

RECORD OF PROCEEDINGS

Minutes of Planning Commission

Held May 20, 2025

Call to Order

Meeting called to order 6:01 PM.

Caleb Stapleton	Chair	Present
Kevin Howard	Member	Present
Tom Watts	Member	Present
Gina Delph	Member	Present
Stephen Noel	Member	Present

Staff Present: City Planner Nick Sorice; Building and Zoning Administrator Brent Carpenter; Public Information Officer Aaron Vietor.

Approval of Minutes

Planning Commission Meeting Minutes - February 18, 2025

Mr. Stapleton asked if there were any changes or corrections to the February 18, 2025, Planning Commission meeting minutes. Mr. Watts moved to approve the minutes; Mr. Howard seconded the motion.

RESULT: Passed (*Yes 4, No 0, Abstained 1*)
MOVER: Tom Watts
AYES: Caleb Stapleton, Kevin Howard, Tom Watts, Gina Delph
NAYS: None
ABSTAIN: Stephen Noel

Business

R-01-2025: Zoning District Change of 2705 Lehigh Place from R-4 to B-1

City Planner Nick Sorice reviewed the Technical Review Committee Staff Report for Planning Commission Case R-01-2025. He stated the applicant is Jeffrey R. Anderson Real Estate, Inc. He reported the location of the proposed zoning district change is 2705 Lehigh Place, Lot No. 5191, in the City of Moraine. He noted the current zoning district this property resides in is R-4 which is a Multifamily Zoning District. He said the proposed district the applicant is applying for is B-1, which is a Neighborhood Business District. He said the applicant is applying for a zoning change for the 2705 Lehigh Place apartment complex from R-4 to B-1. He noted this is a preliminary developmental step for the construction of a Wawa store at the sites of a vacant Frisch's store and an apartment building. He said changing the 2705 Lehigh Place zoning district to a B-1 will match the 4830 South Dixie Drive (old Frisch's property) zoning district for proper lot combination to take place in the future if the zoning is approved. He said this formality is being brought before the Planning Commission prior to a 30-day legal notice for a public hearing brought before City Council. He noted that all legal notices were issued per Moraine Codified Ordinances, Chapter 1127. He stated the owner of the apartment complex at 2705 Lehigh Place, George Brand, is in a great relationship with the tenants. He noted Mr. Brand stated in an email that he will be actively assisting in the effort to relocate residents to other properties that he is in ownership of in Moraine and the surrounding areas. Mr. Sorice said there were no objections from the Moraine Police Division or the Moraine Fire Division to the proposed usage of this land for a 24-hour Wawa store. He said the Technical Review Committee does not have any objections to the proposed zoning district change from an R-4 to B-1 Zoning District for the purposes outlined. He said the Technical Review Committee would like Wawa, Inc., to ensure the lighting of the property does not encroach onto the neighboring properties. He remarked that the developer will need to abide by all Ohio

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Building Code standards, zoning, and landscape requirements as outlined in the Moraine Codified Ordinances. He noted that any variances that would occur from this development would need to be brought before the Board of Zoning Appeals if the zoning and lot combination is approved. He said the Technical Review Committee is in agreement that this redevelopment of the Frisch's property will help bring a refreshing entrance to the City of Moraine for those traveling from neighboring cities and offers a healthy economic impact on jobs, fueling services, and fresh food and beverages. He stated this store would be an attraction to Moraine and much more. He noted there is currently a Wawa store open in Liberty Township, one under construction in Huber Heights, and recently the City of Fairborn gave approval for a Wawa store. As part of the Technical Review Committee Staff Report, Mr. Sorice read a message from Judy Huebner, who lives on Pensacola Drive, regarding concerns of traffic and safety in the neighborhood. Mr. Sorice invited anyone to speak who had questions regarding the report. Seeing none, Mr. Sorice invited representatives from J.R. Anderson Real Estate and Wawa, Inc., to speak at this time.

Mr. Casey Abney introduced himself as the Project Manager for Jeffrey R. Anderson Real Estate, a Cincinnati-based real estate development company that specializes in developing commercial real estate. He said the company is working with Wawa, Inc., on multiple locations in the Cincinnati area and one location in northern Kentucky. He noted that Wawa, Inc., has identified Dayton as a target market. He said the site in Moraine is a good site for Wawa, Inc., because of the visibility, distance to the highway, and traffic counts. He said he has had many conversations with Mr. Sorice regarding the zoning code requirements and site planning details. He introduced Patrick Warnement of Wawa, Inc., to speak to the services and jobs that Wawa offers.

Mr. Warnement presented a brief history of Wawa, Inc. He reported the company began in the 1800's as an iron foundry, progressed into a dairy and moved into small grocery stores, eventually offering fuel. He said the food part of the business is important to Wawa, Inc. He said the proposed store offers 40 new jobs and an Employee Stock Ownership Plan. He said there are at least three employees in the store at all times for safety concerns. He reported that Wawa, Inc., is the largest Tesla charging partner in the United States. He talked about the Wawa Foundation charities. He noted that Wawa tries to be a good neighbor. He said the Moraine site does not have much landscaping, so there will be more than what is there currently. He reported Wawa does not offer franchising opportunities and that all the locations are company-owned.

Mr. Sorice read a statement from Mr. George Brand regarding the tenants, and particularly one tenant he is currently working with to find a new residence. Mr. Brand stated he will offer the tenants of 2705 Lehigh Place apartments in other buildings he owns as they become available. Mr. Brand also stated he feels this development will be a great asset to the City of Moraine.

Mr. Stapleton invited any opponents or proponents of this case to speak and noted the allowed three-minute time limit.

Ms. Jeanette Marcus said she has been a resident of the community for 40-plus years and has been on City Council for 18 years. She said she has never seen a worse plan than this proposal brought before City Council. She remarked that this plan is a catastrophe and means the partial destruction of her Ward. She discussed the map included in the packet. She stated that the main streets, Springboro Pike and South Dixie Drive, are marked off in red and have no access as that area is too dangerous. She said many accidents happen at that intersection. She pointed out that Manistee Place and Lehigh Place have residents, and on Pensacola Drive is the only playground owned by the City for the children. She discussed the Parks and Recreation Vision Plan benefit assessment of that park. She reiterated that the entrances and exits shown on the plan are on Manistee Place, Lehigh Place, and Pensacola Drive. Mrs. Marcus explained a scenario of a car traveling too fast on South Dixie Drive hitting the gas pumps. She noted the

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lot is elevated, and there is no way to buffer the lights, fumes, and noise from the residents in the area. She stated the apartment building is the buffer between the Frisch's building and the residential community. She said that apartment building is the protection against people trying to do something like Wawa and the City Manager are trying to do now. She said every other commercial lot on Springboro Pike or South Dixie Drive that borders the neighborhood has an alleyway behind it and the houses back up to the alley. She said that lot has no alleyway. She said tanker trucks full of gasoline will access the facility by Pensacola Drive.

Mrs. Delph said the alley being discussed is not a good thing because it does not buffer the residents from much activity, and it encourages illegal activity.

Ms. Marcus said there is a better property for a Wawa within ten minutes' walking distance from the proposed location.

Mr. Sorice informed Ms. Marcus she is past the three-minute time limit.

Mr. Watts stated the property Ms. Marcus is recommending does not have the same level of visibility as the Frisch's property. He asked Ms. Marcus if she would be opposed to a smaller gas station without removing the apartment building?

Ms. Marcus replied she would be opposed as there are four gas station convenience stores within a ten-minute walk of that property, and Moraine does not need a fifth gas station. She asked how much flammable material can be brought into one community? She said children will not be able to walk back and forth and across Lehigh Place to the playground. She said there is already trouble with traffic on Lehigh Place. She said she disagrees with Mr. Watt's comment on the visibility of the other location.

Mr. Stephen Watson stated he is one of the tenants at 2705 Lehigh Place. He said there is a good amount of local economic potential for the proposed Wawa. He said there is a noise concern for the neighborhood during demolition and construction. He said Wawa will attract more traffic into the neighborhood considering the location of the entrances and exits and how they are laid out. He reported there will be more noise pollution the residents will have to deal with considering this business is a 24-hour gas station and food service business. He said his second concern is the reallocation of tenants. He said the landlord, Mr. Brand, has stated if this project is approved, his intention is to make other properties available to the current tenants as they become available. He said he knows Mr. Brand means well, but there are no promises as there are eight tenants in that building who need rehousing. He stated giving a 30-day notice is not the right thing to do, and the market for apartments is not the best. He stated his hope is that if the plan goes through, the City Planner can give Mr. Brand enough notice for him to help his tenants get rehoused in other apartments or to give the tenants two to three months' notice.

Mr. Stapleton asked if there was anyone else who would like to speak for or against the proposed zoning change.

Mr. Stapleton closed the Public Hearing and opened up discussion with the Planning Commission.

Mr. Watts addressed Mr. Abney stating the exits and entrances on residential streets concerns him, especially on Manistee Place. He said that side of the property is elevated heavily from the street level and asked what is the plan for that area.

Mr. Abney said a full grading report has not been completed on the site, but he assumes it calls for bringing the property down a little bit.

Mr. Watts said at one time the intersection was the fourth busiest in the State of Ohio. He said

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having electric charging stations is a plus and confirmed there are none in Moraine other than at Tesla. Mr. Watts asked Mr. Abney if there is a different proposal for entrances and exits at the property.

Mr. Abney reported there is not and this plan is what works for the operation. He said his company views this as a benefit to the existing conditions and noted if another restaurant moved in, the existing curb cuts off South Dixie Drive and Springboro Pike would remain where the speed limit increases substantially. He said a traffic study was completed and submitted to the City late last week. He said the traffic study showed the level of service for the existing roadways is acceptable to the trips that will be generated by the new business. He noted that the current line of sight triangles, upon clearing of the site and removal of the trees, would be acceptable for all three of the proposed curb cuts. He said he is unable to answer which street semis will be entering from and to Mr. Watt's concern that Manistee Place is a very narrow road, he stated Wawa will not go for a location if the semis and the fleet cannot enter the site to refuel and provide store merchandise.

Mr. Sorice invited City Engineer Lauren Alvarado to address traffic concerns.

Mrs. Alvarado discussed Bayer Becker's traffic impact report. She said there will be an increase of traffic on the surface roads, but based upon the drive entries, most of the traffic will be from the entry to either Springboro Pike or South Dixie Drive. She said from her experience, the truck turns will be provided with the fueling, and she cannot foresee them going any further than right inside the entrances. She said there is more than enough truck turn movement and the City will be working with Wawa as the plans develop.

Mr. Watts confirmed that Mrs. Alvarado feels Lehigh Place is wide enough to turn a semi in off of State Route 741 (Springboro Pike). He asked how many times the semi driver making a right-hand turn will have to encroach into the oncoming traffic lane to make that turn.

Mrs. Alvarado replied never if the driver is a skilled driver.

Mr. Watts said this is a residential street where quite a few residents exit that plat off Lehigh Place and sit at a stop sign. He said then a semi could be backing up on S.R. 741 waiting for the car to exit so he can make the turn.

Mrs. Alvarado said the drive distance from Springboro Pike to the access drive on Lehigh Place is more than enough to stack three semis and in respect eight cars. She said if the traffic is stacking that far, which the traffic numbers do not indicate, there would still be space to allow cars to turn onto Lehigh Place and wait for the truck to make its turn. She said the numbers in the report do not indicate that scenario.

Mr. Watts asked Mr. Warnement what time of day most deliveries of fuel would arrive at the station?

Mr. Warnement said that broadly speaking, fuel deliveries happen between the hours of 7:00 a.m. and 11:00 a.m. two to three times per week.

Mr. Watts expressed his concern about the morning timeframe considering the upcoming new potato chip factory employees, Fuyao employees, and other companies moving into Moraine. He said his only concern is that those streets are very tight streets.

Mr. Warnement said the two curb cuts are so close to South Dixie Drive, the trucks will not be going beyond that. He said the drive widths are thirty to thirty-five feet.

Mr. Watts asked about screening and landscaping.

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Mr. Abney said based on the requirements at this stage of the rezoning process, lighting and landscaping plans have not been submitted. He stated he can have those plans prior to the next City Council meeting.

Mr. Sorice said Wawa would be required to supply a tree every 50 feet that has at least 15 feet of growth at the crown at maturity. He said the City can work with the company to have more of a transition between the neighborhood and the Wawa site.

Mr. Warnement stated if Wawa needs to add extra landscaping to soften the transition, they will be happy to do so. He added that the fuel tanks are double-walled fiberglass, Wawa uses corrosion-proof materials, and they also use a leak detection system. He said Wawa, Inc., has exceeded the code since the company began selling fuel.

Mr. Watts asked about the existing land dynamic that Frisch's sits on now. He asked if a gas station could come into that area right now.

Mr. Sorice said the shape of the land would make it very difficult, but yes, a gas station or convenience store could move in to that location. He said the City could not refuse that as it is zoned as a B-1 area already, and a business owner would not need to come before the Planning Commission. He said Wawa is a unique opportunity, and the City is glad Wawa reached out. He confirmed for Mr. Watts that the only thing to determine today is whether the rezoning of the apartment building is justifiable to building a Wawa on the site.

Mr. Noel said all of the concerns are justifiable and need to be heard. He said the positive outlook of that is that competitors are going to Huber Heights currently, and that comes with a cult following. He said Wawa has its own cult following as well. He said you have to bring something to the City that attracts people. He said this proposal does not come without its kinks, but at the same time this is something that now competes with the Huber Heights area. He said what this proposed zoning change brings to the community is a huge weight on what the commission needs to consider.

Mrs. Delph said as long as the landlord and Wawa agrees to the Planning Commission's concerns, she believes the benefits outweigh the disadvantages.

Mr. Sorice said with the B-1 district, there is a Sunoco gas station and a Marathon gas station that resides in the B-1 district. He said with this store providing jobs, economic benefits, and an attraction to Moraine and someone willing to help take out the eyesore of the Frisch's building, the Planning Commission is honored to have something like this come before them.

Mr. Watts moved to approve the zoning district change of 2705 Lehigh Place from R-4 to B-1; Mr. Noel seconded the motion.

RESULT: Passed (*Yes 5, No 0, Abstained 0*)
MOVER: Tom Watts
AYES: Caleb Stapleton, Kevin Howard, Tom Watts, Gina Delph, Stephen Noel
NAYS: None
ABSTAIN: None

Other Business

There was no other business.

Adjournment

Meeting adjourned at 6:44 PM.

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ATTEST: City Planner, Nick Sorice



ATTEST: Clerk of Council, Karen Powell