

STAFF REPORT

August 14, 2019

TO: Honorable Mayor and Members of Trotwood City Council

FROM: Jung-Han Chen,
Planning and Development Director

CASE #: **PC Case #19-10: Amendment to the Trotwood Zoning Code** to create a new zoning classification, B-I (Business- Industrial) Campus District for properties parcels ID # H33-00514-0053, H33-00514-0049, H33-00514-0023, H33-00514-0062 and H33-00514-0024, an approximately 72 acres of land on Salem Ave, **City of Trotwood, Applicant**

ZONING MAP AMENDMENT

DESCRIPTION:

This application is seeking to amend the Trotwood Zoning Code by creating a new zoning classification B-I (Business- Industrial) Campus District for the properties where the old Salem Mall, Parcel ID # H33-00514-0053, H33-00514-0049, H33-00514-0023, H33-00514-0062 and the old Sears building/site, Parcel ID # H33-00514-0024, a total of approximately 72 acres of land.

SITE(S) AND AREA(S):

This property is formerly known as Salem Mall and the old Sear building/site. The City owns the old Salem Mall site, consisted of 4 parcels of approximately 56 acres. The old Sears site is owned by Sears Holding Inc. and is going through bankruptcy proceeding and is seeking buyer(s) for the site, approximately 15.8 acres of land.

DISCUSSION:

The current zoning classification of this area is R-B (Regional Business) District, which is promulgated to be the areas providing for a wide variety of consumer goods and services serving the regional retail needs. The competition of other malls in this region caused the closing of Salem Mall, along with the bankruptcy proceeding of Sears Holding Inc. currently is going through prompted the City to rethink the validity of R-B zoning district of this area. There two documents accompanying this staff report: (1) new chapter 1168 B-I (Business Industrial) Campus District: (2) Appendix B: Permitted and Conditional Uses by district.

This is the accompanying piece to PC-19-11 for the rezoning request of this area. Since the intent for this area, based on the CIC's study, is to be more tailored specifically for this area and to be geared toward clean industry and large scale professional business complex, a new zoning classification needs to be created to accommodate the intent.

Staff is asking the Commission to recommend approving the recommended zoning text amendment in order to move this item to be considered by City Council in the near future.

PLANNING COMMISSION RECOMMENDATION

Planning commission had reviewed the proposed changes and made its recommendation to Council to approve the proposed addition to the Trotwood Zoning Code

CITY COUNCIL REVIEW AND APPROVAL ALTERNATIVES:

The Council's action could be:

1. Move to make the specified findings under Chapter 1125 and **APPROVE** the requested zoning text amendment for the properties parcels ID # H33-00514-0053, H33-00514-0049, H33-00514-0023, H33-00514-0062 and H33-00514-0024, an approximately 72 acres of land on Salem Ave
2. Move to **DENY** requested amendment.

Attachments: Trotwood Zoning Code Chapter 1125 Administration and Enforcement

1125.08 ZONING TEXT AND MAP AMENDMENTS.

(a) Amendment may be initiated by Council, the Planning Commission, Zoning Administrator, or by an application by one or more owners of property affected by the proposed amendment. The term “owner” shall mean the property owner or a person or other party holding a written option to purchase that property.

(b) An application for an amendment shall be accompanied by maps, drawings and data necessary to demonstrate the proposed amendment is in conformance with the Comprehensive Land Use Plan of the City, and that public necessity, convenience and general welfare require or permit the adoption of the proposed amendment.

(c) The Zoning Administrator shall make a thorough investigation and analysis of an application for a zoning amendment, and shall afterwards prepare a written report, along with recommendations for submission to the Planning Commission.

(d) Within forty-five days of the receipt of an application for a zoning amendment, the Planning Commission shall hold a public hearing. In addition, the Commission shall publish a notice of public hearing in a newspaper of general circulation in Trotwood not less than ten (10) days prior to the date of such hearing, and shall be responsible for notifying, by mail, at least ten days in advance of such hearing, all property owners within 300 feet of the property in question. Additionally, at least 10 days before Public Hearing, an information sign shall be posted on any property being considered for rezoning. Said sign shall be posted by the application and shall state: “An application has been filed for rezoning of this property. For Information, call 854-7221.” The signs may be borrowed from the Planning Department at Trotwood Government Center. Said sign must remain in place until the application has been approved or disapproved by City Council.

(e) Within forty-five days of holding the public hearing, the Planning Commission may recommend that the application be granted as requested, or it may recommend a modification of the zoning amendment request, or it may recommend that the application not be approved.

(f) The recommendation of the Planning Commission shall be submitted to the Council and shall be accompanied by a report of findings, summary of hearings, and all data submitted with the application.

(g) Within forty-five days following receipt of a recommendation from the Planning Commission, Council shall schedule a public hearing. In doing so, Council shall publish a notice of public hearing in a newspaper of general circulation in Trotwood not less than ten days prior to the date of such hearing, and shall be responsible for notifying, by mail, at least ten days in advance of such hearing, all property owners within 300 feet of the property in question.