

COPLEY TOWNSHIP BOARD OF TRUSTEES STAFF REPORT

May 2, 2019



APPLICANT SUMMARY

PROJECT: 4640, 4660, 4666, 4672 Medina Road	APPLICATION TYPE: Map Amendment
APPLICANT/LANDOWNER	APPLICANT: Ronald G. Noland LANDOWNER: Ronald G. Noland
CURRENT ZONING	Commercial-Office Retail (C-OR)
PROPOSED ZONING	Commercial-General Retail (C-GR)
APPLICATION SUMMARY	Applicant and Landowner, Ronald G. Noland is requesting a Map Amendment to rezone his properties located at 4640, 4660, 4666 and 4672 Medina Road from Commercial-Office Retail (C-OR) to Commercial-General Retail (C-GR).
INITIATED BY	Applicant
DECISION TYPE	<input type="checkbox"/> Informational <input type="checkbox"/> Direction <input checked="" type="checkbox"/> Action
CODE REFERENCES	Article 4-Commercial Districts, 4.03, Commercial-Office Retail (C-OR), Article 4- Commercial Districts, 4.01, Commercial-General Retail (C-GR) Article 12-Zoning Commission and Zoning Amendments, 12.04 Application for Amendment of the Zoning Resolution
GENERAL LOCATION	Medina Road (SR 18) east of Hametown Road, west of Scenic View Drive
LAND AREA	4672 MEDINA ROAD 1.12 ACRES, VACANT PARCEL 4666 MEDINA ROAD 0.97 ACRES, VACANT PARCEL 4660 MEDINA ROAD

	<p>0.91 ACRES, VACANT PARCEL</p> <p>4640 MEDINA ROAD 1.86 ACRES, EXISTING LEGAL NON-CONFORMING GAS STATION</p>
<p>COMMUNITY & ECONOMIC DEVELOPMENT STAFF RECOMMENDATION</p>	<p>Disapproval</p> <p>Rationale: Not consistent with the goals and objectives of the Comprehensive Land Use Plan. The Comprehensive Land Use plan calls for the re-use, infill and re-development of existing commercial property throughout the Township.</p>

PROPERTY LOCATION

SITE	ZONING	LAND USE
North	B-4 (Bath Township)	Restricted Business Use
South	R-MD	Residential single-family
East	C-OR	Residential multi-family
West	R-HD	Residential Single-family

1. Project Background and Description

Applicant and Landowner, Ronald G. Noland is requesting a Map Amendment which would rezone his properties located at 4640, 4660, 4666 and 4672 Medina Road from Commercial-Office Retail (C-OR) to Commercial-General Retail (C-GR).

PER THE APPLICANT-EXISTING ZONING IS UNREASONABLE BECAUSE:

It doesn't allow us to move the station to the corner of Hametown and Medina Rd.

PER THE APPLICANT-THE REZONING WOULD BE BETTER BECAUSE:

It would allow for a new updated station with safe entrance and exit point and it would be built to standards of Summit County for lighting, water retention and traffic.



2. Existing: Commercial Office-Retail Land Use

PERMITTED USE	CONDITIONAL USE	PROHIBITED USE
<ul style="list-style-type: none"> Office Use Small Retail Ancillary to Office Use-Up to 2,500 such as convenience stores, restaurants and personal care establishments Accessory uses associated with the primary office use Governmental offices designed to serve the residents of Copley & surrounding area 	<ul style="list-style-type: none"> Bed and Breakfast Churches Clubs and Lodges Day Care Center Drive-up Window Facility Life care facility Live/Work Use Schools/educational facilities Wind Turbines 	<ul style="list-style-type: none"> Uses not in accordance with the Land Use Plan Uses which impact land-use in regards to but not limited to traffic, noise, storm water control, parking, effect on the value of surrounding properties, and the effect of the proposed use on the normal and orderly development and improvement of the surrounding properties.

3. Proposed: Commercial General-Retail Land Use

PERMITTED	PERMITTED WITH CONDITIONS (NOT APPLICABLE IN REGARDS TO PROPOSED REQUEST)	CONDITIONAL	PROHIBITED
<ul style="list-style-type: none"> Retail goods and personal services including high intensity retail and service uses, such as large-scale retail establishments Restaurants and Nightclubs Accessory uses associated with the primary use Governmental offices designed to serve the residents of Copley & surrounding area 	<ul style="list-style-type: none"> Air-conditioning, cabinet making and carpentry, heating and plumbing, painting, roofing, sheet metal, and upholstering. Dry cleaning, cleaning and dyeing, and laundry service. Repair services for machinery and equipment establishments Uses that are substantially similar to those listed above as regards their land-use impacts on surrounding properties. 	<ul style="list-style-type: none"> Bed and Breakfast Churches Clubs and Lodges Day Care Center Drive-up Window Facility Gasoline service station – Full Service or Multi-Use Hotel/motel Life care facility Recreational Facility Schools / educational facilities Theatre and assembly uses. Wind Turbines 	<ul style="list-style-type: none"> Uses not in accordance with the Land Use Plan Uses which impact land-use in regards to but not limited to traffic, noise, storm water control, parking, effect on the value of surrounding properties, and the effect of the proposed use on the normal and orderly development and improvement of the surrounding properties.

4. Affected Parties

Department & Agency Comments

Summit County Planning Commission	<i>Disapproval</i>
Summit County Planning Commission Staff	<p><i>Disapproval</i></p> <p>Recommendation is based on the following:</p> <p><i>Property can be used as zoned</i> <i>Proposed use is not in line with the Future Land Use Plan</i> <i>Intensity of proposed use could adversely affect adjacent residential properties</i> <i>No change in conditions which leaves current zoning inappropriate-however, the current use is non-conforming</i></p>
Copley Township Police Department	<i>No Comment</i>
Copley Township Fire Department	<i>No Comment</i>
Copley Township Service Department	<i>No Comment</i>

Copley Township Department of Community & Economic Development

Disapproval

Rationale: Not consistent with the goals and objectives of the Comprehensive Land Use Plan. The Comprehensive Land Use plan calls for the re-use, infill and re-development of existing commercial property throughout the Township.

Community & Economic Development Review Criteria

a) Is the proposed zoning change reasonable given the nature of the surrounding area? No. The surrounding areas consists of residential uses (medium & high) and the Bath Township B-4 Restricted Business District which is designed to complement the surrounding Districts. A Commercial-General Retail District would not compliment the surrounding districts.

b) Can the property reasonably be used as currently zoned? Yes.

c) Is the proposed Map Amendment consistent with the objectives and goals of the Comprehensive Plan? No. The Current Comprehensive Land Use Plan-Future Land Use Map designates the land as Commercial with an Office/Retail Use. The Proposed Comprehensive Land Use Plan-Future Land Use Map designates the land as Office. The Future Land Use Plan is supported by results of the 2016 Community Survey and Township goal to infill and revitalize existing commercially zoned properties.

d) Is the proposed zoning change consistent with the stated purpose and intent of the zoning resolution and the applicable districts? The C-GR district does permit Gasoline Service Stations as a Conditionally Permitted Use.

e) How will the proposed zoning change impact public services & facilities? Any new Use would be required to connect to centralized services.

f) How will the proposed zoning change impact traffic, especially traffic safety? The intensity of the Uses in the proposed district would be increased.

g) Will the proposed zoning change adversely affect adjoining properties? Yes.

h) Is this an appropriate location for the proposed use or are there locations better suited for the use.. Permitted uses in the Commercial-General Retail District would be better suited in existing retail areas.

i) Will the proposed zoning change, change the character of the neighborhood? Yes.

j) Has there been a change in conditions that renders the original zoning inappropriate? No.