

Development Review Committee

Staff Report

Date: April 6, 2022



Case No:	21-WAIVER-0167
Project Name:	Industrial Expansion
Location:	13117 Aiken Road
Owner(s):	Halloway & Sons Construction, Inc.
Applicant:	BTM Engineering
Jurisdiction:	Middletown
Council District:	17 – Markus Winkler
Case Manager:	Molly Clark, Planner I

REQUEST(S)

- Waivers:
 1. Waiver from section 5.9.2.A.1.b.i to not provide A Clearly defined, safe pedestrian access shall be provided from adjacent public rights-of-way (public sidewalk) through off-street parking area to non-residential building entrances

CASE SUMMARY/BACKGROUND

The subject site is zoned M-3 industrial in the Suburban Workplace Form District. The applicant is proposing to build 6 detached buildings that will be a total of 68,000 SF bringing the total building area to 186,690 SF on 29.46 acres. The proposed use of the new buildings will be used as rentals dedicated to warehouse storage for tenants.

STAFF FINDING

The request is adequately justified and meets the standard of review.

TECHNICAL REVIEW

Transportation Planning and MSD have preliminarily approved the associated Category 2B

INTERESTED PARTY COMMENTS

Staff has not received any interested party comments.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR THE WAIVER

- (a) The waiver will not adversely affect adjacent property owners; and

STAFF: The waiver will not adversely affect adjacent property owners since the proposed buildings are not going to be occupied by employees and will be used for storage of equipment. The site is not open to the public.

(b) The waiver will not violate specific guidelines of Plan 2040; and

STAFF: Community Form Goal 1, Policy 12 calls to ensure that parking, loading and delivery is adequate and convenient for motorists and does not negatively impact nearby residents or pedestrians. The proposed buildings are not going to be occupied by employees and will be used for storage of equipment. This site is not open to the public.

(c) The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant; and

STAFF: The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant since because the proposed buildings are not going to be occupied by employees and will be used for storage of equipment. This site is not open to the public.

(d) Either:

(i) The applicant has incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect); OR

(ii) The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.

STAFF: The strict application of the provisions of the regulation would create an unnecessary hardship on the applicant because the proposed buildings are not going to be occupied by employees and will be used for storage of equipment. This site is not open to the public.

REQUIRED ACTIONS:

- **RECOMMEND APPROVAL or DENIAL of the WAIVER to the City of Middletown**

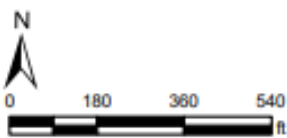
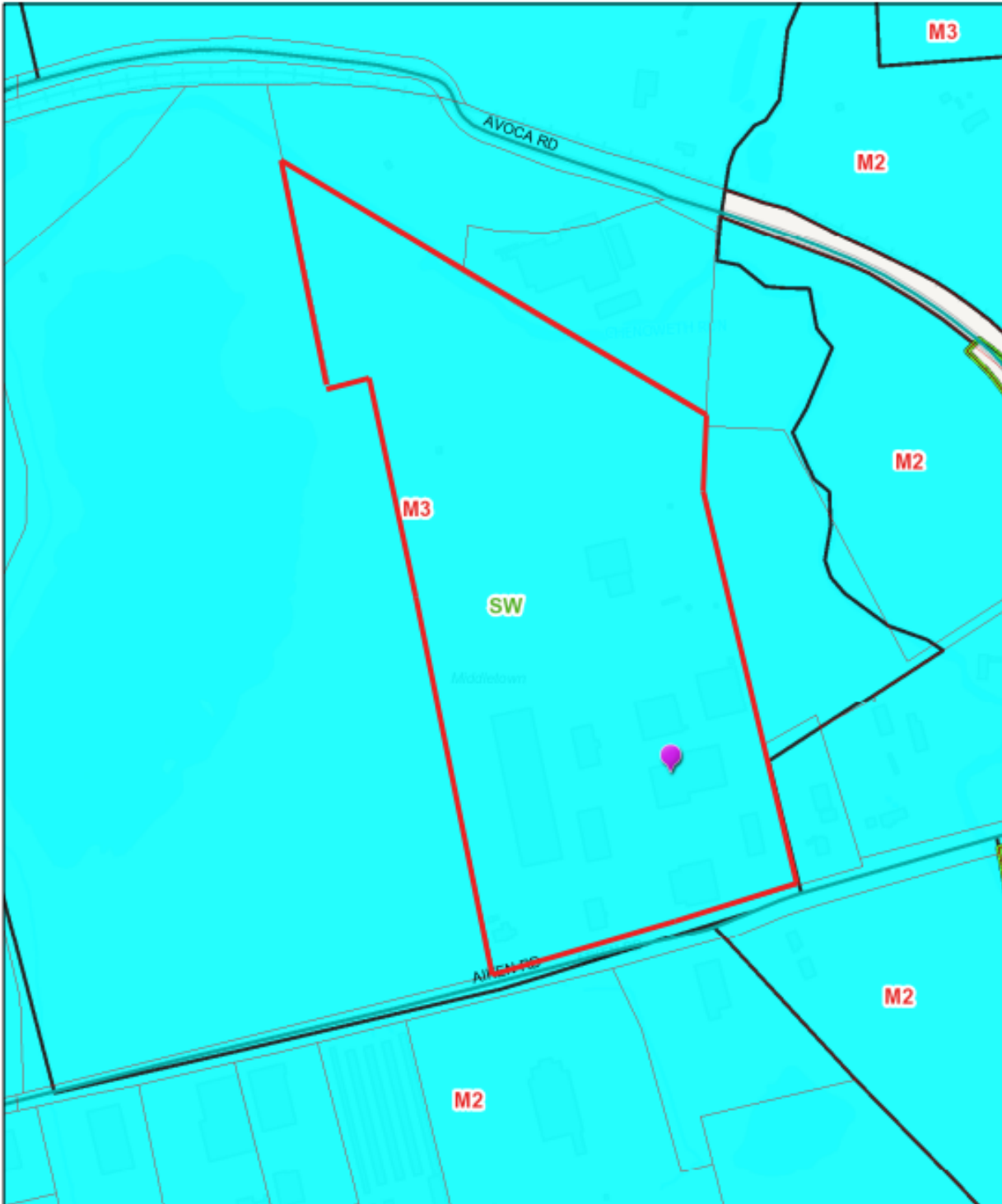
NOTIFICATION

Date	Purpose of Notice	Recipients
3/18/22	Hearing before DRC on 4-6-22	1 st tier adjoining property owners and current residents Registered Neighborhood Groups in Council District 17

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. Zoning Map

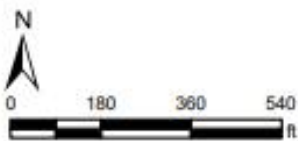


Friday, March 25, 2022 | 11:47:08 AM



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2. Aerial Photograph



Friday, March 25, 2022 | 11:45:37 AM



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