



Planning Commission ~Agenda~

<http://www.ci.moraine.oh.us/>

Clerk of Council
937-535-1005

February 18, 2025

6:00 PM

Payne Recreation Center

I. Call to Order

II. Approval of Minutes

- A. Planning Commission Meeting Minutes - November 19, 2024

III. Business

- A. S-01-2025 Presentation - 3612 Beechgrove Road - Minor Subdivision Replat

IV. Other Business

V. Adjournment

RECORD OF PROCEEDINGS

Minutes of Planning Commission

Held November 19, 2024

Call to Order

Mr. Rodehaver called the Planning Commission Meeting to order at 6:00 PM.

Dave Rodehaver	Chair	Present
Kevin Howard	Member	Present
Caleb Stapleton	Member	Present

City Manager Michael Davis
Police Chief Craig Richardson
City Planner Nick Sorice
Build. & Zoning Admin. Brent Carpenter
Law Director Martina Dillon

Approval of Minutes

Approval of Minutes - October 15, 2024

Mr. Rodehaver asked if there were any changes or corrections to the October 15, 2024 Planning Commission meeting minutes. Hearing none, the minutes were approved as submitted.

Business

TA-01-2024

Mr. Stapleton made a motion to un-table TA-01-2024. Seconded by Mr. Rodehaver.
Roll Call was made with all ayes.
Mr. Sorice made an introduction on the TA-01-2024 by giving a summary that it was previously brought to Planning Commission on October 15, 2024. This case dealt with the cultivating, processing, and retail sale of Adult-Use of Cannabis in all Zoning Districts. Mr. Sorice then called Ms. Dillon to the podium for legal information regarding Adult-Use Cannabis.
Ms. Dillon explained the ordinance that went into effect at a prior City Council Meeting regarding the moratorium on prohibiting the cultivating, processing, and retail sale of Adult-Use Cannabis. She also explained how this is being presented at the Planning Commission as a Text Amendment to the Moraine Codified Ordinances as well as the testing of Adult-Use Cannabis to be added.
Ms. Dillon asked Mr. Sorice if anyone from the public had called or emailed him regarding the public meeting, since no one was in attendance in the audience. Mr. Sorice answered that he received no phone calls or emails regarding this matter.
Ms. Dillon stated that the Planning Commission is free to engage in further discussions for additional information from staff. Ms. Dillon also explained that Mr. Sorice shared additional information to the Planning Commission Frequently Asked Questions regarding Adult-Use Marijuana from the Ohio Department of Commerce website.
Mr. Rodehaver expressed that nobody showed up to the meeting, even though ample notices by the City of Moraine were posted to the public.
Ms. Dillon stated that the Planning Commission can proceed on discussion of vote or if additional information is needed. The idea of tabling the Amendment is also an option if more time is needed.
Mr. Rodehaver thanked Ms. Dillon for her valuable information given to the Planning Commission.
Mr. Rodehaver asked if Mr. Davis had anything further to add since the last meeting.
Mr. Davis mentioned there were some questions regarding specific items that the Police Chief can assist in answering further.

RECORD OF PROCEEDINGS

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Chief Richardson came to the podium and gave a public safety opinion regarding the Amendment. Chief Richardson expressed the newness of Recreational Marijuana in Ohio and the issues that have come with it. Chief Richardson gave statistics regarding Recreational Marijuana comparing to Colorado, stating that Colorado has half of the population as Ohio. The concerns of a higher population in Ohio can add issues with public safety and human health, particularly with youth. Other concerns mentioned were marijuana behavior with law enforcement.

Mr. Rodehaver clarified that this was marijuana, and not other controlled drugs. Chief Richardson assured that this was for marijuana related statistics.

The Planning Commission thanked Chief Richardson for his presentation.

Mr. Rodehaver did have some additional questions for Ms. Dillon. Mr. Rodehaver questioned if the moratorium can be changed in any form.

Ms. Dillon explained that the moratorium is currently in effect and if the Planning Commission voted in favor of amending the Moraine Codified Ordinances, then the matter would be presented to council regarding the Zoning Code. She also explained that Moraine is under a temporary moratorium currently.

Mr. Rodehaver discussed some of the legal requirements for Zoning of cultivating, processing, and retail sale of Adult-Use Cannabis. He suggested that with how new other cities are allowing this, it may be best to wait to see how surrounding cities react to it. In addition, Mr. Rodehaver asked if a ballot is allowed for this matter.

Ms. Dillon explained that according to the ORC, it is up to the municipalities to make the final decision regarding cultivating, processing, and retail sale of Adult-Use Cannabis.

The Planning Commission took some time to discuss the information among each other.

Ms. Dillon added that the current moratorium is in effect until September of 2025. As well as that City Council can extend or amend it. Ms. Dillon suggested tabling the amendment until June or July of 2025 to the Planning Commission for more statistics to surface.

Mr. Rodehaver explained that all statistics are being viewed by the Planning Commission regarding fairness of a decision.

Mr. Sorice suggested a survey to go out as an option if the City were to allow a survey to go out. As the citizens input is important.

Mr. Davis stated legal situations with a survey if addresses and personal information is required, for being a resident of Moraine.

Mr. Rodehaver stated how with a survey being public record, it may be difficult to entice residents to take the survey and a further solution may be needed.

Ms. Dillon suggested that statistics used in the future may be the best route in this case. As well as the additional strain on the use of Public Safety services. The discussion of tax usage was also given by Ms. Dillon.

Planning Commission had no further questions.

Mr. Stapleton made a motion to table the amendment until further data or a survey is conducted for July of 2025. Mr. Howard made a second.

Roll Call was made with all ayes.

Mr. Sorice thanked all staff involved and the Planning Commission.

S-04-2024

Mr. Sorice went into the staff report of the S-04-2024 replat. This is in conjunction with S-05-2024. This is to prevent landlocking due to the purchase of a specific parcel.

Yowell Transportation must do a lot combination and then following a lot split for formality. With this process, there is still easement access for 1840 Cardington, so there will not be any landlocking. The lot combination is for lot numbers 3194 and 5513.

Mr. Stapleton made a motion to approve the replat of the two parcels mentioned. Mr. Rodehaver seconded the motion.

Roll Call was made with all ayes.

RECORD OF PROCEEDINGS

Minutes of **Planning Commission**

Held **November 19, 2024**

S-05-2024

Mr. Sorice mentioned S-05-2024 is for the lot split for formality as given in the S-04-2024 presentation. Yowell Trucking will remain to have land and access for their vehicle storage. Mr. Sorice stated if there are not any questions, we can move forward with voting. Mr. Stapleton made a motion to approve the lot split. Mr. Rodehaver seconded it. Roll Call was made with all ayes.

Other Business

There was no other business to follow.

Adjournment

Meeting adjourned at 06:33 PM.

S-01-2025 Presentation - 3612 Beechgrove Road - Minor Subdivision Replat

Department: Community Development

Request: Staff Report

Summary:



MORaine PLANNING COMMISSION LEGAL NOTICE S-01-2025

The Moraine Planning Commission will be holding a meeting on Tuesday, February 18, 2025, at the Payne Recreation Center, 3800 Main Street, Moraine, OH 45439. The agenda for this Planning Commission case is a subdivision lot combination at the 3612 Beechgrove Road property.

The applicant is applying to combine 3 lots before the Planning Commission due to new home construction.

Any person interested in or affected by this public meeting may appear and be heard at said public meeting. The meeting convenes at 6 pm.

Additional information regarding this proposal may be obtained by visiting the Department of Community Development or by calling Nick Sorice at 937-535-1037.

Nick Sorice
City Planner



City of Moraine Planning Commission

Application for Subdivision

pd 1-8-25

Revised June 2022

Date Received: 1/8/2025 Application No.: S-01-2025 Fee: \$75⁰⁰ Receipt: 6591

Type of Subdivision (Circle One): Preliminary Final Replat
\$200 Flat Fee \$2.50 per 1/10th Acre, \$75 Min. Fee \$2.50 per 1/10th Acre, \$75 Min. Fee
Total Area: 0.221 Ac. New Total Lots: 1 Minor Subdivision? ☒

General

Name of Subdivision: 3612 Beechgrove Road Plat

City Lot Number(s): 1571, 1572, 1573

Street: Beechgrove Road Section: 30 Town: 1 Range: 6, East

Applicant(s) – Please include additional owners or other applicants of back of application

Name of Owner: _____

Address: _____ City: _____ State: _____

Contact Phone: _____ Email: _____

Name of Engineer/Surveyor: Eric Moody, EAM GeoData Solutions

Address: 40 Pulaski Street, Dayton, OH 45402 City: _____ State: _____

Contact Phone: 937.369.0811 Email: eric@eamgeodata.com

Subdivision Data

Proposed Use: Residential

Present Zoning Dist.: R-2 Proposed Zoning Change: _____

Deed Restrictions: Yes No (Circle one; if Yes, provide copy of current and/or proposed restrictions)

What type of Sanitary Service do you propose? Existing

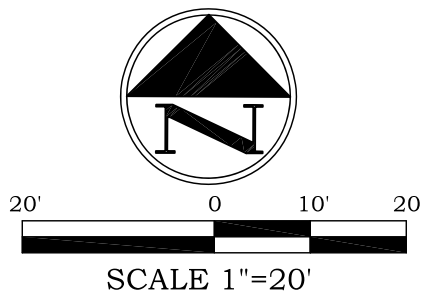
Montgomery County Engineering File Number*: 24-0393RE

*All applications for subdivision approval must be filed with the Montgomery County Engineer's Office before being submitted to the Moraine Planning Commission.

A copy of the closure report for the proposed subdivision and a list of any proposed infrastructure improvements (including but not limited to roadways, sanitary utilities, storm sewers, etc.) must be attached to this application prior to its placement on the Planning Commission's calendar.


Applicant Signature

1-9-25
Date



BASIS OF BEARINGS :
BEARINGS ARE BASED ON OHIO STATE PLANE
COORDINATES, SOUTH ZONE, NAD 83 (2011)
WITH THE SOUTH R/W LINE OF BEECHGROVE
ROAD BEING N 65°55'22" E

ACREAGE TABULATION:
0.221 Ac. IN LOT
0.000 Ac. IN DEDICATED R/W
0.221 Ac. TOTAL

Record Plan

3612 BEECHGROVE ROAD PLAT

BEING A REPLAT OF LOT 1571, LOT 1572 AND LOT 1573 OF THE CONSECUTIVE NUMBERS OF LOTS
ON THE REVISED PLAT OF THE CITY OF MORaine
AKA "MIAMI SHORES SECOND SECTION", REC. PLAT BOOK "T" PAGE 49,
SECTION 30, TOWNSHIP 1, RANGE 6, E
CITY OF MORaine, MONTGOMERY COUNTY, OHIO
CONTAINING 0.221 ACRE
(DECEMBER, 2024)



DESCRIPTION

THE WITHIN PLAT IS A REPLAT OF LOT 1571, LOT 1572 AND LOT 1573 OF THE CONSECUTIVE NUMBERS OF LOTS ON THE REVISED PLAT OF THE CITY OF MORaine AND BEING IN SECTION 30, TOWNSHIP 1, RANGE 6, E., SAID PROPERTIES BEING CONVEYED TO ROBERT ENGLE BY IR DEED 13-037250 AND IR DEED 23-050266 OF THE DEED RECORDS OF MONTGOMERY COUNTY, OHIO.

DEDICATION

WE THE UNDERSIGNED, BEING ALL THE OWNERS AND LIENHOLDERS OF THE LANDS HEREIN PLATTED, DO HEREBY VOLUNTARILY CONSENT TO AND JOIN IN THE EXECUTION OF SAID PLAT AND HAVE SIGNED THIS RECORD PLAN TO EVIDENCE OUR AGREEMENT TO IT, AND DO HEREBY RESERVE THE EASEMENTS SHOWN WITHIN THE PLAT TO THE PUBLIC USE FOREVER. EASEMENTS SHOWN WITHIN THE PLAT ARE FOR THE CONSTRUCTION, OPERATION, MAINTENANCE REPAIR, REPLACEMENT OR REMOVAL OF ELECTRIC, GAS, TELEPHONE, CABLE TELEVISION, WATER, SEWER OR OTHER UTILITY LINES OR SERVICES AND FOR THE EXPRESS PRIVILEGE OF REASONABLY REMOVING AND/OR TRIMMING TREES, AND REASONABLY CONTROLLING OBSTRUCTIONS THAT UNREASONABLY INTERFERE WITH USE OF THOSE UTILITIES, AND FOR INGRESS AND EGRESS TO ACCOMPLISH THOSE PURPOSES. THE EASEMENTS ARE TO BE MAINTAINED AS SUCH FOREVER.

SIGNED AND ACKNOWLEDGED IN THE PRESENCE OF

WITNESS OWNER

ROBERT ENGLE

STATE OF

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE ____ DAY OF _____, 20__ BY ROBERT ENGLE, AS OWNER.

NOTARY PUBLIC (MY COMMISSION EXPIRES: _____)

OWNER'S STATEMENT

ROBERT ENGLE, BEING DULY SWORN, SAYS THAT ALL PERSONS AND CORPORATIONS, TO THE BEST OF HIS KNOWLEDGE, INTERESTED IN THIS DEDICATION, EITHER AS OWNERS OR LIENHOLDERS, HAVE UNITED IN IT'S EXECUTION.

NAME

DATE

CITY OF MORaine, OHIO

APPROVED THIS ____ DAY OF _____, 20__:

ACCPTED AND APPROVED BY THE CITY OF MORaine PLANNING COMMISSION.

CHAIRPERSON OF PLANNING DATE

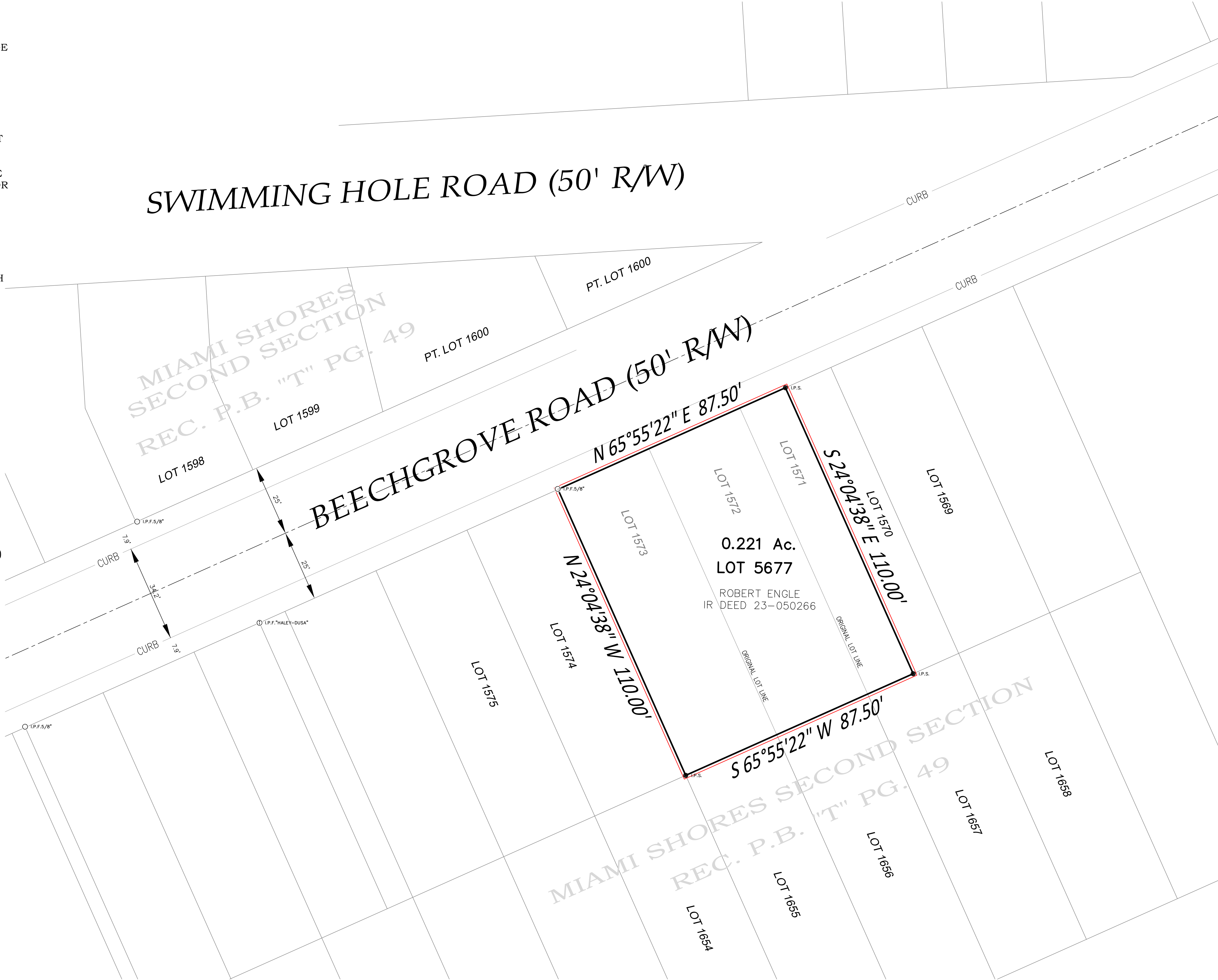
CITY ENGINEER DATE

APPROVAL
MONTGOMERY COUNTY ENGINEER
APPROVED FOR DESCRIPTION

DATE _____, 20__ JOB # 24-0393RE

ANDREW J. SHAHAN, P.E,P,S OR AUTHORIZED REPRESENTATIVE

CHECKED BY DATE



SUPERIMPOSED AREA NOTE

ALL THE LANDS OF DEDICATORS FROM WHICH THIS PLAT IS DRAWN ARE SHOWN HEREON.

MONUMENT LEGEND :

- I.P.S. IRON PIN SET W/ID CAP (5/8" X 30" CAPPED "EAM GEODATA 7984")
- I.P.F. IRON PIN FOUND (SIZE NOTED)
- ⊙ I.P.F. IRON PIN FOUND W/ID CAP (SIZE NOTED)
- ⊗ P.F. IRON PIPE FOUND (SIZE NOTED)
- M.N.S. MAG NAIL SET
- M.N.F. MAG NAIL FOUND
- ⚡ RAILROAD SPIKE SET
- ⚡ RAILROAD SPIKE FOUND
- × CROSS CUT SET
- × CROSS CUT FOUND
- ⊞ MONUMENT BOX FOUND

SURVEY REFERENCES

PLAT BK. "T" PG. 49
SURVEY REC. 2008 PG. 0372

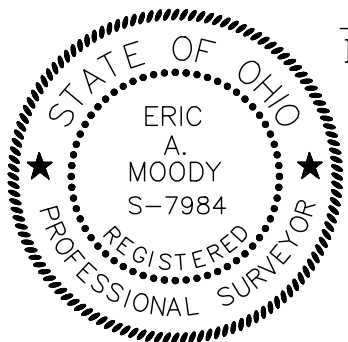
SURVEY NOTES

- OCCUPATION IN GENERAL FITS SURVEY, UNLESS OTHERWISE NOTED.
- MONUMENTATION IS IN GOOD CONDITION UNLESS OTHERWISE NOTED.
- SURVEY PREPARED IN THE ABSENCE OF A COMPLETE AND UP TO DATE TITLE REPORT.

CERTIFICATION

I HEREBY CERTIFY THAT THIS PLAT OF SURVEY IS PREPARED IN ACCORDANCE WITH OHIO ADMINISTRATIVE CODE 4733-37, STANDARDS FOR BOUNDARY SURVEYS AND ALSO CONFORMS TO OHIO REVISED CODE 711 FOR RECORD PLANS AND WAS PERFORMED UNDER MY DIRECT SUPERVISION IN DECEMBER, 2024 AND THAT DIMENSIONS ARE CORRECT AND MONUMENTS HAVE BEEN FOUND OR SET AS INDICATED.

ERIC A. MOODY, PROFESSIONAL SURVEYOR No. 7984



PREPARED BY :

EAM GEODATA SOLUTIONS
937.369.0811 EAMGEODATA.COM

SHEET No. 2 OF 2



Technical Review Committee

Michael Davis, City Manager
Nick Sorice, City Planner
Doug Hatcher, Fire Inspector
Lauren Alvarado, City Engineer
Brent Carpenter, Building & Zoning Administrator
Beth Waters, Community Development Secretary

Planning Commission S-01-2025 Staff Report

Applicant: Robert Engle

Location: 3612 Beechgrove Road

Lot Numbers: 1571, 1572, and 1573

Current Zoning District: R-2

Description: The applicant, Mr. Engle, is applying to replat Moraine Lot Number 1571, 1572, and 1573, to form a new Moraine Lot Number of 5677. This will total 0.221 Acres in size after the combination.

This is a formality for the construction of a new single-family home, as construction cannot occur across lot lines.

The Technical Review Committee does not have any objections to the proposed Replat for the purposes outlined.

Nick Sorice
City Planner