

PLANNING BOARD MEETING
TIPP CITY, MIAMI COUNTY, OHIO AUGUST 11, 2015

Meeting	Chairman Stacy Wall called the meeting of the Tipp City Planning Board to order at 7:30 p.m.
Roll Call	Roll call showed the following Board members present: Vonda Alberson, Andrew Thornbury, Jamie DeSantis, and Stacy Wall. Others in attendance: Zoning Administrator Matt Spring, Board Secretary Kelly Rowlands, Assistant City Manager Brad Vath, Carrie Arblaster, Heather Bailey, John & Kay Berk, Joe Gibson and Reporter Nancy Bowman.
Approval of Minutes – July 14, 2015	Ms. Alberson moved to approve the minutes of the July 14, 2015 meeting as written. Ms. DeSantis seconded the motion. Motion passed 4-0.
Items Not on the Agenda	There were no comments on items not on the agenda.
Administration of Oath	Board Secretary Rowlands administered the oath to anyone that was wishing to speak during the public hearing.
<u>New Business</u>	
Public Hearing: John Berke – Tipp City Seniors, Inc. – Zoning Code Text Amendment (Code 154.04(G)(36))	Mr. Thornbury moved to open the Public Hearing. Ms. Wall seconded the motion. Motion passed 4-0. Zoning Administrator Spring provided the following report: In association with the potential proposed use of the property located at 855 N. Hyatt Street, the Tipp City Seniors, Inc. seeks an amendment to the Tipp City Zoning Code to allow for Fraternal, Charitable, and Service Oriented Clubs to be an allowable use (Permitted with Standards) within the LI – Light Industrial Zoning District. The “standards” for Fraternal, Charitable, and Service Oriented Clubs (which would not be changed for this amendment) are noted in the Staff Report. The Tipp City Seniors have been working with the owners of the property located at 855 N. Hyatt Street (currently zoned LI – Light Industrial) regarding the use of a property as a possible location for a new facility. However, it is important to keep in mind that a zoning code text amendment is global in nature (applies to all properties) and is not specific to the Tipp Seniors and/or any certain property they may be interested in.

One additional note, on 1/13/15, Planning Board forwarded a positive recommendation regarding a similar amendment for the CD – Conservation District. The N. Third Street property under consideration at that time, was subsequently removed from consideration due to an issue with an overlay easement with the Miami Conservancy District.

Staff recommends Planning Board forward a positive recommendation to City Council regarding this proposed text amendment.

At the last meeting of the Tipp City Planning Board, Ms. Wall expressed interest in having an expanded explanation of the amendment. With that being said, Mr. Spring asked Mr. Brad Vath, City of Tipp City Assistant City Manager, to attend and provide further information to the Planning Board.

Ms. Wall stated that she is particularly interested in learning why this amendment is back after being approved earlier in the year by the Planning Board.

Mr. Vath approached the podium and provided the following information:

The City of Tipp City started working with the Tipp City Seniors in July of 2013. At that time, the Tipp City Seniors were in the early stages of planning to replace their existing facility on S. First Street. Many vacant properties were looked at as potential options. Many meetings were held between the City and the Seniors to find an acceptable location.

One of the locations that was looked at closely was the N. Third Street property which is zoned Conservation District. There was a deed restriction by DAP Industries, who previously owned the property. The City was deeded the property by DAP. It was a lengthy process working with DAP to modify the deed restrictions, which would potentially allow the Tipp City Seniors to use the City's property. The modifications would allow the Seniors to make lease-hold improvements on the City's property.

One thing that came into play during the process, was the zoning code was changed. Pre April 2014, there was a special provision, referred to as a catch-all provision that would allow the Planning Board to examine and approve special use situations in the Light Industrial and Conservation Districts on a case by case basis. When code was modified in April of 2014, the catch-all provision went away. Many of the properties that the Tipp City Seniors looked at in the beginning would have worked with the catch-all provision.

When the Tipp City Seniors came before the Planning Board earlier this year, they needed approval to amend the zoning code to allow Fraternal, Charitable, and Service Oriented Clubs to be an allowable use (Permitted with Standards) within the CD – Conservation District. The request was approved by both the Planning Board and City Council. At that time, the City and the Seniors worked through a lease agreement. City Council approved the lease in June 2015.

On June 10th, 2015, a letter was issued from the Miami Conservancy District expressing concern that the property was in the retarding basin. Before this point, the City had no topographic data to show what the elevations were on this particular property. The information became available right around the same time the letter was received from the Conservancy District. The City attempted to work with the Conservancy District to see what could be done, but to no avail.

So, tonight, the Tipp City Seniors are back and requesting an amendment to the code to allow Fraternal, Charitable, and Service Oriented Clubs to be an allowable use (Permitted with Standards) within the LI – Light Industrial District. The property in consideration is located on N. Hyatt and currently there is a tentative contract. The Tipp City Seniors are also working with the Monroe Township Trustees to place an issue on the November ballot requesting funding to construct the building. The levy is a 1 mil levy for 5 years.

The amendment to the code would be universal. Meaning, that any other Fraternal, Charitable, and Service Oriented Club could go in the LI – Light Industrial District. The code amendment is necessary for the Tipp City Seniors to move forward to make this property a viable option.

Mr. Vath mentioned further that the City of Tipp City and the Tipp City Seniors have been working hand in hand to find a property within the City Limits that had water and sewer availability. As well as decent access for clients and members to get in and out of the facility. The existing building on South First Street has limited parking and different levels (it has a basement) that makes it difficult for everyone to participate in activities and enjoy what the group has to offer.

Ms. Wall asked if the property on N. Hyatt was looked at before the contract was signed. Mr. Vath answered that in 2013 this property was considered, but when the City was willing to work with the group on the Third Street property and offered a lease that was basically a \$1 a year, they abandoned the possibility of the N. Hyatt address. Additional costs will be incurred with the N. Hyatt location since the Tipp City Seniors will actually have to purchase rather than lease the property.

Further, Ms. Wall requested clarification that the property on N. Hyatt was known about in 2013. Mr. Vath stated that several properties were discussed, but a contract was not signed until after the Third Street property fell through and was no longer an option.

Then, Ms. Wall asked when the contract was signed in relation to when the new code went into effect. Mr. Vath answered that the contract was recently signed for the N. Hyatt property (it did not happen until after the previous option fell through). City Council approved the lease agreement for the Third Street property on June 1st and the Miami Conservancy District letter was received on June 10th. It was after this time that the option fell through and the Tipp City Seniors connected with the owners of the N. Hyatt property.

Ms. Wall then questioned what the church that is located nearby is currently zoned. Mr. Vath stated that he believed it is zoned Multi-Family/Residential. Mr. Spring confirmed that it is currently zoned R-3. Further, Mr. Vath stated that Winco Industries and the DP&L substation that are nearby are both zoned Light Industrial.

Further, Ms. Wall asked where the zoning changes. Mr. Vath stated that right past the substation is where the residential area (Indian Village) begins. So, there is vacant land, the substation, Winco, and then the proposed land. Manchester Chase (residential) also backs up against this property.

Since, a zoning code amendment would be universal to all Light Industrial areas, Ms. Wall requested information regarding other areas in the city that are zoned LI and should be considered to see if this Fraternal, Charitable, and Service Oriented Clubs use would work.

Mr. Vath stated that most of the vacant land is located in Interstate Crossings, which is Abbott Parkway. There are 3 parcels of land on the south side of the roadway. The roadway would have to be extended to gain access. There is availability in Northgate Commerce Center, which is where John Deere, Transfreight, and OTC Daihen are located. There are also a few small parcels scattered around town, such as the vacant building right across from the Kyle Park entrance. Major pieces are in the aforementioned areas, as well as across from Meijers on I-75.

There were no further questions at this time for Mr. Spring or Mr. Vath, so Ms. Wall asked if anyone from the Tipp City Seniors wished to speak.

Mr. John Berk, 600 Coach Drive, Tipp City, OH 45371 approached the podium. First of all, he wanted to make a correction to the agenda and previous documents. There is no "e" at the end of Berk.

He then went on to explain that he is part of the Tipp City Seniors Building Committee. At this time there is approximately 166 to 169 people who belong to the organization. 50 to 65 people attend the Thursday lunch, which features speakers and other types of programs.

The group has been negotiating with Mr. Winblad for this land on N. Hyatt. A contract was signed on July 18th, but it is contingent upon the zoning change and the levy in November.

The Tipp City Seniors need to be able to build a facility at a reasonable cost. Further the property and building needs to be easily accessible to all individuals, especially those who have trouble walking. This area is pleasant and quiet.

Mr. Berk then stated that this land had been looked at and chosen in the beginning before DAP and the City of Tipp City came together and offered the Third Street land. It was a good option because it offered a good location and plenty of room to allow for a basic building and additions in the future.

The current contract with Mr. Winblad for the N. Hyatt property has been voted on and approved by the Tipp City Seniors. But, as Mr. Berk stated before, the contract is contingent upon 2 things happening – zoning has to be changed and the levy has to pass. The levy is critical. If it does not pass the Tipp City Seniors will be unable to build the type of building that is needed or to provide programs that are needed to serve the senior population in the community.

Ms. Wall asked Mr. Berk to explain how Monroe Township is involved in this process. Mr. Berk stated that when the Tipp City Senior organization first started back in 1962, Monroe Township said that they would be willing to put up the levy in order to build a facility for the group. Currently, the levy has been put on the ballot and it has went through the first stage – the Election Board. Now it will go to the State. The Tipp City Seniors could have used the same process as Community Services, but they did not think they would be successful, so they accepted the help from Monroe Township.

One of the stipulations for the levy is that the group had to have land available to use. If the vote does not go through in a positive sense, the Tipp City Seniors cannot buy the land. This is why the contract is contingent at this time. There is also a contingency on the zoning being changed. Tipp City is a hard place to find land within the City Limits because so much of it is Light Industrial or Heavy Industrial. A lot of the land runs adjacent to I-75 or S County Road 25A.

The N. Hyatt land is a good location and Mr. Berk has heard discussions regarding land just to the north of this property being developed into senior housing. With that being said, Mr. Berk feels that this area is a good fit for the Tipp City Senior facility.

Ms. Wall asked who has the intention of building senior housing. Is it Mr. Winblad? Mr. Berk answered that the property was purchased from Mr. Winblad by a company a number of years ago. At this point, it is unknown who owns the land.

Ms. Wall questioned what the minimum acreage needed would be to build the facility. Mr. Berk answered that the land offers 4.75 acres.

Further, Ms. Wall was interested in knowing if the Tipp City Seniors explored existing vacant buildings within the City. Mr. Berk explained that the organization started exploring options in 2012. Several possibilities were looked at. Members expressed interest in staying within the Corporation Limits. Obstacles to other properties included, large pieces of land that had to be purchased as one and could not be divided. Also, rent was high on some buildings, such as in the shopping center. Many of those only had one bathroom and would need a lot of costly work to be done in order to meet the group's needs.

The bottom line is that the Tipp City Seniors were seeking an economical piece of land. The original agreement with the city would have been the best scenario. Third Street would have been a convenient location and would have featured a lot of extra possibilities due to the proximity to the nature center. When that did not work out, a second option was needed. The N. Hyatt location is going to allow

for future growth.

The current facility has a capacity for 85 attendees and features a meeting room and basement, which is pretty much unusable. Another room is used for crafts, but it is small and doesn't allow for much more. The possibility for expansion is non-existent. Parking is atrocious. Awnings are starting to fall away from the building. People have fallen in the parking lot. Due to the limited amount of parking many members stopped attending events.

Ms. Wall asked who owns the current building. Mr. Berk stated that the Tipp City Seniors own the building and it is paid for. The founders bought the building in the late 1960's for about \$15,000 plus a \$5,000 debt. A lot of work was done over time. In the beginning there were about 30-40 active members. Today, 100 people are active. Not everyone comes at one time, but throughout the week members gather to play cards, line dance, or do crafts.

Mr. Berk went on to explain that the Tipp City Seniors are not providing the services that they need to for the seniors in the community. The types of services that are needed go beyond doing crafts and playing cards. For instance, individuals have asked about assistance with doing things such as taxes. Mr. Berk has also been told that if the facility was better and provided accessibility, more people would join the group. The number of seniors in the community, as well as throughout the country, is growing and we have to do more to help, especially for those who don't have family or church support.

Ms. Alberson questioned whether the property on N. Hyatt would be large enough to meet the needs of the Tipp City Seniors. Mr. Berk stated that it is. Preliminary layouts for parking and a building were done for the Third Street property. The layout included 100-125 parking spaces and a 12,000 square foot building. The N. Hyatt Street land provides more acreage than the Third Street location. Due to cost restrictions, Mr. Berk is anticipating that the new building will be around 10,000 square feet and then will be expanded in the future. Outside activities will also be included at the new location. The current property did not allow for such types of activities.

The Tipp City Seniors are willing to work and have three fundraising activities during the month of September. The Building Committee has walked the area and feel that it would be a great asset to the group.

There were no further questions at this time for Mr. Berk, so Ms. Wall asked if anyone from the Tipp City Seniors wished to speak.

Heather Bailey, 304 W Broadway, Tipp City, OH 45371 came forward to speak on this issue. Ms. Bailey began by thanking the members of the Planning Board for carving time out of their lives to serve the community.

She is an "aspiring senior citizen" and gets to volunteer throughout community, including on the Tipp City Foundation. What she sees the Tipp City Seniors striving for is a quality of life issue in our community. We have done an excellent job taking care of our children, but we need to remember that every generation is important.

What is being done now is going to crack the ceiling for future generations of senior citizens. Services will be expanded and could someday include adult daycare and nutritious meals being made available to people who are shut-in. The vision is huge and the people that are doing the work are aging. A lot of time has been put into this project and it will lead to a wonderful legacy being left. Ms. Bailey finished by stating that she wanted to just give the group a pat on the back.

There were no further questions from the Planning Board and still no individuals in the audience to comment.

Ms. DeSantis moved to close the Public Hearing. Mr. Thornbury seconded the motion. Motion passed 4-0.

Ms. Wall began the discussion period by making a general statement. While she completely understands and appreciates the need to expand and update the parking and the facility, the Planning Board must consider that amending the code will affect the entire City of Tipp City and every Light Industrial area.

Ms. Alberson commented that looking at the zoning map and the areas that are Light Industrial and undeveloped, this location seems to make sense for the Tipp City Seniors. The other properties seem to be very clearly Light Industrial and will be probably be developed by someone looking for LI use.

Mr. Thornbury agreed with Ms. Alberson's opinion. He feels that Mr. Berk and Ms. Bailey made pretty clear cases to forward a positive recommendation on to City Council. Some challenges might be faced in the future in Light Industrial areas across the city, but he can see where it would be beneficial right now.

Ms. Wall has one hesitation. While she feels that the amendment fits the N. Hyatt location that is being considered, a change might not fit other areas, such as around Abbott Parkway or the John Deere facility. She feels like saying that not all these areas should be considered Light Industrial because they don't all seem the same, but they are LI and that is what the Planning Board has to consider when looking at this amendment. If the Tipp City Seniors came tonight and were looking at the Abbott Parkway area she would have probably stated that this was not a fit.

Ms. Alberson followed up that statement by saying economically is it likely that the area of Abbott Parkway would be a feasible option for a Fraternal, Charitable, or Service Oriented Club to build there.

Mr. Vath stated that he could address cost for some of these areas. Along I-75, across from Meijer, lands sells for \$70,000 an acre. In Northgate Commerce center, land ranges from \$45,000-\$70,000. Abbott Parkway has three lots available for \$30,000, \$40,000 and \$50,000 per acre, but that doesn't include developing the roadway. That alone would be cost about \$1.5 million. So the cost per acre would be increased significantly. The Abbott Parkway area is prime land that will probably not be used by a Fraternal, Charitable, or Service Oriented Club.

Ms. Wall stated that a lot of work has been put into this and many options were evaluated. The need for a Tipp City Senior facility is definite, but there are not many places that are available. Mr. Thornbury followed up by saying that he doesn't want to take away from the momentum that has been built. With the upcoming levy, he doesn't want to take away the opportunity that they have worked hard to obtain.

No further discussion.

Ms. Alberson moved forward a positive recommendation to City Council to amend the Tipp City Zoning Code to allow for Fraternal, Charitable, and Service Oriented Clubs to be an allowable use (Permitted with Standards) within the LI – Light Industrial Zoning District. Mr. Thornbury seconded the motion. Motion passed 4-0.

**Set Public Hearing:
City of Tipp City –
Zoning Code
Amendment (Code
154.06(A)(4)(t)(iv)(A))**

No staff report this evening, since only setting Public Hearing. Public Hearing is scheduled for Tuesday, September 8, 2015 at 7:30pm.

Ms. DeSantis moved to set a Public Hearing for September 8, 2015 in order to consider the proposed zoning code amendment. Mr. Thornbury seconded the motion. Motion passed 4-0.

Old Business

There was no old business to discuss.

Miscellaneous

**City Council Reports
– July 20, 2015**

Ms. Wall attended the meeting and reported that a contract was approved for the Phase 1 of the 25A Reconstruction Project. Due to so many projects occurring simultaneously, an outside contractor was hired to oversee the project. City Council also approved assessments for the sidewalk program. Finally, a traffic study will be done at Weller Drive, specifically dealing with the traffic light. Ms. Wall asked City staff for a little more information regarding this study and what the issue seems to be with the light.

Mr. Vath explained that concern has been expressed about traffic patterns in the area. Specifically, traffic is 2 ways on Weller Drive until you get to Warrior Racing. Traffic then goes to 1 direction as you travel north and you can't travel south through the area. Originally, this was designed as part of the Menards subdivision. A traffic engineer was involved in that design and it wasn't really created based on what is there now, but for future development in the area. A traffic engineer is going to look at this again and see if it is still an accurate design or if changes need to be made. Changes could be adjusting the timing of the light or adding an additional left turn lane.

Ms. Wall asked if all the traffic that will come from the building that is being built in front of Menards will enter and exit through Menards property. Mr. Vath answered that there is actually a roadway (N. Weller Drive) that runs between the property and Menards. The roadway dead ends into a cul-de-sac or it could be tied into the residential properties. Traffic from that building has to turn right and exit out Kinna Drive or go out to County Road 25A.

Ms. Wall also noted that a Public Hearing was set for August 17th in regards to the rezoning of 3311 S. County Road 25A. Planning Board had forwarded a positive recommendation to City Council regarding that amendment.

**City Council Reports
– August 3, 2015**

Ms. DeSantis attended the meeting and nothing applied to the Planning Board.

**Upcoming City
Council Meetings –
August 17, 2015**

Ms. Alberson will attend the August 17, 2015 City Council Meeting.

**Board Member
Comments**

Each member thanked everyone for speaking during the Public Hearing regarding the Tipp City Seniors. The information was beneficial and helpful.

Adjournment

Ms. Alberson **moved the meeting be adjourned**. Mr. Thornbury seconded the motion. Ms. Wall declared the meeting adjourned at 8:13 pm.



Stacy Wall, Planning Board Chairman

Attest: 

Kelly Rowlands, Board Secretary