

OHIO  
**HUDSON**

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

## REPORT

DATE July 15, 2016

TO: Board of Zoning and Building Appeals for  
Meeting Date July 21, 2016

FROM: Kris A. McMaster, Associate Planner  
Mark Richardson, Community Development Director

SUBJECT: **Appeals Docket 2016-14**

## Application

Variance to the Emergency Access Dead-End Length to allow construction of the school bus maintenance building.

## Site

Address: 5778 Hudson Drive  
District: 8-Industrial/Business Park  
Applicant: Assistant City Manager, Frank Comeriato and  
Assistant City Engineer, Chris Papp  
Owner: City of Hudson

## Adjacent

<u>Location</u>	<u>District</u>	<u>Use</u>
North	8	Single Family Residential/Business
South	8	Lexi Comp. Inc. and Automated Tracking Systems/PASCO south of Terex Road
East	8	Office Building
West	8	Single Family Residential

## Comments

A variance to the emergency access requirement that adequate access be provided for emergency vehicles and for those persons rendering fire protection and emergency services to permit development of the school bus maintenance building pursuant to Sections 1207.13(c)(9)(J)(ix), "Transportation/Circulation-Streets, Easements, and Alleyways – Emergency Access-Dead-End Length" of the City of Hudson Land Development Code.

The subject property is located in District 8 having 31.13 acres. The property consists of two parcels (Parcel Nos. 3009605 and 3001703) that are to be reconfigured resulting in 3 parcels. The property is owned by the City of Hudson and formerly known as "The Koberna property". As part of the City of Hudson Comprehensive Plan adopted in January of 2016 this site was identified as a location for the city salt dome and other public uses and is now being developed to meet the needs of the city. The approximately 3.2 acre eastern parcel with frontage on Hudson Drive will consist of a 15,000 square foot City salt storage building. The proposed approximately 6.51 acre middle parcel is to be used for the school bus maintenance building, bus storage, 118 parking space lot for the school bus facility, and associated storm water management basins. The remaining parcel to the west will be approximately 21.41 acres undeveloped. The property is surrounded to the north, east and south by business and to the west and north is single family residential. The property currently has a house that was built in 1948 that will be demolished. The property contains wetlands throughout the property. Some of the wetland setbacks may impacted; however the Planning Commission has authority to modify wetland setbacks per code requirements. The variance requested is to the Emergency Access requirements for *Dead-End Street Length* requiring that any fire access road that serves structures beyond 600 feet shall be provided with an approved connection to another public street. The proposed bus maintenance building will be located approximately 810 feet from the public street and the applicant is unable to provide a second point of access to the property. Fire Marshal Shawn Kasson reviewed the variance request and has indicated the Hudson Fire Department has no objection to the proposed access drive length. Attached are his comments.

The applicant has indicated different configurations of the lot layouts were considered. The subject layout was selected due to the layout being the most efficient in safety design while reducing the wetland impacts necessary to utilize the property. The property is to have buffering of the facilities with plantings and mounding.

Staff notes Planning Commission has recommended that Council adopt Ordinance No. 16-114, an amendment to fire access standards in the Land Development Code. The amendment would have no maximum length provision provided adequate emergency access is approved by the Fire Department. City Council had first reading on June 21, 2016 and referred the amendment to Planning Commission. Following a public hearing July 11, 2016 Planning Commission recommended Council adopt Ordinance 16-114. City Council is scheduled to hold its public hearing and second reading on this matter August 16, 2016.

Docket No. 2016-14  
July 15, 2016  
Page 3

The following documents regarding the property are attached for your review:

1. **June 14, 22016**-Application for BZBA and supplemental information of applicant's request.
2. **Aerial of site.**
3. **Site plan and elevations.**
4. **Photographs.**
5. **June 14, 2016** –E-mail from Fire Marshal, Shawn Kasson.

cc: BZBA 2016-14  
Todd Hunt, City Solicitor  
Aimee W. Lane, Assistant City Solicitor  
Jane Howington, City Manager  
Frank Comeriato, Assistant City Manager  
Chris Papp, Assistant City Engineer  
Beth Bigham, Council Liaison

Attachments

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**HUDSON**

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

**BOARD OF ZONING AND BUILDING APPEALS APPLICATION**

*Please make check amount payable to "City of Hudson" for the amount of \$250.00.*

Pursuant to the City of Hudson Land Development Code, the undersigned hereby submits attached information and requests a hearing before the Board of Zoning and Building Appeals for the following purposes(s):

(Please Circle Request)      "VARIANCE"      "NONCONFORMING USE"      "APPEAL"

Property Address: 5778 Hudson Drive, Hudson, Ohio 44236      Zoning District: 8

Explanation of Requests and Justification:

Due to geometric constraints and the efficient use of the property we are requesting a slightly longer length to the farther building. The Hudson Fire Department (HFD) has reviewed the proposed plan and did not take exception to the design.

For a variance: Code requires 600' setback/sq. ft./height. Request is for 210' setback/sq. ft. height, therefore requesting a 810' setback/sq. ft./height.

Year Property Purchased: 1993 & 2003

Sections(s) of the Land Development Code applicable to this application:

1207.18.f.iii

The undersigned certify that the information provided to the Board in and with this application is true and accurate and consent to employees and/or agents of the City of Hudson entering upon the premises of this application for purposes of inspection and verification of information pertaining to the application, and if the application is approved, to verify conformance to requirements and conditions of such approval.

Applicant: Frank Comeriato & Chris Papp      Property Owner: City of Hudson

Address: 115 Executive Pkwy, Suite 400      Address: 115 Executive Pkwy, Suite 400

Telephone 330.342.1776      Telephone: 330.342.1776

E-Mail: cpapp@hudson.oh.us & fcomeriato@hudson.oh.us      E-Mail: cpapp@hudson.oh.us

Applicant: state relationship (agent, attorney, contractor, other): Project Manager

Applicant Signature: [Signature]      Date: 06/14/2016

Property Owner Signature: [Signature]      Date: 06/14/2016

*(Staff use only)*

Application No./Docket No. 2016-14      Hearing Date: 7-21-16

Date Received: 6-14-16      Fee Paid: N/A      FEMA Floodplain      Y      N      (Initials)




**BOARD OF ZONING AND BUILDING APPEALS (BZBA)**  
**Application Supplemental Information**

**Application for property located at:** 5778 Hudson Drive, Hudson, Ohio 442363

Variances from the terms of this Code shall not be granted by the BZBA unless the application for variance demonstrates the following: *"Exceptional or unusual conditions exist that are not common to other areas similarly situated and practical difficulty may result from strict compliance with any of the zoning standards, provided that such relief will not have the effect of nullifying or impairing the intent and purpose of these standards"*.

In determining "practical difficulty", the BZBA will consider the following factors:

- 1) The property in question (will/will not) yield a reasonable return and there (can/cannot) be a beneficial use of the property without the variance because: This property has very narrow frontage and a significant amount of wetlands. To minimize wetland impacts and utilize the property for this use the variance is needed.
- 2) The variance is (substantial/insubstantial) because: The 210' is 35% greater than the required amount of 600'.
  - a) Is the request the minimum amount necessary to make reasonable use of the property or structure(s)?  
Yes, several configurations were considered prior to the selection of the proposed layout. This utilizes the property most efficiently and safely.
- 3) Would the essential character of the neighborhood be substantially altered? Explain: No, this is a commercial environment for the most part. These uses are in keeping with commercial uses.
  - a) Would adjoining properties be negatively impacted: No, the City is planning storm water quality as well as quantity treatment. Additionally the City has proposed substantial buffering of the facility with existing vegetation, new plantings and mounding.
  - b) Describe how the adjacent properties will not be affected: All side yard requirements and buffers are proposed to be met.
- 4) Will this request adversely affect public services (mail, water, sewer, safety services, etc.)? No, see attached HFD letter.
- 5) Did the owner of the property purchase the property with the knowledge of the zoning restrictions? Yes.  
The properties were purchased in 1999 & 2003.
- 6) This situation cannot be feasibly solved by means other than a variance. Explain: Correct, other configurations reduce functionality, safety and increase environmental (wetland) impacts.
- 7) The spirit and intent behind the zoning requirement (would/would not) be observed and substantial justice (done/not done) by granting the variance because: It is not a substantial increase. The variance is acceptable to HFD. This configuration has the best functional, safety and environmental benefits. A code revision on this requirement is forthcoming.
  - a) The circumstance leading to this request was not caused by current owner. It was caused by: The original property line creation and the site topography.
  - b) List any special circumstances peculiar to the property/lot (i.e. exceptional irregularity, narrowness, shallowness or steepness) these circumstances are: A narrow frontage at the entry portion of the property and the extensive wetlands.

Signature: 

Date: 06/14/2016



# City of Hudson, OH



<b>1</b>	City Of Hudson 5778 HUDSON DR	<b>3</b>	City Of Hudson HUDSON DR
<b>2</b>	City Of Hudson BARLOW RD		

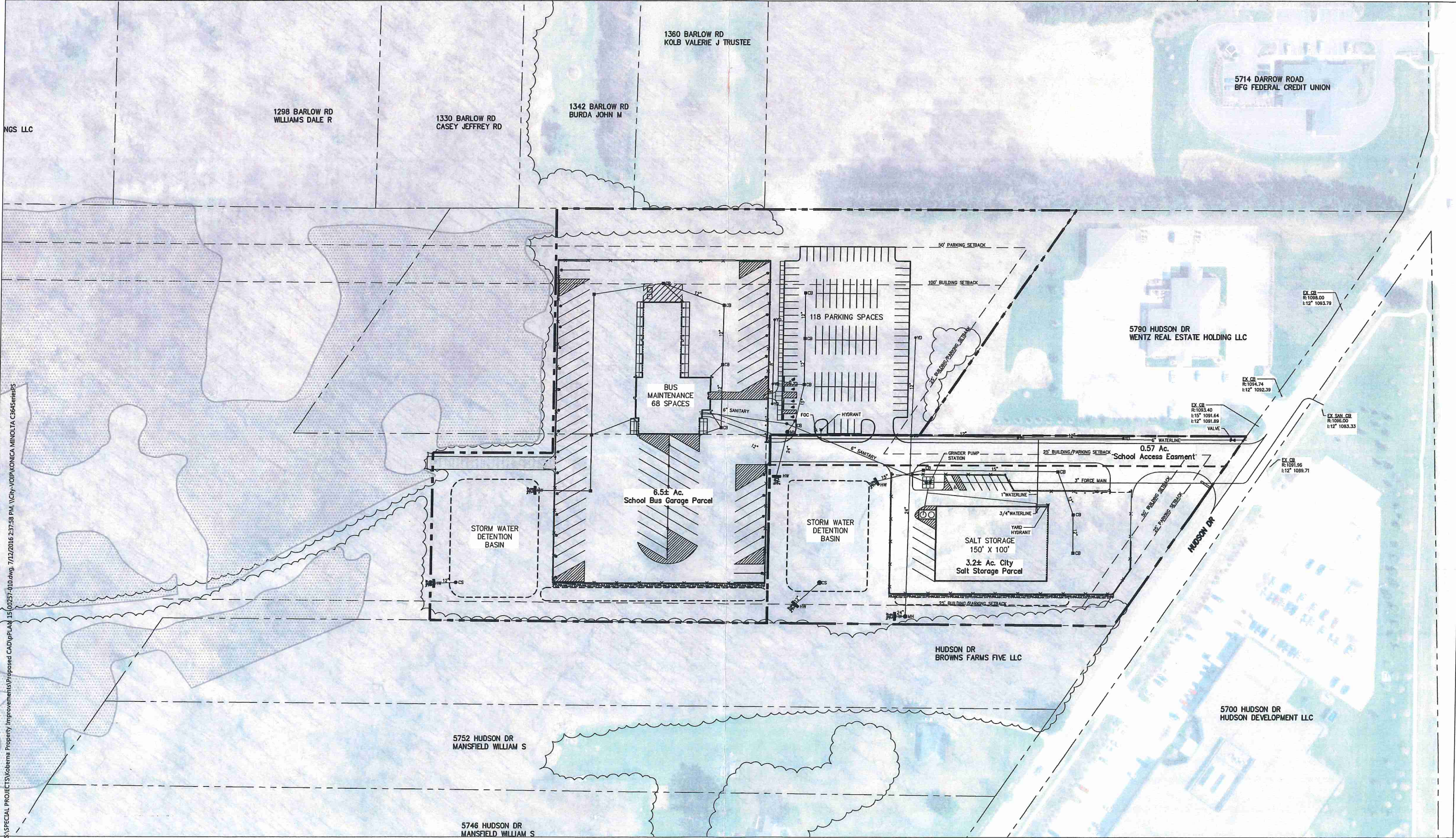
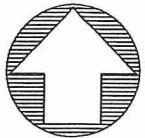
Disclaimer: Map and parcel data are believed to be accurate, but accuracy is not guaranteed. This is not a legal document and should not be substituted for a title search, appraisal, survey, or for zoning verification.

Map Scale  
1 inch = 511 feet  
7/11/2016

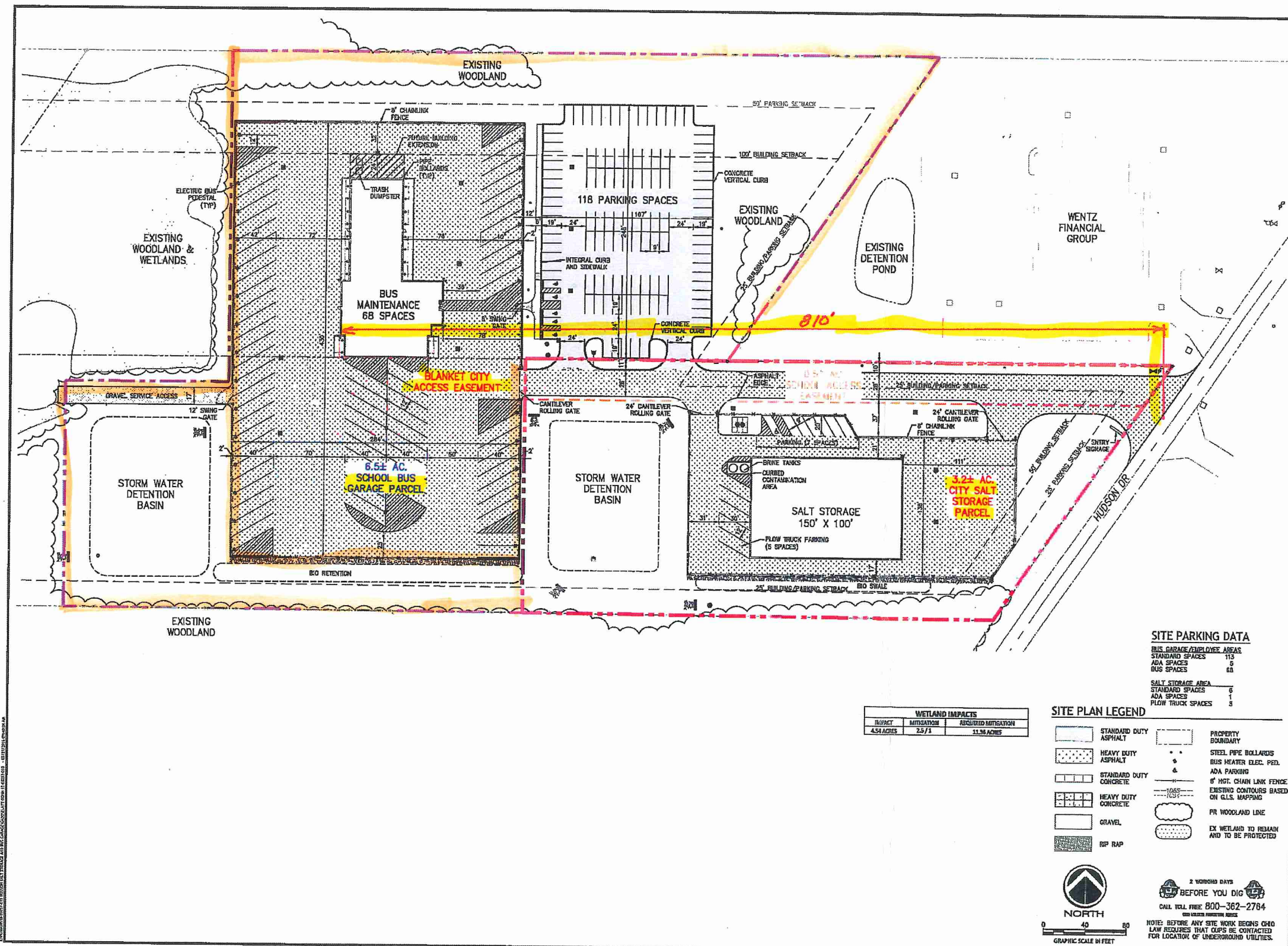


KOBERNA PROPERTY IMPROVEMENTS

SCALE: 1:60







**Environmental Design Group**  
430 GRANT STREET  
ANDOVER, OH 44011  
T: 330.376.1300  
F: 330.376.1000  
850 LUTHERY ROAD  
2ND FLOOR, SUITE 200  
CLEVELAND, OH 44113  
T: 330.376.1300  
F: 330.376.1000

**PRELIMINARY**  
NOT FOR CONSTRUCTION

**HUDSON SALT STORAGE & BUS GARAGE**  
CITY OF HUDSON

SCHEMATIC DESIGN

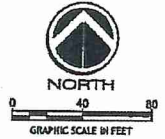
**SITE PARKING DATA**

BUS GARAGE/EMPLOYEE AREAS	
STANDARD SPACES	113
ADA SPACES	5
BUS SPACES	68
SALT STORAGE AREA	
STANDARD SPACES	6
ADA SPACES	1
FLOW TRUCK SPACES	3

**WETLAND IMPACTS**

IMPACT	MITIGATION	REQUIRED MITIGATION
4.54 ACRES	2.5/1	11.36 ACRES

- SITE PLAN LEGEND**
- STANDARD DUTY ASPHALT
  - HEAVY DUTY ASPHALT
  - STANDARD DUTY CONCRETE
  - HEAVY DUTY CONCRETE
  - GRAVEL
  - RIP RAP
  - PROPERTY BOUNDARY
  - STEEL PIPE BOLLARDS
  - BUS HEATER ELEC. PED.
  - ADA PARKING
  - 6" HGT. CHAIN LINK FENCE
  - EXISTING CONTOURS BASED ON G.L.S. MAPPING
  - PR WOODLAND LINE
  - EX WETLAND TO REMAIN AND TO BE PROTECTED



2 WORKING DAYS  
**BEFORE YOU DIG**  
CALL TOLL FREE 800-362-2764  
OR 330-376-1300  
NOTES: BEFORE ANY SITE WORK BEGINS OHIO LAW REQUIRES THAT COPS BE CONTACTED FOR LOCATION OF UNDERGROUND UTILITIES.

DATE: \_\_\_\_\_

REVISIONS	
DATE	DESCRIPTION
1 2014-02-28	SCHEMATIC DESIGN SUBMITTAL

PROJECT NO.: 15-00257-010  
DRAWN BY: JS & TJ  
CHECKED BY: TH & TZ  
DATE ISSUED: 2014-02-28

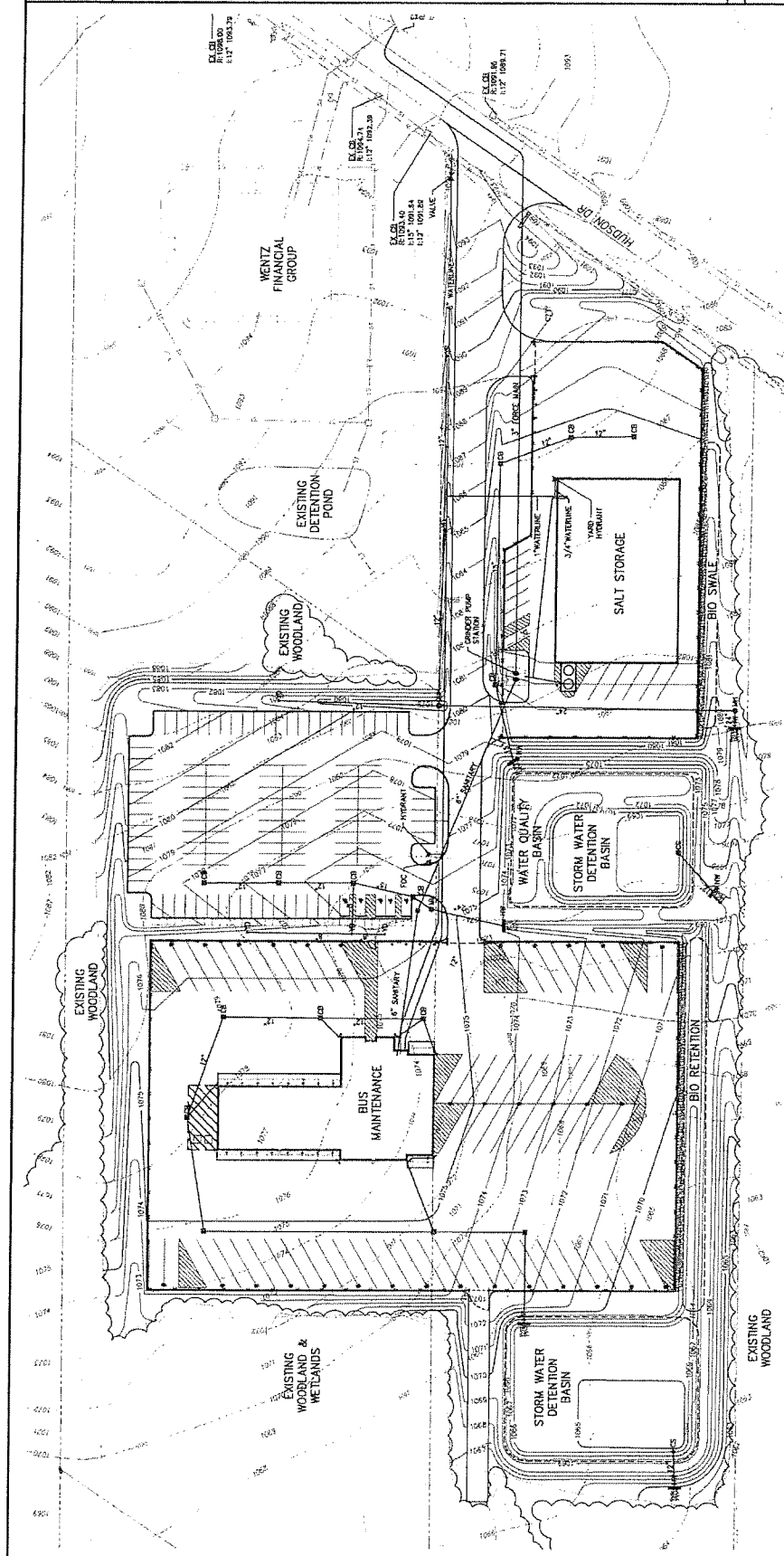
SITE LAYOUT PLAN  
**C2-01**



PRELIMINARY  
NOT FOR CONSTRUCTION

HUDSON SALT STORAGE &  
BUS GARAGE  
CITY OF HUDSON

SCHEMATIC DESIGN



UTILITY PLAN LEGEND

PROPOSED	EXISTING	DISCONTINUED	UTILITY MARKERS
PROPERTY BOUNDARY	EXISTING CONTOURS BASED ON G.L.S. MAPPING	EXISTING CONTOURS BASED ON G.L.S. MAPPING	UTILITY POLES
PROPOSED CANAL	PROPOSED CANAL	PROPOSED CANAL	CE CONTROL STRUCTURE
PROPOSED WOODLAND LINE	PROPOSED WOODLAND LINE	PROPOSED WOODLAND LINE	CE CATCH BASIN
EXISTING WOODLAND TO BE PROTECTED	EXISTING WOODLAND TO BE PROTECTED	EXISTING WOODLAND TO BE PROTECTED	CE YARD BASIN
EX GAS	EX GAS	EX GAS	CE HEAD WALL
EX ELECTRIC	EX ELECTRIC	EX ELECTRIC	WATER STRUCTURES
EX STORM	EX STORM	EX STORM	UTILITY VAULT
EX SANITARY	EX SANITARY	EX SANITARY	
EX WATER	EX WATER	EX WATER	
ROCK CHANNEL PROTECTION	ROCK CHANNEL PROTECTION	ROCK CHANNEL PROTECTION	

NOTE:  
1. EXISTING UTILITIES SHOWN APPROXIMATE FROM RECORD DRAWINGS.  
2. SHOWN DASHED BEFORE YOU DIG-2784  
CALL TEL: 800-382-2784  
NOTE: RECORD DRAWINGS AND LAW REQUIRES THAT CLS BE EXAMINED FOR LOCATION OF UNDERGROUND UTILITIES.



SITE UTILITY PLAN

C4-01



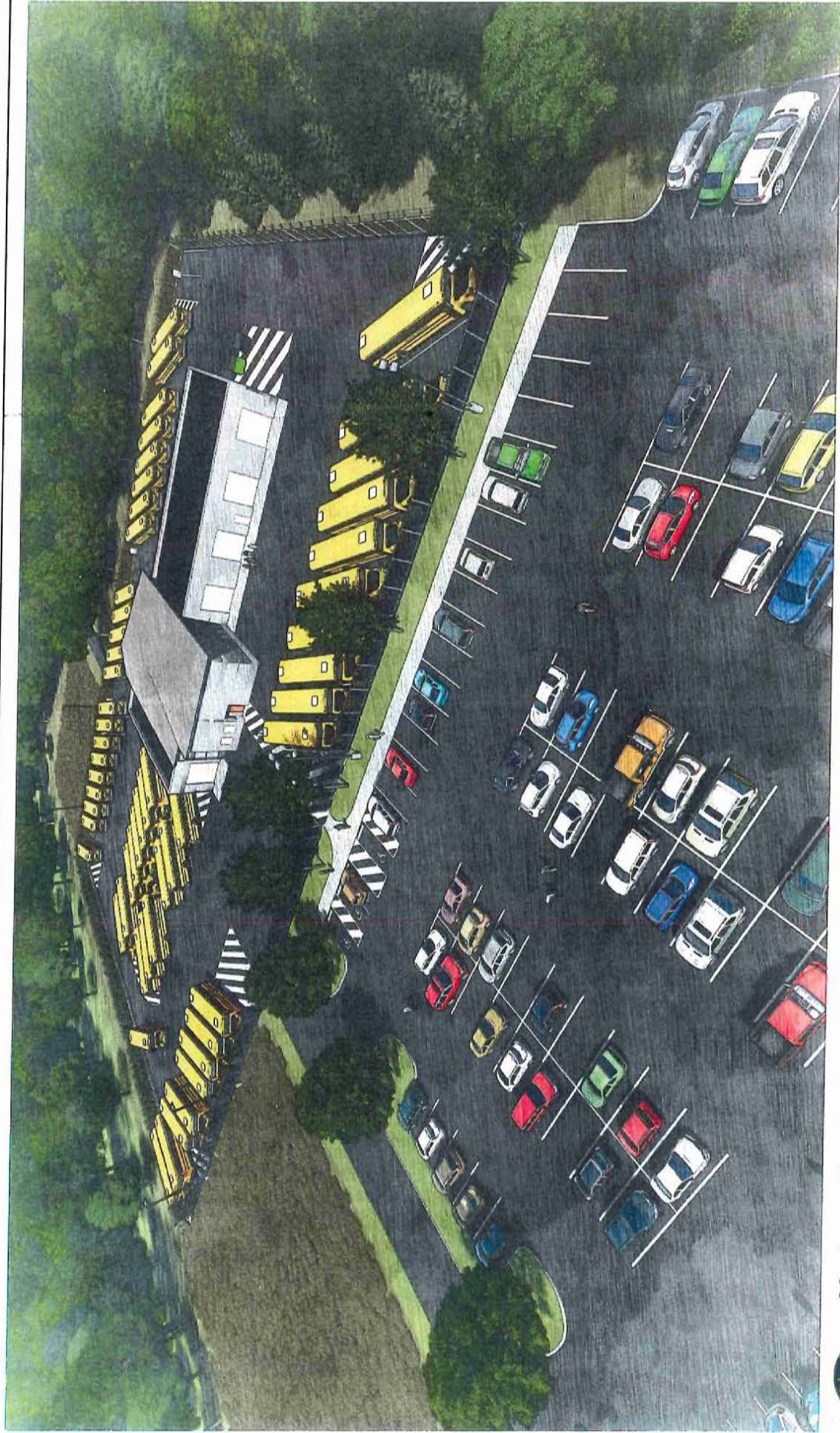


## City of Hudson Salt Storage Facility

Illustrative Render  
February 26, 2016







## Hudson City Schools Bus Garage & Storage Facility

Illustrative Render  
February 26, 2016







## Hudson City Schools Bus Garage & Storage Facility

Illustrative Render  
February 26, 2016





McMaster, Kris

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**From:** Papp, Chris  
**Sent:** Tuesday, June 14, 2016 3:06 PM  
**To:** McMaster, Kris  
**Subject:** FW: Koberna - Salt Storage and School Bus Garage Letter  
**Attachments:** SKMBT\_C28416061010540.pdf

Kris,

Here is the HFD response...

Chris

***Christopher J. Papp, PE***  
***Assistant City Engineer***

City of Hudson, Ohio  
115 Executive Parkway, Suite 400  
Hudson, Ohio 44236  
330.342.1776

**From:** Kasson, Shawn  
**Sent:** Tuesday, June 14, 2016 3:01 PM  
**To:** Papp, Chris <CPapp@hudson.oh.us>  
**Cc:** Comeriato, Frank <FComeriato@hudson.oh.us>; Varnes, Jerry <JVarnes@hudson.oh.us>  
**Subject:** RE: Koberna - Salt Storage and School Bus Garage Letter

Chris –

I have reviewed the attached site plan. HFD has no objection to the proposed variance request.

Please contact me with any questions.

Regards,

Shawn

Shawn Kasson  
Fire Marshal  
Hudson Fire Department  
40 South Oviatt Street  
Hudson, Ohio 44236  
Phone: 330.342.1869  
Email: [skasson@hudson.oh.us](mailto:skasson@hudson.oh.us)

**From:** Papp, Chris  
**Sent:** Friday, June 10, 2016 10:37 AM  
**To:** Kasson, Shawn <[SKasson@hudson.oh.us](mailto:SKasson@hudson.oh.us)>



**Board of Zoning and Building Appeals**  
**Area/Size Variance Worksheet**

Application for property located at: \_\_\_\_\_

Applicant: \_\_\_\_\_

After reviewing the application, the hearing of evidence under oath, reviewing all documentary submissions of interested parties, and by taking into consideration the personal knowledge of the property in question, the Board of Zoning and Building Appeals finds and concludes:

1. The property in question (will / will not) yield a reasonable return and there (can / cannot) be a beneficial use of the property without the variance because  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
2. The variance is (substantial/insubstantial) because \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
3. The essential character of the neighborhood (would / would not) be substantially altered or adjoining properties (would / would not) suffer a substantial detriment as a result of the variance because \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
4. The variance (would / would not) adversely affect the delivery of governmental services, (e.g. water, sewer, garbage).
5. The applicant purchased the property (with / without) knowledge of the zoning restriction.
6. The applicant's predicament feasibly (can / cannot) be resolved through some method other than a variance.
7. The spirit and intent behind the zoning requirement (would / would not) be observed and substantial justice (done / not done) by granting the variance because \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

For all of the above reasons, I move that the variance be (granted / denied ) (granted with the following conditions):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_