

# STAFF REPORT

October 15, 2020

**TO:** Honorable Mayor Mary McDonald, and  
Members of the Trotwood City Council

**FROM:** Jung-Han Chen, AICP  
Planning and Development Director

**CASE #:** **PC-20-07: Amendment to the Official Trotwood Zoning Map for properties that are currently zoned L-I (Light Industrial) District to L-I-1 (Light Industrial-1).**  
Those properties are located along the Wolf Creek Pike and James H McGee Blvd from Gettysburg Ave to Olive Road within Trotwood Corporation limits, and sites along West Third Street and Old Hara Arena site. Applicant/ **City of Trotwood**

## ***ZONING MAP AMENDMENT***

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### **DESCRIPTION:**

This application is seeking to amend the Trotwood Zoning Map for the all the properties that are currently zoned L-I (Light Industrial) District to L-I-1 (Light Industrial-1) District. There are several areas that are included in the application for consideration: (1) Wolf Creek, from Olive Road to Little Richmond Road; (2) Little Richmond Road from Wolf Creek Pike to Gettysburg Ave, within the City corporation limits; (3) James H. McGee Blvd., from Wolf Creek Pike to Gettysburg Ave, within the City corporation limits; (4) property on Olive Road and W. Third St.; (5) Hara Arena, **City of Trotwood, Applicant**

### **SITE(S) AND AREA(S):**

As stated, the sites are scattered around in Trotwood, but predominately near the Wolf Creek Pike, aka. James H McGee Blvd. The other sites are on Olive Rd, W. Third St and Shiloh Springs Rd.

### **DISCUSSION:**

At the request by Mayor McDonald, the Planning Commission was tasked to present trend, issues and concerns that the Commission would like to consider in 2020 to present to City Council during a work session. Based on these, the Commission held a work session in February 25, 2020 to develop these trends, issues and concerns to be considered. One of the topics was the industrial zoning district, given that there is only one industrial district for the entire city. The notion of one size fits all just does not seem to logically since this community is consisted of different neighborhoods and the characters and concerns of each may be different than the others. Hence the one-zoning classification could fit in all areas, neighborhoods does not bold well with the good planning practices. In May of 2020, staff presented the Zoning Text amendment to the Trotwood Zoning Code, and agreed by the Commission, that there should at least two industrial zoning districts for this community for now: each district should have its own development standards and regulations, along with permitted and conditional uses.

As the two zoning text amendments moving forward to be considered by the Trotwood City Council, the corresponding changes will also take place to amend the Trotwood Zoning Map to reflect the anticipated changes of zoning code.

As stated earlier, there are several areas under this consideration. The primary one is the area along Wolf Creek Pike, from Olive Road to Little Richmond Road, within the City limits. This area includes the City owned Commerce Park, along with several clusters of residential dwellings. The second area is on James H. McGee Blvd, that is where the junk yard and Vectren Energy Delivery office are. The third area is along Little Richmond between Wolf Creek and N Gettysburg. The other industrial zoned area area scattered on W. Third St., Olive and Shiloh Springs Rd.

The rezoning process could take one of the two approaches: The first one is to take an overview approach to change the underlying zoning to a different classification. The 2<sup>nd</sup> approach would be a more detailed approach to take properties in a meaningful aggregation, or a single large tract, to consider the zoning classification. The major difference is the time and efforts to go through the amendment process, as well as the potentiality of properties with no zoning classifications, should the time to determine the zoning classification for properties takes too long, while the existing classification has been deleted from the regulations.

Additionally, there may be a time in the near future that the Commission, or at the request by the property owners, might have to go through a finer toothcomb process to look at these properties for their zoning classification for non-industrial ones. This could really be driven by the following reasons: some inquiries from property owners: aerial and field observations. In particular, there is a section on Wolf Creek Pike that there is a cluster of residential dwellings was has been there, even before the merge, and was zoned as residential district. When this area was rezoned to industrial zone is unclear. The likelihood of those properties being assembled and turned into industrial usages is very small. This may be something in the near future the Commission would like to visit to consider the zoning change issue.

Given the reasons stated above, Staff choose the route to initial the map amendment for all properties, so the issue of properties without property zoning classification would not be an issue. Should there be any concerns from property owner, the Commission could make notes to review those properties with or without the request from the property owners in the very near future. Additionally, the Commission may also need to begin the discussion whether there is a need for more industrial land, in the light of the 2020-2025 Strategic Report recommends Trotwood to utilize its resources in farming businesses to seek way to develop farm-based industries in this community, particularly in light of recent trend toward plant-based protein production. This trend may create development opportunities for the community to explore.

#### **STAFF RECOMMENDATION**

Staff is recommending the Commission to make a positive recommendation to this application to amend the properties that are currently zoned as L-I (light Industrial) to L-I-1 (Light Industrial-1) District to Council for legislative action in the future.

## **PLANNING COMMISSION REVIEW AND APPROVAL ALTERNATIVES:**

The Commission's action could be:

1. Move to make the specified findings under Chapter 1125 and **APPROVE** the requested zoning map amendment amend those properties that are currently zoned L-I (light Industrial) District to L-I-1 (Light Industrial-1) District.
2. Move to **DENY** requested amendment.
3. Move to **TABLE** the request for more information

**The Trotwood Planning Commission, on September 22, 2020, reviewed and deliberated this application and made a recommendation to the Trotwood City Council to approved the requested zoning map amendment for those properties that are currently zoned L-I (Light-Industrial) District to L-I-1 (Light Industrial-1) District.**

## **CITY COUNCIL REVIEWE AND APPROVAL ALTERNATIVES**

Council's action could be:

4. Move to make the specified findings under Chapter 1125 and **APPROVE** the requested zoning map amendment amend those properties that are currently zoned L-I (light Industrial) District to L-I-1 (Light Industrial-1) District.
5. Move to **DENY** requested amendment.
6. Move to **TABLE** the request for more information

**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.