

RECORD OF PROCEEDINGS

Minutes of Planning Commission

Held September 2, 2025

Call to Order

Meeting called to order at 6:00 PM.

Roll Call:

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

Staff Members Present: City Planner Nick Sorice, Building and Zoning Administrator Brent Carpenter, Clerk of Council Karen Powell

City Planner Nick Sorice reported that Mr. Watts and Mrs. Delph are recused from this Case; therefore, they are not present at the meeting as Case R-02-2025 is the only item of business.

Approval of Minutes

Planning Commission Meeting Minutes - August 19, 2025

Mr. Noel moved to approve the August 19, 2025, meeting minutes; Mr. Stapleton seconded the motion.

RESULT: Passed (*Yes 3, No 0, Abstained 0*)
MOVER: Stephen Noel
AYES: Caleb Stapleton, Kevin Howard, Stephen Noel
NAYS: None
ABSTAIN: None

Business

Public Hearing

R-02-2025 (TABLED) - 3305 Main Street Zoning District Change from R-2 to B-2

Mr. Noel moved to take Case R-02-2025 from the table; Mr. Howard seconded the motion.

Mr. Stapleton opened the Public Hearing for Case R-02-2025.

Clerk of Council Karen Powell administered an Oath to all present who would be speaking at the meeting.

Mr. Sorice provided a review of the Zoning District Change request. He stated Mr. Omar Shaker requested a Zoning District Change for 3305 Main Street, Lot No. 2152. He noted the current zoning for the property is R-2, single-family residential. He said the building was constructed in 1945 prior to Moraine becoming a City. He said the building has always been a commercial use which has been grandfathered in throughout the years. He said the property has been vacant for approximately seven years. He stated the applicant is looking to use the building for tobacco sales, and the only use group for that in the Zoning Code is B-2. Mr. Sorice noted the property had been a vape store previously. He reported that due to the Zoning Code, when a business is vacant for two years or longer, the land use has to be brought up to

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code.

Mr. Omar Shaker said the property has a very small building which is not meant to be residential. He stated when he and the other investors purchased the property, they were unaware of the two-year rule and that is why he is before the Planning Commission.

Hearing no public comments, Mr. Stapleton closed the Public Hearing.

Mr. Stapleton clarified with Mr. Sorice that if the business had been closed less than two years, the building could still be used for commercial use or mercantile.

Mr. Noel asked if the Zoning District Change to B-2 becomes permanent?

Mr. Sorice replied yes. He said someone could apply for a Zoning District Change in the future. Mr. Sorice noted that regardless of the outcome, this case will require a Public Hearing before Council, and Council can overturn the Commission's decision with a majority vote.

Mr. Stapleton asked how the commission can tell someone who wants to start a business that they cannot start a business when the last thing in the property was a smoke shop?

Mr. Noel asked if the expectation is that other businesses will have to update as well?

Mr. Stapleton replied yes if the businesses sit empty for more than two years.

Mr. Sorice stated a correction has been made to the Zoning Map. He reported the Family Market property is Zoned B-1 but is shown as R-2 on the map.

Mr. Noel moved to approve the Zoning District Change from R-2 to B-2; Mr. Howard seconded the motion.

RESULT: Passed (*Yes 3, No 0, Abstained 0*)
MOVER: Stephen Noel
AYES: Caleb Stapleton, Kevin Howard, Stephen Noel
NAYS: None
ABSTAIN: None

Other Business - None

Adjournment

Meeting adjourned at 6:10 PM.



ATTEST: City Planner, Nick Sorice



ATTEST: Clerk of Council, Karen Powell