



Planning Commission
 Zoning Map Amendment
1096 Medina Road (Burger)
 Sharon Township

App. No.: 113-2016-MA	Parcel Nos.: 033-12B-07-540
Meeting: December 7, 2016	Owners: Thomas Burger
Hearing: TBD	Current Zoning: R-1 Residential
Applicant: Zoning Commission	Proposed Zoning: C-2 Commercial

EXECUTIVE SUMMARY

The subject site is located on the south side of Medina Road between Bambeck and Ridge Roads. The front 1,000 feet (approximate) of the site is zoned C-2 Commercial. The applicant proposes to change the remaining depth of the subject site from R-1 Residential to C-2.

Recommendation: DISAPPROVAL

ADJACENT ZONING/LAND USE

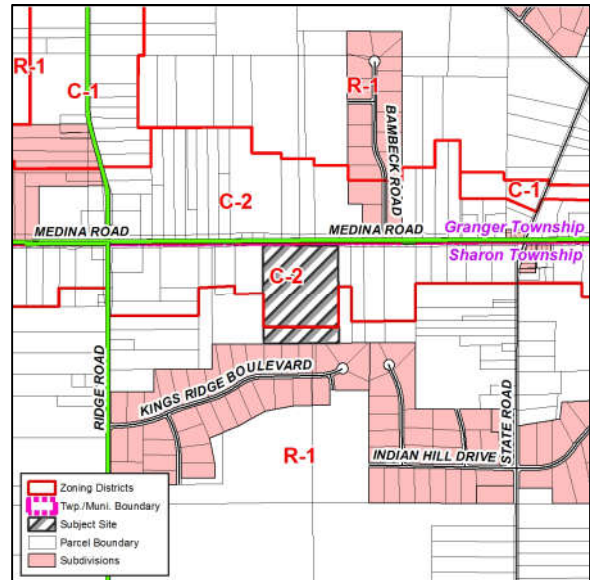
Direction	Zoning	Land Use
North	C-2 General Commercial Granger Township	Akron-Medina Corporate Park
East	C-2 Commercial, R-1 Residential	Single-family residential
South	R-1 Residential	Single-family residential Reserve at King's Ridge
West	C-2 Commercial	Hamrick Truck Driving School

Proposal: The front approximately 1,000 feet of the subject parcel is zoned C-2 Commercial; the depth of the district is measured from the road right-of-way. The remaining depth of the parcel is zoned R-1 Residential. The applicant proposes to include the remaining depth of the site, 205 feet, in the C-2 district.

The site is used as Store with Us storage facility.

Site Conditions: The portion of the site under consideration for the map amendment is relatively flat. The area of the property under review is primarily turf with a few trees.

Comprehensive Plan: The 1996 update of the Sharon Township Development Policy Plan (Plan) recommends the entire Medina Road (SR 18) corridor for commercial use. § 3.2 recommends “that a diversity of economic activities (including light industrial) be allowed...” The Plan also calls for “careful review and clarification of permitted uses in the current zoning resolution.” § 4.1 Policy 1B.4, states “[p]ermit no further expansion of commercial and industrial zones in the Township, with the exception of changes which would be of direct tax benefit and/or use to the Township residents.”



Zoning: R-1 Residential District text does not include a purpose statement. Single family uses, uses ancillary to single family uses, and agriculture are permitted uses (§ 601(A)). Conditionally permitted uses include tourist or boarding homes and rooming houses accepting no more than six guests at a time, houses of worship, schools (kindergarten through 12th grade only), and recreational areas (§ 601(B)). The minimum lot size is two acres with 200 feet of street frontage (§ 601-2(A) & (B)).

The stated purpose of the C-2 Commercial district is “to accommodate multi-purpose retail and business development, free from any heavy industrial or residential activities, with adequate level of traffic flow along those major roads serving its activities, as provided in the adopted Route 18 Corridor Action Plan (§ 604-1).” All uses in the district are conditionally permitted. Conditionally permitted uses include the following; uses permitted in the C-1 district excluding R-1 and R-2 uses and heavy industrial uses and including religious and philanthropic institutions, bed and breakfast, retail sales, beauty parlor, funeral home, bank, office or office building, studio, restaurant, machinery and equipment repairs in automobiles, schools, places of worship, recreational areas, public facilities, gas stations, limited light industrial, warehousing, and congregate care facilities (hospitals and nursing homes) (§§ 603-3 and 604-1). The minimum lot size is two acres with 175 feet of street frontage (§ 604-3(A)(2) & (3)).

Agency Comments: *Italicized text* indicates quotations from submitting agency comments.

Medina County Highway Engineer: Andy Conrad, 11/15/2016. *The proposed expansion of the Storage Condos will be subject to the current stormwater management regulations.*

Staff Comments:

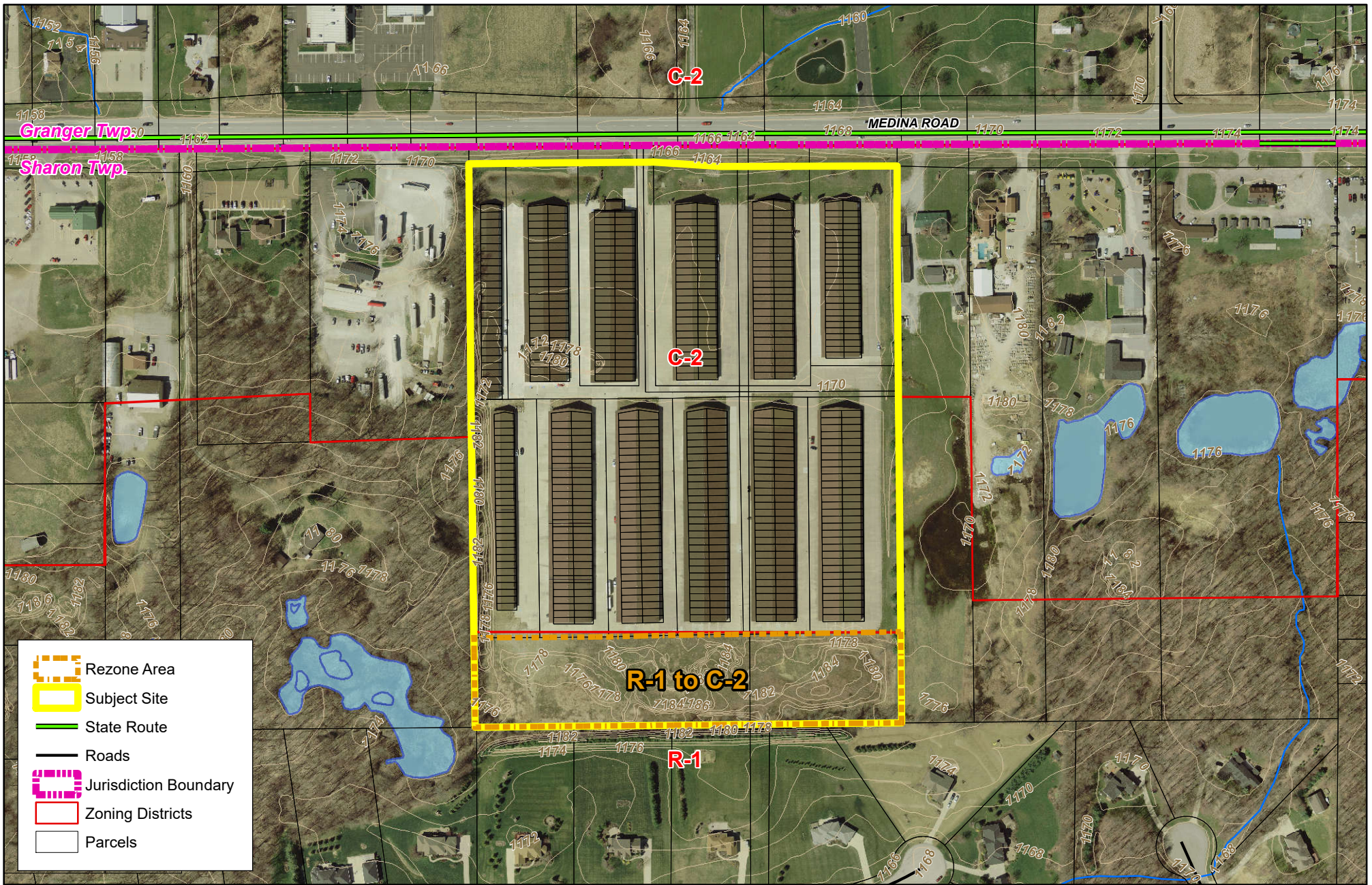
1. Water and sewer lines are available.
2. The Sharon Township Plan recommends the SR 18 corridor for commercial use, however it does not specify the depth of the corridor. Additionally the Plan states that “no further expansion of commercial and industrial zones” should be permitted unless said expansion benefits township residents with additional tax revenue or a beneficial use. The qualifying statement makes the policy directive difficult to interpret; presumably commercial land would generate additional taxes, however it is not clear what a beneficial use might be.
3. Investigation of the C-2 district boundary along SR 18 shows that the Zoning Commission has allowed the district to be amended to increase the depth of the properties available for commercial use in the past.
4. Historically the Zoning Commission has allowed the C-2 district to expand from 500 feet to 1,000 feet of depth.
5. The subject property is already zoned C-2 to a depth of approximately 1,059 feet deep. The applicant proposes to add another 205 feet of C-2 depth.
6. To date, the only property that has been allowed to expand the C-2 district depth beyond 1,000 feet is the subject site. No other C-2 parcels in the SR 18 corridor are deeper than 1,000 feet.
7. Under the C-2 zoning, 35 foot tall buildings are permitted.
8. The applicant submitted the following information as part of the map amendment application:
 - a. The additional C-2 property, if approved, would be used to add additional storage structures.

- b. The proposed new storage units, if constructed, would generate additional tax revenue in excess of \$50,000 per year.
 - c. The proposed new storage units would require very low levels of service and would place “virtually no load” on the township, county, and school district resources.
 - d. The new storage units would provide “a sound buffer” to the residential uses south of the proposed map amendment area.
 - e. There is an existing landscaping mound that provides screening to the homes south of the subject site.
9. If the proposed additional storage units are constructed, the property will certainly generate additional tax revenue for the township, but in spite of the owner’s assertion of increased tax revenue, it is not clear how much revenue would be sent to the township’s coffers. As stated previously, it is unclear how to decide if the proposed new storage units would be a beneficial use.
 10. Service demands for the proposed additional storage units would in fact be low.
 11. It is not clear what noise the new storage units would be protecting adjoining residential properties from. This benefit is over stated; adjoining owners are more likely to be concerned about the proximity of the proposed new storage units and the associated views. One cannot buffer residential uses from commercial uses with additional commercial uses.
 12. The landscaping mound referenced by the applicant is not located the subject property and was likely installed to shield the property owners from the current storage facilities.
 13. Permitting an expansion of the C-2 district beyond 1,000 foot limit is not consistent with past Zoning Commission practice.
 14. The Zoning Commission should consider adding language to the Zoning Resolution clearly establishing the desired extent of the C-2 district depth from the SR 18 corridor.

Recommendation: Staff recommends that the Medina County Planning Commission **DISAPPROVE** the zoning map amendment from R-1 Residential to C-2 Commercial for the following reasons:

1. § 4.1 Policy 1B.4 of the Sharon Township Plan, states “[p]ermit no further expansion of commercial and industrial zones in the Township, with the exception of changes which would be of direct tax benefit and/or use to the Township residents.” No substantiated evidence of tax or other benefit to Sharon Township residents was submitted.
2. Adding more commercial uses closer to the existing residential properties increases the likelihood of land use conflicts. The applicant’s suggestion that new storage units will buffer the existing residents from noise is counterintuitive; one cannot buffer residential uses from commercial uses with more commercial uses.
3. Permitting an expansion of the C-2 district beyond 1,000 foot limit is not consistent with past Zoning Commission practice.
4. The subject property is already zoned C-2 to a depth of approximately 1,059 feet deep.

Attachment: GIS map



Prepared by:

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**Burger Property
Map Amendment
App. No. 113-2016-MA
Sharon Township**

**Meeting Date: 12/7/2016
Hearing Date: TBD
Amendment: R-1 to C-2
Parcels: 2**



1 inch = 300 feet

