

AKRON CITY PLANNING COMMISSION

MEETING OF SEPTEMBER 22, 2023 - 9:00 A.M.

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

(1) CORRECTION and APPROVAL of Minutes of August 23, 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-2023-42-V&D** – Vacation of a portion of North Canal Street and dedication of access right-of-way on Beech Street.

C. **PC-2023-43-CU** – Petition of Dan Nielsen, dba Kenjoh Outdoor Advertising, for a Conditional Use to install an outdoor advertising display on the east side of Sumner Street, south of Interstate 76.

D. **PC-2023-52-S** – Approval of the City of Akron “Welcome Home Akron” Program.

(3) RENEWALS

TT/emd

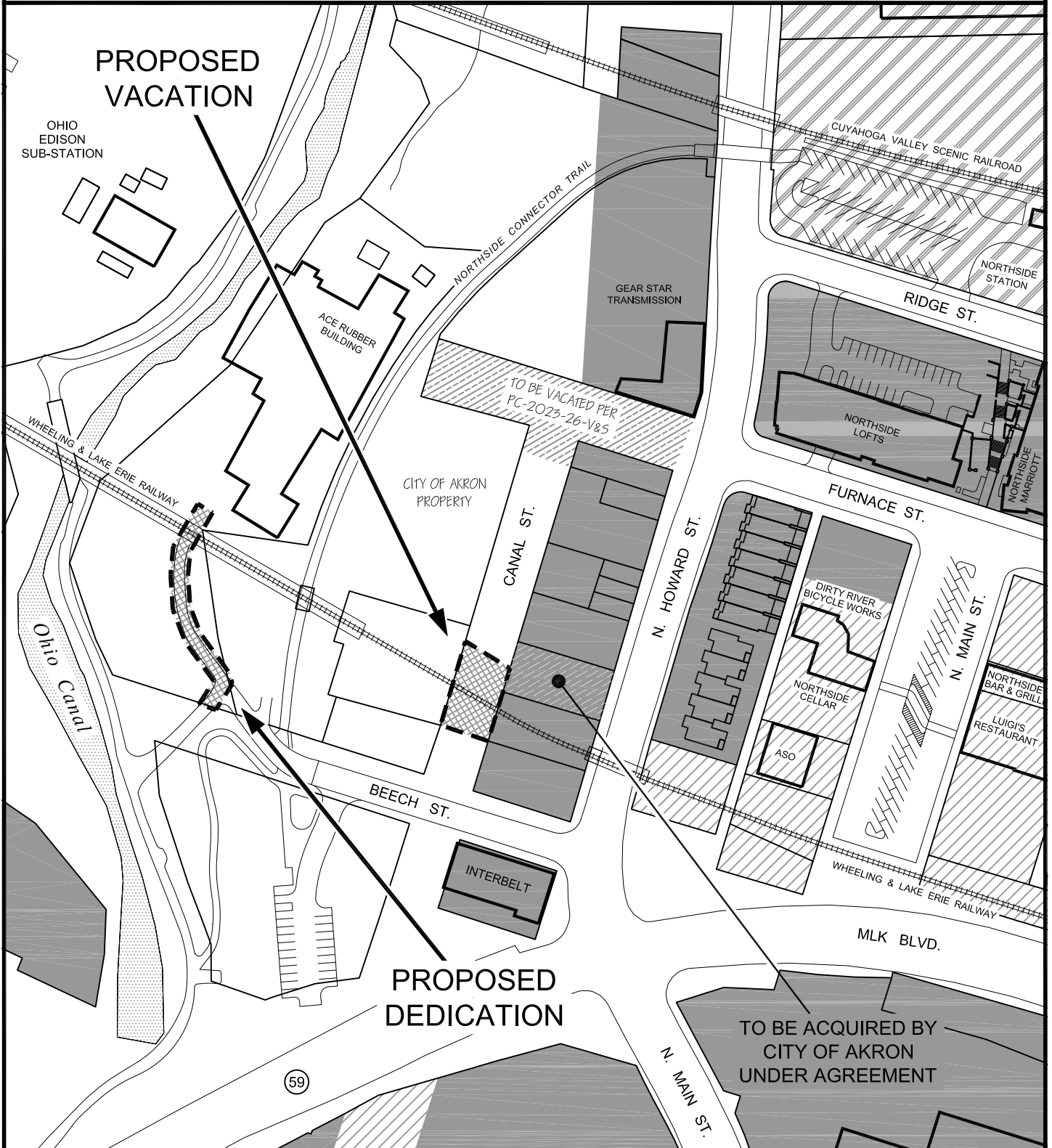
PC-2023-42-V&D

Vacation of a portion of N. Canal Street and dedication of an access right-of-way on Beech Street

- U1 Single Family Residential
- U3 Retail Business
- U4 Commercial
- U5 Ordinary Industry



0 160'
Created 09/01/2023 jwh
Revised 09/01/2023 jwh



MEMORANDUM

TO: AKRON CITY PLANNING COMMISSION **ITEM # 2B**
PC-2023-42-V&D

FROM: DEPARTMENT OF PLANNING AND
URBAN DEVELOPMENT

DATE: SEPTEMBER 22, 2023

WARDS: 1 & 5
COUNCILPERSONS: Holland,
Mosley

SUBJECT: **PC-2023-42-V&D** – Vacation of a portion of N. Canal Street and dedication of an access right-of-way on Beech Street.

GENERAL LOCATION: The intersection of Canal Street and the Wheeling & Lake Erie Railway

LAND USE OF THIS PROPERTY: Vacant land

LAND USE IN THE SURROUNDING AREA:

NORTH SIDE: Commercial, recreation, and transportation
SOUTH SIDE: Vacant land
EAST SIDE: Vacant land
WEST SIDE: Recreation and vacant industrial

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

SIZE OF LOT & AREA: Right-of-way to be vacated = 0.50 acres
Land to be sold = 0.09 acres

COMMENTS:

The Wheeling and Lake Erie Railway Company is the owner of land on the west side of N. Howard Street and north of Beech Street in which their railroad track runs generally in an east/west direction. The track had intersected with the Canal Street right-of-way across a railway access bridge. Surrounding uses include vacant land in all directions with the vacant Ace Rubber building to the north and the Ohio & Erie Canal and Towpath Trail to the west. The property is zoned Single Family Residence Use District (U1, H1, A1), while the Land Use and Development Guide Plan recommends commercial uses.

Recently the railway removed the bridge across the Canal Street right-of-way, backfilled it with limestone and basalt and laid new track over the top, thus

eliminating access to the Canal Street right-of-way from Beech Street. The railroad is now requesting for the City to vacate a 5,550 square feet portion of Canal Street and, in turn, allowing the City to dedicate a 20 feet by 250 feet (5,084 square feet) section of their property approximately 2,500 feet to the west to provide access to the vacant Ace Rubber property.

The Canal Street right-of-way does not have surface improvements, and the elevation differential is not conducive to installing a street. Access to the right-of-way will be maintained from a City-owned parcel connecting Howard Street and Canal Street. The dedication of the property to the west will serve as a public access point to assist in the re-use of the Ace Rubber property. The Office of Integrated Development is supportive of this request.

RECOMMENDATION:

The Planning Staff recommends **APPROVAL** of the vacation of a portion of N. Canal Street and dedication of an access right-of-way on Beech Street .

MM/emd

PC-2023-43-CU

Petition of Dan Nielsen, dba Kenjoh Outdoor Advertising, for a Conditional Use to install an outdoor advertising display on the east side of Sumner Street, south of Interstate 76

★ Conditional Use

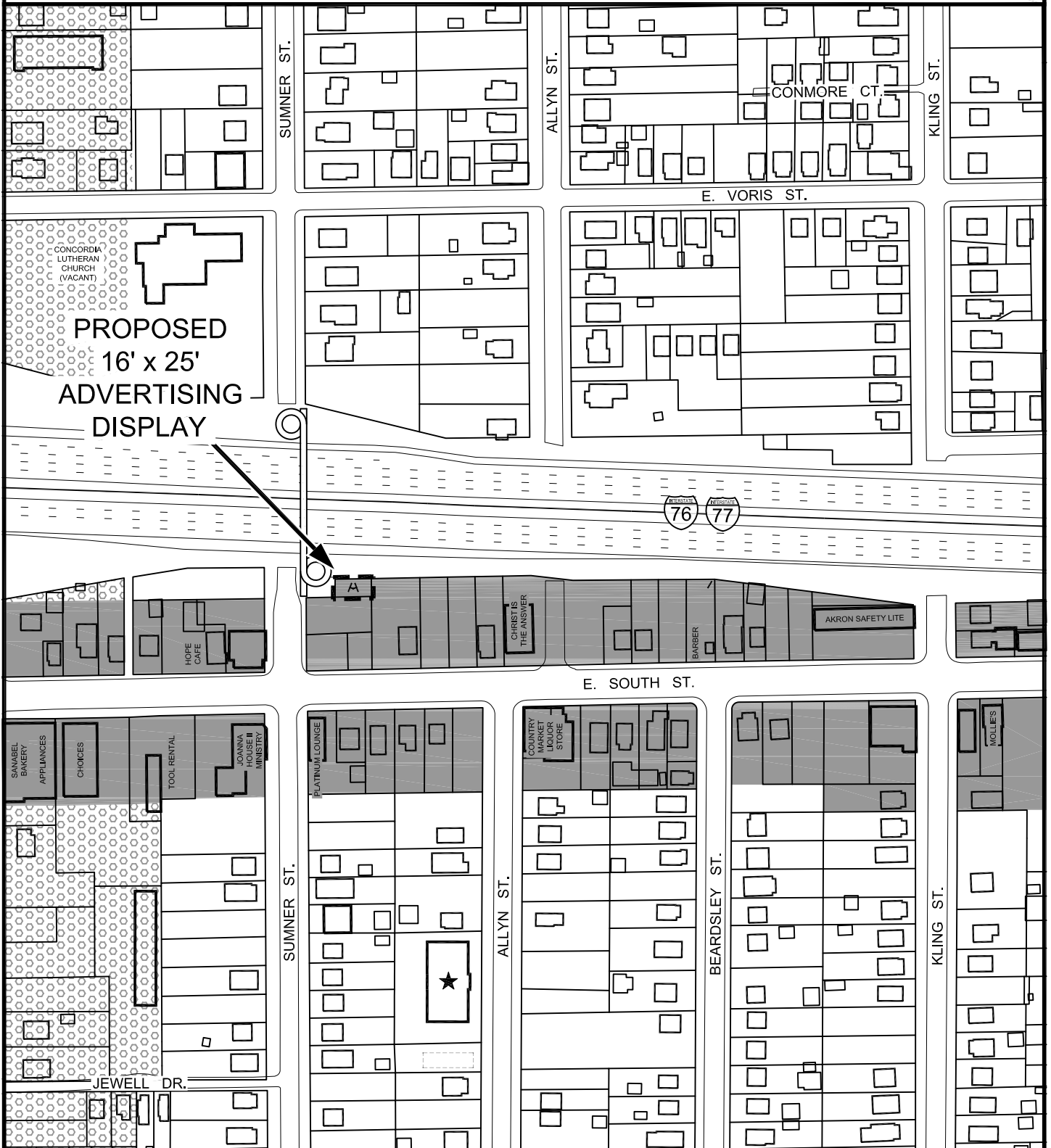
□ U1 Two Family Residential

▨ U2 Apartment House

■ U3 Retail Business



0 200'
Created 08/31/2023 jwh
Revised 09/01/2023 jwh



MEMORANDUM

TO: AKRON CITY PLANNING COMMISSION ITEM # 2C
PC-2023-43-CU

FROM: DEPARTMENT OF PLANNING AND
URBAN DEVELOPMENT

DATE: SEPTEMBER 22, 2023

WARD: 5
COUNCILPERSON: Mosley

SUBJECT: PC-2023-43-CU – Petition of Dan Nielsen, dba Kenjoh Outdoor Advertising, for a Conditional Use to install an outdoor advertising display on the east side of Sumner Street, south of Interstate 76

GENERAL LOCATION: South side of Interstate 76, just east of the Sumner Street pedestrian bridge

LAND USE OF THIS PROPERTY: Vacant land

LAND USE IN THE SURROUNDING AREA:

NORTH SIDE: Transportation, residential, and church
SOUTH SIDE: Retail and residential
EAST SIDE: Retail and residential
WEST SIDE: Retail and residential

ZONED: Retail Business Use District (U3, H2, A3)

SIZE OF LOT & AREA: 52 feet by 25.82 feet = 1,342.64 square feet of land

COMMENTS:

JoAnna House Inc. is the owner of several small parcels located at the northeast corner of E. South Street and Sumner Street. The northernmost of these parcels, measuring 25.82 feet in width and 52 in length (1,342.64 square feet), is recessed from Sumner Street to accommodate the spiral ramp for the pedestrian bridge over Interstate 76. Surrounding uses include a mix of retail and residential to the east, west and south, with a church and additional residential uses to the north across the interstate. The property is zoned Retail Business Use District (U3, H2, A3) in accordance with the Land Use and Development Guide Plan.

The Petitioner, Kenjoh Outdoor Advertising, is requesting permission to place an outdoor advertising display (billboard) to a height of 75 feet on the property. An outdoor advertising display requires Conditional Use approval, regardless of the zoning district in which it would be placed.

The double-sided V-shaped billboard would be centrally located on the small lot, observing setbacks of approximately 5 feet from the north and south lot lines and 20 feet from the east and west lot lines. The digital display panels each measuring 16 feet in width by 25 feet in height (400 square feet), would be supported by a stepped steel monopole column (30" - 36" in diameter). The structure, with a base elevation approximately level with the interstate surface, would reach an overall height of 75 feet. The base of the structure would be hardsurfaced, eliminating the need for landscaping. The digital display would include automatic brightness adjustment, and the Petitioner has submitted a lighting study indicating that the display would comply with national lighting requirements as set forth by the International Sign Association (ISA) and Outdoor Advertising Association of America (OAAA).

Section 153.385 of the zoning code establishes the development requirements for advertising displays permitted as a Conditional Use, and this proposal meets most of the requirements. The zoning code does, however, require a minimum distance of 1,000 feet between outdoor advertising displays. A static, poster-sized display is approximately 750 feet to the east, as measured along Sumner Street and E. South Street. In addition, the surface area of an advertising display located in a retail business use district is limited to 300 square feet. The proposed display, at 400 square feet, is 33 percent larger than allowed by code. Also, noncombustible displays are limited in height to the height district in which they are located. In this instance, the H2 district allows for a structure to be a maximum of 50 feet in height—25 feet less than proposed. The proposed height would be consistent with several recently approved displays to the next higher height district. Additionally, it would allow better visibility over the nearby pedestrian bridge.

The proposed digital advertising display is along a heavily traveled length of highway which is currently undergoing significant improvements—lane changes, ramp and interchange realignments, and sound wall installation. At a height of 75 feet and faces of 400 square feet oriented toward the highway, the billboard should not impose on neighboring uses and should contribute to a vibrant business environment by providing an efficient means for local businesses to communicate with consumers.

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 Dan Nielsen, dba Kenjoh Outdoor Advertising, for a Conditional Use to install an outdoor advertising display on the east side of Sumner Street, south of Interstate 76, subject to the following conditions:

- (1) That the outdoor advertising display be limited to 400 square feet in area, and that the height be limited to an overall height of 75 feet above the grade at which it is constructed.
- (2) 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.
- (3) 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.
- (4) That the copy of the digital advertising display 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.
- (5) That the Petitioner obtain all necessary permits.

JH/emd

MEMORANDUM

TO: AKRON CITY PLANNING COMMISSION ITEM # 2D
PC-2023-52-S

FROM: DEPARTMENT OF PLANNING AND
URBAN DEVELOPMENT

DATE: SEPTEMBER 22, 2023

WARD: All
COUNCILPERSON: All

SUBJECT: PC-2023-52-S - Approval of The City of Akron "Welcome Home Akron"
Program.

GENERAL LOCATION: Various City of Akron Owned Vacant Buildable Land -
Redevelopment (List included)

LAND USE OF THESE PROPERTIES: Vacant Buildable Land - Redevelopment

LAND USE IN THE SURROUNDING AREA: Residential

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

SIZE OF LOT & AREA: Approximately 60 properties - at least 5,500 square feet per lot

COMMENTS:

The City of Akron is launching a program to encourage construction of new residential homes on unused and underutilized city property in its long-established neighborhoods. The goal of the program is to increase the supply of available stock with new home construction, offer additional opportunities for home ownership and to activate underutilized city land.

City-owned lots suitable for development will be made available to housing developers, homebuilders, and individuals wanting to build a new home within the city of Akron. Potential applicants are required to start construction within 6 months of the acquisition and complete construction on the home within 18 months of acquisition. Established homebuilders and developers may purchase no more than four (4) lots at a time.

Incentives provided by the program include a 15-year tax abatement for the new home. Owner-occupied purchasers can have the purchase price of the lots financed for 5 years in the form of a lien, which will be forgiven after 5 years of occupancy.

The program was established to help homeowners who desire a custom-built house as well as builders seeking to build homes with the intent to sell or lease them. Homes must be new construction, stick built. Must be built in compliance with existing codes, and building standards should be in keeping consistent with adjacent structures in terms of size, mass, materials, and appearance.

RECOMMENDATION:

The OID/Planning staff recommends **APPROVAL** of the sale of City-Owned land to builders, individuals, and citizens as appropriate through The Welcome Home Akron Program.

DK/emd