



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

DATE: September 6, 2017

TO: City of Hudson Planning Commission for September 11, 2017 Meeting

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

SUBJECT: Preliminary Review  
Land Development Code Amendment  
Senior Independent Living as a Conditional Use in District 8

PC Case No: 2017-1018

### **Project Introduction**

Application has been submitted for an amendment to the Land Development Code. The applicant has requested that the City of Hudson allow Senior Independent Living as a conditional use in District 8 – Industrial/Business Park.

The following information is attached to this report.

1. Application and Exhibits submitted by applicant Kevin Detroy, August 3, 2017
2. Official Zoning Map of the City of Hudson showing District 8

### **Applicable Approval Procedure**

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

	<b>Step</b>	<b>Meeting Date</b>
1	Preliminary Review	September 11, 2017
2	Council First Reading and Referral to Planning Commission	September 19, 2017
3	Planning Commission Public Hearing and Recommendation	October 9, 2017
4	Council Public Hearing and Second Reading	November 21, 2017
5	Council Third Reading and Adoption	December 5, 2017

The purpose of the preliminary review is for the applicant to introduce the amendment to PC and for PC to comment on it informally. Comments will guide the applicant as to how to proceed.

### **Discussion**

Presently District 8 does not permit residential uses except Assisted Living and independent

living as part of a continuing care retirement community. Residential uses are also allowed in the District 8 Hike Bike Senior Housing Overlay, an overlay zoning district in District 8 near Norton Road and Hudson Drive, the majority of which is occupied by the Trails of Hudson. The overlay allows the following residential building types and their associated densities. Density regulations do not apply to assisted living or continuing care retirement facilities.

<b>Senior Housing Overlay Housing Types and Densities</b>	
Single family detached	4 dwelling units per acre
Duplexes	4 dwelling units per acre
Single family attached	6 dwelling units per acre
Townhomes	8 dwelling units per acre
Multi-family	12 dwelling units per acre

The proposed structure is a multifamily residential type building. Multifamily is presently permitted only in the following districts with these associated densities:

<b>Multifamily Zoning and Densities</b>	
District 4	12 dwelling units per acre
District 5	30 dwelling units per acre
District 8 Overlay	12 dwelling units per acre

The applicant has an interest in 1221 Barlow Road and has submitted a site-specific development plan for this site. The site-specific development plan proposes 130 units on an 11-acre parcel to be created. Based on the gross land area this would be 11.8 dwelling units per acre. Although the project at 1221 Barlow Road is prompting the request, the proposal is that senior housing should be allowed as a conditional use throughout District 8.

Following is a summary of the various sections of the code proposed for amendment:

1. Senior independent living community is added to the list of conditional uses allowed in District 8
2. The following conditions would apply to senior independent living communities. These conditions are the same as what are applied to continuing care retirement facilities except for conditions related to licensing and group homes.
  - a. Adequate turn-around and maneuverability
  - b. Parking fifty feet from adjacent residential use
  - c. Safe pick-up, drop-off
  - d. Sufficient emergency access
3. A definition for senior independent living community is added

#### **Section 1204.01 Zoning Text Amendments**

The focus of this application is the amendment to the text of the LDC especially as it would affect all of District 8, not the site-specific development plan submitted for only one of many dozens of possible sites for such a development. Nonetheless, such a plan is presently required. Therefore, staff provides brief comment on its compliance with the six criteria for map and text amendments, most of which concern the site-specific development plan.

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 Comprehensive*

*Plan identifies this site in the future land use plan as “commercial”, which “includes 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”. The plan shows multifamily on an adjacent parcel to the east, “which include ... senior housing (which) 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”. The plan does not show the site as industrial. The Comprehensive Plan also contains a Commercial and Employment Areas Framework Plan that illustrates the site as a being within the “Barlow Road Node Character Area”, “the site of a future hotel (no longer proposed) as well as a medical facility. This area is expected to remain a small node, hemmed in by single family detached homes and a golf course”.*

*The purpose statement for District 8 states that only clean manufacturing and other industrial uses are permitted. Only to the extent necessary to serve employers and employees in the District or only as an accessory use to a principal office or industrial use, are retail and services permitted. Multifamily housing in District 8 is only permitted in the Hike Bike Senior Housing Overlay Zone, the purpose of which is to assist the goal of providing diversity in housing options in the City with proximity to centers of employment and health/wellness with a variety of housing types and lots sizes.*

2. The site-specific development plan complies with all applicable standards for review of planned developments as set forth in Section 1204.02. *This section does not apply as a Planned Development is not being sought.*
3. The site-specific development plan complies with all applicable requirements set forth in Section 1207, “Zoning Development and Site Plan Standards,” of this Code, except to the extent modifications, variances, or waivers have been expressly allowed. *The site-specific development plan is in substantial compliance with Section 1207. The topics in Section 1207 would be thoroughly examined during the site plan and building design approval process including stream and wetland protection, traffic impact, storm water management, parking, and landscaping.*
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 Index of Ecological Integrity is an outdated program to evaluate development sites that is proposed for removal from the code in the forthcoming update. It was a precursor to the high environmental standards that now govern all properties in the City. The index lists this site as being the lowest two of five categories of ecological integrity meaning that the site is already somewhat compromised due to the former Flood Company’s occupancy. The environmental assets of the property will be protected through existing regulation.*
5. The City shall have the ability to provide adequate services, facilities, or programs that might be required if the application were approved. *It appears public utilities are available to the site.*
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 Comprehensive Plan encourages a variety of housing types by type, price, and size to meet the desires of a variety of people.*

Staff recognizes that the proposed development may be desirable to many residents of Hudson; however, we question if the proposed code amendment is the best means to meet this desire. Allowing this use throughout District 8 may create a conflict between the residential units and industrial development, and result in the loss of land intended for commercial/industrial development. We identify the following alternatives for consideration.

1. Rezone the site to the Hike Bike Senior Housing Overlay and revise the regulations pertaining to the overlay to be less site specific.
2. Rezone the site to District 3 and create conditions to allow this use at a reasonable density in locations that would protect the character of existing neighborhoods.
3. Await the outcome of the LDC update as it pertains to variety in housing so the need for senior housing can be studied citywide to determine appropriate locations and conditions.
4. Work with the surrounding properties to form a continuing care retirement community.

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

No action on the part of PC is required now except to provide comments or suggestions on the proposal as it sees fit or to request additional information that would aid it and Council at future meetings. The next step will be Council's first reading and referral to PC for a formal public hearing and recommendation.

**Application for Text Amendment to the City of Hudson Land Development Code  
Senior Independent Living Community - 1221 Barlow Road**

**ATTACHMENT**

**1. Introduction**

Cameron General Contractors, Inc. (“Cameron”) requests approval of this Application for a Text Amendment (this “Application”) to the City of Hudson Land Development Code (the “LDC”) in connection with the development of an independent living community for seniors (the “Cameron Development” or “Community”) to be located at 1221 Barlow Road (the “Subject Property”). Additionally, Cameron requests approval of a site-specific development plan for the Community.

**2. Application Contents**

This Application contains the following components:

- (i) Application Form (submitted online);
- (ii) Application Attachment describing the proposed text amendment and site-specific development plan features and setting forth the justifications for approval;
- (iii) Schedule of Proposed Text Amendments (Exhibit A); and
- (iv) Site-Specific Development Plan (Exhibit B).

**3. Text Amendment**

Cameron proposes to construct and operate an all-inclusive, resort-style living community for persons age fifty-five and older. The Cameron Development will include 130 separate living units with full kitchens, washer and dryer connections, and independent climate controls. Consistent with the resort lifestyle, common facilities will be provided for dining, recreation, and entertainment. The Community will be expertly operated and maintained by live-in managers.

**A. Proposed Conditional Use**

The Subject Property is located in Zoning District 8. Although Zoning District 8 currently permits several uses that are similar to the use proposed by Cameron—notably, *Continuing care retirement communities* and *Institutional residential uses for the elderly*—definitional differences render these uses inapplicable. While the provision of institutional care services to residents is a required feature of both *Continuing care retirement communities* and *Institutional residential uses for the elderly*, the Cameron

Development will not offer its residents such services. Furthermore, *Institutional residential uses for the elderly* may not accept residents younger than sixty-two years of age, whereas the Cameron development will accept residents as young as fifty-five years old.

As Cameron's proposed use does not meet the definitions of any uses currently permitted in Zoning District 8, a new use must be recognized to permit the Cameron Development. Cameron requests approval of the following new use as conditionally permitted in Zoning District 8:

*Senior Independent Living Community:* A residential community incorporating multiple attached dwelling units for occupancy by residents aged fifty-five and older with common dining, recreation, and other similar areas, facilities, and amenities.

## **B. Proposed Special Conditions**

Cameron submits that the special conditions imposed on *Continuing care retirement communities* are appropriate for a *Senior independent living community* due to the similarity of the uses, with the following exceptions:

### **(1) Certification and Licensing.**

The Cameron Development will be an independent residential community. While residents may arrange for third parties to provide medical, rehabilitation, daily skills and other similar services on an individual basis, such services will not be offered by the Community. Consequently, the Community will not require any particular state, federal, or local certifications or licensing. For this reason, we request that *Senior independent living communities* not be subject to the special condition set forth in Section 1206.02(c)(4).

### **(2) Group Homes and Institutional Residences.**

While the special conditions contained in Section 1206.02(c)(4) are particularly suited to group homes, halfway houses, and other similar uses, they would be inappropriate for the type of independent living facility proposed in this Application. For this reason, we request that *Senior independent living communities* not be subject to the special conditions set forth in Section 1206.02(c)(4) not be a condition of approval.

## **4. Site-Specific Development Plan**

The site-specific development plan for the Cameron Development is included with this Application as Exhibit B. As shown on the site plan, the Cameron Development will incorporate 130 self-contained residential units along with common

facilities for dining, recreation, and entertainment. The Cameron Development will be set back approximately 400 feet from Barlow Road, with access provided via a new roadway and a driveway shared with the lot to the south. Covered and uncovered on-site parking will be provided for staff and residents. We anticipate working with Planning Staff during the approval process to refine the site plan details.

## **5. Standards of Review**

In accordance with LDC Sections 1203.03(d) and 1204.01, this Application must comply with the following standards and criteria:

- (i) 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;
- (ii) The site-specific development plan complies with all applicable requirements of the LDC Zoning Development and Site Plan Standards;
- (iii) 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;
- (iv) The City shall have the ability to provide adequate services, facilities, or programs that might be required if the application were approved; and
- (v) The amendment is necessary to address changed or changing social values, new planning concepts, or other social or economic conditions in the areas affected.

Each of the foregoing standards is addressed separately below.

### **A. Consistency with the Comprehensive Plan**

The Cameron Development is consistent with Hudson's Comprehensive Plan (the "Plan") and development patterns. As stated in the Plan, Hudson envisions that the Subject Property and adjacent properties will be developed into a mix of single family attached, multi-family (including senior housing), and commercial uses. The Cameron Development—as a larger residential development—is aptly suited for such a mix. Furthermore, locating the Cameron Development on the Subject Property will advance planning best principals in two key respects. First, due to its location between future commercial development to the south and residential development to the north, the Cameron Development will help to form an effective transition between uses of varying intensities. Second, the current and future residential developments to

the north and east coupled with the golf course to the west will substantially buffer the Cameron Development by limiting its exposure to future commercial and office development to the south. Indeed, it should be noted that Hudson recognizes that area adjacent to the Subject Property has been identified as suitable for “multi-family” and “senior housing units,” among other residential uses. In summary, the Subject Property is an ideal site for the Cameron Development, and is entirely consistent with the City’s future desired land use.

## **B. Compliance with Application Zoning and Site Development Standards**

Section 1207.18 of the LDC sets forth the Zoning Development and Site Plan Standards for developments proposed in Zoning District 8. By its own terms, the purpose of the standards in Section 1207.18 is to “foster commercial and industrial that is consistent with community standards for natural resource protection and quality design.” As the focus of Section 1207.18 is on commercial and industrial development, many of its standards may not be appropriate for a residential development such as the Cameron Development. As this Application progresses through the approval process, we will work closely with Planning Staff to identify those development standards that will be most appropriate for the Cameron Development.

## **C. Ecological Integrity**

The Subject Property is located immediately to the south of a recognized wetland area. Cameron has retained HZW Environmental Consultants, LLC to provide guidance and to help ensure that all necessary and appropriate steps will be taken to protect and preserve the wetlands.

## **D. Impact on Public Services, Facilities, and Programs**

The Cameron Development is not expected to substantially or disproportionately burden public services, facilities, or programs.

## **E. Changed or Changing Social Values, New Planning Concepts, and other Social and Economic Conditions**

The Cameron Development will make an excellent addition to the Hudson community for several reasons. First, the Cameron Development will address the need expressed by the community for new and diverse housing for area seniors.<sup>1</sup> Second, the City recognizes that additional desirable senior housing will be necessary in the near term to meet changing population trends, as stated on page 15 of the Plan:

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<sup>1</sup> On page 4 of the Plan, it is observed that “[n]early all interviewees made some mentioned of the need to increase housing diversity in order to ... retain empty nesters and seniors” and “[t]here was unanimous support among interviewees for some element of higher-density residential development within Downtown Phase II that could cater to ... seniors.”



By 2019, the city's population is expected to be slightly smaller than it is today; however, it will also be slightly older and wealthier....

The aging of the population and growth of the senior population may require a more senior-friendly housing stock of multi-family, townhome, and senior living options....

The Plan (at 29) further expresses the City's goal to accommodate seniors who want to "age in place" by supporting the "development of 'age targeted' housing units..." Finally, the Subject Property—which is situated along the proposed Veteran's Trail (see Plan at 32)—is the ideal location for a higher density senior residential community.

**Application for Text Amendment to the City of Hudson Land Development Code  
Senior Independent Living Community - 1221 Barlow Road**

**EXHIBIT A: Schedule of Proposed Text Amendments**

Note: Proposed new text is bolded and italicized; text proposed to be deleted is stricken.

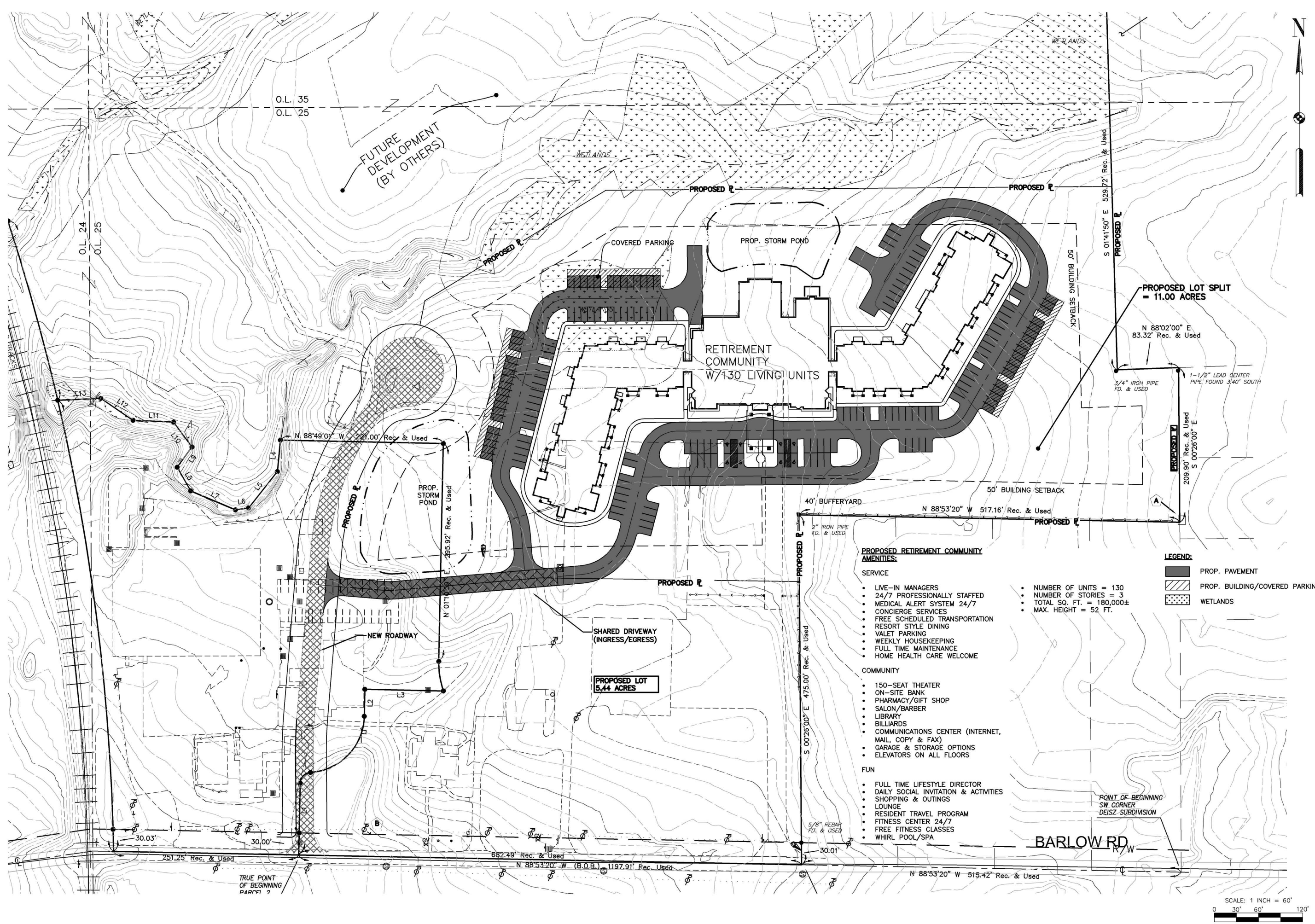
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- (1) The text of Section 1205.11(c)(1) shall be revised to add the following new subsection (B):

***(B) Senior independent living community.***

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- (2) The table in Section 1206.01 shall be revised to add Senior independent living community as a conditionally permitted Residential Use with Special Conditions 10, 11, 12, and 14.

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- (3) The text in Section 1213.02(a) shall be revised to add the following new definition:

***(\_\_\_) "Senior independent living community" shall mean a residential community incorporating multiple attached dwelling units for occupancy by residents aged fifty-five and older with common dining, recreation, and other similar areas, facilities, and amenities.***



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BK PG: XXX

DATE: XX/XX/XX

SCALES

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PROPOSED SITE LAYOUT EXHIBIT

**BARLOW ROAD RETIREMENT COMMUNITY**

FOR: CAMERON GENERAL CONTRACTORS

LOCATED IN THE CITY OF HUDSON

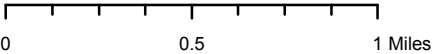
SUMMIT COUNTY, OHIO

EXHIBIT



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



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City of Hudson, Ohio  
Department of Community Development  
GIS Division

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