

AKRON CITY PLANNING COMMISSION

MEETING OF DECEMBER 15, 2023 - 9:00 A.M.

COUNCIL CHAMBERS, THIRD FLOOR, MUNICIPAL BUILDING, 166 SOUTH HIGH ST.

(1) CORRECTION and APPROVAL of Minutes of November 17, 2023.

(2) PUBLIC HEARINGS:

A. Approval of sales of property and/or development plans in Urban Renewal and Community Development projects and assorted matters necessary to promote the Urban Renewal and Community Development Plans.

(1) NO NEW BUSINESS

B. **PC-2023-57-CU** – Petition of Oakmont Education for a Conditional Use to establish a charter high school at 375 W. North Street.

C. **PC-2023-58-CIP** – 2024 Capital Investment Program.





D. **PC-2023-65-CU** – Petition of Bret Lamb, dba Circle K, for a Conditional Use to construct a gas station and convenience store at 1526 Vernon Odom Boulevard.

(3) RENEWALS

TAT/emd

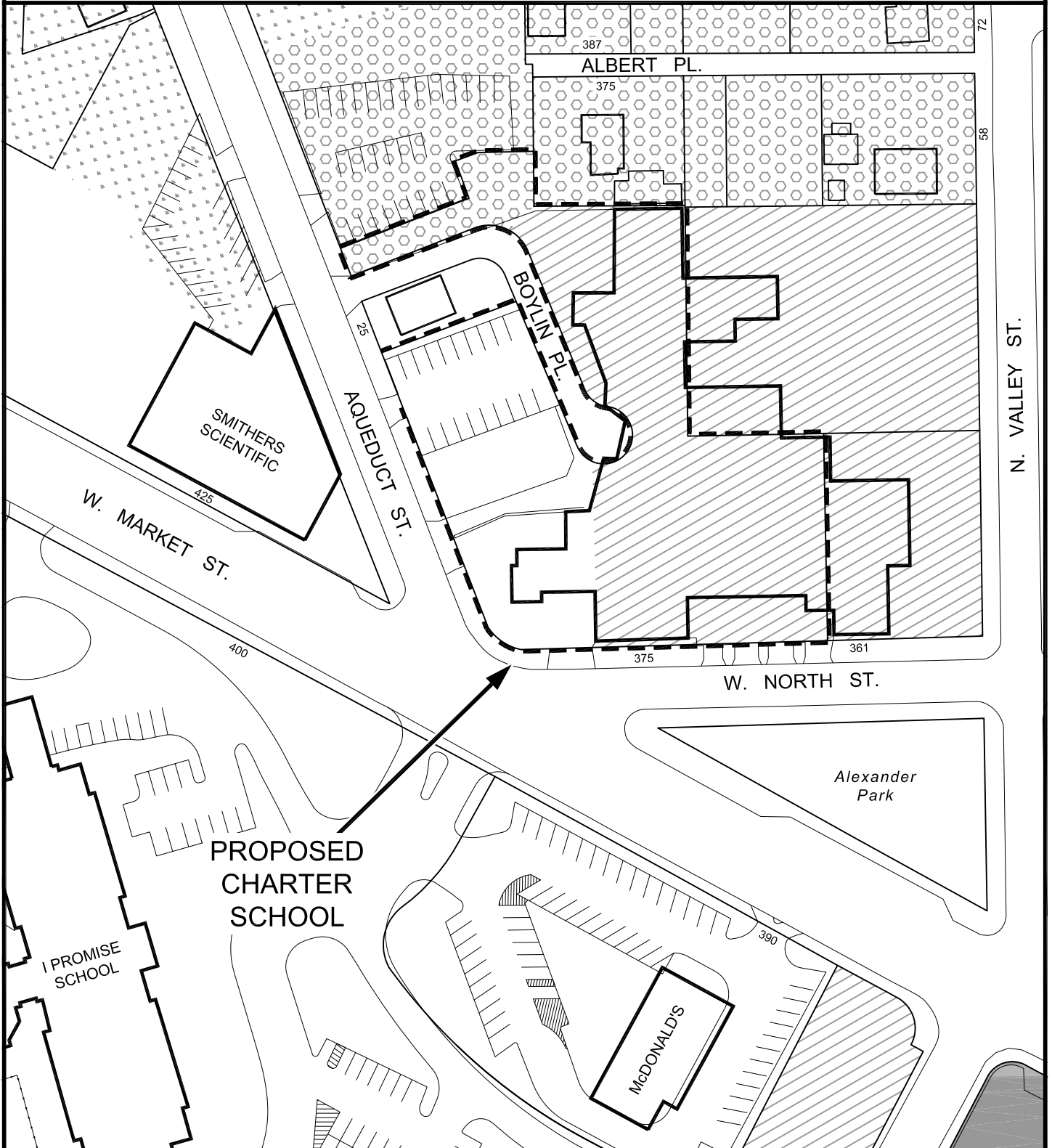
PC-2023-57-CU

Petition of Oakmont Education for a Conditional Use to establish a charter high school at 375 W. North Street

-  U1 Single Family Residential
-  U2 Apartment House
-  U3 Retail Business
-  U4 Commercial



0 100'
Created 11/29/2023 jwh
Revised 11/29/2023 jwh



MEMORANDUM

TO: AKRON CITY PLANNING COMMISSION **ITEM # 2B**
PC-2023-57-CU

FROM: DEPARTMENT OF PLANNING AND
URBAN DEVELOPMENT

DATE: DECEMBER 15, 2023

WARD: 1
COUNCILPERSON: Holland

SUBJECT: **PC-2023-57-CU** - Petition of Oakmont Education for a Conditional Use to establish a charter high school at 375 W. North Street.

GENERAL LOCATION: Northeast corner of the intersection of West Market, Aqueduct, and West North Streets

LAND USE OF THIS PROPERTY: Vacant commercial building

LAND USE IN THE SURROUNDING AREA:

NORTH SIDE: Residential
SOUTH SIDE: Retail
EAST SIDE: Commercial and Residential
WEST SIDE: Commercial

ZONED: Retail Business Use District (U3,H3,A5), Commercial Use District (U4,H2,A3), and Apartment House District (U2,H1,A3)

SIZE OF LOT & AREA: Irregularly shaped, approximately 1.5 acres

COMMENTS:

Oakmont Education, dba Towpath Trail High School, is the holder of option of property at the northeast intersection of West Market, Aqueduct, and West North Streets. The property is irregularly shaped and contains 1.5 acres. Surrounding land uses include a mixture of single-family residential to the north, the I Promise School and retail businesses to the south, and a mixture of commercial businesses and residential properties to the east and the west. Zoning for the property is split between Retail Business Use District (U3,H3,A5) along the Aqueduct Street side, Commercial Business Use District (U4,H2,A3) along the eastern side, and Apartment House District (U2,H1,A3) for the section north of Boylin Place. The Land Use and Development Guide Plan classifies the location as Retail Business with Commercial Business to the east.

The Petitioner is requesting the relocation of the Towpath Trail Charter School at 275 West Market Street one-quarter mile to the west to this proposed site at 375 West North Street, as they have outgrown their existing space and need expansion. Conditional Use approval is necessary for the establishment of a school in a Commercial Use District (U4,H2,A2) and for a variance on the parking requirements. The site contains an existing single story and approximately 30,000 square feet brick building built circa 1925. Vehicle access is primarily from Aqueduct Street and Boylin Place, including a parking lot situated in between with space for about 20 vehicles. There is also a smaller, more limited parking area at the intersection of West North and Aqueduct Streets. Five garage bays can be accessed from West North Street while three more are accessible from Boylin Place.

The Petitioner states that the school serves approximately 250 students and employs 20 staff. Expansion to the new site will allow Towpath Trail to continue providing students with standard academic courses. It will also enable students with career and technical education programs such as construction, business, manufacturing, and healthcare. The existing building contains the space necessary to make it conducive for providing students with those additional vocational opportunities. Their school year begins in August and continues through June of the following year. Classes are Monday through Friday beginning at 7:30 am and finishing at 4:00 pm. It is planned that between three and five new staff members will be added upon expansion of their career and technical programs. These new programs will also allow the school to graduate more students with industry recognized credentials, helping to provide the community with a skilled and job-ready workforce.

The relocation of Towpath Trail High School will benefit the City by the redevelopment of the vacant commercial space into a traditional high-school that includes a vocational curriculum. The commercial nature of the building can complement the vocational and construction classes with existing space that allows for such activities. The proposed school use would be a suitable transition from the commercial/light industrial nature of the uses to the east along West North Street, to the retail uses along West Market Street. The school is situated at a major traffic intersection with a mixture of similar land uses and direct access to public transportation routes.

The Petitioner states that most students attending the school are from the neighborhood or use public transportation. The parking lot situated between Aqueduct Street and Boylin Place seems to have adequate parking, although there is space to expand if necessary. The Planning Staff; however, does recommend some minor changes to the site for redevelopment of the commercial building to a school. A front facing entrance should be created either along Aqueduct or West North Street so there is an identifiable location for students to enter the building. Also, the parking areas should remain behind the building and accessed from Aqueduct Street, and there should not be parking in the front area along West North Street for safety

reasons. Windows should be added to the building elevation along West North Street to enhance its appearance from the street and to help create an environment that is suitable for learning. If the Conditional Use is approved, the school will finalize the purchase of the property and begin the process of redesigning the building and landscaping.

RECOMMENDATION:

The Planning Staff finds the requested Conditional Use is consistent with the standards found in Section 153.474 (A thru H) and the Land Use and Development Guide Plan and recommends **APPROVAL** of the petition of Oakmont Education for a Conditional Use to establish a charter high school at 375 West North Street subject to the following conditions:

- (1) That a landscape planting and fencing plan which conforms to the "Akron Development Guide" as referred to in Section 153.300-.310 of the Zoning Code be submitted to the Department of Planning and Urban Development for its review of compliance with said guide, and that the landscaping and fencing be installed and maintained as shown on the approved plan.
- (2) That the structure and layout of the development conform substantially to the approved plans and renderings; however, minor changes may be approved by the Department of Planning and Urban Development.
 - (a) A front door facing either North Street or Aqueduct must be provided for students arriving by bus or on foot.
 - (b) Parking areas should be behind the building and accessed from Aqueduct Street. There should not be parking in the front entrance area that faces West North Street and West Market Street.
 - (c) Windows should be added to the building elevations facing West North Street, and it is recommended that 40% of the wall area between 3' and 10' above grade be clear windows.
- (3) That the location and sizes of points of ingress and egress be subject to the approval of the Traffic Engineer.
- (4) That all driveways and parking areas be hardsurfaced and curbed to Bureau of Engineering specifications.
- (5) That the area be kept free of trash and litter.
- (6) That the dumpster enclosure shall be constructed of masonry and its location subject to the approval of the Department of Planning and Urban Development.

- (7) That all exterior lighting on the Petitioner's property, if any, be installed so as not to impair in any way the safe movement of traffic on any street or highway or so as not to intrude on the surrounding properties.
- (8) That the number, size, and location of all exterior signs shall be subject to the approval of the Department of Planning and Urban Development and these signs shall conform to Section 153.345-.375 of the Zoning Code.

MM/emd

MEMORANDUM

TO: AKRON CITY PLANNING COMMISSION

ITEM # 2C

PC-2023-58-CIP

**FROM: DEPARTMENT OF PLANNING AND
URBAN DEVELOPMENT**

DATE: DECEMBER 15, 2023

SUBJECT: PC-2023-58-CIP – 2024 Capital Investment & Community Development Program.

COMMENTS:

The City Administration annually prepares a Capital Investment & Community Development Program for City Council consideration. The Capital Investment & Community Development Program specifies the types, locations, costs and general descriptions of capital investments planned for implementation throughout the year. The Capital Investment & Community Development Program includes the following:

§ Street and sidewalk improvements

§ Improvements to parks

§ Improvements to public facilities

§ Economic Development projects

§ Debt service on previously financed Capital projects

§ Water and sewer system upgrades

The objectives of the Capital Investment & Community Development Program are to:

§ Construct or rehabilitate facilities vital to the residents of Akron

§ Reduce long-term operating costs

§ Encourage private investment thereby increasing the City's tax base and annual revenues

§ Leverage federal, state and private funds wherever possible to fund capital projects

§ Provide capital improvements in support of long-term growth consistent with the City's Land Use and Development Guide Plan

The proposed 2024 Capital Investment & Community Development Program represents a total investment of \$361 million. Funding sources include \$91 million from local governmental funds, \$2 million from regional sources, \$203 million from the State of Ohio (including revenue from loans to be repaid by local funds), \$59 million from the Federal Government (including revenue from the American Rescue Plan Act), and \$6 million from private sources.

RECOMMENDATION:

The Planning Staff recommends **APPROVAL** of the 2024 Capital Investment & Community Development Program.

HT/emd

PC-2023-65-CU

Petition of Bret Lamb, dba Circle K, for a Conditional Use to construct a gas station and convenience store at 1526 Vernon Odom Boulevard

★ Conditional Use

□ UI Single Family Residential

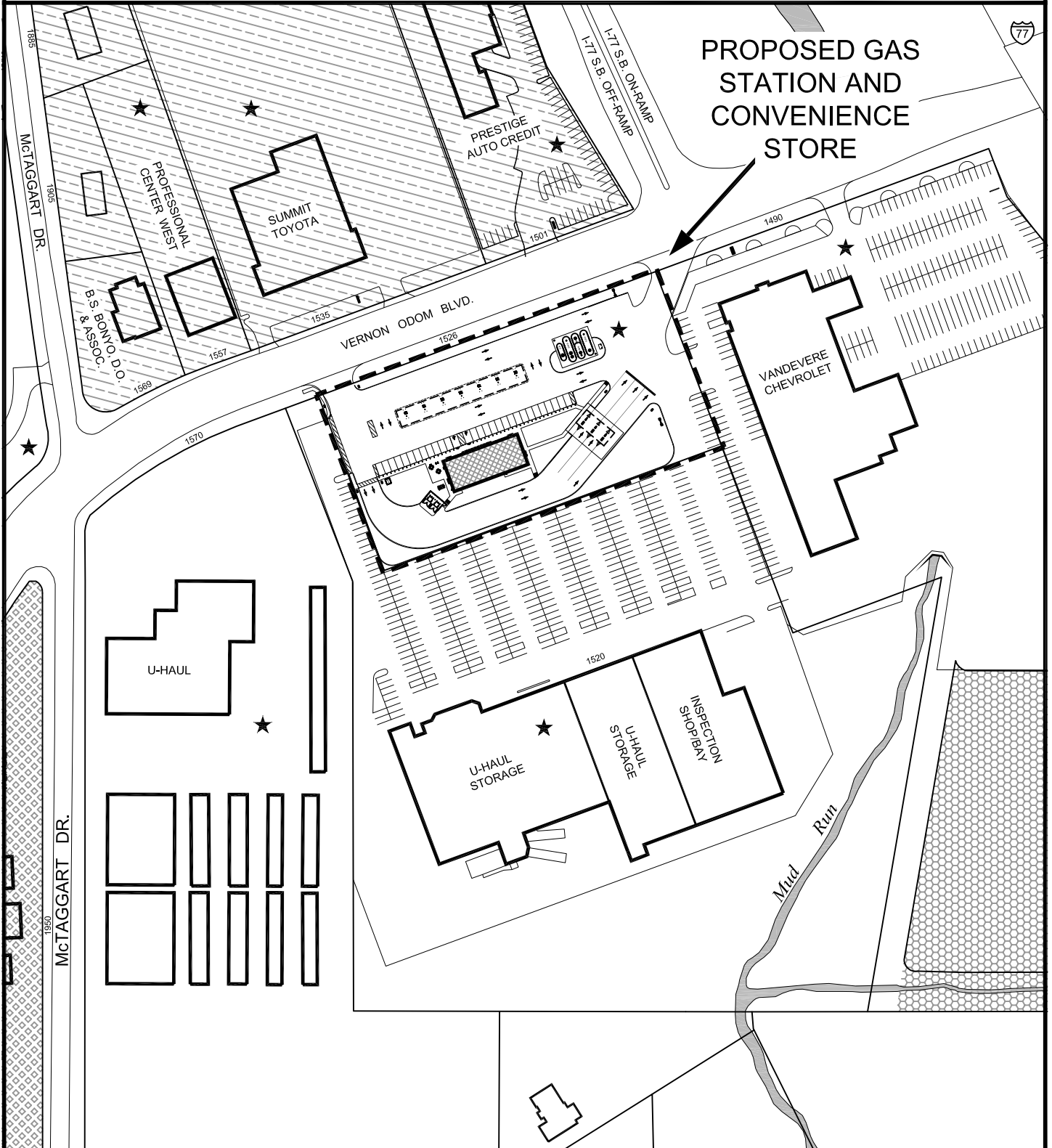
▨ ULB Limited Business

▨ Unified Planned Development (UPD-4)

▨ Unified Planned Development (UPD-13)



0 200'
Created 11/21/2023 jwh
Revised 11/27/2023 jwh



MEMORANDUM

TO: AKRON CITY PLANNING COMMISSION **ITEM # 2D**
PC-2023-65-CU

FROM: DEPARTMENT OF PLANNING AND
URBAN DEVELOPMENT

DATE: DECEMBER 15, 2023 **WARD: 9**
COUNCILPERSON: Freeman

SUBJECT: PC-2023-65-CU – Petition of Bret Lamb, dba Circle K, for a Conditional Use to construct a gas station and convenience store at 1526 Vernon Odom Boulevard

GENERAL LOCATION: South side of Vernon Odom Boulevard, west of Interstate 77

LAND USE OF THIS PROPERTY: Retail store and parking lot

LAND USE IN THE SURROUNDING AREA:

NORTH SIDE: Commercial
SOUTH SIDE: Commercial
EAST SIDE: Commercial
WEST SIDE: Commercial and Retail

ZONED: Conditionally zoned by Ord. No. 381-1990

SIZE OF LOT & AREA: Rectangularly shaped, containing 3.167 acres of land

COMMENTS:

Circle K has entered into a contract to purchase approximately three acres of land on the south side of Vernon Odom Boulevard, west of Interstate 77. The lot is presently developed with a retail structure and surface parking. Surrounding uses include car dealerships to the east and north, offices to the northwest, and a U-Haul storage and truck rental facility to the west and south. The property is conditionally zoned by Ord. No. 381-1990 to allow a fast-food restaurant and subsequent retail uses. Similarly, all surrounding uses are conditionally zoned. The Land Use and Development Guide Plan recommends retail uses on the south side of Vernon Odom Boulevard.

The Petitioner intends to raze the current structure on the property and construct a new gas station and convenience store on the site. Because the underlying zoning is a Single Family Residence Use District (U1, H1, A1), a new Conditional Use is required.

The new 5,200 square feet convenience store would be located 150 feet from the street and 268 feet from the east property line. The corporately owned store would be constructed of masonry materials in brown tones with red accents. Access to the site would be from the existing drives at the east and west corners of the lot. An ADA-accessible walking path along the west side of the property would safely direct people away from vehicular traffic. Thirty parking stalls are shown in front of the building. A canopy 24 feet in width by 192 feet in length covering seven pump islands (14 dispensers) is situated between the building and the street. A wide drive would wrap around the rear of the store to a diesel canopy providing three pump lanes for fueling semi tractors. A trash enclosure near the southwest corner of the store would also be serviced from this drive. Wall signage for the building and canopies appears to meet Code requirements, while a desired hi-rise sign would be reviewed separately at a later date. An existing line of mature trees and shrubbery along the street would largely remain and would be supplemented as necessary. As the rear portion of the property is within the 500-year floodplain, new grassed areas in this area would provide not only visual interest, but also a degree of stormwater relief.

No objections to the project have been received from any City department. The Engineering Bureau has noted that a large utility cabinet containing a water meter and backflow preventor is currently located along the north edge of the parking lot, and the Petitioner will need to coordinate with the Water Supply Bureau to relocate the structure. The proposed retail gas station and convenience store conforms to the City's desired uses at this location as indicated by the Land Use and Development Guide Plan. The site is well situated to serve not only local residents and businesses, but highway travelers as well. Vernon Odom Boulevard, with four travel lanes and two turn lanes in front of the property, can accommodate any traffic generated. Primary access is at the signalized intersection with the Interstate 77 on- and off-ramps at the northeast corner of the property, and secondary access is provided 500 feet to the west. The attractive structure and landscaped property would be an asset to the community and appropriate at this locations. The Planning Staff is supportive of this request.

RECOMMENDATION:

The Planning Staff finds the requested Conditional Use is consistent with the standards found in Section 153.474 (A thru H) and the Land Use and Development Guide Plan and recommends **APPROVAL** of the petition of Bret Lamb, dba Circle K, for a Conditional Use to construct a gas station and convenience store at 1526 Vernon Odom Boulevard in accordance with the submitted plans and subject to the following conditions:

- (1) That a landscape planting plan which conforms to the "Akron Development Guide" as referred to in Section 153.300-.310 of the Zoning Code be submitted to

the Department of Planning and Urban Development for its review of compliance with said guide, and that the landscaping be installed and maintained as shown on the approved plan.

- (2) That the Petitioner submit a storm water management plan to control the run-off, siltation and sedimentation during construction and to control the run-off after the development is completed. This plan is to be consistent with all the requirements of Section 192.101-.114 of the Code of Ordinances and is to be subject to the approval of the Bureau of Engineering and submitted prior to the issuance of any building permits.
- (3) That the location and sizes of points of ingress and egress be subject to the approval of the Traffic Engineer.
- (4) That all walkways, driveways, and parking areas be hardsurfaced and curbed to Bureau of Engineering specifications.
- (5) That the Petitioner provide adequately dustproofed off-street parking for construction workers and off-street storage space for materials and equipment during construction.
- (6) That the structures and layout of the development conform substantially to the approved plans; however, minor changes may be approved by the Department of Planning and Urban Development.
- (7) That all exterior building facade, wall and other surfaces at the property shall be kept in good repair, in a safe condition, and, if constructed of a non-weatherproof material, or if currently coated by stucco, paint or other treatment, or if required to be coated by the Building Code, shall be protected against decay from the elements, and shall be uniformly coated by paint or other treatment, free of chips, cracks, flaking, chalking, peeling or exposed underlying surfaces, and shall be free of holes, cracks, or broken, loose or decaying materials.
- (8) That the construction material of the exterior walls of the structures shall be of brick or decorative block and subject to the approval of the Department of Planning and Urban Development.
- (9) That any projections above the roof line of the structure, excepting parapets or chimneys, be adequately screened to the satisfaction of the Department of Planning and Urban Development.
- (10) That the outside storage of scrap or display of merchandise be prohibited, except as permitted by Sec. 153.310(I).

- (11) That all public utility services be installed underground and their locations suitably marked for safety.
- (12) That the area be kept free of trash and litter.
- (13) That the dumpster enclosure shall be constructed of masonry and its location subject to the approval of the Department of Planning and Urban Development.
- (14) That all exterior lighting on the Petitioner's property, if any, be installed so as not to impair in any way the safe movement of traffic on any street or highway or so as not to intrude on the surrounding properties.
- (15) That the number, size, and location of all exterior signs shall be subject to the approval of the Department of Planning and Urban Development, and these signs shall conform to Section 153.345-.375 of the Zoning Code.
- (16) That the Petitioner, at his total expense, install fire hydrants and/or fire alarm boxes to the satisfaction of the Fire Department.
- (17) That the City of Akron shall retain its easement for a sanitary sewer on the east side of the property. That no building or grade changes shall occur within this easement and that the City shall be held harmless for damages to private improvements as a result of any repair or relocation of this sewer.
- (18) That the copy of the electronic message center shall not flash, rotate or have the appearance of moving, and the message and the image shall remain illuminated and unchanged a minimum of eight seconds at a time.
- (19) That to ensure development as shown on the approved plans, a Performance Bond be placed with the Department of Planning and Urban Development at 100% of the estimated cost of the following:
 - (a) Landscaping installation as referred to in Item (1) above.
 - (b) Hardsurfacing installation as referred to in Item (4) above.
- (20) That as a prerequisite to the issuance of any building or grading permit incident hereto, the following be submitted to the City:
 - (a) Bond as referred to in Item (19) above.
 - (b) Landscape plan as referred to in Item (1) above.
 - (c) Storm water management plan as referred to in Item (2) above.

JH/emd