

RECORD OF PROCEEDINGS

Minutes of Planning Commission

Held September 16, 2025

Call to Order

Meeting called to order at 6:01 PM.

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

Staff Members Present: City Planner Nick Sorice, Clerk of Council Karen Powell

Mr. Watts moved to excuse the absence of Mr. Stapleton; Mrs. Delph seconded the motion.

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

Approval of Minutes

Planning Commission Meeting Minutes - September 2, 2025

Mr. Howard asked if there were any changes or corrections to the September 2, 2025, Planning Commission meeting minutes. Hearing none, the minutes were approved as submitted.

Business

Public Hearing

Ms. Powell administered the Oath to those in attendance wishing to speak during the Public Hearing.

R-04-2025 - 6869 Germantown Pike: Zoning District Change Request from R-2 to B-1

Mr. Howard opened the Public Hearing at 6:02 PM.

Staff Report

Mr. Sorice reported a Technical Review Committee meeting was held on August 27, 2025. He stated Mr. Jeffrey Hamilton of 6869 Germantown Pike is requesting a Zoning District change from R-2 (single-family residential) to B-1 (neighborhood business district). He said located on that property is a single family dwelling of 1,960 square feet and an auxiliary building/pole barn of 2,480 square feet. He noted on the Zoning map there are B-1 districts to the southwest of Germantown Pike as well as additional B-1 districts on South Union Road, which is where Ellerton Cemetery and two church properties are located. He remarked that on the Comprehensive Plan for future land use at that parcel, it does indicate that parcel as a single family detached dwelling which would be equal to an R-2 district. He read a letter he received from Ms. Laura Berry in opposition to the Zoning District change.

Mr. Jeffrey Hamilton said he submitted the application for the Zoning District change, and he made the same application twenty years ago which was disapproved by the City of Moraine.

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He said last month Gary Garrison made a similar application for his property at 6844 Germantown Pike. He said during that time and twenty years ago, he looked at the Zoning map and the Comprehensive Plan. He stated there were discrepancies twenty years ago regarding spot zoning, and there are questionable rezoning plans in the same area. He said everyone asks why he wants to rezone this property and what is he going to do? He said he wants the option to have the flexibility and an opportunity to have the property rezoned. He said he wants to be in the discussion and make sure of any processes the City uses to rezone Moraine in the future. He said he is not trying to do anything other than highlight a few things. Mr. Hamilton reviewed slides of the future use map and current Zoning map. He said there are a lot of color changes and at least 15 to 20 changes proposed on the Comprehensive Plan, and every one is a downgrade. He said there is one upgraded property, 6672 Germantown Pike, which is adjacent to Mr. Garrison's property and close to his property, and that 20 acres is proposed to be zoned for business in the future. He asked why is that area proposed to be zoned as B-1? He asked who approved 6672 to be rezoned to B-1? He said he met with Mr. Sorice and Mr. Carpenter several times, and he still does not know what the process would be to make a change to the Comprehensive map.

Mr. Sorice explained the Comprehensive Plan was reviewed in open meetings and ad hoc meetings in 2022-2023. He said those who made the decisions were residents, West Carrollton school members, and an Open House was also held. He said all documents are available online and open to the public. He said the Comprehensive Plan serves as a guiding document for the City.

Mr. Hamilton said he assumes the City is going to disapprove every zoning change if it is not on the Comprehensive map. He proposed the map be changed to add his and Mr. Garrison's property as zoned for business.

Mr. Sorice replied that recently two requested rezoning changes were approved through Planning Commission and City Council, one in 2024 and one in 2025.

Mr. Watts asked Mr. Hamilton to discuss his rezoning and what he wants to do with the property and not the Comprehensive Plan future zoning regarding 6672 Germantown Pike.

Mr. Hamilton said he wants the City to consider that area to be a focus area, to do something about traffic improvements, to answer his questions about 6672 Germantown Pike, and to clarify to him and Mr. Garrison how to get their properties on the Comprehensive Plan as B-1. He said he would like to see some beautification in those areas also.

Opponents/Proponents

Those who spoke in opposition to the Zoning District Change were: Mary Getter, 6869 Germantown Pike; Besy Rainbolt, 6879 Germantown Pike; Mike McLaughlin, 6025 Germantown Pike; Doris Fisher, 6919 Germantown Pike; Kris Schneider, 7230 Dayton-Germantown Pike; Steve Hindi, 3705 Trail On; Angela Boehringer, 4363 South Union Road; Ron Boehringer, 4417 South Union Road; Brett Scott, 6879 Germantown Pike; Kathy Walkup King, 4488 South Union Road; Timothy Sotar, 5695 South Union Road; Ernestine Byrne by Kathy Walkup King, 4488 South Union Road; and Mr. James Kempe, 6974 Germantown Pike. Mr. O.L. Garrison, 6844 Germantown Pike, spoke in favor of the Zoning District Change.

Mr. Howard closed the Public Hearing at 6:54 PM.

Mr. Watts stated that he has several concerns regarding this application for a Zoning District Change. He said in his thirty years of being on and off the board, he has never approved a zoning request without a proper zoning use. He said he is concerned about Mr. Hamilton not telling the commission what his plan is. He said a number of the opponents to the request have

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expressed the same concern.

Mr. Hamilton said he has no plan to put together. He said his application to be rezoned is going to be turned down no matter what he does. He stated he is trying to get the answer of how to get changes added to the Comprehensive Plan because no request he makes will be approved unless it is in the City's Comprehensive Plan.

Mr. Sorice said the Planning Department has had two Planning Commission cases that did not align with the future land use map, but both cases had a usage, a site plan, and information on what the applicants planned to do with the properties.

Mrs. Delph said what Mr. Hamilton is saying is irrelevant because unless he comes before the board with specifics of what he is going to do regardless of how anything else is zoned, the commission members cannot in good faith vote yes or no until they have Mr. Hamilton's plan.

Mr. Hamilton discussed his integrity. He said he has no plan, and he just wants to have more discussions and find out if there is a way to change the Comprehensive Plan.

Mr. Howard suggested that Mr. Hamilton study 6672 Germantown Pike, find out how that was done, get a plan together, and come back before the commission.

Mr. Noel said he operates on what is in front of him. He said he is a business professor, and he tells his students if you do not have a plan, it is not going to work. He said when you look at the plan, he thinks Mr. Hamilton came in too focused on another matter, and right now from a yes or no perspective, there is no plan.

Mr. Watts moved to deny the request for a Zoning District Change from R-2 to B-1 at 6869 Germantown Pike; Mrs. Delph seconded the motion.

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

Other Business

Mr. Watts said tonight is the second time this neighborhood's residents have come before the Planning Commission with concerns about traffic. He said he would like the Planning Commission to send a request to City Council to have Route 4 through the City of Moraine to mirror the rest of the City of Moraine with a maximum speed of 40 miles per hour. He said a formal request from the Planning Commission to Council and Council forwarding that request to the Ohio Department of Transportation would be advisable.

The residents discussed the traffic and speed limits.

Adjournment

Meeting adjourned at 7:05 PM.



ATTEST: City Planner, Nick Sorice

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ATTEST: Clerk of Council, Karen Powell