

**AKRON CITY PLANNING COMMISSION**

**MEETING OF JULY 7, 2023 - 9:00 A.M.**

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

**(1) CORRECTION and APPROVAL of Minutes of June 9, 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-2023-13-CU** – Petition of Rebound Property Management for a Conditional Use to establish a tree service business at 2514 East Avenue.

C. **PC-2023-20-CU** – Petition of James and Shanan Painter for a Conditional Use to vary building line setbacks for a solid fence and carport at 2015 13<sup>th</sup> Street, SW.

D. **PC-2023-22-CU** – Petition of Charter Development Foundation, Inc., for a Conditional Use to install continuous curbside parking at 274 Park Street.

E. **PC-2023-24-CU** – Petition of David W. George for a Conditional Use to vary the required side yard area to construct an attached garage addition at 2232 Goodyear Boulevard.

F. **PC-2023-25-CU** – Petition of Steven and Julie Andrews for a Conditional Use to establish a four-unit apartment house at 642 E. Wilbeth Road

G. **PC-2023-30-CU&V** – Petition of the City of Akron for a Conditional Use to establish the Maple Valley resource center parking, and vacation of right-of-way.

H. **PC-2023-32-CU** – Petition of Marie S Hunter for a Conditional Use to establish a dog day care at 1831 Wiltshire Road.

I. **PC-2023-34-N** – Renaming of Portage Trail Extension West to West Portage Trail.

J. **PC-2023-35-S** – Sale of City-owned land on the north side of Gregory Avenue, west of Sweitzer Street (Parcel Nos. 67-55082 and 67-55083).

**(3) UNFINISHED BUSINESS:**

A. **PC-2023-17-CU** – Petition of Temple Hall Revival Group, LLC, for a Conditional Use to establish apartments at 133 Merriman Road.

**TIME** B. **PC-2021-65-CU** – Petition of EHZ Limited, LLC, for a Conditional Use to establish an auto repair business at 1152 Grant Street.

**(4) RENEWALS**

TT/emd

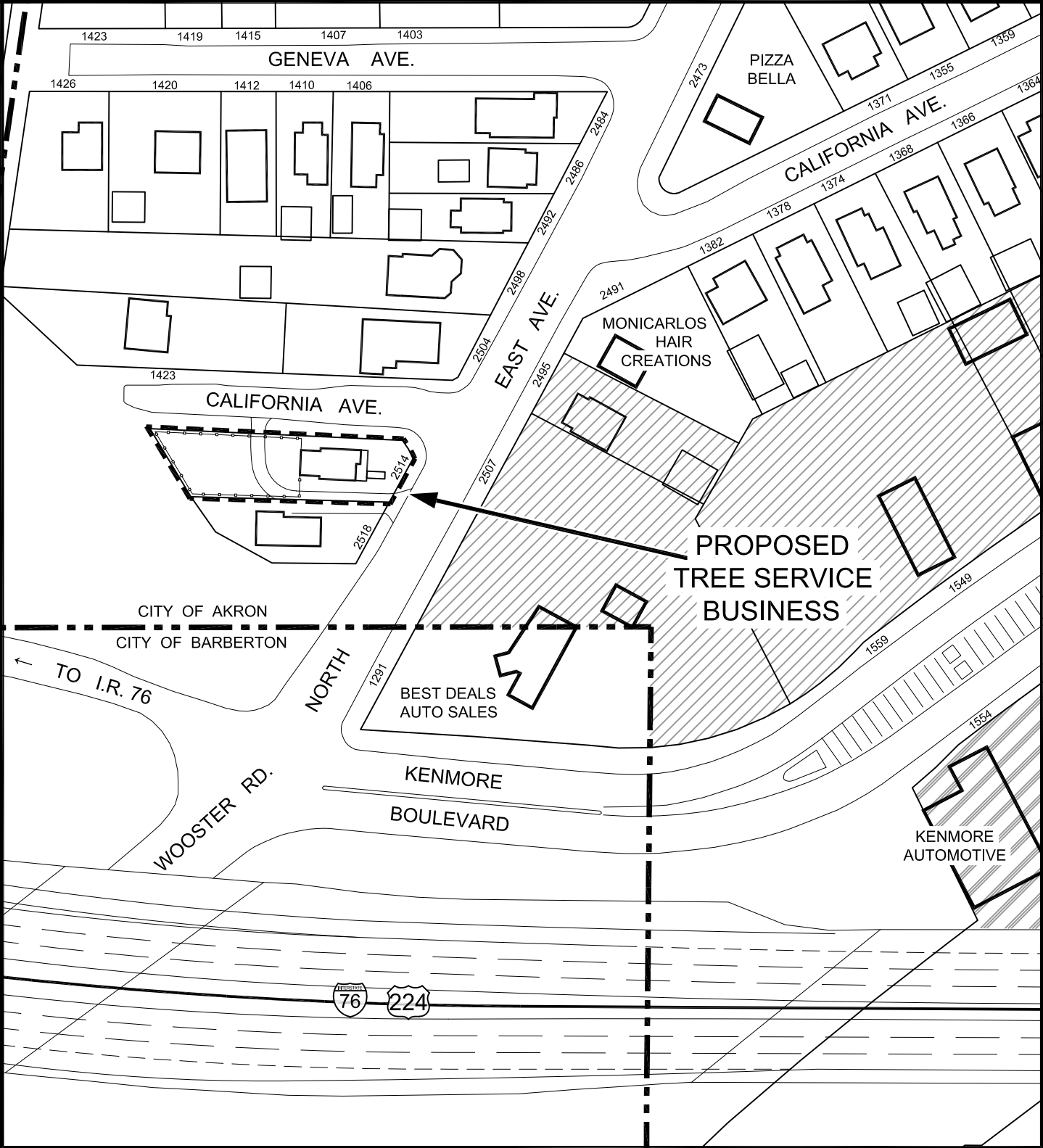
# PC-2023-13-CU

Petition of Rebound Property Management for a Conditional Use to establish a tree service business at 2514 East Avenue

- U1 Single Family Residential
- U4 Commercial
- U5 Ordinary Industry



0 100'  
Created 03/02/2023 jwh  
Revised 03/03/2023 jwh



## MEMORANDUM

**TO:** AKRON CITY PLANNING COMMISSION    **ITEM # 2B**  
PC-2023-13-CU

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

**DATE:** JULY 7, 2023

**WARD:** 9  
**COUNCILPERSON:** Freeman

**SUBJECT:** PC-2023-13-CU – Petition of Rebound Property Management for a Conditional Use to establish a tree service business at 2514 East Avenue.

**GENERAL LOCATION:** Southwest corner of the intersection of East Avenue and California Avenue.

**LAND USE OF THIS PROPERTY:** Commercial

**LAND USE IN THE SURROUNDING AREA:**

**NORTH SIDE:** Residential  
**SOUTH SIDE:** Residential  
**EAST SIDE:** Commercial  
**WEST SIDE:** I-76 ramp

**ZONED:** Single Family Residential Use District (U1, H1, A1)

**SIZE OF LOT & AREA:** Irregular, roughly 45 feet by 162 feet = 7,290 square feet

**COMMENTS:**

Rebound Property Management is the owner of a single-family dwelling at the southwest corner of the intersection of East Avenue and California Avenue, addressed as 2514 East Avenue. The irregularly shaped property contains 7,290 square feet of area. Surrounding uses are residential to the north and south, I-76 to the west, and Best Deals auto sales to the east. The property is zoned Single-Family Residential Use District (U1, H1, A1) in accordance with the Land Use and Development Guide Plan.

The Petitioner is requesting permission to establish a commercial tree service business on this residentially zoned property. As such, a Conditional Use is necessary.

MD Tree Surgery has been illegally operating a Commercial business on the property since 2016. The Zoning staff was first notified of the illegal use on September 27, 2022, and immediately issued a letter. The next day, the Department of Neighborhood

Assistance conducted a nuisance cleanup on the property and the adjacent property addressed as 1423 California Avenue. The Petitioner contacted Zoning a week later and stated that since their prior tenant had received Board of Zoning Appeals (AP-24-2013-Z) to operate a child daycare, they mistakenly assumed that a commercial business was permissible. The Petitioner filed an incomplete Planning Commission application on February 10, 2023, and an April reinspection revealed two bucket trucks (one was inoperable), piles of wood, and a lot that looked poorly taken care of. After further communication with the Petitioner, a more detailed site plan was submitted in mid-May of 2023. The site plan details two concrete pads in the rear yard for the parking of bucket trucks, along with solid wooden fencing enclosing the rear of the property. The concrete parking pads would be accessed via new sliding gates along California Avenue.

Goals of the Land Use and Development Guide Plan include preserving and protecting single-family neighborhoods and encouraging the development of commercial activities in areas suited to their needs. Operating a commercial tree service business in a single-family zoned area has been a blighting influence on this Kenmore neighborhood. The rear yard of this single-family dwelling does not contain adequate space nor is it properly developed for a commercial business. There is larger commercial and industrially zoned property to the east along Kenmore Boulevard and other areas nearby that would permit such a use. As such, the Planning Staff cannot support this request.

**RECOMMENDATION:**

The Planning Staff finds the requested Conditional Use is not consistent with the standards found in Section 153.474 (A thru H) and the Land Use and Development Guide Plan and recommends **DISAPPROVAL** of the petition of Rebound Property Management for a Conditional Use to establish a tree service business at 2514 East Avenue.

KEP/emd

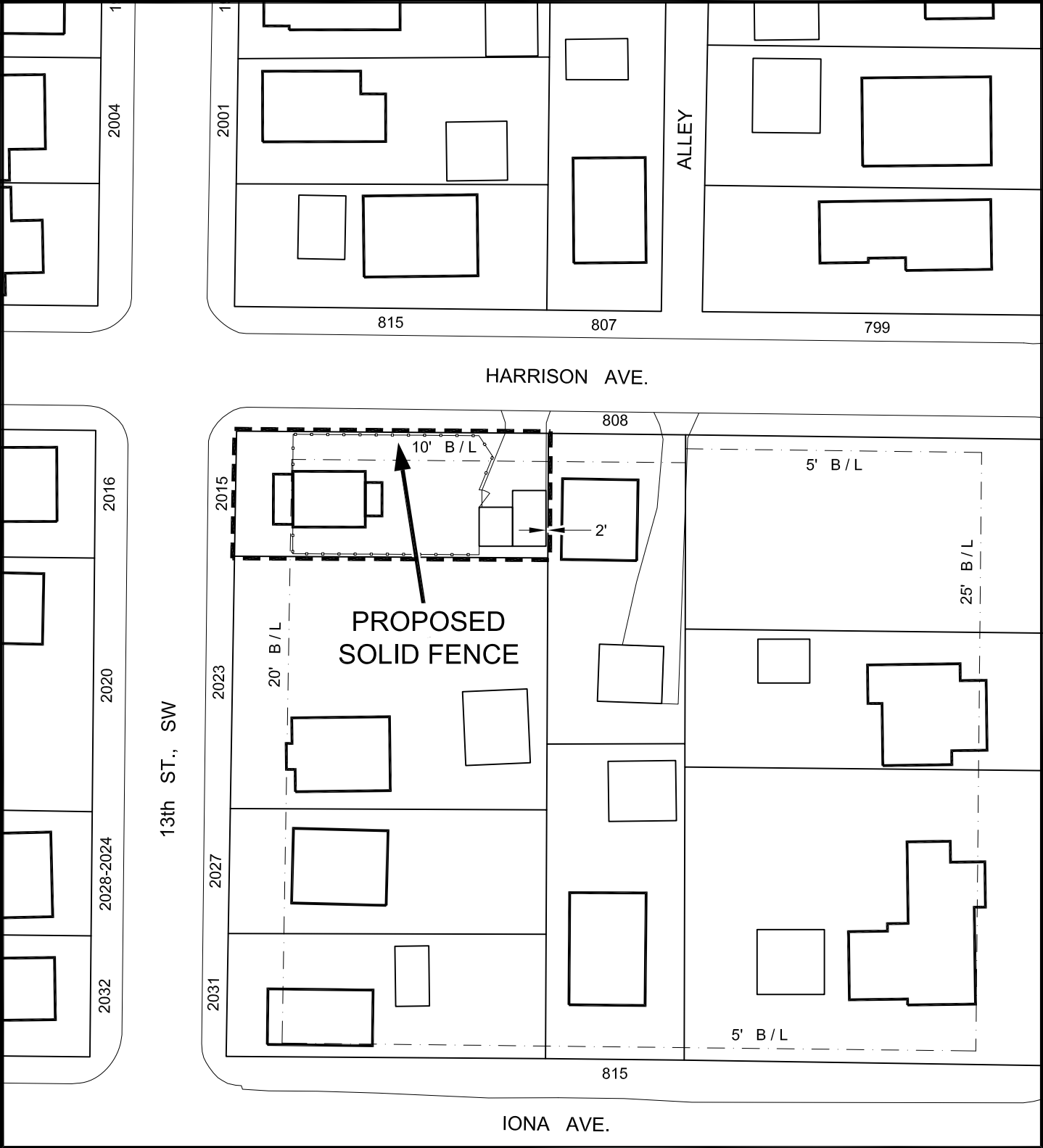
# PC-2023-20-CU

Petition of James and Shanan Painter for a Conditional Use to vary setbacks for a solid fence and carport at 2015 13th Street, SW

UI Single Family Residential



0 50'  
Created 05/12/2023 jwh  
Revised 06/23/2023 jwh



## MEMORANDUM

**TO:** AKRON CITY PLANNING COMMISSION      **ITEM # 2C**  
**PC-2023-20-CU**

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

**DATE:** JULY 07, 2023      **WARD:** 9  
**COUNCILPERSON:** Freeman

**SUBJECT:** **PC-2023-20-CU** – Petition of James & Shanan Painter for a Conditional Use to vary building line setbacks for a solid fence and carport at 2015 13<sup>th</sup> Street SW.

**GENERAL LOCATION:** Southeast corner of Harrison Avenue and 13<sup>th</sup> Street, SW

**LAND USE OF THIS PROPERTY:** Single Family residential

**LAND USE IN THE SURROUNDING AREA:** Single Family residential in all directions.

**ZONED:** Single Family Residential Use District (U1, H1, A1)

**SIZE OF LOT & AREA:** 45 feet by 112 feet = 5,040 square feet of area.

### **COMMENTS:**

James & Shanan Painter are the owners of the property on the Southeast corner of the intersection of Harrison Avenue and 13<sup>th</sup> St SW, addressed as 2015 13<sup>th</sup> St SW. The 5,040 square feet lot contains a single-family dwelling. Surrounding uses are all residential. The property is currently zoned Single-Family Residential Use District (U1, H1, A1) in accordance with the Land Use and Development Guide Plan.

The Petitioner is proposing to construct a six-foot-high fence beyond the building line at their property line along Harrison Avenue and vary the side yard setback for an existing detached carport. The zoning code stipulates that a solid fence beyond the 10 foot building line may be no taller than 2 feet, 6 inches. As such, Conditional Use approval is needed for the variance of the building line setback. In addition, the zoning code stipulates that an accessory structure must maintain a minimum 3 foot setback for the side yard property line. Since the existing carport is currently 2 feet away from the side yard, a variance of 1 foot is necessary.

The 6 feet in height privacy fence would be placed up to the Harrison Avenue sidewalk. The solid fence would enclose the side and rear yard of the corner property. The Petitioners have stated that they previously had a chain-link fence enclosing their rear yard but would like to replace it with wood to protect their grandkids. The Petitioner's

driveway is located along Harrison Avenue. As such, a portion of the fence will be angled in order to preserve vision when backing out of their driveway. The single-story aluminum frame carport measures 12 feet in width and extends 20 feet. As such, the carport is within the required 3 feet side yard setback area from the western property line.

The petitioners are limited by the physical constraints of their corner lot property. A variance of 1 foot for the side yard should not have a negative impact on the surrounding property as the carport has been there for an extended period of time and kept in good repair by the owner. Neither the carport, nor the fence, will be intrusive to neighboring properties. The Traffic Engineer does not object to the location of the fence. As such, the Planning Staff can support 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 recommends **APPROVAL** of the petition of James & Shanan Painter for a Conditional Use to vary building line setbacks for a solid fence and carport at 2015 13<sup>th</sup> Street SW.

BL/EMD

# PC-2023-22-CU

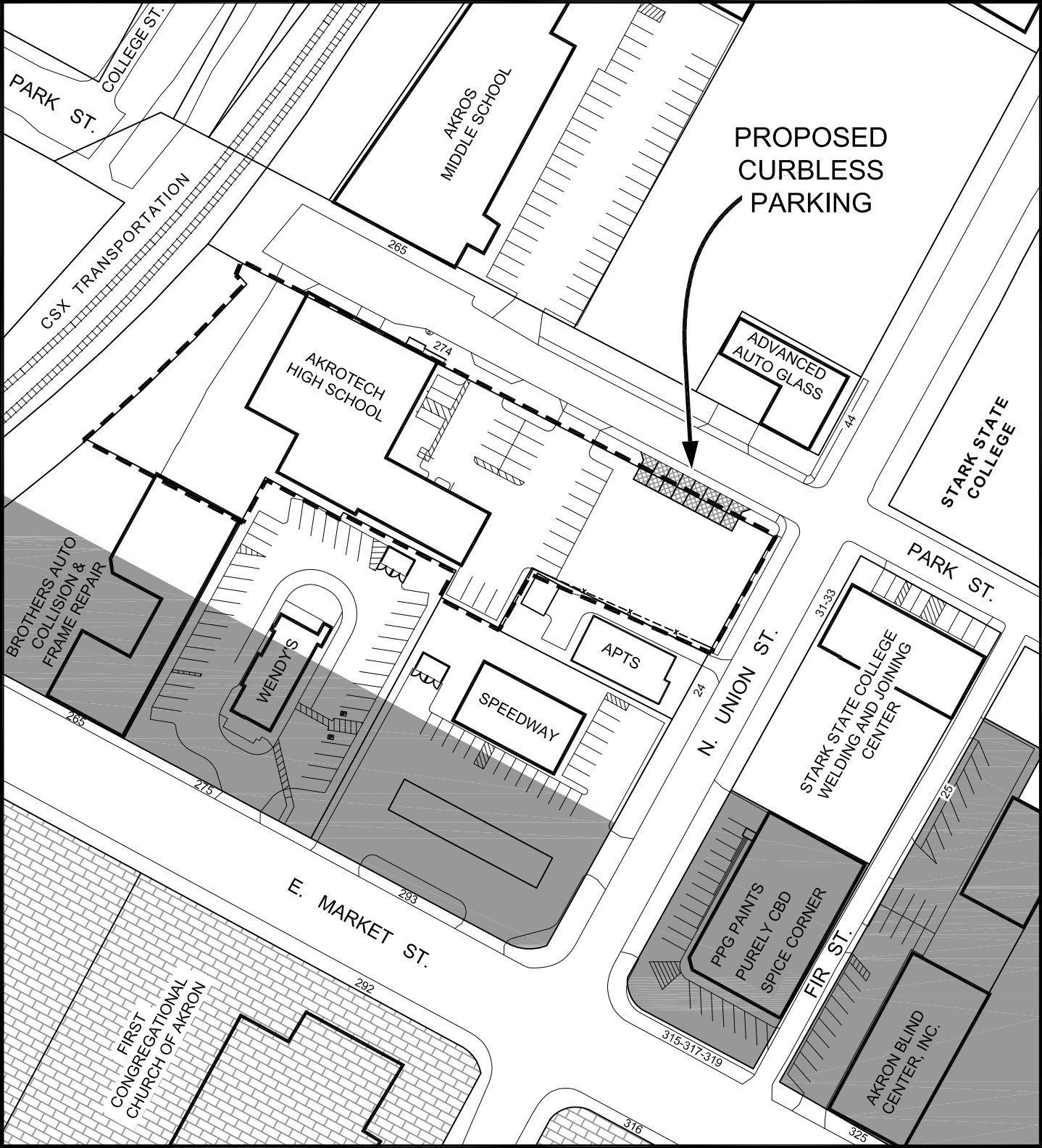
Petition of Charter Development Foundation, Inc., for a Conditional Use to install continuous curbside parking at 274 Park Street

-  UD University
-  U3 Retail Business
-  UB Biomedical



0 100'

Created 05/19/2023 jwh  
Revised 05/22/2023 jwh





## MEMORANDUM

**TO:** AKRON CITY PLANNING COMMISSION    **ITEM # 2D**  
**PC-2023-22-CU**

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

**DATE:** JULY 7, 2023    **WARD: 5**  
**COUNCILPERSON:** Mosley

**SUBJECT: PC-2023-22-CU** – Petition of Charter Development Foundation, Inc., for a Conditional Use to install continuous curbless parking at 274 Park Street

**GENERAL LOCATION:** West side of N. Union Street, north of E. Market Street

**LAND USE OF THIS PROPERTY:** School

**LAND USE IN THE SURROUNDING AREA:**

**NORTH SIDE:** School and commercial  
**SOUTH SIDE:** Apartments and retail  
**EAST SIDE:** School and retail  
**WEST SIDE:** Commercial and transportation

**ZONED:** Biomedical Use District (UB, H5, A1)

**SIZE OF LOT & AREA:** Irregularly shaped, containing approximately 1.3 acres of land

**COMMENTS:**

Charter Development Foundation, Inc., is the owner of 1.3 acres of land at the southwest corner of N. Union Street and Park Street, just north of Market Street. The property, addressed as 274 Park Street, contains a large structure that will be the future home of Akrotech High School. Surrounding uses include a school and commercial to the north, a school and retail to the east, a 4-unit apartment house and retail to the south, and commercial and a railroad to the west. The property is zoned Biomedical Use District (UB, H5, A1), and the Land Use and Development Guide Plan recommends retail uses here.

The Petitioner is requesting permission to install continuous curbless parking along Park Street, at the northeast corner of the property. The eight pull-in parking stalls would evenly straddle the right-of-way line and be directly behind the six feet in width sidewalk, which is immediately adjacent to the paved street surface. The Petitioner recently replaced all curbs and sidewalks along Park and Union streets at his own

expense. Plans were reviewed and approved; however, the installed depressed curb to accommodate the pull-in parking was not shown on the plans and, therefore, was not permitted. The Petitioner states that the intent is to provide off-street parking for staff while preserving the bulk of the remaining space for outdoor education and a future classroom or administrative building.

The Planning Staff has received concerns from the Traffic Engineering office that the proposed parking layout could lead to congestion and safety concerns during peak times. School children would be subjected to walking directly between parked vehicles and vehicles on the street dropping off or picking up other students. One objective of the Land Use and Development Guide Plan is to provide for pedestrian movement in the design of high activity areas. Such provisions should be accomplished with safety in mind. Additionally, the parking is in close proximity to the intersection with North Union Street and directly across the street from the access drive for the neighboring business. While the Petitioner does control the bulk of the property on both sides of the dead-end Park Street and a sufficient traffic circulation plan could likely be implemented, no such plan has been presented. It is recommended that the Petitioner modify the parking plan by adding an additional row of parking to the east end of the existing parking lot to the west, thereby meeting Zoning Code requirements. This would still preserve a sizeable area of open space for future development. Additionally, the depressed curb portion of sidewalk should be replaced with a standard curb and walk. The Planning Staff finds that no hardship exists that would justify the installation of eight pull-in parking spaces.

**RECOMMENDATION:**

The Planning Staff finds the requested Conditional Use is not consistent with the standards found in Section 153.474 (A thru H) and the Land Use and Development Guide Plan and recommends **DISAPPROVAL** of the petition of Charter Development Foundation, Inc., for a Conditional Use to install continuous curbless parking at 274 Park Street.

JH/emd

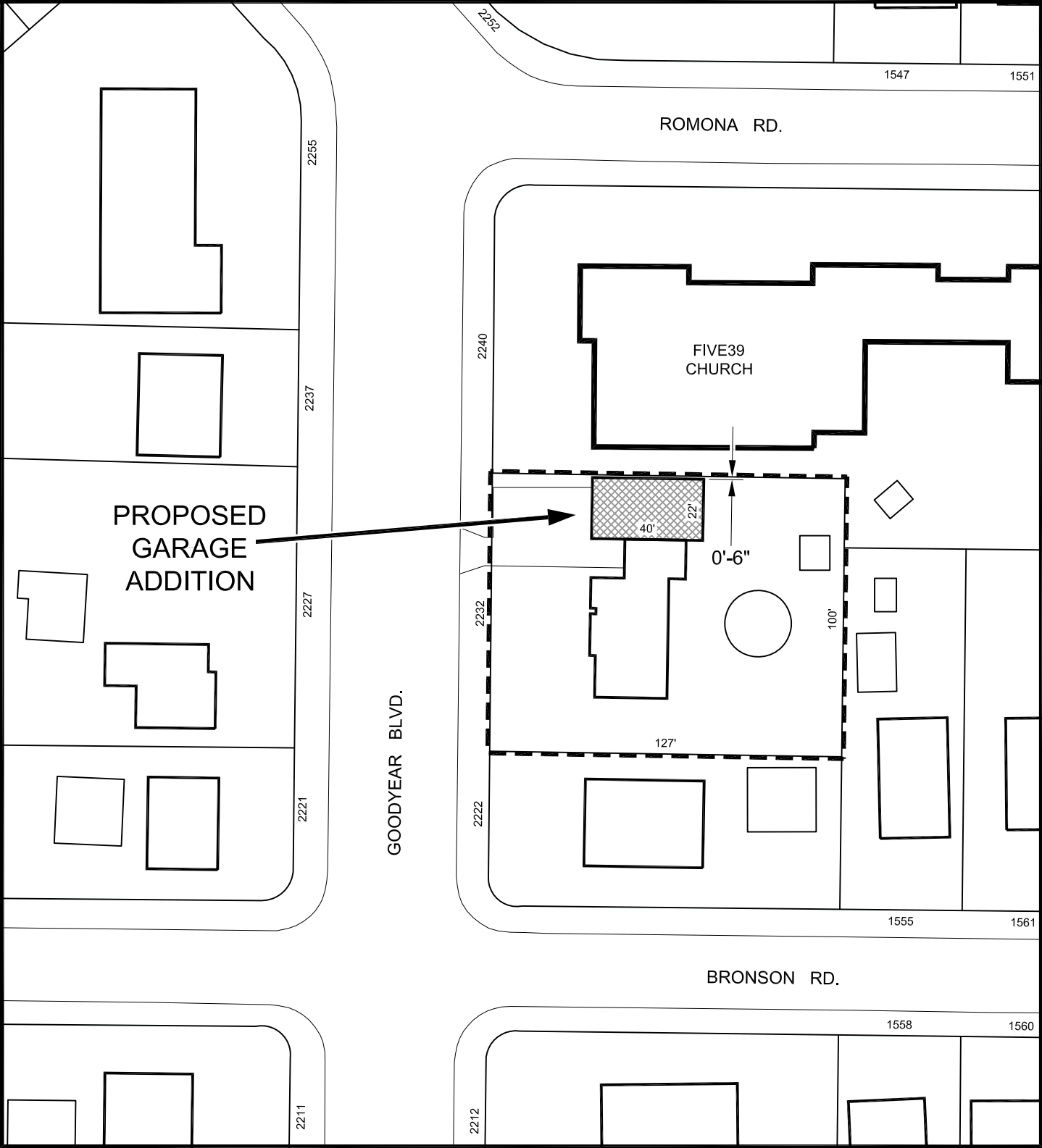
# PC-2023-24-CU

Petition of David W. George for a Conditional Use to vary the required side yard area to construct an attached garage addition at 2232 Goodyear Boulevard

U1 Single Family Residential



0 50'  
Created 06/14/2023 jwh  
Revised 06/14/2023 jwh



## MEMORANDUM

**TO:** AKRON CITY PLANNING COMMISSION      **ITEM # 2E**  
**PC-2023-24-CU**

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

**DATE:** JULY 07, 2023      **WARD:** 10  
**COUNCILPERSON:** Connor

**SUBJECT:** **PC-2023-24-CU** –Petition of David W. George for a Conditional Use to vary the required side yard area to construct an attached garage addition at 2232 Goodyear Boulevard

**GENERAL LOCATION:** West side of Goodyear Boulevard, north of Bronson Road

**LAND USE OF THIS PROPERTY:** Single-family residential

**LAND USE IN THE SURROUNDING AREA:** All sides single-family residential

**ZONED:** Single Family Residential Use District (U1, H1, A1)

**SIZE OF LOT & AREA:** 100 feet in width by 127 feet in depth = 12,700 square feet of area

### **COMMENTS:**

David and Barbara George are the owners of a single-family dwelling located on the west side of Goodyear Boulevard, north of Bronson Road. The property measures 100 feet in width by 127 feet in depth for a total of 12,700 square feet of area. Surrounding uses are all residential except for a church abutting the northern edge of the property. The property is zoned Single Family Residential Use District (U1, H1, A1) in accordance with The Land Use and Development Guide Plan.

The Petitioners are requesting permission to vary the side yard setback for a handicap accessible garage addition. The new garage addition is desired as Barbara George is permanently bound to a wheelchair and is currently unable to access her handicap equipped vehicle. The Zoning Code stipulates that structures in the side yard must maintain a minimum five (5) foot setback for the side yard property line. Since the proposed garage will be 4.5 feet from the side yard, a variance of 0.5 feet is necessary.

The single-story garage addition measures 22 feet in width and will extend 12 feet west from the back of the garage. It will be designed to be aesthetically compatible with the existing house and will not encroach upon the required rear yard setback.

The Petitioners are limited by the physical constraints of their property, and building a handicap accessible garage in the backyard is prohibitively expensive. As such, there is a cost-burden hardship. The most feasible solution is to allow the garage to be built 0.5

feet from the side yard. A variance of 4.5 feet should not have a negative impact on the surrounding properties as the neighboring church has no windows that will face this addition. The addition of a handicap accessible garage will allow the current residents to continue living in their home and will not be intrusive to neighboring properties. As such, the Planning Staff supports 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 David W. George for a Conditional Use to vary the side yard setback requirement to construct a dwelling addition 2232 Goodyear Boulevard, in accordance with submitted plans, entitled "George Residence" and subject to the following condition:

- (1) That the Petitioner obtains all necessary permits.

BL/emd

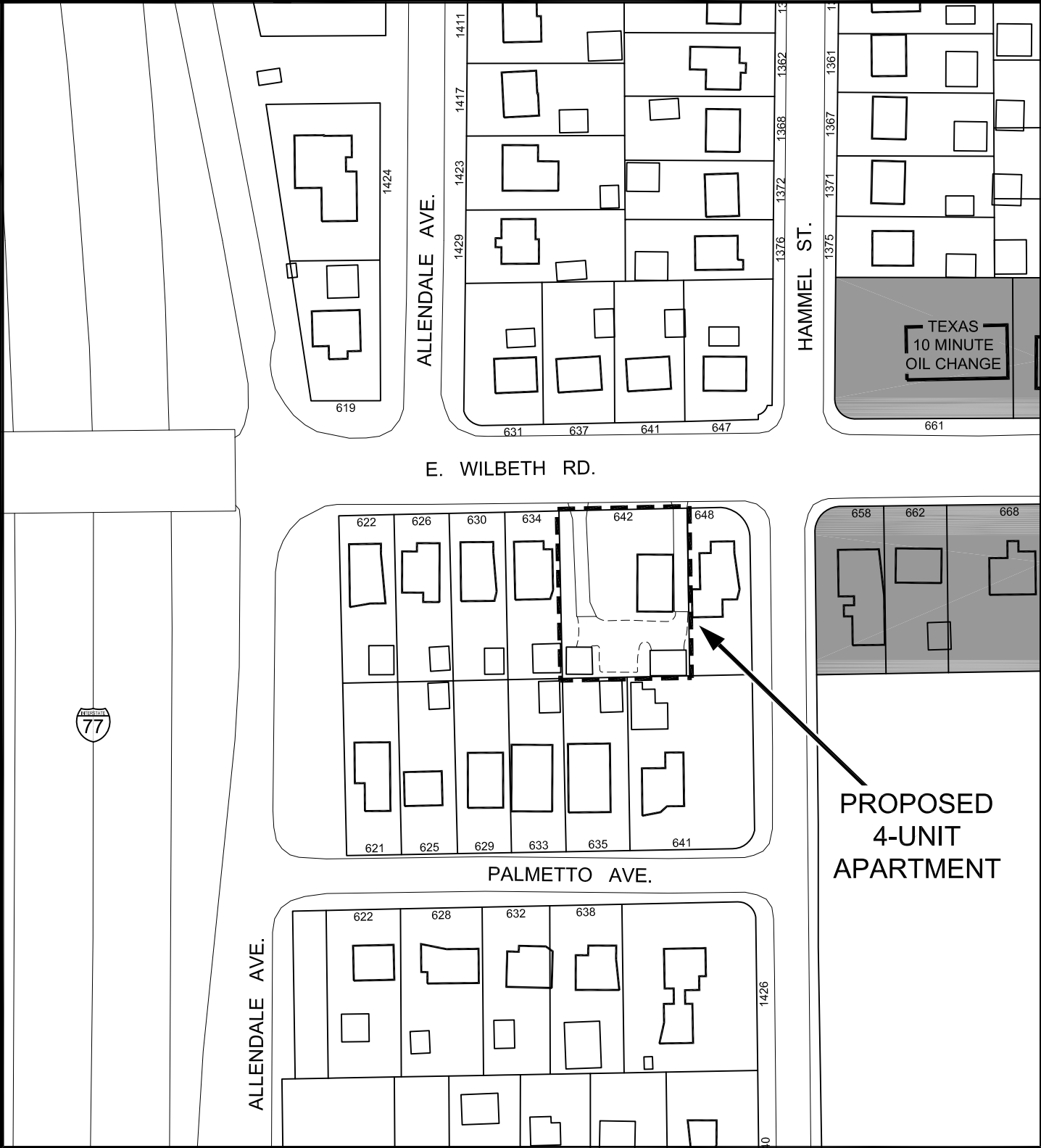
# PC-2023-25-CU

Petition of Steven and Julie Andrews for a Conditional Use to establish a four-unit apartment house at 642 E. Wilbeth Road

- U1 Single Family Residential
- U3 Retail Business



0 100'  
Created 06/20/2023 jwh  
Revised 06/20/2023 jwh



## MEMORANDUM

**TO:** AKRON CITY PLANNING COMMISSION    **ITEM # 2G**  
PC-2023-25-CU

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

**DATE:** JULY 7, 2023

**WARD:** 7  
**COUNCILPERSON:** Kammer

**SUBJECT:** PC-2023-25-CU – Petition of Steven and Julie Andrews for a Conditional Use to establish a four-unit apartment house at 642 E. Wilbeth Road.

**GENERAL LOCATION:** South side of E. Wilbeth Road, west of Hammel Street

**LAND USE OF THIS PROPERTY:** Residential

**LAND USE IN THE SURROUNDING AREA:** All sides residential

**ZONED:** Single-Family Residential Use (U1, H1, A1) District

**SIZE OF LOT & AREA:** 90 feet in width by 120 feet in depth = 10,800 square feet of area

### **COMMENTS:**

Steven and Julie Andrews are the owners of a dwelling located on the south side of E. Wilbeth Road, west of Hammel Street, addressed as 642 E. Wilbeth Road. The large property contains 10,800 square feet of area. Surrounding uses are all residential. The property is zoned Single Family Residential Use (U1, H1, A1) in accordance with the Land Use and Development Guide Plan.

The Petitioners are requesting permission to establish a four-unit apartment house at this address. Because the property is zoned Single-Family, a Conditional Use is necessitated. The 2.5-story brick dwelling, constructed in 1930, contains 3,248 square feet of living area and is sited on the eastern portion of the 10,800 square feet lot. Two accessory use structures are located in the rear of the lot. Ingress/egress to the property is via two curb cuts located at the southwest and southeast corners of the property. The dwelling contains a two-bedroom unit on the first floor, an efficiency plus a one-bedroom unit on the second floor, and a two-bedroom unit on the third floor. The exterior of the dwelling contains a front and a side-door entrance, with interior access via an interior main hall and stairwell.

The Zoning Staff conducted research for a zoning certification letter in March of 2023, and discovered that the property was only zoned to permit a legal, non-conforming

two-unit dwelling. However, while the property was never zoned for Apartment Use, records indicate that the dwelling contained more than two units since the 1950s. Further, the dwelling has been rental registered as a four unit, and a recent Housing Division inspection determined that all four units meet housing code requirements.

One objective of the Land Use and Development Guide Plan is to minimize disruptions to stable single-family areas by directing higher density residential development into high activity areas and along major arterials. This large property is five houses west of a Route 8 off-ramp and fronts a main arterial. The property exceeds the required amount of off-street parking spaces and contains ample open space. The Zoning Staff has not received any prior complaints about the property. This Firestone Park property is well maintained, and the Planning Staff supports 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 recommends **APPROVAL** of the petition of Steven and Julie Andrews for a Conditional Use to establish a four-unit apartment house at 642 E. Wilbeth Road in accordance with submitted plans and subject to the following condition:





- (1) 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.

KEP/emd



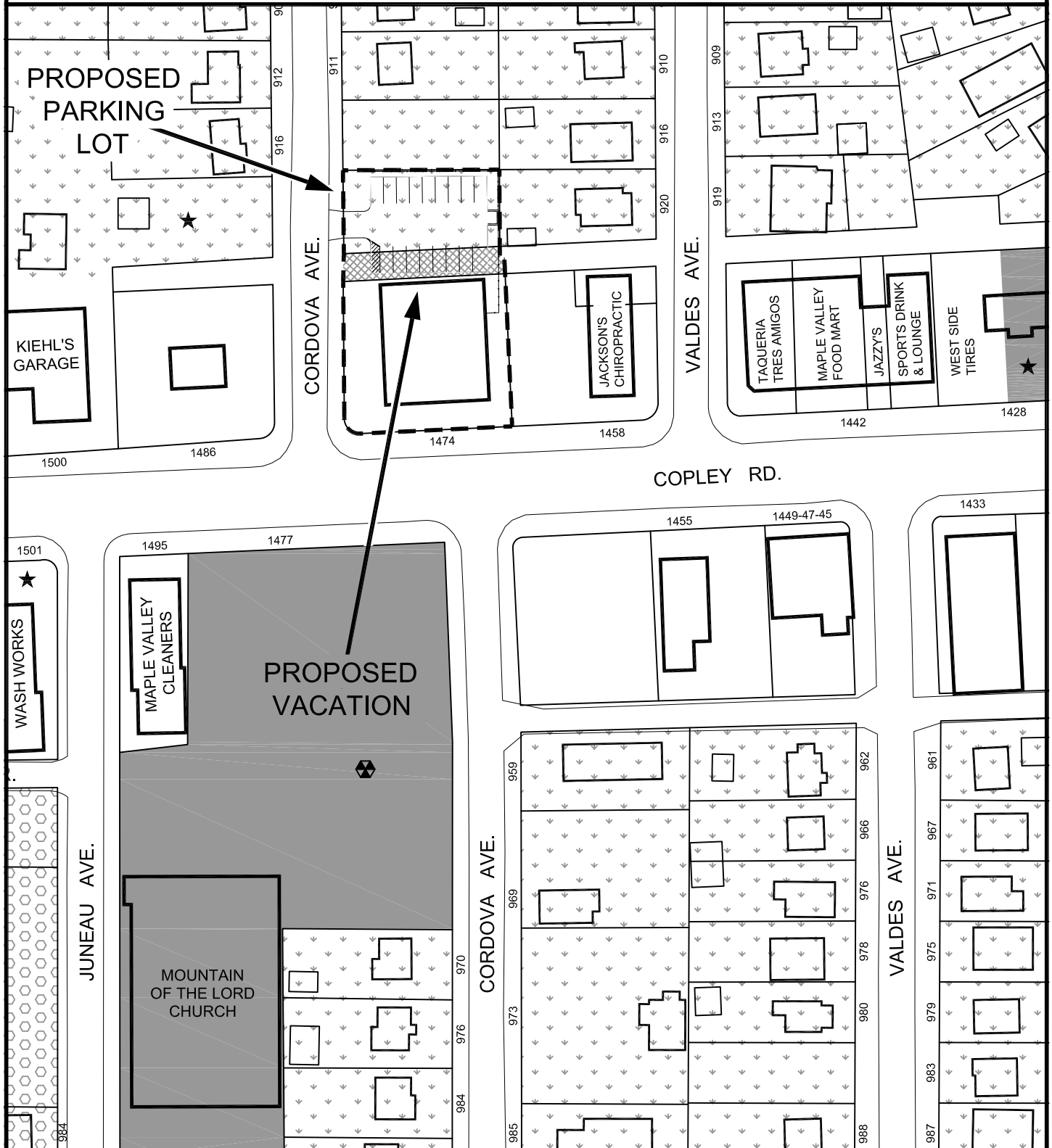
# PC-2023-30-CU&V

Petition of the City of Akron for a Conditional Use to establish the Maple Valley resource center parking and vacation of right-of-way

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



0 100'  
Created 06/21/2023 jwh  
Revised 06/22/2023 jwh



## MEMORANDUM

**TO:** AKRON CITY PLANNING COMMISSION    **ITEM # 2G**  
**PC-2023-30-CU&V**

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

**DATE:** JULY 7, 2023    **WARD:** 4  
**COUNCILPERSON:** Neal

**SUBJECT:** **PC-2023-30-CU&V** – Petition of the City of Akron for a Conditional Use to establish the Maple Valley resource center parking and vacation of right-of-way.

**GENERAL LOCATION:** East side of Cordova Avenue, north of Copley Road

**LAND USE OF THIS PROPERTY:** Vacant land

**LAND USE IN THE SURROUNDING AREA:**

**NORTH SIDE:** Residential  
**SOUTH SIDE:** Retail Business  
**EAST SIDE:** Residential  
**WEST SIDE:** Residential

**ZONED:** Single Family Residence Use District (U1, H1, A1)

**SIZE OF LOT & AREA:** Approximately 80 feet by 112 feet, containing 8,960 square feet

**COMMENTS:**

The City of Akron is the owner of vacant property (Parcel No. 6736192) along the east side of Cordova Avenue just north of Copley Road in the West Akron Neighborhood. The vacant parcel measures approximately 80 feet by 112 feet, containing 8,960 square feet of area and is zoned Single Family Residence Use District (U1,H1,A1). The property abuts the Copley Road Great Streets area.

The City proposes to construct a parking lot to serve patrons of the new Maple Valley Resource Center at 1474 Copley Road. In addition, a 20 feet by 112 feet section of alley between the new parking lot and the resource center would be vacated to connect the parking to the building and unify the site. Conditional Use approval is necessary for construction of the parking lot in the Single-Family Residence Use district.

The Maple Valley Resource Center is being established along Copley Road to provide essential needs for the neighborhood such as a financial institution and café. It will also have programming to teach financial literacy and other workshops to citizens as well as the ability to use the space for an entrepreneur incubator, event space, and other work/study space. The center will be complemented by the hard surfaced off-street parking lot to its north containing 17 parking spaces and an enclosed trash container. There are currently 8 parking spaces, including 2 handicapped, along the west side of the building. Ingress and egress to the lot will be from the same driveway on Cordova Avenue. A six-foot solid fence and landscaping will surround the parking lot to provide screening between it and the residentially zoned private property.

No objections to the proposed vacation have been received from any City department. A storm and sanitary sewer are both located within the 20 feet alley right-of-way, therefore it will be necessary for the City to maintain an easement within the 20 feet by 112 feet section. The new off-street parking lot will complement the resource center by relieving the neighborhood of some on-street parking congestion. The vacation and expansion of a parking lot for the Maple Valley Resource Center fulfills objectives of the Land Use and Development Guide Plan and Great Streets program by providing public services to help meet the needs of residents within neighborhoods and promoting good design for parking areas. As such, the Planning Staff supports 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 recommends **APPROVAL** of the petition of the City of Akron for a Conditional Use to establish the Maple Valley resource center parking and vacation of right-of-way.

MM/emd

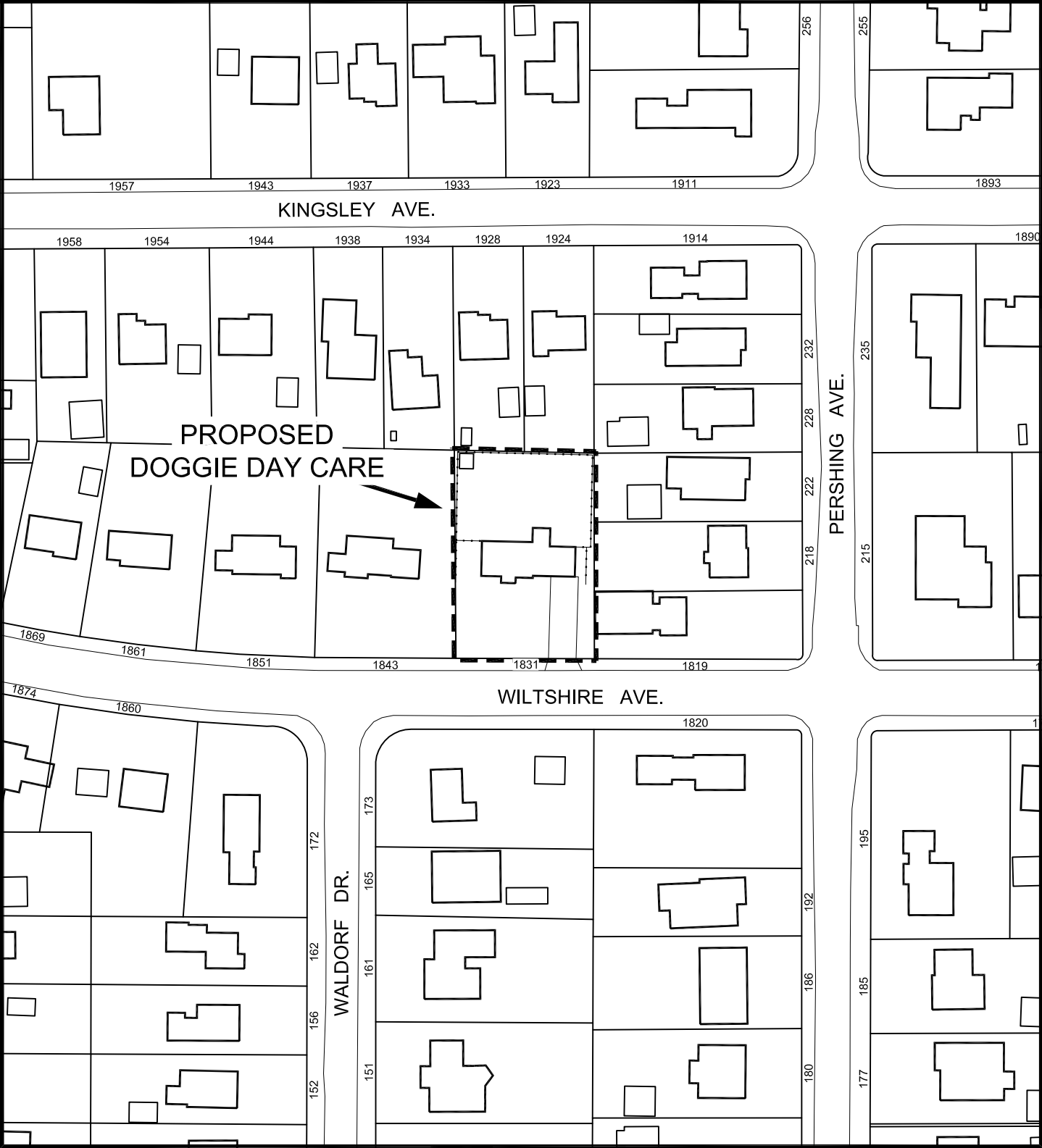
# PC-2023-32-CU

Petition of Marie S. Hunter  
for a Conditional Use to  
establish a doggie daycare  
at 1831 Wiltshire Road

U1 Single Family  
Residential



0 100'  
Created 06/20/2023 jwh  
Revised 06/20/2023 jwh



## MEMORANDUM

**TO:** AKRON CITY PLANNING COMMISSION    **ITEM # 2H**  
PC-2023-32-CU

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

**DATE:** JULY 7, 2023    **WARD:** 8  
**COUNCILPERSON:** Mallik

**SUBJECT:** PC-2023-32-CU – Petition of Marie S. Hunter for a Conditional Use to establish a dog day care at 1831 Wiltshire Road.

**GENERAL LOCATION:** North side of Wiltshire Road, west of N. Pershing Avenue

**LAND USE OF THIS PROPERTY:** Single-Family dwelling

**LAND USE IN THE SURROUNDING AREA:** All sides residential

**ZONED:** Single-Family Residence Use District (U1, H1, A1)

**SIZE OF LOT & AREA:** 100 feet by 150 feet = 15,000 square feet of area

### **COMMENTS:**

Marie S. Hunter is the lessee of a single-family dwelling located on the north side of Wiltshire Road, west of N. Pershing Avenue, addressed as 1831 Wiltshire Road. The property measures 100 feet in width by 150 feet in depth for a total of 15,000 square feet of area. Surrounding uses are all residential. The property is zoned Single-Family Residential Use District (U1, H1, A1) in accordance with the Land Use and Development Guide Plan.

The Petitioner is proposing to establish a dog day care for up to 10 dogs at this location. While the Zoning Code does not define such a use, it does define a kennel as “any pack or group of dogs over the amount of four and over the age of six months kept together for any purpose.” Since a kennel is classified as a Commercial (U4) Use and this property is zoned Single-Family Residential Use, a Conditional Use is necessary.

The Petitioner has stated that she has two dogs of her own and provides day care and boarding services for additional dogs in her home. Typically, any animals are dropped off around 7:00 a.m. and picked up by 5:00 p.m. The rear yard of the large property is entirely fenced in, and the dogs are periodically let out into the backyard for supervised potty breaks or exercise. There are no outdoor kennel cages, and the backyard is cleaned of animal waste on a regular basis. The Petitioner has stated that they are

willing to insulate/sound-proof the first floor of the dwelling to mitigate excessive noise.

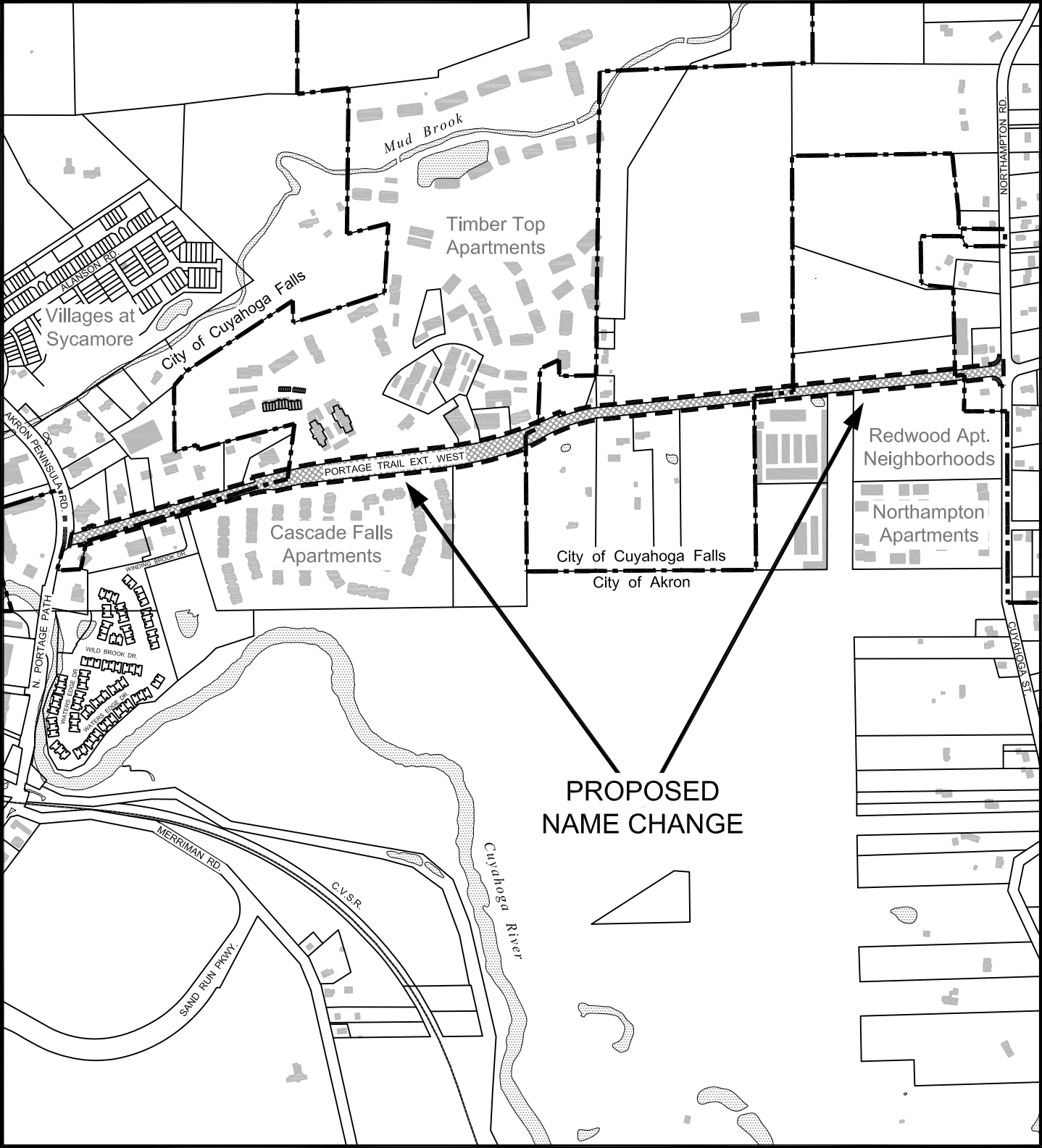
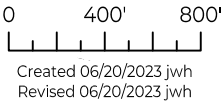
The Zoning Division had received a complaint about the use and issued an Order to Comply in May of 2023 regarding having more than four dogs on the property. The Petitioner promptly contacted our office and subsequently submitted a Planning Commission application. While one goal of the Land Use and Development Guide Plan is to preserve and protect single-family neighborhoods, the Planning Staff is of the opinion that a small dog day care business on this large property can harmoniously co-exist with the neighboring residential properties. To be harmonious by reducing potential excessive noise, the total number of dogs (including the Petitioner's own animals) on the property shall not exceed eight. Additionally, the total number of dogs receiving overnight boarding services shall not exceed four, which the Zoning Code presently permits. The fenced-in rear yard and proposed insulation/soundproofing for the dwelling should also minimize any excessive noise intrusion upon the neighboring properties. The Planning Staff is of the opinion that allowing a dog day care on this large property, with conditions, should be harmonious in this well-maintained Northwest Akron neighborhood. As such, the Planning Staff supports 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 recommends **APPROVAL** of the petition of Marie S. Hunter for a Conditional Use to establish a dog day care at 1831 Wiltshire Road in accordance with submitted plans and subject to the following conditions:

- (1) That the property be inspected annually by Akron Animal Control.
- (2) That the Petitioner insulate/sound-proof areas of the dwelling where the dog day care services are provided and submit proof as such.
- (3) That the total amount of dogs at one time on the property does not exceed eight (8), nor shall there be no more than four (4) dogs kept overnight.

KEP/emd



## MEMORANDUM

**TO:** AKRON CITY PLANNING COMMISSION    **ITEM # 2I**  
PC-2023-34-N

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

**DATE:** JULY 7, 2023    **WARD:** 1  
**COUNCILPERSON:** Holland

**SUBJECT:** PC-2023-34-N – Renaming of Portage Trail Extension West to West  
Portage Trail

**GENERAL LOCATION:** East of the Merriman Valley, along the Akron / Cuyahoga Falls  
boundary

### **COMMENTS:**

The administration of the City of Akron is requesting a name change for Portage Trail Extension West to West Portage Trail. The portion of the road involved extends eastward from North Portage Path in the Merriman Valley to approximately Northampton Road as it weaves its way between Akron and Cuyahoga Falls.

The name change request is a result of several meetings held over the past year between addressing, GIS, and computer-aided dispatch personnel from the City of Akron, the City of Cuyahoga Falls, and Summit County. The staff were concerned that the non-standard and inconsistent naming conventions used for the various portions of the road could lead to delayed response times in emergency situations. To standardize the naming of the road, the Council of Cuyahoga Falls recently passed Ord. No. 46-2023 on May 8, 2023. The measure establishes three segments of the street: East Portage Trail for the portion east of the Cuyahoga River, Portage Trail for the portion between State Road and the river, and West Portage Trail for the portions west of State Road (in the City of Cuyahoga Falls). The road, however, has two short sections west of Northampton Road that lie within the corporate boundaries of the City of Akron, and these segments remain named Portage Trail Extension West.

To be consistent with the adjacent portions of roadway and to reduce response times for first responders, the Planning Staff finds that it is prudent to rename the portions of Portage Trail within the City of Akron to West Portage Trail. While several apartment developments are located along this road, they have named interior circulation drives from which the apartment buildings are addressed. The proposed name is similar to the current name and is, in fact, how many colloquially refer to the street. Consequently, the renaming should have minimal impact on property owners. The Planning Staff is supportive of the request.






**RECOMMENDATION:**

The Planning Staff recommends **APPROVAL** of the name change from Portage Trail Extension West to West Portage Trail.

JH/emd

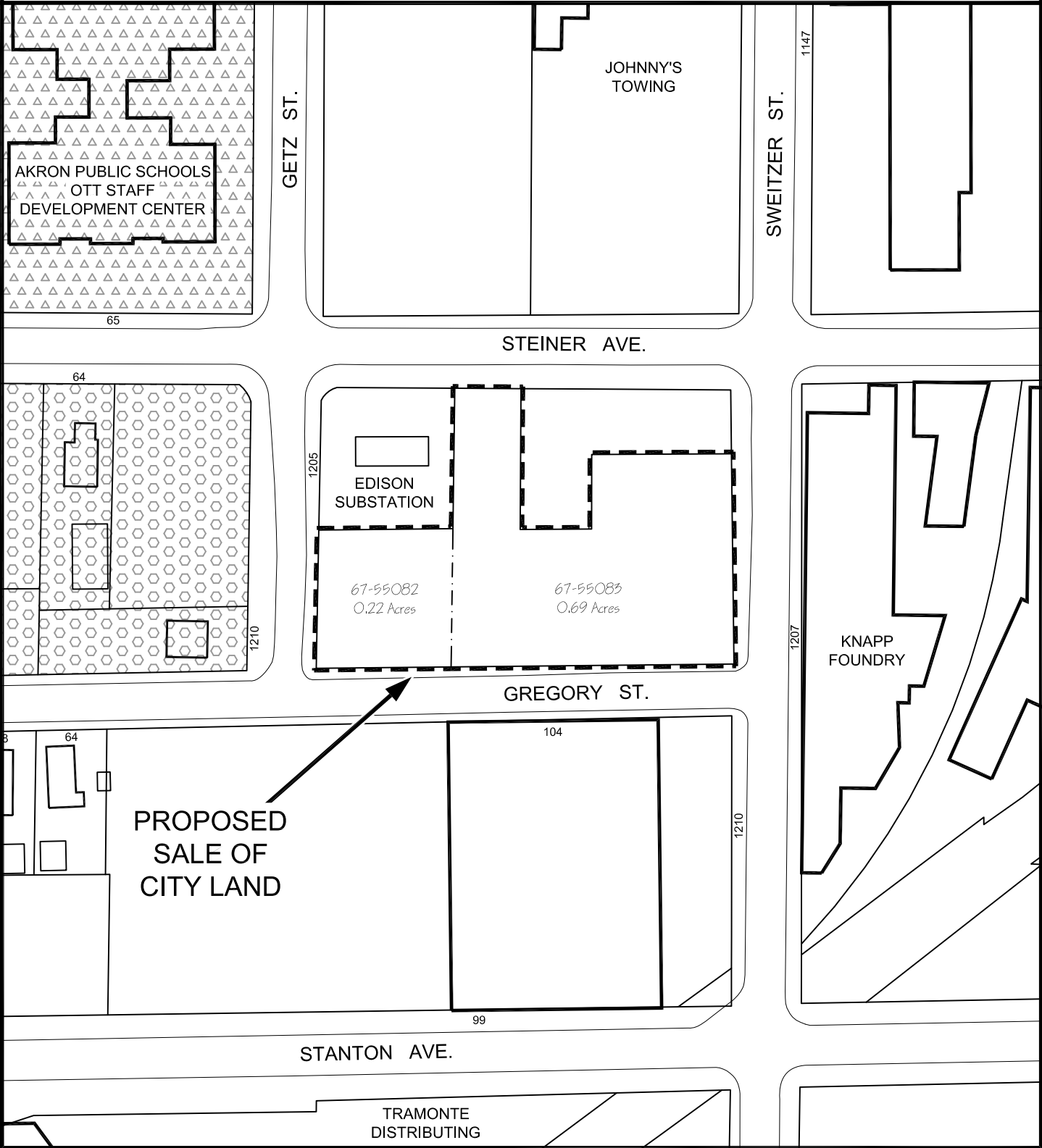
# PC-2023-35-S

Sale of City-owned land on the north side of Gregory Avenue, west of Sweitzer Avenue  
(Parcel Nos. 67-55082 and 67-55083)

-  U2 Apartment House
-  UG Government
-  U5 Ordinary Industry



0 100'  
Created 06/22/2023 jwh  
Revised 06/22/2023 jwh



## MEMORANDUM

**TO:** AKRON CITY PLANNING COMMISSION **ITEM # 2J**  
**PC-2023-35-S**

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

**DATE:** JULY 7, 2023

**WARD:** 3  
**COUNCILPERSON:** Sommerville

**SUBJECT:** **PC-2023-35-S** – Sale of City-owned land on the north side of Gregory Avenue, west of Sweitzer Street (Parcels 67-55082 and 67-55083).

**GENERAL LOCATION:** North of Gregory Avenue and South of Steiner Avenue, between Sweitzer and Getz Streets.

**LAND USE OF THIS PROPERTY:** Vacant Land

**LAND USE IN THE SURROUNDING AREA:** Residential to the West, Industrial to the North, East, and South.

**ZONED:** Ordinary Industry Use District (U5, H3, A1)

**SIZE OF LOT & AREA:** Approximately 0.9 acres square feet

### **COMMENTS:**

The City of Akron proposes to sell approximately 0.9 acres of vacant land bordered by Gregory and Steiner Avenues and Getz and Sweitzer Streets to SAJL Real Estate Company LLC. The property is zoned Ordinary Industry Use District (U5, H3, A1). SAJL Real Estate Company LLC has invested significant effort into improving their property at 1210 Curtis Street, which is one block to the East. They intend to continue investments to improve the neighborhood and these parcels are integral to longer term plans for expansion.

### **RECOMMENDATION:**

The OI/Planning staff recommends **APPROVAL** of the sale of City-owned land on the north side of Gregory Avenue, west of Sweitzer Street (Parcels 67-55082 and 67-55083).

DAM/emd