

June 3, 2022

Requested by Department of Planning and Urban Development

City Planning Commission  
PC-2020-57-T

Offered By FUSCO

ORDINANCE NO. 167-2022 amending/supplementing Title 15, Chapter 153, "Zoning Code", Section 153.566 "Class UPD-33 district" to allow limited access to West Bath Road from Ascot Industrial Park; and declaring an emergency.

WHEREAS, under the provisions of Section 153.434-.458 of the Code of Ordinances, the Akron City Planning Commission at its meeting on October 16, 2020, under file PC-2020-57-T, approved the changes described in Section 1 hereof; and

WHEREAS, City Council after public notice and hearing is of the opinion that the text changes described in Section 1 hereof are in the public interest and serve the public good.

NOW, THEREFORE, BE IT ENACTED by the Council of the City of Akron:

Section 1. That Title 15, "Land Usage", Chapter 153 "Zoning Code", Section 153.566 "Class UPD-33 district" of the Code of Ordinances of the City of Akron, 2004 be and is hereby amended and/or supplemented to read as follows:

153.566 – Class UPD-33 district.

B. Development Conditions.

2. No vehicular access shall be permitted to or from Bath Road to serve retail, commercial, or industrial development., **EXCEPT THAT VEHICULAR ACCESS ONTO BATH ROAD AT THE SOUTHWEST TERMINUS OF ASCOT PARKWAY EXTENTION SHALL BE ALLOWED FOR EMPLOYEE RIGHT-TURN ONLY EGRESS AND OTHERS IN PERSONAL VEHICLES. INGRESS AND EGRESS FOR EMERGENCY VEHICLES MAY BE PROVIDED AT THIS LOCATION.**

12. A buffer zone with a minimum width of one hundred feet shall be established and maintained between any residentially zoned property or the north line of the Bath Road right-of-way and any nonresidential structure constructed within a Class UPD-33 District. The one hundred foot strip shall not be used for any entrance, exit, driveway, parking area, nor outdoor storage, **EXCEPT AS PROVIDED FOR IN SUBSECTION (B)(2) OF THIS SECTION.**

Section 2. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety for the reason that the proposed changes to the Zoning Code will promote better traffic flow and assist with present and future

development within the Ascot Industrial Park and, provided this ordinance receives the affirmative vote of two-thirds of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest time allowed by law.

Passed June 27, 2022

Nava R. Biscino  
Clerk of Council

Cheryl Somerville  
President of Council

Approved 6/29, 2022

Matthew -  
M A Y O R

## PART I

Subject/Project: PC-2020-57-T TEXT CHANGE TO AMEND THE ZONING CODE  
REGARDING UPD-33 TO ALLOW LIMITED ACCESS TO  
WEST BATH ROAD

Department of Origin: DEPT. OF PLANNING & URBAN DEVELOPMENT Date: 06/27/2022

Bureau of Origin: \_\_\_\_\_

Division of Origin: ZONING

Fact Sheet Prepared by: MICHAEL ANTENUCCI, ZONING MANAGER Date: 06/27/2022

### Financial Data:

	<u>Budgeted Cost</u>		<u>Current Estimate of Cost</u>		<u>Additional Appropriation Over Budgeted Cost</u>
	<u>Source</u>	<u>Amount</u>	<u>Source</u>	<u>Amount</u>	<u>                    </u>
Current Request: N/A	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>	
	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>	
	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>	
	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>	
Total Project: (if applicable) N/A	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>	<u>                    </u>
	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>	
	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>	

## PART II

Purpose of Legislation: Text change to amend the Zoning Code regarding UPD-33 to allow limited access to West Bath Road

Impact of Objective of the Legislation: N/A

Alternatives: N/A

Earlier Legislation on this Subject: N/A

Additional Comments/Remarks (as appropriate): Both the Planning Staff and the Planning Commission recommended approval of this request.

Exhibits: Map

Instructions: This report must be completely filled out and must accompany all Ordinances, resolutions, and documents sent by City Council. Part I should be filled out in the space provided. Part II will require additional pages. The entire report must not exceed a total of 5 pages.



## MEMORANDUM

TO: AKRON CITY PLANNING COMMISSION      ITEM # 2B  
PC-2020-57-T

FROM: DEPARTMENT OF PLANNING AND  
URBAN DEVELOPMENT

DATE: OCTOBER 16, 2020      WARD: 1  
COUNCILPERSON: Swirsky

SUBJECT: PC-2020-57-T – Text change to amend Unified Planned Development District (UPD-33) to allow limited access to West Bath Road from Ascot Industrial Park

### COMMENTS:

The City administration is requesting a text change to allow for limited vehicular access to West Bath Road from Ascot Industrial Park. The industrial park is zoned UPD-33, which states that no vehicular access is to be permitted to or from Bath Road to serve the development.

In 1983, the City of Akron annexed 571 acres from Northampton Township. Within the annexed territory was the land located north of West Bath Road, which would become Ascot Industrial Park. At the time, the township zoning for the land permitted industrial uses except for a strip of land 300 feet deep along the north side of Bath Road, precluding vehicular access across this strip to Bath Road for industrial uses. The newly established UPD-33 (Ord. No. 229-1983) maintained this *de facto* limitation, requiring all industrial park traffic to be directed to (Old) State Route 8 (State Road) and implementing a 100 feet landscape buffer along Bath Road.

The administration has received numerous communications from the businesses within Ascot Industrial Park regarding the periodic traffic congestion at peak times. The single point of ingress and egress, although signalized, is insufficient at times to adequately move the employee and freight traffic. In order to help alleviate the situation, while recognizing the desire to limit heavy volumes of industrial traffic on Bath Road, the administration intends to allow limited vehicular traffic onto West Bath Road by extending Ascot Parkway south from the cul-de-sac with a single lane for outbound car traffic only and curving the intersection to prevent left turns onto Bath Road. This will allow employees a secondary means of leaving at shift change times, while still restricting freight truck traffic to State Road. Additionally, emergency ingress and egress will be possible via the new drive for police, fire, and paramedic equipment.

As such, the following text changes are recommended for the Unified Planned Development District (UPD-33):

153.566 – Class UPD-33 district.

B. Development Conditions.

2. No vehicular access shall be permitted to or from Bath Road to serve retail, commercial, or industrial development., **EXCEPT THAT VEHICULAR ACCESS ONTO BATH ROAD AT THE SOUTHWEST TERMINUS OF ASCOT PARKWAY EXTENTION SHALL BE ALLOWED FOR EMPLOYEE EGRESS AND OTHERS IN PERSONAL VEHICLES. INGRESS AND EGRESS FOR EMERGENCY VEHICLES MAY BE PROVIDED AT THIS LOCATION.**
12. A buffer zone with a minimum width of one hundred feet shall be established and maintained between any residentially zoned property or the north line of the Bath Road right-of-way and any nonresidential structure constructed within a Class UPD-33 District. The one hundred foot strip shall not be used for any entrance, exit, driveway, parking area, nor outdoor storage, **EXCEPT AS PROVIDED FOR IN SUBSECTION (B)(2) OF THIS SECTION.**

**RECOMMENDATION:**

The Planning Staff recommends **APPROVAL** of the requested text change to amend the Zoning Code to allow limited access to West Bath Road from Ascot Industrial Park in Unified Planned Development District (UPD-33).

JH/emd



## LEGAL NOTICE

Notice is hereby given that the following Public Hearings will be held by the Council of the City of Akron on Monday, June 27, 2022, during the Regular Council Meeting at 7:00 p.m.

1. Ordinance amending and/or supplementing Title 3, "Administration," Chapter 30 "Mayor and Council," Section 30.11 "Limits on Noncash Monetary and In-Kind Contributions and Loans" to increase the contribution limits for mayoral and council candidates.
2. Ordinance authorizing a Conditional Use to construct an addition to a medical marijuana cultivation facility at 1956 S. Main Street.
3. Ordinance amending/supplementing Title 15, Chapter 153, "Zoning Code," Section 153.566 "Class UPD-33 district" to allow limited access to West Bath Road from Ascot Industrial Park.

Participants may attend in person in the Akron City Council Chambers, 166 South High Street or remotely by joining the meeting via videoconference. All public hearing participants that would like to join remotely must provide contact information including an email address, phone number, and which public hearing you wish to participate in to [sbiviano@akronohio.gov](mailto:sbiviano@akronohio.gov) no later than June 24, 2022. The council meeting may also be accessed via livestream, which will be available at: [www.akroncitycouncil.org](http://www.akroncitycouncil.org).

Sara Biviano  
Clerk of Council

*The City of Akron is committed to ensuring that individuals with disabilities are able to fully participate in public programs, services, and activities. Anyone who is in need of an accommodation from any City department is invited to contact Yamini Adkins, Director of Human Resources, 166 South High Street, Municipal Building, Suite 103, Akron, Ohio 44308, (voice) 330-375-2780 as soon as possible. If you require TDD phone service call Ohio Relay at 800-750-0750 and they will assist in contacting the Department of Human Resources at (330) 375-2780.*

*\*advertised in Akron Beacon Journal 6/11/2022 & on Akron City Council website beginning 6/10/2022*



# PC-2020-57-T

Text change to amend Unified Planned Development District (UPD-33) to allow limited access to W. Bath Road from Ascot Industrial Park

★ Conditional Use

UPD-31

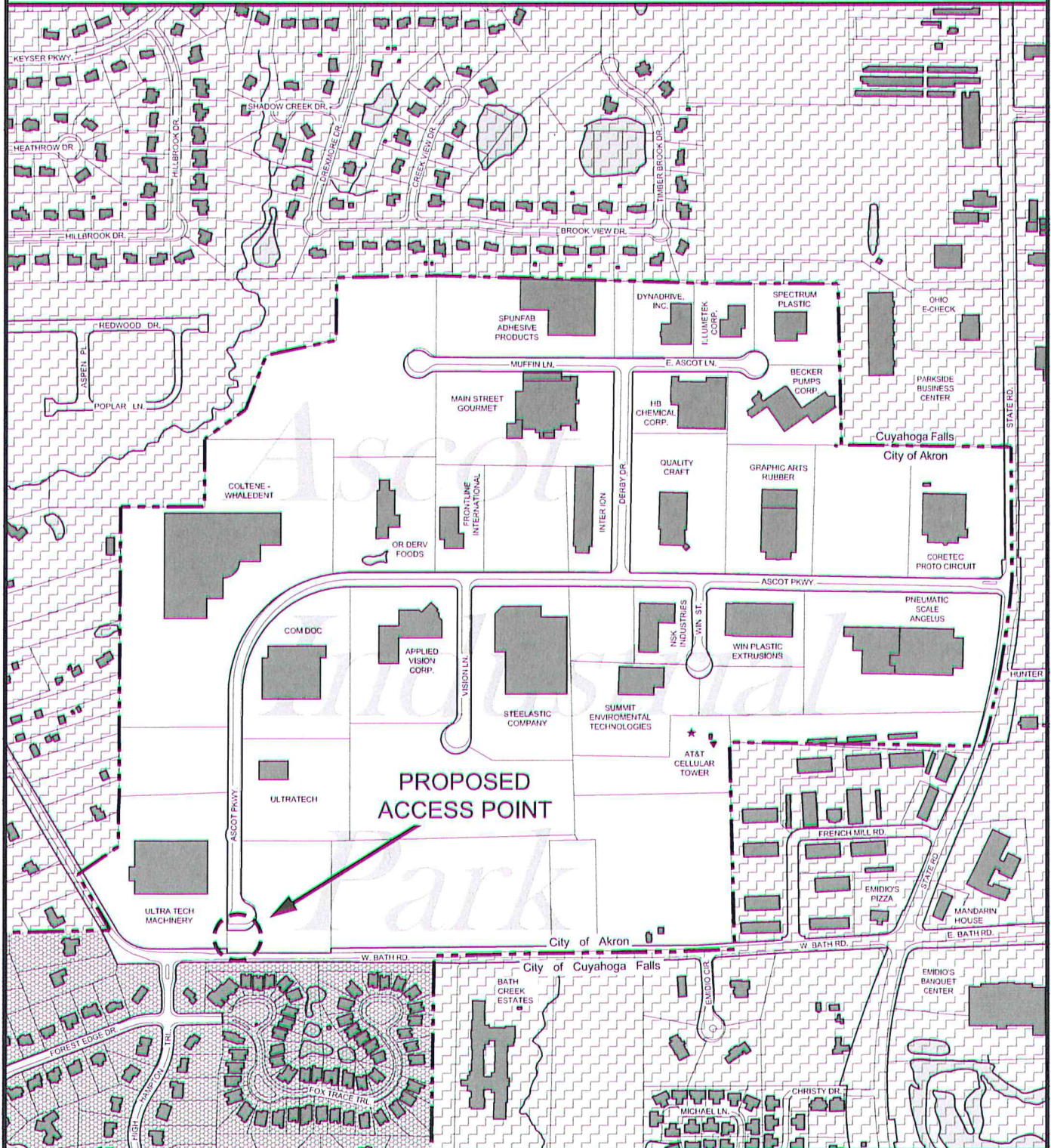
UPD-33

City of Cuyahoga Falls



0 600'

Created 09/30/2020 jwh  
Revised 09/30/2020 jwh



**Summary Ordinance No. 167-2022** passed by Akron City Council June 27, 2022 amending/supplementing Title 15, Chapter 153, "Zoning Code", Section 153.566 "Class UPD-33 district" to allow limited access to West Bath Road from Ascot Industrial Park; and declaring an emergency.

By: Sara Biviano, Clerk of Council

This summary is being published pursuant to Section 38 of the City Charter. The complete text of this legislation is available in the office of the Clerk of Council.

*\*posted on Akron City Council website 6/30/2022 through 7/15/2022*