

ORDINANCE NO. OR12-23

AN ORDINANCE BY THE TROTWOOD CITY COUNCIL ACCEPTING THE RECOMMENDATION FROM THE TROTWOOD PLANNING COMMISSION TO APPROVE AN AMENDMENT TO THE OFFICIAL ZONING MAP OF THE CITY AND THE RECLASSIFICATION OF 0.149 ACRES OF VACANT LAND LOCATED ON BLOOMFIELD DRIVE, PARCEL NO. H33 00514 0082, FROM BUSINESS INDUSTRIAL (B-1) TO RESIDENTIAL SINGLE FAMILY MEDIUM DENSITY (RSF-M).

WHEREAS, Applicant Chad Downing, on behalf of the Trotwood Community Improvement Corporation (“TCIC”), the owner of property located on Bloomfield Drive, Parcel No. H33 00514 0082, has applied for an official Zoning Map amendment to change the zoning for this parcel from Business Industrial (B-1) to Residential Single Family Medium Density (RSF-M); and

WHEREAS, the City’s Planning and Development Director, after review of the application for the official Zoning Map amendment and Chapter 1143 (“RSF-M Residential Family-Medium Density”) of the Trotwood Codes of Ordinances, has determined that this parcel is a vacant, non-buildable lot; and

WHEREAS, City Council finds that the Planning Commission held a Public Hearing on January 24, 2023, PC Case No. 23-01, in accordance with Section 1125.08 of the Trotwood Codes of Ordinances, after timely notice of the same was duly served on all persons required to be notified by law; and

WHEREAS, the Planning Commission recommends that City Council amend the official Zoning Map of the City of Trotwood by reclassifying approximately 0.149 acres of vacant land in the underlying zoning of this property located on Bloomfield Drive, Parcel No. H33 00514 0082, from Business Industrial (B-1) to Residential Single Family Medium Density (RSF-M); and

WHEREAS, City Council, after having fully considered this matter and having determined that the proposed official Zoning Map amendment is in conformance with the Comprehensive Land Use Plan of the City and that said amendment will promote the general welfare of the City, hereby intends to adopt the recommendation from the Planning Commission regarding the official Zoning Map amendment described above.

TROTWOOD, OHIO 45426

3035 OLIVE ROAD

CITY OF TROTWOOD

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TROTWOOD, STATE OF OHIO:

SECTION I: The Trotwood City Council accepts the Planning Commission's recommendation and hereby amends the official Zoning Map of the City by reclassifying approximately 0.149 acres in the underlying zoning of the property located on Bloomfield Drove, Parcel No. H33 00514 0082 from Business Industrial (B-1) to Residential Single Family Medium Density (RSF-M) as depicted on Exhibit A attached hereto and incorporated herein by reference.

SECTION II: It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that any and all deliberations of this Council that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including but not limited to Section 121.22 of the Ohio Revised Code.

SECTION III: This Ordinance shall take effect at the earliest time allowed by law.

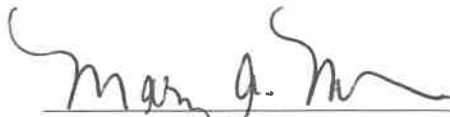
Passed this 6th day of March, 2023.

ATTEST:

APPROVED:



KARA B. LANDIS
CLERK OF COUNCIL



MARY A. McDONALD
MAYOR



YVETTE F. PAGE
VICE-MAYOR

CERTIFICATE OF RECORDING OFFICER

I, the undersigned, hereby certify that the foregoing is a true and correct copy of Ordinance No. **OR12-23** adopted by the Trotwood City Council at a regular scheduled meeting held on the **6th** day of **March, 2023**, and that I am duly authorized to execute this certificate.

Signed this _____ day of _____, _____.

KARA B. LANDIS
CLERK OF COUNCIL

TROTWOOD, OHIO 45426

3035 OLIVE ROAD

CITY OF TROTWOOD

Zoning Map



1/10/2023, 3:38:40 PM

- Salem Avenue Redevelopment Area
- RSF-M Residential Single Family- Medium Density
- G-B General Business
- Parcels

1:2,257

0 0.01 0.03 0.05 mi

0 0.02 0.04 0.09 km
County of Montgomery, OH, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA





TROTWOOD

• GROWING TOGETHER •

Trotwood Planning Commission

Staff Report

To: Mr. Ernest Curry, Chairman,
Planning Commission Members

From: Deborah McDonnell,
Planning and Development Director

Dated: January 20, 2023 for the January 24, 2023 Meeting

PC Case #: **23-01 Zoning Map Amendment Application** per TCO 1125.08 to change the zoning classification of parcel #82 along Bloomfield Drive, PID H33 00514 0082, from Business Industrial (B-I) to Residential Single Family Medium Density (RSF-M). Trotwood CIC, applicant and owner.

Reference #: 2023-001-P

DESCRIPTION:

The request is to rezone a small, non-buildable lot, once part of the Salem Mall to residential zoning. The lot will be sold to the property owner to the east of the lot creating a larger side lot for personal use.

SITE(S) AND AREA(S):

North	RSF-M
East	RSF-M
South	BI
West	RSF-M

DISCUSSION:

As part of the old Salem Mall redevelopment plan, the planning commission authorized the consolidation of the various lots into one parcel to allow maximum flexibility for new development. There were two exceptions to this consolidation. One was the Salem Avenue right-of-way created when the road was modified to allow for a turning lane. The second exception was a small parcel at the northern portion of the lot leading into Bloomfield Drive.

It is believed this small access to Bloomfield Drive was intended to be a driveway leading from the neighborhood into the mall site. This access is no longer needed as part of a redevelopment plan.

The neighbor to the west of the lot has been maintaining it for many years. He asked if he could purchase the lot and incorporate it into his property. In order to achieve this, the lot should be rezoned for consistency in the residential development

The lot is 0.149 acres or 6,490 sf. It is 50 ft wide and 130 ft deep. It does meet the TCO 1143 lot frontage of 90' or the minimum area of 12,000 sf. Therefore, this is deemed a NON-BUILDABLE lot. It is recommended that this restriction be placed on the deed for the property.

In these situations, it is best practice for municipalities to offer these lots to adjoining property owners for perpetual maintenance.

FINDINGS

TCO Chapter 1125.08 Zoning Text & Map Amendments: (Ord. 45-08. Passed 12-15-08.)

- (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.
 - *Map amendment initiated by property Owner*
- (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.
 - *Applicant provided a statement for justification and maps*
- (b) 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.
 - *Found in this staff report*

- (c) 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.
 - *Notices were sent to surrounding property owners and posted according to TCO Section 10-8 on January 13, 2023, at least 10 days in advance.*
- (d) 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 937-854-7221.” 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.
 - *Signs were not available.*
- (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.
 - *The Planning Commission has until March 8, 2023 to make a decision.*

STAFF RECOMMENDATION

Staff recommends APPROVAL of the rezoning for this parcel

PLANNING COMMISSION REVIEW AND APPROVAL ALTERNATIVES:

The Commission's action could be:

1. Move to make the specified findings under Chapter 1125.08 Zoning Amendment and **APPROVE** the requested amendment and forward to City Council for a final decision.
2. Move to **DENY** requested amendment
3. Move to **TABLE** the request for more Information.

Attachments:

1. Application for Zoning Amendment
2. Zoning Map
3. Area Map
4. Comments



City of Trotwood Planning

Control # 2023-001-P **Date Submitted:** 1/17/2023 1:50:00 PM

Property Details

Address: BLOOMFIELD DR , Trotwood, OH 45426
Parcel ID: H33 00514 0082
Zoning District: RSF-M

Application Details

Type: Zoning Map Amendment
Project Name: TCIC Drive Access to Bloomfield

Applicant Details

Name: Chad Downing
Firm: Trotwood Community Improvement Corporation
Address: 3035 Olive , Trotwood,
Email: cdowning@trotwoodCIC.com **Phone #:** (937) 854-7214

Property Owner Details

Name: Chad Downing **Tax ID:**
Firm: TCIC
Address: 3035 Olive , Trotwood, OH 45426
Email: cdowning@trotwood.org **Phone #:** (937) 854-7214

Other Professionals

Professional	Name	License #	Firm	Address	Phone #	Email
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Site Characteristics

Municipal Zoning: Industrial Part of the Old Sears Mall Site
Existing Use: Vacant Land
Proposed Use: Side Yard for H33 01407 0005 (4800 Bloomfield)

Is the project along, or does it affect a county roadway? Yes **If yes, which** Bloomfield Dr

Does the property affect county drainage facilities? No **If yes, which**

Total Tract Area greater than one acre (43,560 sq. ft.)?	No	Any portion of property within flood area?	No
Total Impervious Coverage greater than 1/4 acre (10,890 sq. ft.)? *	No	Does the property contain or abut a steep slope?	No

Project Information

	Existing	Proposed	Total
Parcels/Lots	0.00	0.00	0.00
Vacant lots to be sold	0.00	0.00	0.00
Linear feet of new roadway	0.00	0.00	0.00
Tract Area (in Square Feet)	0.00	0.00	0.00
Impervious Area (in Acre)	0.00	0.00	0.00
Building Coverage (in Square Feet)	0.00	0.00	0.00
Gross Floor Area (in Square Feet)	0.00	0.00	0.00
Floor Area Ratio	0.00	0.00	0.00
Total SF of Commercial/Industrial	0.00	0.00	0.00
Number of Dwelling Units (DUs)	0.00	0.00	0.00
Dwelling Units (DUs) per Acre	0.00	0.00	0.00
Number of Affordable Dwelling Units (Recognized by COAH)	0.00	0.00	0.00
Number of Bedrooms	0.00	0.00	0.00
Number of Parking Spaces	0.00	0.00	0.00
Bicycle rack storage capacity	0.00	0.00	0.00
Number of trees on site	0.00	0.00	0.00
Hours of Operation			
Number of Employees			
Infrastructure Cost	\$0.00		

Status of Applications and Approvals

	Date	Status
Planning Commission	01/24/2023	Pending
City Council	03/06/2023	Pending
Other		

Other Information

Amount Due: \$300.00