# 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**

**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



# **APPENDIX B**

# SCHEDULE OF PERMITTED AND CONDITIONAL USES BY DISTRICT

boarding of horses in RSF-H) C**	kennels, boarding of cats, dogs	Poultry husbandry on tracts of 40+ acres	Farm, ranch or orchard	Farm Markets	Agricultural field crops	except porcine	Animal husbandry,	sales, service	Agricultural implement	C - Conditional Use	P - Permitted Use	SYMBOL	ZONING DISTRICT	SCHEDULE OF USES
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												Ç-	C-B	Commercial Recreation District
												5	-	Light Industrial District
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riding stables in RSF District \*Keeping of horses requires minimum of two acres of property and at least one acre per each horse. No boarding or

<sup>\*\*</sup>Only on tracts of five (5) or more acres

Multi family dwelling	Three-Four family dwelling	Two family dwelling	Single family dwelling	Motel or hotel, apartment hotel	Boarding or rooming house	P- Permitted Use C-Conditional Use	ZONING DISTRICT SYMBOL	SCHEDULE OF USES
			P				R-SF	Residential Single Family District
	P <sub>(R-FF)</sub>	ъ	P <sub>(R-TF)</sub>		С		R-TF R-FF	Residential Two/Four Family District
P		P <sub>(RMF-L)</sub> C <sub>(RMF-H)</sub>			С		R-MF	Residential Multi- Family District
			P				R-E	Rural Estate District
		C	C				O-R	Office-Residential District
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				P		<b>S</b>	R-B	Regional Business District
				С			в-Р	Business Park District
				٥			C-R	Commercial Recreation District
							Ξ	Light Industrial District
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Convenience retail	Computer sales, service	Clothing sales, used	Clinic, medical/dental	facilities	Catering, banquet	Camera shop	Cafeteria	store	Book and stationery	Carryout	Beer and Wine	Barber and beauty shop	loan office	Bank or savings and	shop (retail sales)	Bakery/confectionery	Art supply store	Antique furniture shop	C – Conditional Use	P – Permitted Use	ZONING DISTRICT SYMBOL	SCHEDULE OF USES
																					R-SF	Residential Single Family District
																					R-TF R-FF	Residential Two/Four Family District
																					R-MF	Residential Multi- Family District
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Laundry/Dry cleaning drop- off and pick-up	Laboratory, medical or dental	Hobby shop	Hardware store	sales	Handcraft and art object	Grocery store	Garden shop and plant sales	new & used	Furniture/appliance store,	Funeral Home	Florist shop	Fast food restaurant	Drug store, pharmacy	store	Department store, discount	Copy service	C - Conditional Use	P — Permitted Use	ZONING DISTRICT SYMBOL	SCHEDULE OF USES
																			R-SF	Residential Single Family District
																			R-TF	Residential Two/Four Family District
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Restaurant/ delicatessen	Professional services	Professional offices	Pet shop-small animal, birds/fish	salon	barber, beauty shop, nail	Personal services such as	phone, iPod, PDA	sales/service, such as Cell	Personal electronics	services	seamstress, related	such as tailor, milliner,	Personal custom services	Pawn shop	Optical shop	Mortuary	fitting and sales	Medical appliances	Liquor store	C – Conditional Use	P – Permitted Use	ZONING DISTRICT SYMBOL	SCHEDULE OF USES
																						R-SF	Residential Single Family District
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Variety store	Travel bureau or consultant	Tavern	Studio, photographer, artist, music, drama dance	Studio, decorator and display of art objects	Shoe repair	similar items	accessories, gifts and	Retail shops, apparel	P – Permitted Use C – Conditional Use	ZONING DISTRICT SYMBOL	SCHEDULE OF USES
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Laboratory, scientific or research	Laboratory, manufacturing	Heating, air conditioning, plumbing shop	Dental laboratory	Dance hall/night club	Corporate or business training facility	Cleaning, laundry plant commercial	Cabinet or upholstery shop	Bus passenger station	<b>Building material sales</b>	Bakery, wholesale	hospital (no outside pens)	Animal clinic or pet	P – Permitted Use C – Conditional Use	ZONING DISTRICT SYMBOL	SCHEDULE OF USES
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Storage warehouse (mini)	Service clubs, lodges	appliances	Sale of furniture and	Research laboratory	services	Personal improvement	store	Paint and wallpaper	Mini warehouse	Medical laboratory	fitting and sales	Medical appliances	service	Maintenance and repair	Locksmith	service	equipment sales,	Lawn & garden	C – Conditional Use	P – Permitted Use	SYMBOL	SCHEDULE OF USES
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Wholesale sales	Veterinarian office (no outside kennels)	hospital/kennel (outside pens)	only Veterinarian	Trailer and mobile	schools	Trade/commercial	Testing laboratory	or similar service	Studio, health, reducing	P – Permitted Use C – Conditional Use	SYMBOL	SCHEDULE OF USES
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Heavy machinery sales, storage, repair	Distribution Center	yard yard	Contractors	of sand, soil, and gravel	Commercial extraction	manufacturing process	similar light	Clothing manufacturing	industrial	dyeing/laundry plant,	Cleaning,	batching plants	Asphalt or concrete	process	Any manufacturing	C – Conditional Use	P – Permitted Use	ZONING DISTRICT SYMBOL	SCHEDULE OF USES
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Welding or machine shops	Truck terminal	Storage, warehouse or freight terminal	sand and gravel	Storage of shell, soil,	cream plant	Milk depot, dairy/ice	assembling process	industrial storage or	Manufacturing,	process	Light manufacturing	Plant	Laundry/Dry Cleaning	Junk yard	blueprint plant	lithographer, printing or	Job printing,	C – Conditional Use	P – Permitted Use	ZONING DISTRICT SYMBOL	SCHEDULE OF USES
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Truck terminal	Towing service	Paint and Body Shops	parking	Commercial off-street	Car Wash	shop	such as tire and muffler	Automotive services,	rental and lease	Auto& truck sales,	Automotive repair	accessories sales	Automotive parts and	station	Automotive filling	& wrecking yard	<b>Automobile dismantling</b>	C – Conditional Use	P – Permitted Use	ZONING DISTRICT SYMBOL	SCHEDULE OF USES
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Public recreation center	Private tennis/swim club	Passive recreation	recreation use	Park, playground, similar	recreation	Non-Commercial	Motion picture theater	Legitimate theater	Race track, drag strip	Country club	Convention center	<b>Community Center</b>	Commercial recreation	Bingo hall	Adult Entertainment	Active recreation	C – Conditional Use	P – Permitted Use	ZONING DISTRICT SYMBOL	SCHEDULE OF USES
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Public offices	Private schools	Parks/ open space uses	Out of home respite care	convalescent home	Nursing and	museum	Library, art gallery,	Living	Independent Group	Hospital	club	Fraternal lodge or civic	Foster care homes	Family care Home	<b>Educational Institution</b>	Day care home	Day care group home	Day care center	Convent/Monastery	<b>Assisted Living Facility</b>	C – Conditional Use	P –Permitted Use	ZONING DISTRICT SYMBOL	SCHEDULE OF USES
	С	P	С										С	С	С	С	C <sub>(RSF-H)</sub>	C*	С				R-SF	Residential Single Family District
	С		С										С	С	С	С	С	C*					R-TF R-FF	Residential Two/Four Family District
	С				<b>)</b>				<b>)</b>				С	С	С	С	С	C*		С			R-MF	Residential Multi- Family District
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\*Only in conjunction with a church, school, community center or synagogue. (1133.04 (f) (5) (N))

Service club	Residence home for aged	Religious places of worship	P – Permitted Use C – Conditional Use	ZONING DISTRICT SYMBOL	SCHEDULE OF USES				
	C	С		R-SF	Residential Single Family District				
		С		R-TF R-FF	Residential Two/Four Family District				
	С	С		R-MF	Residential Multi- Family District				
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			ğ)	B-P	Business Park District				
				C-R	Commercial Recreation District				
				H	Light Industrial District				
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Temporary field or construction office	Swimming pool (private)	Social and recreational building	incidental to main use	Off-street parking	Home occupation	Farm accessory building	Cemeteries	Caretakers quarters	Bed and Breakfast	Airport, heliport or landing field	residential	c-conditional Use	P- Permitted Use	ZONING DISTRICT SYMBOL	SCHEDULE OF USES
P	P		P		P				С		P			R-SF	Residential Single Family District
P	P		P		P				С		P			R-TF R-FF	Residential Two/Four Family District
P	P	С	P		P				С		P			R-MF	Residential Multi- Family District
P	P		P		P	Р			С	С	P			R-E	Rural Estate District
P	P		P		Р						P		AC	O-R	Office-Residential District
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Telephone exchange switching/relay equipment	Radio, television or micro wave towers	Fire Station	Essential Services	P – Permitted Use C – Conditional Use	ZONING DISTRICT SYMBOL	SCHEDULE OF USES
P	С	Р	P		R-SF	Residential Single Family District
P	С	Р	P		R-TF R-FF	Residential Two/Four Family District
P	С	P	P		R-MF	Residential Multi- Family District
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P	С	P	P	RELATED	N-B	Neighborhood Business District
P	С	P	P P	SERVICE USES	G-B	General Business District
P	С	P		USES	R-B	Regional Business District
P	С	P	P		B-P	Business Park District
P	С	Р	P		C-R	Commercial Recreation District
P	С	Р	P		Ξ	Light Industrial District
P	С	P	P		Α	Agriculture District