Planning Commission Staff Report

November 18, 2024
Case #24-1186

Meeting Date:
November 18, 2024

Location:
Darrow Road

Parcel Number
3003001

Request:
Major Site Plan -Preserve of Hudson

Applicant:
Hanna Cohan, Knez Homes

Property Owner:
Triban Investment LLC

Zoning:
D3-Outer Village Residential Neighborhood

Case Manager:
Nick Sugar, City Planner

Staff Recommendation
Action subject to conditions on page 14.

Contents

- Site Plans, 10.21.24
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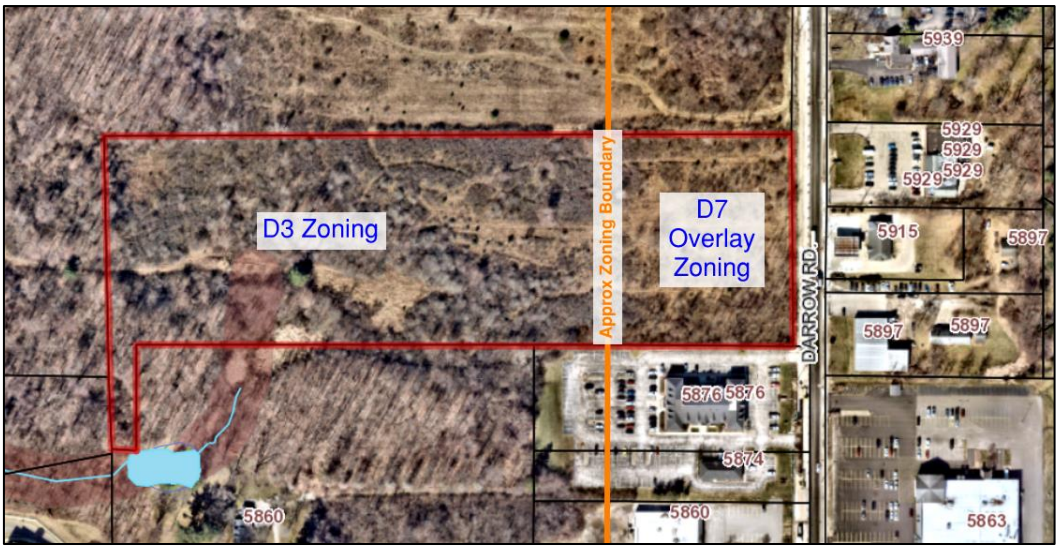
- 5.13.24 PC Decision and Minutes
- Public Comments



Existing Conditions, City of Hudson GIS

Project Background:
The property is a 12.5-acre parcel located on the west side of Darrow Road. The parcel has split zoning. The street frontage of the parcel is zoned District 7 Office Overlay. This area comprises approximately four acres. The remaining 8.5 acres is zoned District 3- Outer Village Residential Neighborhood.

The applicant is proposing a twenty-nine (29) unit condominium townhome development accessed via a private drive. Townhomes are permitted as a conditional use in Zoning District. The proposal requires the following reviews:

- Conditional Use – Approved at the May 13th, 2024 PC Meeting
- Major Site Plan – Scheduled for November 18th, 2004
- Architectural Design – To be submitted to the AHBR

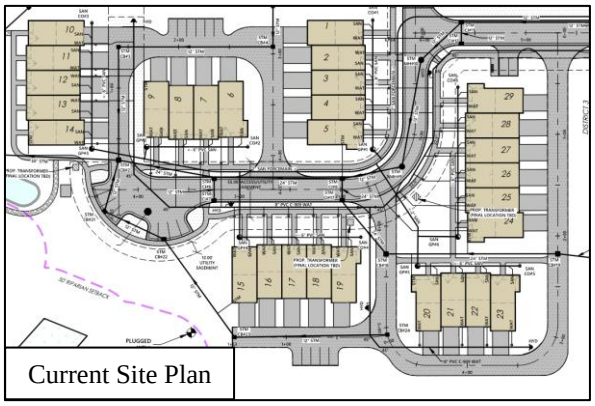
Once a conditional use approval is given, the applicant has one year to receive the associated zoning certificate, otherwise the decision is rendered null and void.

Adjacent Development:
The site is adjacent to vacant property to the north and west, office use and residential to the south, and a gas station, auto repair shop, and retail plaza to the east.

Conditional Use Review – May 13th 2024 Planning Commission Meeting

The Planning Commission approved the conditional use request on May 13, 2024 with the following conditions:

- Revise the plans to relocate unit #23 to a more visible location along the street.



Staff Comment: Acceptable. Unit #23 has been relocated to create a five unit building to the west.

- The submitted trip generation analysis shall be updated to clarify the anticipated number of AM and PM peak hour vehicle trips.
  Staff Comment: Acceptable. The applicant has revised the trip generation analysis to include the anticipated AM and PM peak hour vehicle trips per the following.

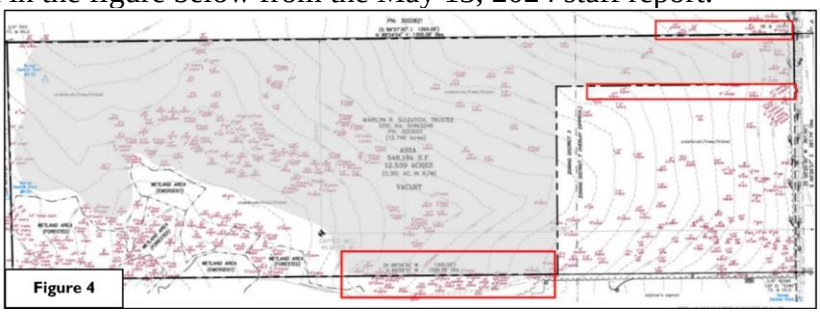
  LAND USE 215 – Single Family Attached Housing

  i. Weekday AM Peak Hour (Peak Hour of Adjacent Street):
     = 14 trip ends (3 enter and 11 exit)
  ii. Weekday PM Peak Hour (Peak Hour of Adjacent Street):
     = 13 trip ends (8 enter and 5 exit)

  The report also analyzed sight distances for the proposed drive connection at Darrow Road. The conclusions of the report state the anticipated number of trips would have an insignificant impact on traffic operations along Darrow Road and the proposed sight distances exceed the ODOT requirements for intersection sight distance (ISD). The Assistant City Engineer has reviewed and accepted the analysis.

- The site plan shall be submitted to the Parks Board for determination on the public open space requirements prior to the final site plan review.
  Staff Comment: Acceptable. The final site plan was submitted to the Parks Board and the preference for fee-in-lieu of public open space was verified. Open space requirements are further described on Pages 6 and 10 of this staff report.

- Revise the plans to set back the limits of disturbance along the areas highlighted in Figure 4 of this staff report (May 13, 2024) to protect trees on adjacent parcels.
  Staff Comment: Acceptable. Staff notes the applicant has modified the limits of disturbance within the areas highlighted in the figure below from the May 13, 2024 staff report.



- Revise the lighting plan to depict additional light poles per Figure 5 in this staff report (May 13, 2024) to provide consistent lighting along the main drive.
  Staff Comment: Acceptable. Staff notes additional light poles have been depicted throughout the site to meet this requirement. Figure 5 from the May 13th staff report is provided below along with the updated photometric plan.

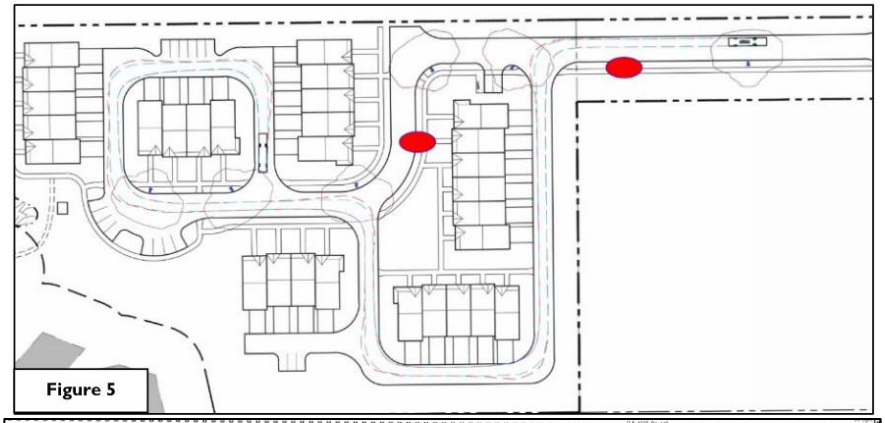
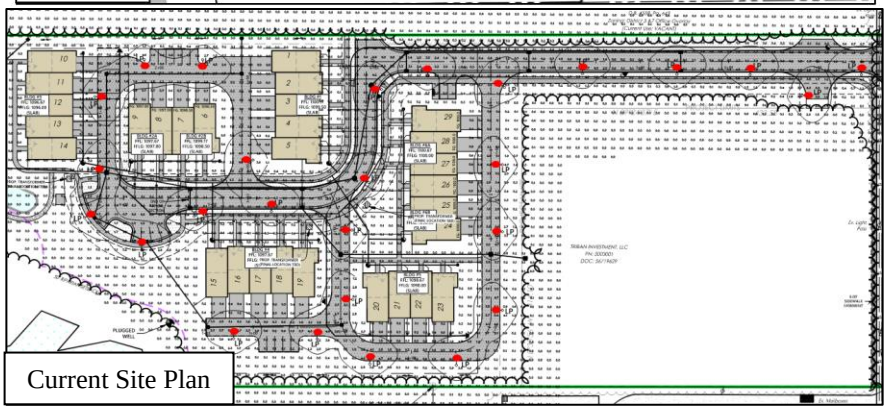


Figure 5


Current Site Plan

- Revise the submittal to address the review letter from the Assistant City Engineer dated May 7, 2024.
  Staff Comment: Assistant City Engineer David Rapp has reviewed the revised submittal and has prepared the attached memo addressing final comments.
- Revise the submittal to address the review letter from the Fire Marshal dated May 2, 2024.
  Staff Comment: Fire Marshal Shawn Kasson has reviewed the revised submittal and has no additional comments.

Chapter 1203 Development and Review Procedures

Decisions. Within 120 days from the date that a submitted application is certified as complete pursuant to Section 1203.01 (c), the PC shall consider the development application, the staff report, comment from any meeting, and the evidence from any public hearing, and then take final action. For applications on which the PC has final authority, the PC shall either approve, approve with conditions, or deny the development application based on its compliance with the appropriate review standards. For applications on which the PC has only authority to recommend action to the City Council, the PC shall recommend either approval with conditions, or denial of the development application based on its compliance with the appropriate review standards

(1) Any decision-making body shall have the discretion to extend the time periods set forth in this chapter for review and final decision on a development application upon a finding that the projected size, complexity, anticipated impacts, or other factors associated with the proposed development clearly justify such extension of time. Only one such extension, up to a maximum of sixty days, shall be granted.

(2) Any other extension of the time periods for review and action specified in this chapter may be extended only if the applicant agrees in writing to an extension of time.

Staff Comment: Staff notes the application was certified complete on October 21, 2024. The Board and the applicant can utilize the above text for any extensions.

Chapter 1204.04 – Site Plans

All reviewing agencies, the City Manager, the Planning Commission, and the City Council shall review site plan applications, and all submitted plans and reports, and evaluate them to determine their compliance with the following standards:

(a) The development shall be consistent with the purposes and intent of this Code, and with the policies, goals, and objectives of any applicable community plan, including the City Comprehensive Plan, as amended from time to time.

Staff Comment: The Conditional Use request was approved when the previous 2015 Comprehensive Plan was in effect. The previous Comprehensive Plan identified the D3 portion of this parcel as a specific location suitable for townhomes, duplexes, multi-family, condominiums, or senior housing units.

The recently adopted 2025 Comprehensive Plan classifies the D3 portion of this parcel as *"Suburban Residential"*, described as *single-family moderate-density development which preserves and protects the existing community character. Development is typically characterized by single-family detached residential housing and traditional subdivision design with curvilinear street patterns and open space dedications; however, areas located further from the Village Core are more rural in character. Protection of remaining sensitive environmental areas will be a high priority.*

Staff Comment: Staff notes the following relative to the current Comprehensive Plan:

- The Future Land Use Plan captures all of Zoning District 3 with the *"Suburban Residential"* classification.
- The Comprehensive Plan does not propose changes to the existing zoning. The intent of the of the Comprehensive Plan for this area is to reinforce existing zoning. The Plan's *"Suburban Residential"* text is taken directly from the District 3 purpose statement in the LDC. The District 3 purpose statement also includes the following text: *District regulations are intended to continue the predominant single-family detached use, while providing for the addition of attached single-family, duplexes, and townhomes, into the housing mix, as well as additional parks, open space, and trail/bikeway linkages to the Village Core.*
- The proposal does not conflict with the 2025 Plan's Goals and Recommendations.

In summary, staff acknowledges the current Comprehensive does not specifically call for the townhome use for this property as did the previous plan; however, the current plan generally takes a more silent view on housing and maintains the current zoning.

(1) The development complies with the use regulations as set forth in Chapter 1206.

Staff Comment: Townhomes are a permitted conditional use in Zoning District 3. Townhomes are defined as *" a single-family dwelling in a row of at least three such units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more vertical common fire-resistant walls."* There are no additional special conditions for townhomes. The proposal received approval for the Conditional Use Criteria stipulated in Chapter 6 on May 13, 2024.

(2) The development complies with all applicable requirements set forth in Chapter 1207, "Zoning Development and Site Plan Standards," except to the extent modifications, variances, or waivers have been expressly allowed.

Staff Comment: The staff analysis of Chapter 1207 is further described on pages 6-11 of this staff report.

(3) The development complies with all applicable federal, state, or county development regulations, standards, and requirements, or plans, including but not limited to wetlands, water quality, and wastewater regulations.

Staff Comment: The proposal requires final review from Summit County DSSS (sanitary sewer), the EPA (sanitary sewer), and Summit Soil and Water Conservation District (sediment control). Staff understands the applicant is currently coordinating with these agencies.

(4) The proposed development shall avoid or minimize land disturbance and grading and preserve the original contours and other natural topographical features of the site to the maximum extent feasible and shall incorporate measures to minimize soil erosion during all construction phases.

Staff Comment: The proposed development minimizes grading through an orderly and compact site plan and prioritizes preservation of existing wetlands located at the western portion of the site.

(5) The development must protect and enhance historic structures, sites, and archeological features designated by federal, state, and local agencies, and the applicant shall commit, to the maximum extent feasible, to protecting and enhancing any such structures, sites, and features eligible for designation discovered during the development process.

Staff Comment: Staff is not aware of any applicable historic structures, sites, or archaeological features on the property.

(b) At the option of the applicant and prior to final site plan review by the Planning Commission, or by City Council when the application is for a major development that is called up by Council, the applicant may request in writing to obtain concept plan review and approval. The Planning Commission, or City Council, shall review the submittals as required for concept plan review in Appendix A of this Code and evaluate them to determine their preliminary compliance with the standards set forth in divisions (a)(1) through (a)(6) of this section, subject to final site plan review and approval.

(c) The purpose of the concept plan approval procedure is: (1) to afford the applicant an opportunity to receive guidance of the Planning Commission, or Council when the application is for a major development that is called up by Council, on the major features of the site design for the development plan prior to the submission of engineering details for the project; and (2) to obtain a decision on the concept plan by the Planning Commission or City Council, conditioned upon review and satisfaction of the requirements for final site plan review by the Planning Commission or City Council. Approval of a concept plan does not constitute a final decision on the site plan application since the plan may require revisions based upon a review of the submissions for final site plan approval by the Planning Commission or City Council.

Staff Comment: Staff notes preliminary site plan/concept plan comments were provide during the previous conditional use review.

Chapter 1205.06 – Zoning District Standards for District 3

☑	**D3 Purpose Statement 1205.06(a)**	*District 3 is established to preserve and protect an existing community character typified by single-family detached residential housing developed at moderate densities averaging about two dwelling units per acre. Being relatively closer to the Village Core, neighborhoods in this district have greater accessibility and connection to the Village Core than residences in District 1. Existing single-family developments are characterized by traditional subdivision designs with*

curvilinear street patterns and some examples of open space dedications. Few potential development areas remain, and are constrained in many instances by the Brandywine Creek drainage corridor. District regulations are intended to continue the predominant single-family detached use, while providing for the addition of attached single-family, duplexes, and townhomes, into the housing mix, as well as additional parks, open space, and trail/bikeway linkages to the Village Core. Additional uses include supporting institutional uses (such as churches and schools) and public service uses. Single-family detached residential housing densities will mirror existing densities and character, and be permitted up to a maximum of two and one-half dwelling units per acre. Protection of remaining sensitive environmental areas, including wellhead protection areas, will be a high priority.

Staff Comment: Staff notes the District 3 purpose statement references accommodations for townhome units. This is the only single-family zoning district (D1-D3) that specifically acknowledges townhomes.

☑ **Maximum Net Density 1205.06(d)(1)**

The maximum net density permitted for townhomes is four dwelling units per acre.

Net Density is defined as *the measure of dwelling units permitted per acre of land area contained in the development, excluding streets, easements, public open space, land under water, and certified wetlands and floodplains. Wetland and other sensitive area setbacks and private open space shall not be excluded in calculating net density. Unless otherwise indicated in this Code, any specified residential density shall be net density.*

The following are the calculations documented with the Conditional use review from May 2024. The applicant has not proposed any change to the 29-unit proposal since the conditional use approval.

Density Calculation	Acres
Gross land area (note: only the area within District 3 was included)	8.5
Streets (N/A - private drive)	0.0
Easements	0.0
Public Open Space dedication	0.0
Land under water (captured under wetlands)	0.0
Certified Wetlands	1.1
Net Area	7.4
Max Townhome Units (Net area x 4)	29

☑ **Open Space 1205.06(d)(2)**

In addition to compliance with the standards and requirements governing open space set forth in Section 1207.05 , developments in District 3 shall set aside a minimum of 25% of the gross land area for private open space.

Staff Comment: 25% of gross land area is 2.125 acres. Staff notes approximately four acres around the western portion of the property are depicted as private open space.

☑ **Lot Size/Width 1205.06(d)(3) 1206.06(d)(4)**

Minimum Lot Size: 2,500 square feet
Minimum Lot Width: 100 feet

Staff Comment: Staff notes the proposal includes one, 12.5-acre parcel with a width of approximately 400 ft.

☑ **Building Setbacks 1205.06(d)(5)**

In order to provide for the maximum preservation of environmentally sensitive areas within District 3, building setbacks and yard requirements for all other developments in District 3 shall be determined on a case-by-case basis by the PC either during the subdivision approval process or during the site plan approval process.

Residential development on lots of record that were two acres or larger in area as of the effective date of this Code shall use as a starting point the minimum setbacks for District 2 set forth in Section 1205.05.

- Minimum Front Yard Setback: 50 ft.
- Minimum Side Yard Setback: 25 ft
- Minimum Rear Yard Setback: 50 ft

Staff Comment: Staff notes the residential units along the northern property line depict a side yard setback of 17.6 ft; however, staff finds this acceptable as the standard side yard setback in District 3 for any principal residential structure, including townhomes, is 15 ft. Staff notes the proposed layout ensures the environmentally sensitive areas are adequately buffered by providing increased setbacks to the west and south.

☑ **Maximum Number of Units per Structure 1205.06(d)(6)**

Townhomes: six units per structure
Staff Comment: Staff notes all buildings meet this requirement

☑ **Maximum Structure Height 1205.06(d)(7)**

A. Single-family detached, attached, and duplexes: thirty-five feet.
B. All other uses: forty feet.
Staff Comment: Acceptable. The typical height of each building would be 35 ft to the peak of the roof. Height is measured *as the vertical distance in feet between finished grade (including finished grade of a basement with direct, at-grade walk-out access) to the average distance between the eaves and the apex of a gable, hip, or gambrel roof.* Building height would be further verified as part of a submittal to the AHBR.

☑ **Distance Between Residential Buildings 1205.06(d)(8)**

Structures containing either single-family-attached, duplexes, or townhomes shall be separated from each other by a minimum of twenty feet at their closest points.
Staff Comment: Acceptable

☑ **Building Siting and Orientation 1205.06(d)(9)**

Staff Comment: Acceptable. The LDC requirements for orientation would not apply as the buildings are located more than one hundred thirty (130) feet from a public street; however, staff notes the applicant has revised the previous orientation conflicts with the Architectural Design Standards by establishing a wider, main drive with narrower secondary drives and orienting garage doors to the secondary drives.

☑ **Pedestrian/Bicycle pathways and linkages 1205.06(d)(10)**

Provision shall be made in the design of all developments for non-vehicular circulation systems, including but not limited to sidewalks, pathways, and bikeways.
Staff Comment: Staff notes the City of Hudson constructed sidewalks along the frontage of the property in 2023 with the Darrow Road improvement project. The proposed plans depict an internal 5 ft sidewalk extension along the main drive with connecting walkways to the front of each unit. Additionally, a circular path has been prosed around the detention basin for pedestrian use.

☑ **Driveway Curb Cuts 1205.06(d)(14)**

Lot widths of more than 150 feet: No more than two driveway curb cuts per lot
Staff Comment: Acceptable

☑ **Location of Parking 1205.06(d)(15)**

Off-street parking shall be located to the side and rear of the principal building
Staff Comment: Acceptable

Chapter 1207 – Zoning Development and Site Plan Standards

☑ **Impervious Surface 1207.01(a)(1)**

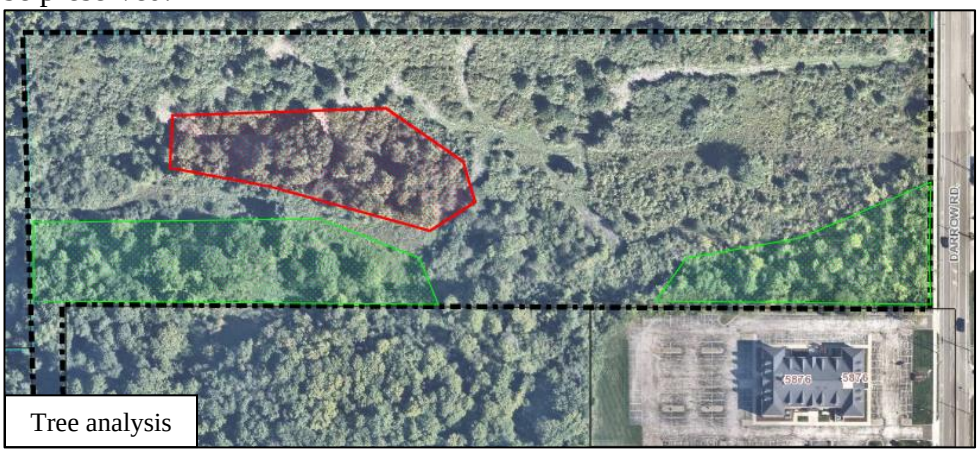
The maximum impervious surface coverage for any residential property, including parking areas and accessory buildings and structures, shall not exceed forty percent of the total gross area of the underlying lot or lots, as determined by the Community Development Department, unless storm water management, existing conditions, or other techniques approved by the City Engineer to control storm water and runoff are employed, but in no case shall the impervious surface coverage exceed sixty percent of the total gross area of the underlying lot or lots.
Staff Comment: Acceptable. The site plan depicts a total of 2.5 acres of impervious surfaces; resulting in 30% of the total gross area.

☑ **Limits of disturbance and Tree protection 1207.02**

Priority areas for retention of existing trees and vegetation shall include, but not be limited to riparian areas, wetlands, wildlife habitat, aquifer or wellhead protection areas, areas falling within the two highest quality ecological integrity classifications for any of the individual metrics or composite as set forth in Appendix B to this Code, and other sensitive natural areas. Streets, buildings, and lot layouts shall be designed to minimize disturbance to all trees nine inches DBH or larger.
Staff Comment: Acceptable. Staff conducted a field visit and reviewed the proposed Tree and Vegetation and notes the following:

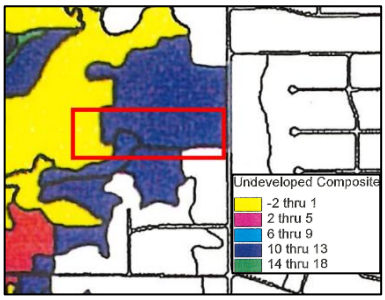
- The previous owner routinely cleared portions of the site to maintain a network of paths. Therefore, there is an absence of mature trees onsite considering the 12.5-acre lot size. The result is an abundance of underbrush trees.
- A small cluster of mature trees (highlighted on page 8 in red) is proposed to be removed; however, the City Arborist notes many of these trees include undesirable species such as Poplar and Thorn Apple. Two other clusters of mature trees were identified (highlighted on page 8 in green). These mature trees would be preserved. The largest of

these clusters are located within the identified forested wetlands and would be preserved.



Tree analysis

- The Index of Ecological of Integrity identifies areas of high composite scores onsite; however, staff anticipates this is primarily due to the presence of wetlands. Staff notes the generalized EI index data is not accurate to this site as the site contains wetland areas worth protecting at the southwestern portion of the site; however, the index notes this area as lower quality than the largely scrub brush/wooded area on the remainder of the property. Staff recommends relying more on the site-specific wetland delineation and field observations above, which identifies specific locations of wetlands and current conditions, when reviewing this requirement.



- The applicant shall install silt fencing and/or polypropylene fencing to mark and protect the approved clearing limits, which shall be maintained by the applicant.

☐ **Wetland and Stream Protection 1207.03**

Approximately 1.12 acres of wetlands are located at the southwest portion of the site. These locations were verified by the Army Corp of Engineers. The Land Development Code stipulates eh following for wetlands:

- *No person shall engage in any activity that will disturb, remove, fill, drain, dredge, clear, destroy, or alter any area, including vegetation, within stream corridors, wetlands, and their setbacks, except as may be expressly allowed in this Code.*
- *All buildings, accessory structures, and parking areas or lots shall be set back at least fifty feet horizontally (map distance), from the delineated edge of a wetland.*
- *Exceptions: The following structures and necessary grading may be excepted from this section (Wetland/Stream Corridor Protection) provided construction and the area disturbed minimizes impact to the maximum extent feasible: (1) Bridges over streams and the setback area; (2) Stormwater management wet basins within the setback area when native plantings are used.*

Staff Comment: Staff notes grading is proposed within the required 50 ft wetland setback to accommodate the wet extended stormwater detention basis. The Land Development Code permits the grading for the pond to be located within the setback provided native plantings are used. The applicant shall revise the landscaping plans to depict native plantings at the pond.

☐ **Landscaping 1207.04**

Staff notes the following landscape requirements:

- *Required Bufferyard along northern property line: Bufferyard B (10 ft)*
  Staff Comment: Acceptable
- *Required Bufferyard along southern property line: Bufferyard B (10 ft)*
  Staff Comment: Acceptable. Staff notes a large portion of the southern property line would remain undisturbed.
- *Required Bufferyard along western property line: Bufferyard B (10 ft)*
  Staff Comment: Acceptable. Existing Trees will meet this requirement
- *Required Bufferyard along eastern property line: Bufferyard D (25 ft)*
  Staff Comment: Acceptable
- *Street Trees: All developers shall plant trees along public streets of their developments in such a manner, type, quantity and location.*
  Staff Comment: While street trees are only required for public streets, staff recommends street trees be depicted along both sides of the proposed driveway located within the District 7 Overlay. Minimum spacing should be forty feet for large trees, thirty feet for medium trees, and twenty feet for small trees.
- *Improvement Agreement: No certificate of zoning compliance shall be issued unless such plan has been guaranteed by an improvement agreement between the developer and the City in a form acceptable to the City Solicitor and secured by a letter of credit, cash escrow, or other instrument acceptable to the City Solicitor, in an amount equal to 110 percent of the cost of such installation.*
  Staff Comment: The applicant shall submit the above.

☑ **Open Space 1207.05**

The LDC requires the following:

- *All plans for residential subdivisions of land or residential land development shall provide for private and public open space.*
- *Where significant natural and scenic resource assets exist on the property, the Planning Commission shall, to the maximum extent feasible, give priority to their preservation through the park and open space dedication requirements or set aside requirements set forth in the applicable zone district regulations.*
- *Public Open Space Requirement: 19 acres per 1,000 residents. The Planning Commission may allow the developer to contribute funds in-lieu of land dedication.*
  Staff Comment: Staff notes 1.71 acres of public open space would be required for the development. The applicant has expressed the desire to contribute funds-in-lieu to satisfy this requirement. Following the Conditional Use Review, the Park Board has verified funds-in-lieu is preferred. If the Planning Commission accepts funds-in-lieu, the applicant

would submit an appraisal of the property to determine the fair market value per acre.

- *Private Open Space Requirement: 25% of gross land area.*
  Staff Comment: Acceptable. As previously stated, approximately four acres around the western portion of the property are depicted as private open space to satisfy this requirement. Based on prior feedback the applicant has included an approximate .2-mile walking path around the proposed detention wet basin along with a pavilion.

☑ **Stormwater Management 1207.07**

Stormwater retention/detention applies to all development in the City of Hudson except "minor development". The City of Hudson Engineering Standards for Infrastructure Construction are the accepted design and construction specifications for stormwater management facilities in the City. All provisions in the Engineering Standards shall be applicable to all development in the City of Hudson, Ohio.
Staff Comment: Staff notes stormwater would be directed to the detention basin at the rear of the property via a series of underground stormwater lines. Water would be slowly released to the west via an outlet structure. The direction of the outlet structure was requested by the Assistant City Engineer through the Conditional Use review.

☑ **Adequate Public Facilities 1207.11**

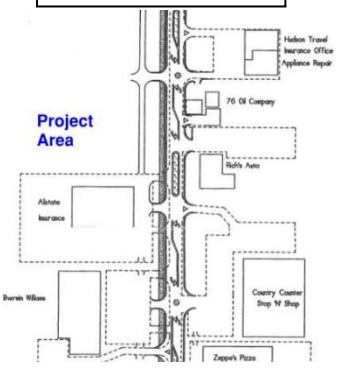
Development shall be served by and utilize public water and public sewer systems.
Staff Comment: Acceptable. Staff notes the development would be served by Hudson Water and Summit County sanitary sewer (DSSS).

☑ **Off-Street Parking 1207.12**

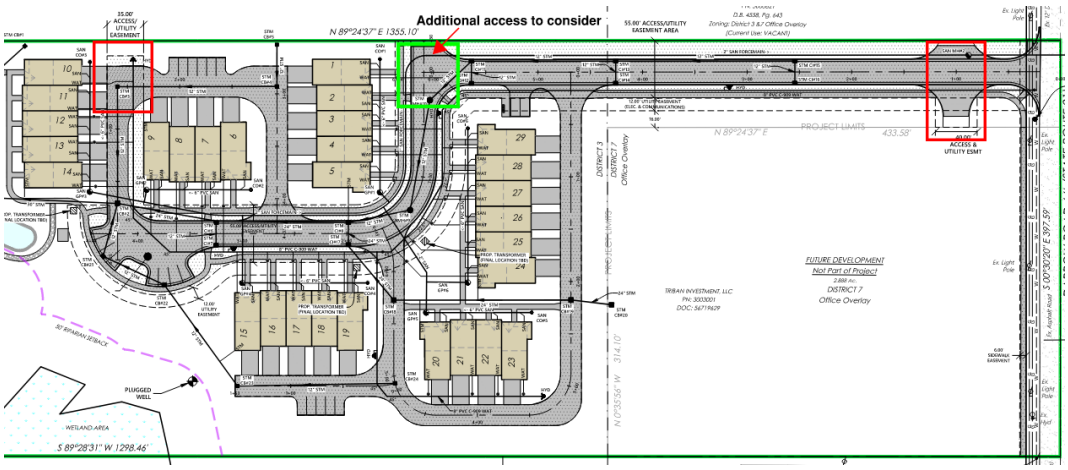
Minimum parking space requirements: Two Spaces for each dwelling unit
Staff Comment: Acceptable. Staff notes an enclosed two car garage would be provide for each dwelling unit. Additionally, twenty-two shared on-street parking spaces would be provided throughout the development.

☐ **Transportation 1207.13**

91 Corridor Study



South 91 Corridor Studies. All development adjacent to SR-91 from Stoney Hill Drive to Barlow Road necessitating road improvements must be in compliance with the South 91 Corridor Access Management Plan adopted in July, 1997, as amended. All development adjacent to SR-91 from Terex Road to Norton Road must be in compliance with the SR-91 Traffic Corridor Study adopted in February 2003, as amended.
Staff Comment: Staff notes the applicant is proposing two shared access and utility easements. One would be located towards the front of the property and would align with the SR-91 Traffic Corridor Study. The other would be located towards the rear of the property. Staff recommends these access easements be extended to the northern property lines and recorded prior to the issuance of a zoning certificate. Additionally, staff recommends a third access easement be established to the property to the north as depicted on page 12.



☐ **Exterior Lighting 1207.14**

The LDC requires the following:

- All residential development consisting of five or more lots or units and all nonresidential development shall submit for approval a proposed exterior lighting plan that meets the functional security needs of the proposed land use without adversely affecting adjacent properties or the community.
- Maximum permitted illumination at the property line: 0.1 footcandles.
  Staff Comment: Staff notes lighting levels of .2 footcandles at the northern property line along the driveway. Revise the lighting plan to meet this requirement.
- Glare shall be controlled at all times through proper equipment selection, careful aiming, and limits on brightness as per IESNA recommendations.
  Staff Comment: Acceptable. Staff notes the lighting plan includes pole mounted LED fixtures. The fixtures are full cutoff to reduce glare.
- The style of light standards and fixtures shall be consistent with the style and character of architecture proposed on the site
  Staff Comment: Acceptable. Staff notes the proposed fixtures are a lantern style consistent with the character and architecture proposed onsite.

- In Zone District 3, light fixtures shall be mounted on concrete or painted metal poles no higher than sixteen feet.
  Staff Comment: Acceptable. The submitted lighting plan depicts aluminum poles with a height of 10 ft.

☑ **Signs 1207.17**

Signage shall be submitted through a separate permit application. The design of the sign would be reviewed by the Architectural and Historic Board of Review.

☑ **Oil/Gas Exploration And Drilling Uses 1207.19(c)**

No structure suitable for occupancy shall be erected within 100 feet of any unplugged oil and gas well head. If the well has been abandoned and plugged, no habitable structure shall be erected within twenty-five feet of the plugged well head.
Staff Comment: Acceptable. Staff notes the plans depict a plugged well at the southern edge of the property with a setback of 45 ft to the nearest habitable structure.

Additional Considerations

☑ **Architectural Design Standards**

Staff notes the AHBR has held the following informal reviews with the applicant to further the design of the homes:

- January 24, 2024 AHBR meeting
- May 8, 2024 AHBR meeting

Of note, the applicant has revised the design in response to the AHBR's comments to provide additional variation amongst the units. Wrap around porches have also been introduced to the more highly visible end units. The applicant will continue to engage with the AHBR on final design.

☑ **Trash Enclosures**

Staff anticipates no trash enclosures are proposed.

☑ **Mail**

Staff notes mail would be collected at a centralized location along the drive, adjacent to building #29.

☐ **Declaration of Condominium Ownership**

The proposed condominium development would create a Homeowner's Association with guidelines primarily for the maintenance of units and the common spaces. Staff has reviewed the draft document to the stipulations in Section 1208.13, commonly used for subdivisions. The City Solicitor shall review and approve the final draft prior to the issuance of a zoning certificate.

(a) The homeowners association shall be established before any lots are sold;
Staff Comment: This text shall be added to *Article II (A): Establishment of Condiminium.*

(b) Membership shall be mandatory for each homebuyer and any successive buyer;
Staff Comment: Acceptable. This requirement is captured in *Article IV (A): Membership*.

(c) Any open space restrictions shall be permanent, not just for a period of years;
Staff Comment: This text shall be added to *Article II (C): Description and Maintenance of Common Elements.*

(d) The association shall be responsible for liability insurance, local taxes, and the maintenance of recreational and other facilities;
Staff Comment: Acceptable. This requirement is captured in *Article VI (b)(2) Liability Insurance*.

(e) Homeowners shall pay their pro rata share of the cost, and the assessment levied by the association can become a lien on the property if allowed in the master deed establishing the homeowners association; and
Staff Comment: Acceptable. This requirement is captured in *Article V (D): Assessments.*

(f) The association shall be able to adjust the assessment to meet changed needs and demands.
Staff Comment: Acceptable. This is captured in *Article V: (N): Maximum Monthly Assessment.*

City Departments:

☑ **Engineering**	Assistant City Engineer David Rapp has submitted a review letter dated November 11, 2024. The comments are attached.
☑ **Fire Department**	Fire Marshal Shawn Kasson has reviewed the proposal with no further comments.
☑ **Hudson Public Power**	Assistant Public Works Superintendent Dave Griffith has reviewed the proposal and noted HPP will continue to work with the applicant to serve the property, including further coordination on developer fees, requirements and responsibilities. HPP sees no concerns in servicing the property.

Required PC Action

The PC shall consider the development application, the staff report, and then take final action. PC shall approve, approve with conditions, or deny the application based on its compliance with the appropriate review standards. All decisions of the Commission shall be based on findings of fact related to the relevant standards of the Code.

Recommendation

Staff recommends the Planning Commission proceed with a public hearing on November 18, 2024 and consider action on request. Any motion related to the application of the Major Site Plan per Case 2024-1886, according to plans received October 21, 2024, should be subject to the following conditions:

1. Protective fencing shall be installed around existing trees located near the proposed clearing limits as depicted in Figure 2 of the staff report.
2. The Landscaping Plan shall be revised per the following:
    a. Depict street trees on both sides of the proposed drive within the District 7 Overlay. Street trees shall be depicted with minimum spacing of forty feet for large trees, thirty feet for medium trees, and twenty feet for small trees.
    b. Depict native plantings at the proposed stormwater pond.
3. Public Open space funds-in-lieu shall be submitted prior to the issuance of a zoning certificate.
4. Access easements shall be recorded, subject to the acceptance of the City Engineer, prior to the issuance of a zoning certificate. Access easements shall extend to the northern property lines. An additional access easement shall be included along the drive in front of the building containing units #1- #5.
5. The exterior lighting plan shall be revised to depict lighting levels with maximum .1 footcandles along the northern property line.
6. The comments of Assistant City Engineer David Rapp review shall be addressed per the November 13, 2024 correspondence.
7. The City Solicitor shall approve the Declaration of Condominium Ownership prior to a zoning certificate being issued.
8. The applicant shall install silt fencing and/or polypropylene fencing to mark and protect the approved clearing limits, which shall be maintained by the applicant.
9. Satisfaction of the above conditions prior to scheduling of a preconstruction meeting with City Officials and no clearing or construction of any kind shall commence prior to the issuance of a Zoning Certificate.