

# STAFF REPORT

September 28, 2016

**TO:** City Council

**FROM:** Jeannie Peyton  
Planning & Zoning Administrator

**CASE #:** **PC CASE #16-07:** Request to Amend the official zoning map with rezoning approval from the “G-B” General Business Zoning District to the “N-B” Neighborhood Business Zoning District for a 1/4 acre site located at 2383 N Union Road (Parcel I.D. #H33 02209 0019).

## *REZONING APPLICATION*

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**APPLICANT:** City of Trotwood

**OWNER:** Mr. Robert Critell (Commander), VFW Post 4270, Trotwood, Ohio

**PROPERTY LOCATION:** 2383 N Union Road  
PID H33 02209 0019 (combined with H33 02209 0034 & H33 02209 0068)

**LAND USE REQUEST:**

Application has been made under PC Case #16-07 for the parcel located at 2383 N Union Road to be rezoned from its current “G-B” General Business Zoning District to the “N-B” Neighborhood Business Zoning District.

**SITE DESCRIPTION:**

Located at 2383 N Union Road, the 3/4 acre site of the VFW Post 4270 is situated at the intersection of N Union and Post Town Roads.

**CURRENT ZONING:** “G-B” General Business Zoning District

**CURRENT LAND USE:** Unknown, Former Service Club

**SURROUNDING ZONING:** North - RSF-M District  
South - A, Agricultural District  
East - RSF-M District  
West - RSF-M District

**SURROUNDING LAND USES:** North - Single Family Residence  
South - Agricultural Field  
East - Single Family Residences  
West - Single Family Residences

## **DISCUSSION OF PROPOSED ZONING:**

In May 2010, Trotwood City Council voted to sell the surplus property at 2383 N Union Road to the VFW Post 4270 with the unanimous vote to pass Ordinance 4-10. Prior to this sale and the merger of the City of Trotwood with Madison Township the property served as the Madison Township Hall and Service Garage.

Due to the nature of the prior use of this property, it has been deemed to be environmentally unsuitable for residential use in the future. This is reflected by a Deed Restriction on record. The City acted to further enforce this criteria in August of 2015 (PC15-05) with a change in zoning to a business district. By amending the zoning on this parcel to the “G-B” or General Business Zoning District the established use as a Service Club, present at the time, was a “permitted” use. Recently, VFW Post 4270 has moved its location to elsewhere in the City of Trotwood and is no longer operating at 2383 N. Union Road.

Given the location of the parcel and the surrounding uses and zoning districts, the City finds that a designation of “G-B” or General Business is no longer appropriate since the site will not need to accommodate a Service Club. Furthermore, the City is requesting that the Commission move to approve a zoning map amendment to change the zoning to a more appropriate district for its location.

In reviewing the Schedule of Uses, the designation of “N-B” Neighborhood Business is a more appropriate designation for this parcel moving forward. The Neighborhood Business Zoning District has a more narrow scope of business uses that are suited to fit into the neighborhood environment.

Please refer to the attached Schedule of Uses to see Permitted and Conditional Uses in the “N-B” Zoning District.

## **STAFF RECOMMENDATION:**

Staff recommends that the Planning Commission **APPROVE** PC Cases # 16-07 and **APPROVE** the Rezoning of 2383 N Union Road to the N-B, Neighborhood Business Zoning District.

## **PLANNING COMMISSION ALTERNATIVES:**

The Commission’s alternatives under **PC Case #’s 16-07:**

1. Move to make the specified findings under Chapter 1125 and **APPROVE** the request to **Amend** the official zoning map from the “G-B” General Business Zoning District to the “N-B” Neighborhood Business Zoning District for a 3/4 acre site located at 2383 N Union Road (Parcel I.D. #H33 02209 0019), Or;
2. Move to **DENY** the request to **Amend** the official zoning map from the “G-B” General Business Zoning District to the “N-B” Neighborhood Business Zoning District for a 3/4 acre site located at 2383 N Union Road (Parcel I.D. #H33 02209 0019), for failure to make the specified findings under Chapter 1125.

## **PLANNING COMMISSION RECOMMENDATION TO COUNCIL:**

On Tuesday, September 27, 2016 Planning Commission voted unanimously 5-0 to **APPROVE** the request to **Amend** the official zoning map from the “G-B” General Business Zoning District to the “N-B” Neighborhood Business Zoning District for a 3/4 acre site located at 2383 N Union Road (Parcel I.D. #H33 02209 0019).

Attachments: Aerial plan  
Schedule of Uses

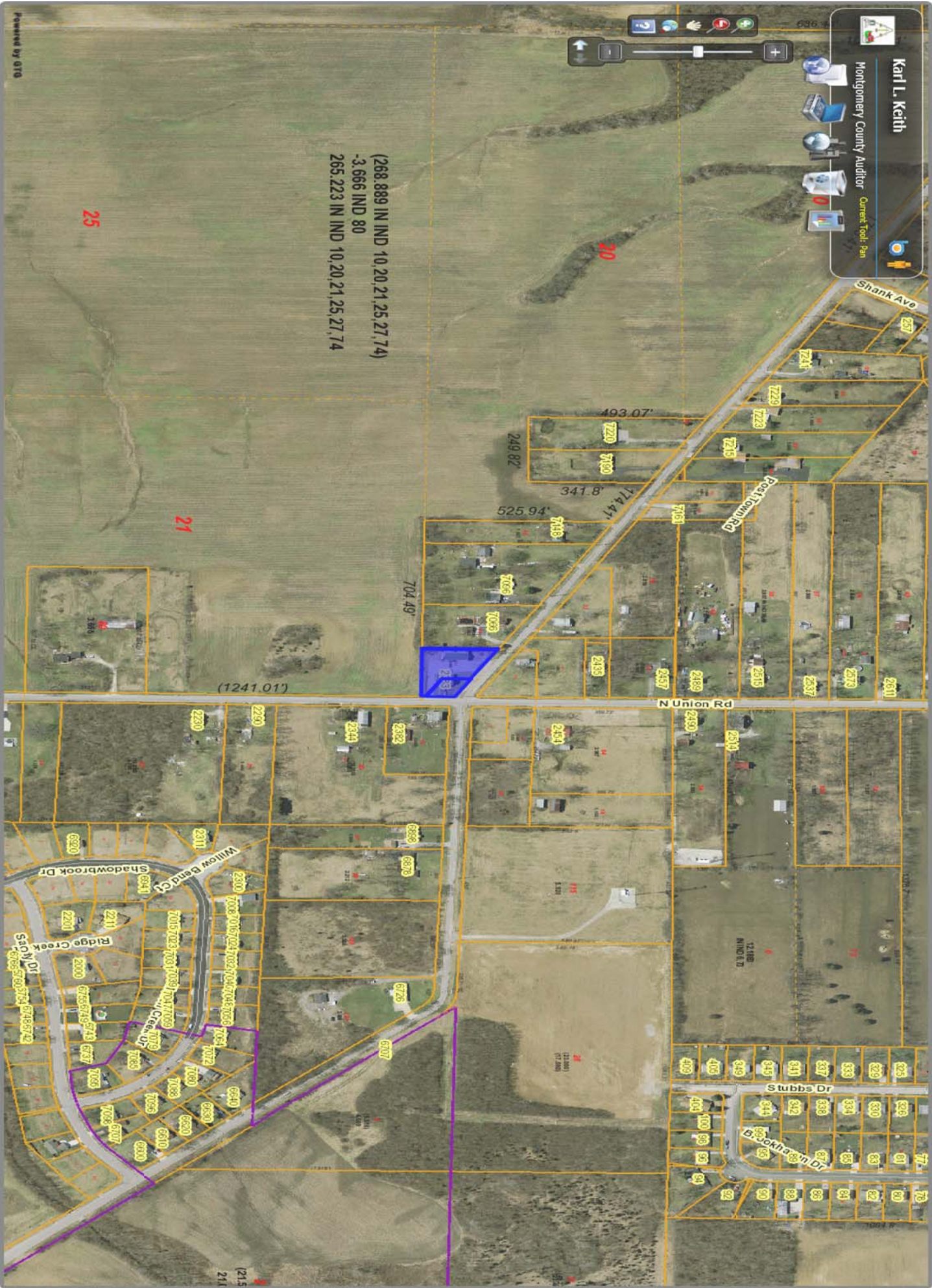


(268,889 IN IND 10,20,21,25,27,74)  
-3,666 IND 80  
265,223 IN IND 10,20,21,25,27,74

25

20

21



## APPENDIX B

### SCHEDULE OF PERMITTED AND CONDITIONAL USES BY DISTRICT

SCHEDULE OF USES																									
ZONING DISTRICT SYMBOL	R-SF	R-TF R-FF	R-MF	R-E	O-R	OT-B	N-B	G-B	R-B	B-P	C-R	L-I	A												
P - Permitted Use	AGRICULTURE USES																								
C - Conditional Use																									
Agricultural implement sales, service																					P	P			P
Animal husbandry, except porcine																	C								P
Agricultural field crops																	P								P
Farm Markets																	C								C
Farm, ranch or orchard																	P								P
Poultry husbandry on tracts of 40+ acres																	P								P
Kennels, boarding of cats, dogs																	C								P
Riding stables & boarding of horses														C* (Not in RSF-H)			C* C**								

\*Keeping of horses requires minimum of two acres of property and at least one acre per each horse. No boarding or riding stables in RSF District

\*\*Only on tracts of five (5) or more acres

SCHEDULE OF USES												
ZONING DISTRICT SYMBOL	R-SF	R-TF R-FF	R-MF	R-E	O-R	OT-B	N-B	G-B	R-B	B-P	C-R	L-I
P- Permitted Use C-Conditional Use	PRIMARY RESIDENTIAL USES											
Boarding or rooming house		C	C			C						
Motel or hotel, apartment hotel									P	C	P	
Single family dwelling	P	P (R-TF)		P	C	P						P
Two family dwelling		P	P (RMF-L) C (RMF-H)		C							
Three-Four family dwelling		P (R-FF)										
Multi family dwelling			P			C						



# SCHEDULE OF USES

SCHEDULE OF USES		RETAIL AND BUSINESS SERVICES (Continued)												
		Residential Single Family District	Residential Two/Four Family District	Residential Multi-Family District	Rural Estate District	Office-Residential District	Olde Town Business District	Neighborhood Business District	General Business District	Regional Business District	Business Park District	Commercial Recreation District	Light Industrial District	Agriculture District
ZONING DISTRICT SYMBOL	R-SF	R-TF R-FF	R-MF	R-E	O-R	OT-B	N-B	G-B	R-B	B-P	C-R	L-I	A	
P – Permitted Use C – Conditional Use														
Copy service								P	P					
Department store, discount store								P	P					
Drug store, pharmacy							C	P	P					
Fast food restaurant							C	P	P	C	C			
Florist shop						P		P	P					
Funeral Home						C		P	P					
Furniture/appliance store, new & used						P		P	P					
Garden shop and plant sales								P	P				C	
Grocery store						C	C	P	P					
Handcraft and art object sales								P	P					
Hardware store								P	P					
Hobby shop								P	P	C				
Laboratory, medical or dental						P		P	P					
Laundry/Dry cleaning drop-off and pick-up						P	C	P	P					

## SCHEDULE OF USES

ZONING DISTRICT SYMBOL		Residential Single Family District	Residential Two/Four Family District	Residential Multi-Family District	Rural Estate District	Office-Residential District	Olde Town Business District	Neighborhood Business District	General Business District	Regional Business District	Business Park District	Commercial Recreation District	Light Industrial District	Agriculture District
P – Permitted Use C – Conditional Use		RETAIL AND BUSINESS SERVICES (Continued)												
Liquor store									C	C				
Medical appliances fitting and sales									P	P				
Mortuary							C		P	P				
Optical shop									P	P				
Pawn shop									P					
Personal custom services such as tailor, milliner, seamstress, related services							P	P	P	C				
Personal electronics sales/service, such as Cell phone, iPod, PDA							C	C	P	P				
Personal services such as barber, beauty shop, nail salon							P	P	P	C				
Pet shop-small animal, birds/fish									P	P				
Professional offices							P	P	P	C	P		C	
Professional services						C	P	P	P	C	C			
Restaurant/ delicatessen							P	C	P	P	C	C		

# SCHEDULE OF USES

SCHEDULE OF USES		RETAIL AND BUSINESS SERVICES (Continued)												
ZONING DISTRICT SYMBOL		R-SF	R-TF R-FF	R-MF	R-E	O-R	OT-B	N-B	G-B	R-B	B-P	C-R	L-I	A
P – Permitted Use C – Conditional Use		Residential Single Family District	Residential Two/Four Family District	Residential Multi-Family District	Rural Estate District	Office-Residential District	Olde Town Business District	Neighborhood Business District	General Business District	Regional Business District	Business Park District	Commercial Recreation District	Light Industrial District	Agriculture District
	Retail shops, apparel accessories, gifts and similar items						P		P	P				
Shoe repair							P	P	P	P				
Studio, decorator and display of art objects									P					
Studio, photographer, artist, music, drama dance							P		P	C				
Tavern									C	C				
Travel bureau or consultant									P	P	P	P		
Variety store							P		P	P				

SCHEDULE OF USES		COMMERCIAL AND RELATED SERVICE USES												
ZONING DISTRICT SYMBOL	R-SF	R-TF R-FF	R-MF	R-E	O-R	OT-B	N-B	G-B	R-B	B-P	C-R	L-I	A	
Residential Single Family District														
Residential Two/Four Family District														
Residential Multi-Family District														
Rural Estate District														
Office-Residential District														
Olde Town Business District														
Neighborhood Business District														
General Business District														
Regional Business District														
Business Park District														
Commercial Recreation District														
Light Industrial District														
Agriculture District														
P – Permitted Use C – Conditional Use														
Animal clinic or pet hospital (no outside pens)								P	P					
Bakery, wholesale									P			C		
Building material sales								C	P			C		
Bus passenger station					C	C	C	P	P	P	C			
Cabinet or upholstery shop								C	P			C		
Cleaning, laundry plant commercial									P			P		
Corporate or business training facility								P	P	P		C		
Dance hall/night club								C	C					
Dental laboratory								P	P					
Heating, air conditioning, plumbing shop								C	C					
Laboratory, manufacturing								P	P	C		C		
Laboratory, scientific or research									P	P		C		

SCHEDULE OF USES													
SYMBOL	R-SF	R-TF R-FF	R-MF	R-E	O-R	OT-B	N-B	G-B	R-B	B-P	C-R	L-I	A
P – Permitted Use C – Conditional Use	Residential Single Family District	Residential Two/Four Family District	Residential Multi-Family District	Rural Estate District	Office-Residential District	Olde Town Business District	Neighborhood Business District	General Business District	Regional Business District	Business Park District	Commercial Recreation District	Light Industrial District	Agriculture District
COMMERCIAL AND RELATED SERVICE USES (Continued)													
Lawn & garden equipment sales, service								P	P			P	C
Locksmith								P	P				
Maintenance and repair service								P	P				
Medical appliances fitting and sales								P	P				
Medical laboratory								P	P	P			
Mini warehouse									C			C	
Paint and wallpaper store								P	P				
Personal improvement services								P	P				
Research laboratory									P	C		C	
Sale of furniture and appliances								P	P				
Service clubs, lodges								P	P				
Storage warehouse (mini)									C			C	

SCHEDULE OF USES													
SYMBOL	R-SF	R-TF R-FF	R-MF	R-E	O-R	OT-B	N-B	G-B	R-B	B-P	C-R	L-I	A
P – Permitted Use C – Conditional Use	COMMERCIAL AND RELATED SERVICE USES (Continued)												
Studio, health, reducing or similar service								P	P				
Testing laboratory									P	C		C	
Trade/commercial schools								C	C	C			
Trailer and mobile home sales or rental only									C				
Veterinarian hospital/kennel (outside pens)								C	C				
Veterinarian office (no outside kennels)								P	P				
Wholesale sales								C	P	C		P	

SCHEDULE OF USES													
ZONING DISTRICT SYMBOL	R-SF	R-TF R-FF	R-MF	R-E	O-R	OT-B	N-B	G-B	R-B	B-P	C-R	L-I	A
P – Permitted Use C – Conditional Use	INDUSTRIAL AND RELATED USES												
Any manufacturing process												P	
Asphalt or concrete batching plants												C	
Cleaning, dyeing/laundry plant, industrial												P	
Clothing manufacturing similar light manufacturing process												P	
Commercial extraction of sand, soil, and gravel												C	C
Contractors storage/equipment yard												C	C
Distribution Center										C		P	
Heavy machinery sales, storage, repair												P	

SCHEDULE OF USES													
ZONING DISTRICT SYMBOL	R-SF	R-TF R-FF	R-MF	R-E	O-R	OT-B	N-B	G-B	R-B	B-P	C-R	L-I	A
P – Permitted Use C – Conditional Use	INDUSTRIAL AND RELATED USES ( Continued)												
Job printing, lithographer, printing or blueprint plant									C	C		P	
Junk yard												C	
Laundry/Dry Cleaning Plant												P	
Light manufacturing process										C		P	
Manufacturing, industrial storage or assembling process												P	
Milk depot, dairy/ice cream plant												P	
Storage of shell, soil, sand and gravel												C	C
Storage, warehouse or freight terminal												C	
Truck terminal												P	
Welding or machine shops												P	

SCHEDULE OF USES													
ZONING DISTRICT SYMBOL	R-SF	R-TF R-FF	R-MF	R-E	O-R	OT-B	N-B	G-B	R-B	B-P	C-R	L-I	A
P – Permitted Use	AUTOMOBILE AND RELATED SERVICE USES												
C – Conditional Use													
Automobile dismantling & wrecking yard													C
Automotive filling station						C	C	C	P				
Automotive parts and accessories sales						P	P	P	P				
Automotive repair									C				C
Auto& truck sales, rental and lease									C				
Automotive services, such as tire and muffler shop						C	C	P	P				
Car Wash						C		C	C				C
Commercial off-street parking													
Paint and Body Shops									P	P			
Towing service								C	C				P
Truck terminal													P

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P – Permitted Use C – Conditional Use	ENTERTAINMENT AND RECREATIONAL USES													
Active recreation	C	C	C	C	C	C		C	C	C		C		C
Adult Entertainment													C	
Bingo hall									C					
Commercial recreation								P	P		P			C
Community Center					C			C	C		C			
Convention center								P	P		P			
Country club				C										C
Race track, drag strip												C	C	C
Legitimate theater								P	P		P			
Motion picture theater								P	P		P			
Non-Commercial recreation					C	C	C	P	P		P			C
Park, playground, similar recreation use	P	P	P	P	C	C	C	C	C		P			C
Passive recreation				C							C			C
Private tennis/swim club	C	C	C	C		C			C		P			
Public recreation center	C	C	C	C	C	C	C	C	C		P			

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P – Permitted Use	INSTITUTIONAL AND SOCIAL SERVICE USES													
C – Conditional Use														
Assisted Living Facility			C	C	C									
Convent/Monastery	C			C				C						
Day care center	C*	C*	C*		C*	C		C						
Day care group home	C(RSF-H)	C	C											
Day care home	C	C	C											
Educational Institution	C	C	C			C	C							
Family care Home	C	C	C		C									
Foster care homes	C	C	C										C	
Fraternal lodge or civic club								P	P					
Hospital								C	C					
Independent Group Living			C											
Library, art gallery, museum								P	P		P			
Nursing and convalescent home			C		C	C								
Out of home respite care	C	C												
Parks/ open space uses	P				C		C				C		C	
Private schools	C	C	C		C	C		C					C	
Public offices					C	C	C	C	C	C		P	C	

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P – Permitted Use C – Conditional Use	INSTITUTIONAL AND SOCIAL SERVICE USES (Continued)													
Religious places of worship	C	C	C			C								
Residence home for aged	C		C	C	C									C
Service club								P	P					

\*Only in conjunction with a church, school, community center or synagogue. (1133.04 (f) (5) (N))

SCHEDULE OF USES														
ZONING DISTRICT SYMBOL	R-SF	R-TF R-FF	R-MF	R-E	O-R	OT-B	N-B	G-B	R-B	B-P	C-R	L-I	A	
P- Permitted Use C-Conditional Use	ACCESSORY AND INCIDENTAL USES													
Accessory building residential	P	P	P	P	P	P							P	
Airport, heliport or landing field				C				C	C			C	C	
Bed and Breakfast	C	C	C	C									C	
Caretakers quarters														
Cemeteries													C	
Farm accessory building				P									P	
Home occupation	P	P	P	P	P	P								
Off-street parking incidental to main use	P	P	P	P	P	P	P	P	P	P	P	P	P	
Social and recreational building			C					C	C		C			
Swimming pool (private)	P	P	P	P	P	P		C			C			
Temporary field or construction office	P	P	P	P	P	P	P	P	P	P	P	P		

SCHEDULE OF USES		UTILITIES AND RELATED SERVICE USES													
ZONING DISTRICT SYMBOL	R-SF	R-TF R-FF	R-MF	R-E	O-R	OT-B	N-B	G-B	R-B	B-P	C-R	L-I	A		
P – Permitted Use C – Conditional Use	Residential Single Family District	Residential Two/Four Family District	Residential Multi-Family District	Rural Estate District	Office-Residential District	Olde Town Business District	Neighborhood Business District	General Business District	Regional Business District	Business Park District	Commercial Recreation District	Light Industrial District	Agriculture District		
Essential Services	P	P	P	P	P	P	P	P	P	P	P	P	P		
Fire Station	P	P	P	P	P	P	P	P	P	P	P	P	P		
Radio, television or micro wave towers	C	C	C	C	C	C	C	C	C	C	C	C	C		
Telephone exchange switching/relay equipment	P	P	P	P	P	P	P	P	P	P	P	P	P		