

CITY PLANNING COMMISSION MINUTES
January 10, 2018



TYPE: Regular Meeting
PLACE: City Building, City Council Chambers
TIME: 6:00 P.M.

MEMBERS Mike Friedman John Langhorne Gary Gross
PRESENT: Paul Nenni Joanne Mejias David McCauley-Myers

STAFF
PRESENT: Rob Nicolls, City Engineer
 Jeffrey Green, Zoning Administrator
 Jennifer Ekey, Economic Development Director
 Mayor Larry Mulligan, Jr.

OTHERS
PRESENT: Blake Helms Ajay Patel Alex Sale Drew Case George Y. Ragheb
 Mark Lockney

Ms. Mejias called the meeting to order at 6:00 pm and the roll was called. Mr. Friedman led the Planning Commission in the Pledge of Alliance.

ELECTION OF CHAIRMAN & VICE CHAIRMAN

Ms. Mejias opened the floor to nominations for Chairman and Vice Chairman of the Planning Commission. Ms. Joanne Mejias was nominated to continue as Chairman and Gary Gross was nominated to continue serving as Vice Chairman. A motion was made and seconded. The motion carried unanimously through roll call.

APPOINTMENT OF REPRESENTATIVES & ALTERNATES TO THE ARCHITECTURAL REVIEW BOARD

Ms. Mejias opened the floor to nominations for representatives for the Architecture Review Board. Mr. McCauley-Myers and Mr. Gary Gross were nominated to continue as the representatives for the board. A motion was made and seconded. Mr. Mike Friedman and Mr. Paul Nenni were nominated as alternatives to the Architecture Review Board. A motion was made and seconded. The motion carried unanimously through roll call.

APPOINTMENT OF REPRESENTATIVE TO THE HISTORIC COMMISSION

Ms. Mejias opened the floor to nominations for a representative for the Historic Commission. Ms. Mejias agreed to continue to serve on the Historic Commission. A motion was made and seconded. The motion carried unanimously through roll call.

APPOINTMENT OF REPRESENTATIVE TO THE BOARD OF ZONING APPEALS

Ms. Mejias opened the floor to nominations for a representative to serve on the Board of Zoning Appeals. Mr. Todd Moore was nominated to continue to serve. A motion was made and seconded. The motion carried unanimously through roll call.

APPROVAL OF PREVIOUS MEETING MINUTES

Ms. Mejias introduced the acceptance of the December 13, 2017 meeting minutes and asked if there were any needed amendments. A motion was made to approve the December 13, 2017 minutes with no needed corrections. The board unanimously approved the minutes and

Gary Gross abstained from voting due to not being present at that meeting.

PUBLIC HEARING:

USE ADJUSTMENT CASE #1-18: 3459 TOWNE BOULEVARD

Ms. Mejias introduced the case as a request by applicant Edward Vigil, on behalf of U-Haul International, Inc., for Use Adjustment approval to allow for a U-Haul self-storage facility that offers truck and trailer rental/sharing and related retail services for the property located at 3459 Towne Boulevard, Middletown, Ohio 45005. The property is located in the C-3 Community Commercial zoning district where storage facilities are not a permitted use.

Ashley Combs (City Planner) was sworn in to present the case.

Ms. Combs presented the staff report using a PowerPoint presentation.

Ms. Combs displayed a map of the property and property photos.

Ms. Combs noted the surrounding properties and their zoning designations:

- North – Vacant property, P-2p Professional-Service District Zoning District
- East – AAA Bob Sumerel Tire & Service, C-2 Roadside Commercial Zoning District
- West – Mall property, C-3 Community Commercial Zoning District
- South – I-75 Pierson Automotive Sales, C-2 Roadside Commercial Zoning District

Ms. Combs noted the staff analysis stating that the property is located in the C-3 Community Commercial zoning district where storage facilities and vehicle rental and storage are not permitted uses. She noted that self-storage and vehicle rental and storage are uses are permitted the in the C-2 Roadside Commercial and the C-4 General Commercial. Storage uses are principally permitted uses in the I-1 Industrial Park District and conditionally permitted in the C-2 Roadside Commercial District when reviewed and approved by the Planning Commission. She pointed out that per the Master Plan, the property is located in the “Towne Center Development Opportunity Area”. The Towne Center Development Opportunity Area envisions the Towne Mall as a vibrant, open air, mixed use development that is consistent with the new retail centers. She gave the example of Liberty Center or The Greene, and Monroe Outlet.

Ms. Combs displayed a site plan of the proposed U-Haul. She noted that the proposed U-Haul site plan shows that there will be approximately 438 parking spaces available. This meets the new zoning code requirement (95 parking spaces would be required for the indoor storage and require approximately 10 parking spaces for the outdoor spaces. U-Haul vehicle rental and storage that will require parking spaces and use additional parking spaces. She pointed out that U-Haul is proposing to maintain and provide the addition of new landscaping. “All parking lots for over 30 vehicles must provide at least five percent of their total area in interior landscaping areas”.

Ms. Combs noted the following hardships were identified by the applicant:

1. Middletown has neither the population density nor the household income to attract the kinds of retail/business uses the City is envisioning.
2. Middletown is in close proximity to more populous and affluent retail corridors where retailers already have locations.

3. The site is unique because it is an enclosed mall.
4. Over 13 million has been spent in acquiring the property and bringing Burlington, Gabe's, and Planet Fitness. Without repurposing the mall the new tenants will wither away and eventually leave the site.

Ms. Combs noted the following reasons the applicant identified for the proposed use not being a detriment to the surrounding properties:

1. U-Haul will provide a needed service to the general public, specifically with the recent construction of the new apartment building and the new residential community around the other side of the freeway.
2. U-Haul will be a local service provider that creates commercial activity in Middletown's commercial hub, providing rental moving trucks and providing new residents a location to store their excess personal belongings as they move into new apartments or new homes.
3. This site shall not generate any additional traffic counts, hazardous materials or create any pollution in the City of specific location.

Ms. Combs noted the following unique qualities the applicant identified about the property:

1. The site is unique because it is an enclosed mall with different tenants and easements that is unlike any other property in the City.
2. Big-box and freestanding retail are not equivalent uses, and do not suffer from many of the same restrictive covenants that an enclosed, fully connected mall does.

Ms. Combs presented planning staff and other department comments:

Planning staff does not believe that the proposed U-Haul storage and rental facility are suitable uses for the mall property. The property is not properly zoned for the requested uses and there are other appropriate zoning districts within the City that would principally permit or conditionally permit the uses. The uses do not fit within the City's Master Plan goals and objectives for the Town Mall area. The City's Master Plan identifies the Town Mall as a part of the Towne Center Opportunity Area that has the goal of becoming a diverse neighborhood and business node with office, retail, restaurant and entertainment uses.

The City is in the process of having a new Planning and Zoning Ordinance adopted by City Council. The new Development Code will continue not to permit the requested uses in the current C-3 zoning district. A major change to the new Zoning Ordinance will be removing the ability to apply for Use Adjustments. Requests like this should and will be required to go through the Zone Change Process. The requested uses are principally permitted in the C-4 zoning district. If a Zone Change was requested for the property to be rezoned to the C-4 zoning district it would be considered spot zoning and not a good planning practice. By removing Use Adjustments from the new Development Code, planning staff will be able to uphold the goals and intent of the Ordinance and Master Plan for the future development of Middletown. The Planning and Zoning Ordinance will become effective on March 1, 2018.

There is great potential for the mall property to attract more retail and entertainment business to help attract new residents and people to the area. Staff does not believe that there is a strong enough hardship or uniqueness to grant the requested Use Adjustment.

Economic Development Comments:

The Department of Economic Development is not in favor of the Use Adjustment to allow for a

U-Haul storage facility at the Towne Mall Galleria. While we understand that the property is attractive for this kind of operation, it does not enhance the retail operations which is what the property is zoned for. We feel that this project would likely deter further retail and restaurant development at the mall. We have a good working relationship with the Mall Owner and continue to work with him to find suitable tenants.

Ms. Combs concluded her staff report presentation.

Chairman Joanne Mejias asked the commission if there were any questions for staff. With there being no questions for staff, Mejias opened the public hearing and asked for anyone to come forward that wanted to speak in favor of the project.

Drew Case, U-Haul Representative, was sworn in by Mr. Gross to speak on behalf of the request.

Mr. Case presented that the mall area is a prime location for U-Haul to want to locate a facility. He noted that visibility is key for their businesses and as well for a lot of businesses. Mr. Case pointed out that he knows that the proposed uses are permitted in other zoning districts, however this is the available site that they want to be located. He noted that U-Haul was just recently approved to expand in Middletown at another location that's 5.3 miles from this site. He said that industry standards identifies that people do not store outside a 3-mile radius of where they live. He pointed out that this location is a different market within the City and its something to consider for this site. He said that people in this area of the City would be storing at this location and not the other U-Haul locations in the City due to the distance. He said if approved they plan to move their primary operation to this building and the other locations would be operated as remote sites. He pointed out that the plan at this location is to have a 3,000 sq. ft. showroom. He said there would be bike racks sold at the location and other bike amenities that would tie in with the City's future bike path plan. He said that they would also like to propose a bike service station as a part of this plan. He said that this has been done in other cities already and this would help this site and master plan for the area. He said that the proposed U-Haul would compliment the Renaissance area with offering a climate-controlled storage for high-end goods. He said that the addition of the recently Nicholas Place Apartments ties into this need of additional self-storage. He noted that at this location there would be a total of 10-15 employees. He said he'd really like to be at the location and asked the commission if they had any questions.

Mr. Langhorne asked what the intentions would be for the existing U-Haul location on S. Verity Parkway. Mr. Case said that they would be upgrading that facility and recently added some climate-controlled features. Mr. Langhorne asked about the storage facility that was recently approved by the commission at the N. Verity site. Mr. Case said that the storage-facility there would be all climate controlled storage units. He also pointed out its 5.3 miles and the industry standard is 3 miles. He noted that all employees would be brought to this location if approved and the other Middletown locations would be operated remotely. Mr. Case also pointed out that all truck and car rentals would be removed from the other Middletown locations and moved to the mall location. He noted that U-Haul is a 40-year operation and would be remaining at the other storage locations forever after his lifetime.

Mr. McCauley-Myers asked if U-Haul has done other locations in a shopping mall. Mr. Case said that they have done a similar mall location in Tallahassee, Florida where U-Haul bought and

redeveloped an entire mall. He explained the history of how the mall and operations after U-Haul acquired the property.

Ms. Mejias asked how long ago U-Haul acquired the Florida mall property. Mr. Case said that it happened within the last few years. He pointed out that U-Haul has bought entire shopping plazas and retrofitted them into U-Haul self-storage facilities.

Ms. Mejias asked if the Tallahassee location was similar to Middletown. Mr. Case pointed out that Tallahassee is a very high tech market and they are similar with having a bike trail.

Ms. Mejias asked what other types of outdoor storage would be at this location. Mr. Case said that there would be five rows of drive-up self-storage offered. He said that the primary function of the outside storage is for display to the customer but it would be rented.

Mr. Moore noted the rationale used by the applicant identifies that Middletown has neither the population nor the household income to attract the kinds of retail businesses that the City is envisioning, yet the City has had a lot of redevelopment in the last five years. Mr. Moore noted that there is the new Kettering Health Network project and Renaissance surrounding homes as a few recent investments in the City of Middletown. Mr. Moore asked how U-Haul does not adversely affect this area. Mr. Case agreed and stated that the area is growing and pointed out that the owner of the mall, George Ragheb, made those comments in the application. Mr. Case noted that U-Haul serves everyone: a lower, a middle, and a higher demographic. He said that when they seek an area with high population densities and pointed out that the City of Middletown would be a tougher market. He said U-Haul wants the opportunity to grow with the city.

Mr. Moore asked how U-Haul would supplement the area. Mr. Case stated that the City's plan is to add more condos, apartments, and housing to the area and U-Haul wants to serve those customers. The future growth in Middletown will use the U-Haul.

Mr. Langhorne noted that I-75 interchange is very valuable to the City. He said that putting in a U-Haul facility in this area is not a good use of the prime real estate location. He noted that he understood there are tough economic development conditions and where the mall owner is coming from, however, there is a better use for the future. Mr. Case said that he hopes that the mall space will fill up and out lots will be developed. He noted that U-Haul could fill the space and be there and grow.

Mr. Friedman asked to what extent would the building need to be modified for a U-Haul facility. Mr. Case passed around example renderings of the proposed showroom and exterior building rendering and explained elevation. He said that there would be sliding door entrances added and that the structure is wide open and not much at all would need to be modified inside. He pointed out it would be a very easy retrofit of the existing structure.

Mr. Friedman asked what types of vehicles would be rented at the location. Mr. Case stated that there would be a full line of vehicles offered because this would be their primary facility if approved. Ms. Mejias asked what would be the size of the largest vehicle offered. Mr. Case noted that the largest vehicle offered would be 26 foot truck and the smallest would be 10 foot. He said they also rent pickup trucks and vans. Ms. Mejias asked where on the site plan the vehicles would be stored. Mr. Case pointed out that the vehicles would be stored more

toward the outskirts of the property.

Mr. McCauley-Myers commented that he understood the location due to visibility and that it's a conflict because this area is the gateway to the City. He said that this is not the image that they would want to present to people coming into Middletown. He said that a location like the old Target building across the road would be a more appropriate location for the use. Ms. Mejias noted that she had the same thoughts as Mr. Langhorne and Mr. McCauley-Myers regarding the location.

Ms. Mejias asked if there were any other questions for Mr. Case. Seeing none she asked if there was anyone else wanting to come forward to speak on behalf of the project.

George Ragheb, Towne Mall owner, was sworn in by Mr. Gross to speak on behalf of the request.

Mr. Ragheb stated the previous times that he had been in front of the Planning Commission for approvals regarding Towne Mall. He said that he had five points that he wanted to make to bring U-Haul to the mall. He said that they definitely have a zoning hardship. He said that they are the only enclosed mall in the City and the current zoning they are under is too restrictive. He pointed out that Target space has been vacant for four years and no one has occupied that space. He said he brought three of the biggest tenants for the city and seven tenants total. He said that he did a good job bringing the discount tenants and noted they are doing well. He pointed out that he brought a gym into a mall before it was an idea. He noted that the vacant big box is a risk. He said that he knows U-Haul isn't the fanciest use for the front door of the City, but they are a long time investor. He noted that U-Haul would make a 3 million dollar investment in the building aside from the purchase price of the property and building. He pointed out that there isn't anyone in the City that isn't proud of having the Gabe's and Burlington discount stores in the vacant Dillard's space. He pointed out that Gabe's lease states if Burlington leaves their store will leave Towne Mall. He also noted that Burlington can leave at any time under his agreement with them in the mall. He pointed out that the industry is changing and realizing that they have to make sacrifices with the vacant retail spaces closing down. He said cities are changing zoning codes to address this problem.

Mr. Ragheb asked the commission if they would rather keep the space vacant or see it be occupied by a tenant that will bring warm bodies and protect the investment he has made by bringing other retail stores to Towne Mall.

Mr. Moore stated that he would like to answer the question. Mr. Moore said that when we think about uses and there is a use proposed, however, there are other viable economic uses for that site. Mr. Ragheb pointed out that his broker, Alex Sale, has worked the site diligently. Mr. Moore asked if this the correct use for this site. Mr. Ragheb said he has no current uses for the site.

Mr. Moore said that the question for the commission is if this use is the best use for this site or are there other economically viable uses that will benefit the City of Middletown.

Mr. Ragheb pointed out that if the City doesn't take U-Haul now for this site then there is a tremendous risk of Burlington and Gabe's leaving. Mr. Nenni asked Mr. Ragheb why those stores would leave the mall if they are making money like he had stated earlier. Mr. Ragheb

said that those stores can go to Liberty Center and Austin Landing with more traffic. Mr. Nenni pointed out that storage places do not bring a lot of traffic and that people put their things in them and then return when they're ready to move them. He said that he sees U-Haul as a detriment to Towne Mall.

Mr. Ragheb asked Mr. Nenni to explain to him how U-Haul would be a detriment. Mr. Nenni said that the use of a U-Haul would create a lack in traffic not an increase. Mr. Ragheb asked how that compares to the property being currently vacant. Mr. Nenni said that there is an argument there because the worst thing for the property is that it is vacant, however, there are high aspirations for the property for the City.

Mr. Ragheb said that based on his research that no one wants to bring anyone to the property. He said that industry is changing and we need to salvage what we have in hand with U-Haul wanting to purchase the site. He said leaving the property vacant is a detriment to the mall. He noted that he wants the project to be successful.

Mr. Ragheb asked the commission again if they would rather keep the property vacant and risk losing Burlington and Gabe's retail stores. Mr. Moore said that he thinks the question is are there other economically viable uses for the space. Mr. Ragheb asked how long that would take to find a business like that. Mr. Moore said that he did not have that answer. Mr. Ragheb stated that the board was indirectly answering his question and would rather leave the space vacant. Mr. Nenni said that for right now that is what the board is choosing. Mr. Moore said that he wants the property to be successful and the City of Middletown to be successful. He pointed out that everyone has worked too hard developing that area and the question is whether or not a U-Haul is the best use. Mr. Moore noted that he does not think it is the best use. He also added that he certainly did not want the space to remain vacant and no one there wants it to remain vacant.

Mr. Ragheb mentioned that he wanted to table the commission's vote. Ms. Mejias stated that no one else had had the opportunity for the public hearing and they needed to complete the public hearing.

Ms. Mejias stated that she wants U-Haul to come to the City of Middletown, but just not at that location because it will create a problem for the City. She said that it is the front door of the City and referred to the City's Master Plan goals for the future. She said it's not the best for the long term interest for the City. Mr. Ragheb asked what about the risk of Gabe's and Burlington leaving Towne Mall. Ms. Mejias stated that the City has that risk no matter what and we work hard against it. She said that anything is not always better than nothing.

Chairman Mejias asked if there were any other questions for Mr. Ragheb. Seeing none she asked if there were any questions for building's broker Alex Sale. She asked if there was anyone else in attendance that wished to speak for the project. Seeing none she asked for those who wished to speak in opposition of the project to come forward. Seeing none, Ms. Mejias closed the public hearing.

Ms. Mejias asked for the staff recommendation for Use Adjustment Case #1-18: 3459 Towne Boulevard. Ms. Combs stated the staff recommended the following:

Use Adjustment Case #1-18 Staff Recommendation:

Ms. Combs presented that after review of the submitted materials (Use Adjustment application and all supporting documents) planning staff recommends DENIAL of Use Adjustment Case #1-18 for the following reasons:

1. No hardship (uses are permitted in other zoning districts in the City)
2. Not a unique situation (the uses are permitted in other zoning districts within the City)
3. Does not meet the intent of the Planning and Zoning Ordinance.
4. Does not meet the vision of the Master Plan for the Mall area.
5. Based on Economic Development Department comments.

Ms. Mejias asked Mr. Ragheb if he still wanted to table the case. Mr. Ragheb did no longer wished to table the case so Ms. Mejias asked for a motion from the commission.

Mr. Moore made a motion to deny Use Adjustment Case #1-18 based on staff's recommendation. Mr. Nenni seconded the motion. The motion was approved unanimously through roll call.

PUBLIC HEARING:
DEVELOPMENT PLAN AMENDMENT CASE #1-18:

Ms. Mejias presented the request by applicant Ajay Patel, on behalf of Horne Development, LP, for approval of an Amendment to the MidPointe Center Development Plan to allow for the construction of a Holiday Inn Express & Suites Hotel that will be a total of 56,000 sq. ft. in size with four stories and feature a total of 88 rooms. The application also requests a height variance to allow for four stories (a total of 50 feet) where the zoning only allows a maximum of three stories.

Ms. Combs presented the case with a PowerPoint presentation.

Ms. Combs displayed a map and noted that the property is a total of 8.069 acres and is currently vacant and partially wooded.

Ms. Combs noted the surrounding properties and their zoning designations:

- North – Vacant Property, CP Commercial-Professional Office Park District
- East – Vacant Property, CP Commercial-Professional Office Park District
- West – Vacant Property , CP Commercial-Professional Office Park District
- South – Nicholas Place Apartments & Vacant Property, CP Commercial-Professional Office Park District.

Ms. Combs presented the staff analysis stating that the MidPointe Center Development Plan was initially approved by Planning Commission in June of 2001 and included the Wal-Mart shopping center and several out lots along Towne Boulevard. The out lots contain a car wash, AT&T phone store (previously a gas station that had demolished), Gold Star Chili. Payless Shoes, and Bio-Life Blood Plasma Center. She noted that most recently a Development Plan Amendment was approved by Planning Commission in October 2011 for the construction of the Hampton Inn Hotel (located in the CP zoning district and the hotel was approved for a height variance). Ms. Combs pointed out that Planning Commission has approved three other hotels in the CP zone, the Marriot Fairfield Inn (Old Roosevelt Avenue), the Holiday Inn Express (Terhune Drive), and the most recently approved Hampton Inn (located near Walmart).

Ms. Combs pointed out that the applicant is requesting a variance of the building height maximum of four floors or 50 feet in height. The Planning Commission has approved three other hotels within the CP zoning district that are within close proximity to this proposed location. The most recently approved hotel that was granted a height variance was the Hampton Inn with a height of four floors or 58 feet. The Planning Commission also approved the Drury Inn for a height variance for 5 floors or 60 feet.

Ms. Combs displayed the proposed site plan and noted that all parking lots for over 30 vehicles must provide at least five percent of their total area in interior landscaping areas. The Ordinance requires a total of 3,484.8 square feet of landscaping be required. The site plan features a total of 5,150 square feet of landscaping and will exceed ordinance requirements. Ms. Combs displayed an elevation of the proposed Holiday Inn and Suites.

Ms. Combs presented the following staff comments:

Economic Development:

The Department of Economic Development has some concerns regarding this request for an amendment to the previously approved development plan, we don't necessarily oppose it but would encourage Planning Commission to consider the following:

1. What will become of the existing Holiday Inn Express?
2. Why isn't that facility being renovated instead of building a new hotel?
3. Is there a market study indicating the need for more hotel beds?
4. Can the redevelopment of the existing Holiday Inn Express be a condition of approval for this amendment?

Engineering Department:

A traffic impact study would need to be conducted for the site. The proposed access onto Towne Boulevard would likely need to be a "right in-right out" access similar to the one on the East side of Towne Boulevard. Access at the signalized intersection (for Wal-Mart) would be preferred and would also be beneficial for the parcel north of the proposed site as they would share this access point. Modifications to the existing traffic signal would be required. All site improvements will need to meet current requirements of the Engineering Department's Manual of Design.

Ms. Combs concluded her staff report presentation.

Ms. Mejias asked if the commission had any questions for staff.

Seeing no questions for staff, Ms. Mejias asked if anyone was present to speak on behalf of the project.

Blake Helms, with Hi5 Development, was sworn in by Mr. Gross to speak on behalf of the request.

Mr. Helms said that Ms. Comb's summary highlighted the project well. He said that with him tonight was the future hotel owner, Mr. Ajay Patel and engineer from Bayer and Becker, Mark Lockney to address the commission's questions.

Ajay Patel, Holiday Inn franchise owner, was sworn in by Mr. Gross to speak on behalf of the request.

Mr. Patel pointed out that he is only the Holiday Inn's franchise owner and will not continue to own the current Holiday Inn building once it's sold. He said he will have no obligation to renovate the property, however, he read in the Dayton News Journal that a higher end hotel brand is buying buildings to renovate and make them higher end hotels. Mr. Patel pointed out that the hotel will look very similar to the one that was built at the Liberty Center exit. Mr. Patel said that the new required prototype of Holiday Inn will fit in the current building that it is located. The current building falls under the required threshold. He said the license is up and they are up after twenty years. He said the current property is too small.

Ms. Mejias asked about the current hotel space. Mr. Patel said it will be rebranded and he does not know how Holiday Inn dictates their licenses. He said they reevaluate every 15-20 years.

Mr. McCauley-Myers asked if Holiday Inn will own the future property. Mr. Patel said they will not. He said as a franchise he owns and is dictated by Holiday Inn on how it will look.

Mr. Nenni asked will the old Holiday Inn remain a Holiday Inn hotel. Mr. Patel confirmed that it would not remain a Holiday Inn and the building would not meet hotel requirements.

Mark Lockney, Bayer & Becker, was sworn in by Mr. Gross to speak on behalf of the request. Mr. Lockney addressed the entrance comments and noted that there is a proposed right in and right out to accommodate future development to the north of the property that will use the Walmart intersection stoplights. He said that tonight he is only representing the Holiday Inn project and not the rest of the development. Mr. Lockney noted that they would work with the City Engineer to address the department's comments.

Mr. Langhorne asked how far the property owned extended. Mr. Patel said that the property owned extends all the way down to the Nicholas Place apartments property. He also noted that the hotel is a very light traffic user with various check-ins times throughout the day and night.

With no further discussion Ms. Mejias asked for staff recommendation.

Development Plan Amendment Case ##1-18 Staff Recommendation:

Ms. Combs presented that after review of the submitted materials (Use Adjustment application and all supporting documents) planning staff recommends approval of the Amendment to the Development Plan Case #1-18 and height variance for 50 ft. for Mid Pointe Center Development Plan based on the following reasons and condition:

1. Not a detriment to surrounding properties.
2. Planning Commission previously approved three other hotels in the CP Zoning District
3. Planning Commission previously approved height variances for two hotels in the CP Zoning District.
4. Condition that all Engineering Department comments be met.

Ms. Mejias asked if hotels continue to locate in the CP zoning district will they require height variances to be approved in the new planning and zoning ordinance. Ms. Combs noted that she did not believe that the heights allowed in the CP zoning had increased, but she would check and email everyone the answer. She also noted that there will be issues with the new zoning

ordinance that the department and commission will need to work out overtime. She said she would document any issues the commission has and they could be revisited at the end of the year.

Ms. Mejias asked for a motion.

Mr. Langhorne made a motion to approve Development Plan Amendment Case ##1-18 based on staff's reasons and condition. Mr. Moore seconded the motion. The motion was approved unanimously through roll call.

NEW/OLD BUSINESS

Ms. Combs announced that the Next Planning Commission meeting will be held on Wednesday, February 14m 2018 if applications are received. No new or old business was discussed.

ADJOURNMENT

With no further business for Planning Commission, a motion was made and seconded to adjourn at 7:30 PM. The motion passed unanimously.

Joanne Mejias
Chair

Ashley N. Combs
Secretary to Planning Commission