absence of city adopted development standards. Presently, development with the city is subject to the standards adopted and in affect at the time of application. Due to the previous recording of the development agreement, proposed projects within Hudson Industrial Park are still subject to the agreement of 1996 in addition to current city adopted standards.

Comparison of Hudson Industrial Park Agreement and City Requirements	
Hudson Industrial Park Development Agreement	District 8 and Other Land Development Code Requirements
Utility Easement: Provide a thirty-foot utility easement along the Barlow/Terex frontage for a 69KV transmission line and reimburse the City the cost of relocating the line up to \$20,000.	It does not appear that this easement was ever established. Staff is assessing the continued need for the easement and the relocation of the line.
Fitness Trail: Provide a fitness trail by mutual agreement of the City and developer. When the building at 5600 Hudson Industrial Pkwy was built its part of the trail was installed, the northern part of the trail was to be installed with the next project (which was 5640), and the remainder of the trail was to be installed when 65% of the park had been developed.	<ul style="list-style-type: none"> • When 5640 was built the northern part of the trail was installed. Because of lack of use the trail that was installed has virtually disappeared. The park is not yet 65% developed, nor will it be with Ramco. • The LDC presently requires sidewalks on one side of the street unless waived by PC. LDC also requires connections to existing and future pedestrian systems including bikeways and trail systems. • In legislation currently under consideration sidewalks would not be required along cul-de-sacs, such as Hudson Industrial Pkwy unless they are part of a connectivity plan.
Tree Mitigation: Mitigate the loss of woodland by paying \$1,000 per acre as land is developed and the harvest value for trees that are removed.	The LDC does not require developers to pay to clear trees, except when clearing occurs outside the limits of disturbance they must pay for or replace the trees destroyed. The limits of disturbance must be minimized and are marked in the field. Tree mitigation funds were paid to the City when 5581, 5600, and 5640 Hudson Industrial Pkwy were developed.
Traffic Impact: Mitigate the off-site traffic impacts by paying \$113,498 for the Stow Road/Barlow Road improvement project.	Fabri-Centers paid the full amount in 1999. The LDC requires traffic impact studies and developers to install traffic improvements to mitigate impacts caused by development.

Compliance with the Hudson Industrial Park Development Agreement

Hudson Industrial Pk Development Agmt	Land Development Code Requirements	Conclusion
<p>Utility Easement: Provide a thirty-foot utility easement along the Barlow/Terex frontage for a 69KV transmission line and reimburse the City the cost of relocating the line up to \$20,000.</p>	<p>It does not appear that this easement was ever established. Staff is assessing the continued need for the easement and the relocation of the line.</p>	<p>The utility easement was a site specific requirement. If staff concludes the utility easement is still required, staff will require the easement to be added to the plat or to be recorded separately.</p>
<p>Fitness Trail: Provide a fitness trail by mutual agreement of the City and developer. When the building at 5600 Hudson Industrial Pkwy was built its part of the trail was installed, the northern part of the trail was to be installed with the next project (which was 5640), and the remainder of the trail was to be installed when 65% of the park had been developed.</p>	<ul style="list-style-type: none"> • When 5640 was built the northern part of the trail was installed. Because of lack of use the trail that was installed has virtually disappeared. The park is not yet 65% developed, nor will it be with Ramco. • The LDC presently requires sidewalks on one side of the street unless waived by PC. LDC also requires connections to existing and future pedestrian systems including bikeways and trail systems. • In legislation currently under consideration sidewalks would not be required along cul-de-sacs, such as Hudson Industrial Pkwy unless they are part of a connectivity plan. 	<p>Sidewalks and connectivity are addressed in the LDC. Recent connectivity initiatives including proposed legislation concerning the pedestrian sidewalk fund have eased the City’s expectations for pedestrian infrastructure in industrial zoning districts. The agreement imposes something that may not be required at present and will not be required if the proposed legislation is adopted.</p>
<p>Tree Mitigation: Mitigate the loss of woodland by paying \$1,000 per acre as land is developed and the harvest value for trees that are removed.</p>	<p>The LDC does not require developers to pay to clear trees, except when clearing occurs outside the limits of disturbance they must pay for or replace the trees destroyed. The limits of disturbance must be minimized and are marked in the field. Tree mitigation funds were paid to the City when 5581, 5600, and 5640 Hudson Industrial Pkwy were developed.</p>	<p>Mitigation for clearing is not required in the LDC. During the LDC approval process in the late ‘90s the City decided not to impose costs on tree clearing. The agreement imposes something not required elsewhere in the City.</p>
<p>Traffic Impact: Mitigate the off-site traffic impacts by paying \$113,498 for the Stow Road/Barlow Road improvement project.</p>	<p>Fabri-Centers paid the full amount in 1999. The LDC requires traffic impact studies and developers to install traffic improvements to mitigate impacts caused by development.</p>	<p>Traffic impact studies are required and mitigation for development impacts is required in the LDC. The traffic impact payment was a site specific requirement that was completed.</p>