

PLANNING & ZONING MEETING

SEPTEMBER 16, 2021

ATTENDEES: David Chillas, Chairman
Morris Deputy, Town Manager
Gene Bloemker
Bruce Orr
Joe Pontak
Gretchen Rachko
Charles Roberts
Scott Unruh

PUBLIC HEARINGS:

1. 119 Patriot Drive, Suites A&B – Conditional Use Permit request for a fitness kickboxing and summer camp/after-school program (Ignite Fitness & Spark Summer Camp) in an M-I zoned area. CU-12-21. Tax Parcel No. 23-041.00-019.

Patrick Preece requested approval to use Suites A & B for after-school activities such as stem programs, fitness programs and tumbling classes.

- The space will hold about 75 children.
- In the summer, all day summer camps are available from 7 a.m. until 6 p.m.; kickboxing is offered for parents. Fitness classes start at 5:30 a.m.
- Adult classes are limited to about 30 people.
- The Dover location has about 700 clients and employs about 24 people.
- Parking should not be an issue as most classes are over by 8 a.m.
- The evening classes start at 6 p.m. and shouldn't create an issue with existing businesses.
- Saturday classes are 5:30 a.m. until noon. Closed on Sunday.

Moved by Bruce Orr and seconded by Joe Pontak to recommend Mayor and Council approve 119 Patriot Drive, Suites A & B Conditional Use Permit request for a fitness kickboxing and summer camp/after-school program (Ignite & Spark Summer Camp) in an M-I zoned area. CU-12-21. Tax Parcel No. 23-041.00-019. Motion Carried Unanimously.

2. Introduce Ordinance 21-09-01 to amend the Town of Middletown Comprehensive Plan to change tax parcels 23-008.00-114; 23-040.00-006; 23-040.00-007, 23-010.00-044; 23-010.00-045; 23-010.00-046 and 23-010.00-047 from a future land use and zoning of Employment/Regional Retail (C-3) to Manufacturing-Industrial (M-I).

Morris Deputy: The Ordinance will amend the Comprehensive Plan to show the parcels as Manufacturing-Industrial (M-I) instead of Commercial (C-3). The owner is requesting to rezone the properties and the Comprehensive Plan has to be changed first. The next item of business starts the rezoning process for development.

Moved by Charles Roberts and seconded by Scott Unruh to recommend Mayor and Council approve Ordinance 21-09-01 to amend the Town of Middletown Comprehensive Plan to change tax parcels 23-008.00-114; 23-040.00-006; 23-040.00-007, 23-010.00-044; 23-010.00-045; 23-010.00-046 and 23-010.00-047 from a future land use and zoning of Employment/Regional Retail (C-3) to Manufacturing-Industrial (M-I). Motion Carried Unanimously.

3. Introduce Ordinance 21-09-02 for the rezoning of the following tax parcels in the Middletown Auto Mall from C-3 to M-I: 23-008.00-114, 23-040.00-006; 23-040.00-007, 23-010.00-044; 23-010.00-045; 23-010.00-046 and 23-010.00-047.

Ring Lardner with Davis Bowen & Friedel and Tony Maras with RPDC Properties presented the rezoning plan.

- The request is to rezone the properties from Employment/Regional Retail (C-3) to Manufacturing-Industrial (M-I) in support of a proposed warehouse.
- The lots are currently known as Parcels D, E, F, I, J, K and L in the Middletown Auto Mall, approximately 40 acres of land.
- The parcels are located in a Level 1 investment area.
- The plan was reviewed by PLUS July 28, 2021 and received no objections to the rezoning.
- Diamond State Boulevard is the primary access to the parcel.
- Nearby businesses include Crooked Hammock, Amazon Warehouse, Holiday Inn, Grotto Pizza, Lidl and Home Depot.
- A 600,000 square-foot warehouse is proposed.
- A Preliminary Land Development Plan will be presented in October.

Chip Roberts questioned the use of the warehouse.

Ring Lardner said possibly regular dry goods and some cold storage capacity – nothing hazardous will be stored.

Joe Pontak asked why rezoning was required.

Ring Lardner said the property has been available for quite a while under the C-3 zoning; more interest has been expressed for warehouse use. The C-3 zoning has a height limit; M-I does not as long as it can be accommodated by the fire company's ladder truck. Based on interest expressed by potential clients, the building will be higher than 35 feet.

Moved by Joe Pontak and seconded by Gene Bloemker to recommend Mayor and Council approve Ordinance 21-09-02 for the rezoning of the following tax parcels in the Middletown

Auto Mall from C-3 to M-I: 23-008.00-114, 23-040.00-006; 23-040.00-007, 23-010.00-044; 23-010.00-045; 23-010.00-046 and 23-010.00-047. Motion Carried Unanimously.

Moved by Joe Pontak and seconded by Gene Bloemker to adjourn. Motion Carried Unanimously.

We believe these minutes accurately reflect what transpired; however, we will appreciate comments involving a different understanding of what occurred. Unless we are notified in writing to the contrary within 10 days after receipt, we will assume all in attendance concur with the accuracy of this transcription.

Respectfully Submitted,

Morris Deputy, Town Manager

Ry 9/23/21

Cc: Mayor and Council
Planning & Zoning Members
All Attendees
Duffield Associates