

PLANNING BOARD MEETING

TIPP CITY, MIAMI COUNTY, OHIO July 12, 2022

Meeting	Chairman Andrew Thornbury 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: Andrew Thornbury, Jamie DeSantis, Vonda Alberson, Jeff Sebor, and Vivian Davis. Others in attendance: Mark Davison, Donna Sonnenberg, Sean Carnes; City Planner/Zoning Administrator Colin Carville, and Board Secretary Dawn Gross.
Approval of Minutes – May 10, 2022 Amended	Mr. Sebor moved to approve the Amended Minutes of the May 10, 2022 meeting. Mr. Thornbury seconded the motion. Motion passed 5-0.
June 14, 2022	Mr. Thornbury moved to approve the Minutes of the June 14, 2022 meeting. Mr. Sebor seconded the motion. Motion passed 5-0.
Items Not on the Agenda	There were none.
Administration of Oath	Mrs. Gross swore in citizens and Mr. Carville.
<u>New Business</u> Special Use – Borchers Rentals – 30 Bowman Avenue – Code 154.03(D)(5)	Mr. Carville presented the following Staff Report to the Planning Board: The applicant is seeking a Special Use Permit from the Planning Board for the construction of a new two-family dwelling at 30 Bowman Ave. Proposed Use 30 Bowman Ave was the site of the old water tower that was demolished in 2021. The site was put up to bid in August of 2021. Borchers Rentals came in as the highest bidder for the lot. The applicant is proposing to construct a new two-family residential unit (duplex) on the lot. 30 Bowman Avenue is zoned R2 – Two Family Residential and a two-family dwelling is considered a special use in that zoning district. General Requirements – Special Use Review Criteria – 154.03(D)(5) Decisions on a special use review shall be based on consideration of the following review criteria. All special uses shall be subject to review under the criteria of this section, as applicable, and may be subject to additional use-specific standards. (a) The proposed special use is established as a special use (may be a principal or accessory use) permitted in the applicable zoning district; It is the opinion of the staff that this proposed special use is appropriate in the R-2 zoning district. (b) The proposed use is consistent with the spirit, purpose and intent of the comprehensive plan and the general purpose of this code as established in §154.01(A); It is the opinion of the staff that the proposed use is consistent with the spirit, purpose and intent of the comprehensive plan and the general purpose of the Zoning Code.

(c) The proposed use complies with any use-specific standards as may be established for the use;

A two-family home in an R-2 zoning district does not have any use-specific standards outside of the general development standards.

(d) The proposed use shall be adequately served by essential public facilities as listed in Section §154.01(E)(2);

It is the opinion of the staff that the proposed residence would be adequately served by essential public facilities.

(e) Any building or structure constructed, reconstructed, or altered as part of a special use in a residential zoning district shall, to the maximum extent feasible, maintain the exterior appearance of residential buildings of the type otherwise permitted and shall have suitable landscaping, screening, and fencing wherever deemed necessary by the Planning Board;

The applicant has agreed to these standards. It will have a similar look to other Borcher properties.

(f) The proposed use will comply with all applicable development standards, except as specifically altered by the Planning Board in the approved special use;

The site plan will need to pursue a variance to the rear setback at the July 20, 2022 Board of Zoning Appeals meeting. It will comply with all other standards.

(g) The proposed use will be harmonious with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area; Based on the application material, it is the opinion of the staff that the proposed residence would be harmonious with the existing/intended character of the general vicinity, and that the use would not significantly change the character of the same area.

(h) The proposed use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors; Based on the application material, it is the opinion of the staff that the proposed residence would not be detrimental to the area.

(i) The circulation on and access to the property shall be so designed as not to create an interference with traffic on surrounding public thoroughfares;

It is the opinion of staff that the proposed residence would not create interference with traffic on surrounding public thoroughfares.

(j) The design of the buildings, structures, and site will not result in the destruction, loss or damage of a natural, scenic, or historic feature of major importance;

30 Bowman Ave does not contain natural, scenic, or historic features of major importance.

(k) The proposed use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district; and

It is the opinion of the staff that the proposed use would not impede the normal and orderly development of the surrounding properties.

(l) Wherever no specific areas, frontage, height, or setback requirements are specified in provision for a specific special uses, then such use shall be subject to the site development standards for the applicable zoning district.

The home will meet all the requirements of R2 – Two Family Residential zoning district.

Recommendations:

Public Hearing
– David
Arbogast –
3540 S CR 25A
– Zoning Map
Amendment –
Code
§154.04(C)

Staff recommends the following:

The Planning Board moves to grant a Special Use Permit for the property located at 30 Bowman Avenue for a two-family home in an R-2 Two Family Residential zoning district based on the requirements of Code § 154.03(D)(5).

Mr. Thornbury asked for questions of Mr. Carville.

Mr. Sebor asked for clarification on an Attachment “C” about the lots being combined. Mr. Carville said both lots were combined into IL 842.

Mr. Thornbury asked if there had been any neighbor comments, Mr. Carville stated there have not been.

Mr. Thornbury asked if the applicant was present if they would like to be heard, no one came forward.

Mr. Thornbury said, “I think this is a good use of the property, it fits in.”

Mr. Sebor moved to grant a Special Use Permit for the property located at 30 Bowman Avenue for a two-family home in an R-2 Two Family Residential zoning district based on the requirements of Code §154.03(D)(5), seconded by Ms. DeSantis. Motion passed 5-0.

Ms. DeSantis moved to open the Public Hearing. Ms. Alberson seconded the motion. **Motion passed 5-0.**

Mr. Carville presented the following Staff Report to Planning Board:

This Public Hearing is being conducted pursuant to a requested zoning map amendment (rezoning) for the property located at 3540 S CR 25A whereby the zoning would be changed from HB – Highway Business Zoning District (interim) to HB – Highway Business Zoning District (permanent) as follows:

Address	Area	Present Zoning	Proposed Zoning
3540 S CR 25A	2.288 acres	HB – Highway Business (interim)	HB – Highway Business (permanent)

Staff notes that this Public Hearing was set administratively with public notice published pursuant to law.

General

As noted at the March 8, 2022 Planning Board meeting, 3540 S CR 25A (± 2.288 acres) was in the process of being annexed in to the City of Tipp City. An interim zoning designation of HB – Highway Business Zoning District (interim) was set at the 3/8/22 meeting.

On May 2, 2022 City Council accepted the petition for annexation for 3540 S CR 25A (Ord. 12-22) into the City of Tipp City.

Requirement for Permanent Zoning Designation

Code §154.04(C)(2) states:

Within three months after the effective date of the annexation, the Planning Board shall recommend the appropriate permanent zoning districts for such area to City Council, and the map shall be amended according to the prescribed procedure set forth in §154.03(C).

Comprehensive Plan (Attachments C & D)

Staff notes that the Future Land Use Map of the current Comprehensive Plan does not have a designation for this parcel. However, the rest of the Dave Arbogast dealership that is connected to this property is designated as "Commercial Node".

Comprehensive Plan – Commercial Node

Regarding Commercial Nodes, The Comprehensive Plan states:

Tipp City's commercial nodes are characterized by single- or multi-tenant commercial centers located at major intersections and along major thoroughfares in the City. They are typically adjacent to Suburban Neighborhoods and provide for the everyday goods and services needed by the residents in these neighborhoods, or at a larger scale, for the region. While these centers are typically automobile oriented, there is expected to be a focus on providing more walkable or bikeable connections to/from the surrounding neighborhoods.

Surrounding Zoning Districts (Attachments E & F)

North – Multi-Family Residential, One-Family Residential, Highway Business (Miami County)

South – Highway Business

East – Highway Business, General Business, Light-Industrial

West – Multi-Family Residential, Two-Family Residential (Miami County)

Proposed HB – Highway Business Zoning District

Regarding the purpose of the proposed HB – Highway Business Zoning District, Code §154.04(E)(8)(a) states:

This district is intended to provide for intense commercial and office development in close proximity to the interstate and high volume thoroughfares that can provide needed goods and services to residents of the city, region, and beyond. Such district is most appropriately located adjacent to freeway interchanges and intersections of major thoroughfares.

Review Criteria

Recommendations and decisions on zoning text or map amendment applications shall be based on consideration of the following review criteria. Not all criteria may be applicable in each case, and each case shall be determined on its own facts.

(a) The proposed amendment is consistent with the comprehensive plan, other adopted city plans, and the stated purposes of this code;

It is the opinion of staff that the proposed HB – Highway Business Zoning is consistent with the comprehensive plan, other adopted city plans, and the stated purposes of this code.

(b) The proposed amendment is necessary or desirable because of changing conditions, new planning concepts, or other social or economic conditions;

It is the opinion of staff that the proposed HB – Highway Business Zoning is necessary and desirable because of changing conditions (i.e. the property has been recently annexed into the city, and requires a permanent zoning designation).

(c) The proposed amendment will promote the public health, safety, and general welfare;

It is the opinion of staff that the proposed HB – Highway Business Zoning will promote the public health, safety, and general welfare.

(d) The proposed amendment, if amending the zoning map, is consistent with the stated purpose of the proposed zoning district;

It is the opinion of staff that the proposed HB – Highway Business Zoning is consistent with the stated purpose of the proposed zoning district

(e) The proposed amendment is not likely to result in significant adverse impacts upon the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts will be substantially mitigated;

It is the opinion of staff that the proposed HB – Highway Business Zoning is not likely to

result in significant adverse impacts on the natural environment.

(f) The proposed amendment is not likely to result in significant adverse impacts upon other property in the vicinity of the subject tract.

It is the opinion of staff that the proposed HB – Highway Business Zoning is not likely to result in significant adverse impacts upon other property in the vicinity.

Recommendation

Based upon the requirements of Code §154.04(C)(2) regarding recently annexed property, the recommendation of the Comprehensive Master Development Plan text and map, the stated purpose of the HB – Highway Business Zoning District noted in Code §154.04(E)(8)(a), and the review criteria for Zoning Map amendments, staff recommends that the Planning Board forward a positive recommendation to City Council of HB – Highway Business Zoning District for 3540 S CR 25A, 2.2881 acres.

Mr. Thornbury asked for questions of Mr. Carville.

Mr. Thornbury asked if there had been any comments from neighboring properties, Mr. Carville said there had not been.

Mr. Sebor asked, “Is there any buffer or any requirement for High Business to Residential, if they change how they choose to use the property will there be any sort of vegetation or landscape buffer?”

Mr. Carville answered, “Yes, there would be, a medium buffer would be required if they were to construct anything new on the property.”

Mr. Thornbury asked if the applicant would like to be heard or if there were any citizens who would like to be heard, no one approached.

Ms. DeSantis moved to close the Public Hearing. Mr. Sebor seconded the motion. **Motion passed 5-0.**

Mr. Thornbury asked for discussion by the Board.

Ms. Alberson stated that this was consistent with the other parcels that were re-zoned across the street. Everyone was in agreement.

Ms. DeSantis moved to forward a positive recommendation to City County based upon the requirements of Code §154.04(C)(2) regarding recently annexed property, the recommendation of the Comprehensive Master Development Plan text and map, the stated purpose of the HB – Highway Business Zoning District noted in Code §154.04(E)(8)(a), and the review criteria for Zoning Map amendments, staff recommends that the Planning Board forward a positive recommendation to City Council of HB – Highway Business Zoning District for 3540 S CR 25A, 2.2881 acres, seconded by Ms. Alberson. Motion passed 5-0.

Old Business

There was none.

Miscellaneous City Council Reports

June 20, 2022

Mr. Sebor reported, the 2nd reading of the ordinance to amend the zoning code for the 2 parcels that were changing from LI-Light Industrial to R-3 Residential. They passed 4-3.

Upcoming City
Council
Meetings –

July 18, 2022	Mr. Sebor will report on the July 18, 2022 City Council Meeting.
August 1, 2022	Mr. Thornbury will report on the August 1, 2022 City Council Meeting.
August 15, 2022	Ms. Alberson will report on the August 15, 2022 City Council Meeting.
September 19, 2022	Ms. Davis will report on the September 19, 2022 City Council Meeting.
September 26, 2022	Ms. Alberson will report on the September 26, 2022 City Council Meeting.
October 3, 2022	Mr. Sebor will report on the October 3, 2022 City Council Meeting.
October 17, 2022	Mr. Thornbury will report on the October 17, 2022 City Council Meeting.
October 24, 2022	Ms. Davis will report on the October 24, 2022 City Council Meeting.
November 7, 2022	Ms. DeSantis will report on the November 7, 2022 City Council Meeting.
November 21, 2022	Mr. Sebor will report on the November 21, 2022 City Council Meeting.
December 5, 2022	Ms. Alberson will report on the December 5, 2022 City Council Meeting.
December 19, 2022	Mr. Thornbury will report on the December 19, 2022 City Council Meeting.
January 3, 2023	Ms. DeSantis will report on the January 3, 2023 City Council Meeting.
Board Member Comments	There were no Board Member Comments.
Adjournment	Ms. DeSantis moved the meeting be adjourned . Mr. Sebor seconded the motion. Mr. Thornbury declared the meeting adjourned at 7:50 pm.


Andrew Thornbury, Planning Board Chairman

Attest 
Dawn Gross, Board Secretary