

CITY OF WEST CARROLLTON
PLANNING COMMISSION
MARCH 7, 2024

Members Present

Dominick Rinaldi, Chair
Doug Fields, Vice Chair
Kimberly Hagerman, Secretary
Lindey Miles
Harold Robinson

Staff Present

Greg Gaines, Director of Planning & Community Dev.
Samantha Morgan, PCD Administrative Assistant

City Council Members Present

Rick Dobson

Mr. Rinaldi called the meeting to order at 6:30 p.m. Following the Pledge of Allegiance, the roll call was taken revealing that all members were present.

APPROVAL OF AGENDA

There was a motion by Mr. Robinson with a second by Ms. Miles to approve the agenda of the March 7, 2024 meeting as submitted. The motion was unanimously approved.

PUBLIC HEARINGS

CU-24-1, 5833 Student St. (New Storage Building)

Mr. Rinaldi explained the procedures for conducting a public hearing.

Mr. Gaines was sworn in for testimony.

Mr. Rinaldi asked staff if proper public notice was provided of this hearing as required by the zoning code. Mr. Gaines stated that a legal ad appeared in the Miamisburg-West Carrollton News on February 15, 2024; it was mailed to abutting property owners on February 9, 2024; and a sign was placed on the property. Mr. Gaines stated that the application had also been posted on the website.

Mr. Rinaldi asked if Commission members had any potential conflicts of interest which might jeopardize their ability to render an unbiased decision on the application. Commission members did not have any potential conflicts.

Mr. Rinaldi asked if Commission members had any ex-parte communications to disclose, including letters, phone calls, e-mails, texts, site visits, and conversations, which might influence their decision on this case. Commission members did not have any ex-parte communications to disclose.

Mr. Gaines presented an overview of the staff report dated March 1, 2024.

Mr. Rinaldi asked if there are any questions for staff. Mr. Fields asked why the schools are using chain link fence instead of the composite fence that was originally proposed. Mr. Gaines mentioned that he did not have an answer for that and would let the applicant answer the question. Mr. Fields expressed that he felt the composite fence would look better and the chain link fence might have a negative impact on the properties across the street. Mr. Fields would recommend using the composite material to block lighting and for aesthetics.

Mr. Fields questioned the purpose of the storage building. What are they planning to store in the building? Mr. Fields stated that he didn't have a concern with the material of the building, but he is asked if there is a safety concern with the high winds, given the height of the building and the material it is made out of. Mr. Gaines explained that the storage building would have to meet the Ohio Building Code and the city's inspectors would make sure it is built to those standards in order to withstand those types of winds, so there shouldn't be any safety concerns.

Mr. Fields asked how the busses are going to be entering and exiting from the bus garage. Mr. Mark Wiseman with Levin Porter Architects, 3011 Newmark Drive, Miamisburg, Ohio 45342, was sworn in. Mr. Wiseman explained that the buses that are entering from Alex-Bell enter the first gate of the bus garage, and if they are exiting, they would exit out the second gate of the bus garage. If the bus is going to the high school/middle school they would turn right out of the bus garage to get to the new school. If they are going to another school or out in the community, they would turn left out of the bus garage to exit onto Alex-Bell. Mr. Wiseman expressed that the traffic pattern is not changing from what it is now, other than being able to go to the new school.

Mr. Wiseman also addressed the visibility of the storage building from Alex-Bell. Mr. Wiseman said the bus garage blocks visibility of the storage building from the road. Once all the new trees mature it will be even less visible. He explained that his team chose chain link fence instead of the composite because they thought it be more attractive to have trees and landscaping in front of the bus garage. With the composite fence it would only be a 6-foot fence and there would be no landscaping in front, while the trees grow about one to two feet per year and could end up 30-40 feet tall, plus they absorb sound, so that seemed like a better solution than just the composite fence to screen the buses. Mr. Rinaldi said that he took a measurement from Alex-Bell to the building and it measures 355 feet, so it is set back a good distance.

Mr. Wiseman went on to explain how the buses would be parking in the bus garage. The buses will be backing into their spots, so their front lights will not be shining in the houses of the neighbors across the street which is different than what is currently being done.

Mr. Fields asked what they plan on storing under the overhang of the storage building. Mr. Wiseman explained that not much will be stored under the overhang. A few vehicles could be there if it is raining but anything of real value will be inside the building, such as items used to take care of the grounds around the schools. He said there won't be piles of brick or mulch under the overhang, that is not what the overhang is used for. The buses will also be blocking anything that may be under the overhang. Mr. Wiseman said that some handicap buses and other things could be under there.

Mr. Fields asked where minor bus repairs would be made at. Mr. Wiseman answered that the bus maintenance is currently at the "400's building" and that is where it will stay once the new school is done.

Mr. Fields said that he now understands that you will see the landscaping then the fence followed by the buses. Mr. Fields still thinks the composite fence would look better. Mr. Wiseman said in the long run the chain link fence with the trees and landscaping is the best option. The trees will screen the buses and cut down on any noise the buses might make. With the composite fence there will be no landscaping and in Mr. Wiseman's personal opinion the chain link and landscaping is the better solution.

Ms. Miles asked how close the trees are going to be to the road, she also asked if they will block anyone's view from trying to turn onto Alex-Bell. Mr. Wiseman said the trees are about 50 feet back from the road and will not block anyone's sight. Mr. Wiseman explained that with the new layout of the bus garage his team did extend the setback but only by 10 feet. Mr. Wiseman said they are adding about 20 new trees. Mr. Fields asked if they are evergreen trees. Mr. Wiseman answered yes, there are two different variations of trees that will be planted and they are very fast growing.

Ms. Fields asked where the items that are going to be stored in the storage building are being stored now. Mr. Wiseman explained that most of it was previously stored under the stadium at the middle school that is now gone, but right now it is being stored at Domtar until the storage building is completed. Mr. Wiseman said when the bus garage is improved, the buses will need to be stored elsewhere temporarily, and the work has to be completed during the summer when the schools are not in session.

Mr. Rinaldi asked if there were any other questions. There being none, Mr. Rinaldi asked if anyone present wished to testify in favor of the proposal. There were none.

Mr. Rinaldi asked if anyone present wished to testify in opposition to the proposal. There were none.

Mr. Rinaldi asked if there were any other comments for or against the project. There were none.

Mr. Rinaldi asked if any commission members had any further questions. There were none.

Mr. Rinaldi closed the public hearing.

There was a motion by Ms. Hagerman and second by Ms. Miles to approve case CU-24-1 with conditions. The motion was approved unanimously.

DECISION ITEMS

SP-24-1, 5833 Student St. (New Storage Building)

Mr. Rinaldi asked if Commission members had any potential conflicts of interest which might jeopardize their ability to render an unbiased decision on the application. There were no potential conflicts.

Mr. Rinaldi asked if Commission members had any ex-parte communications to disclose, including letters, phone calls, e-mails, texts, site visits, and conversations, which might influence their decision on this case. Commission members did not have any ex-parte communications to disclose.

Mr. Gaines presented an overview of the staff report dated March 3, 2024 and the amendment to the staff report dated March 5, 2024.

Mr. Rinaldi asked if anyone had any questions for staff. There were none.

There was a motion by Ms. Miles and second by Ms. Hagerman to approve case SP-24-1 with conditions as amended. The motion was approved unanimously.

DISCUSSION ITEMS

Report by Director

Mr. Gaines said that the new City Manager Amber Holloway wanted him to express to the board that she plans to attend a future meeting to introduce herself and meet the board members.

Mr. Gaines said that a City Council work session was held on the Western Lakes Master Plan. He said there are some interim steps that need to be taken, but if it all goes well that plan will be coming to the Planning Commission for review and consideration.

Mr. Gaines informed the members that on Tuesday City Council is scheduled to have a work session with Mr. Gaines about short term rentals (STRs) such as Airbnb, and whether the city wants to allow them or not. Mr. Gaines explained that other cities are all over the board with their position on this topic. He will be presenting some communities that allow STRs and some communities that don't, as well as pros and cons. If City Council determines their position, legislation could be forthcoming.

Mr. Robinson asked if we have any Airbnb's currently in the city. Mr. Gaines explained that it is hard to determine, because companies like Airbnb do not publish addresses, and you have to make a booking before receiving the address. Companies have been very protective of that information. Some communities have negotiated agreements with those companies to obtain that information, which has been a part of their legislative process. Mr. Gaines said that the city has had some complaints about two properties in the last couple of years that could be Airbnb's, and the complaints are from neighbors about traffic, noise and trash. Mr. Gaines expressed that isn't the case with all short-term rentals. Mr. Gaines said that staff had a conversation with City Council about this a couple of years ago, and Mr. Watson who lived at 20 W. Main St. testified that he could name 15 of them that were operating in the city.

Ms. Hagerman asked if the city gained any revenue with short-term rentals. Mr. Gaines said that is a big issue. Hotels are against short-term rentals because hotels have to pay taxes where most Airbnb's don't because the city doesn't know about them. That is one of the advantages of regulating them, that they would have to register with the finance department as a business and then pay taxes just like a hotel would. Ms. Miles asked if it would be like an income tax or lodging tax. Mr. Gaines said it would be a lodging tax and that the city already has a lodging tax because of the old Ramada Inn that used to be located on the CarMax site. Ms. Miles asked if we had any other hotels in the city. Mr. Gaines said no, but maybe soon.

Mr. Gaines said he sent an email to the board members that on March 26th Rich Norton and the city's traffic consultant would be presenting two traffic studies, one on S. Alex Rd. and the other on Central Ave. He believes that is going to be delayed because the Mayor is not available for that date. Once he knows when it is rescheduled, he will let the board know. Mr. Fields asked if they have made any dramatic changes to the study. Mr. Gaines said they have. Mr. Fields asked if City Council has been involved with these studies. Mr. Gaines replied yes. Mr. Fields said that he voiced some serious concerns the last time to City Council, and Ms. Miles said it was one of the worst ideas she has ever heard. Mr. Gaines encouraged the members to reserve judgement until hearing all of the information.

Mr. Gaines brought up Sheetz, that they have been building all over the Miami Valley. Mr. Fields said he went to the one in Fairborn to see the layout. Ms. Miles asked what is going on with the GetGo site. Mr. Gaines said that GetGo pulled out of all of their projects in the Dayton area shortly after Planning Commission approved their project. Mr. Gaines said that could be a positive for the city because Sheetz is now looking at the same site. He said he is trying to schedule a pre-application meeting with them. Mr. Robinson asked about the possible second Sheetz location coming to our city that someone posted on Facebook. Mr. Gaines answered that information is confidential, and that he does not have that information. Ms. Hagerman said they are building one on 725 where Ethan Allen used to be. Mr. Gaines said they are also building one in Beavercreek. Mr. Gaines said that auto uses are only allowed in our B-2 General Commercial district, but as far as gas stations go Sheetz is top of the line. He explained that he has already been in contact with Sheetz and their standard building design almost exactly meets our architectural standards. Mr. Gaines said Sheetz is more than just a gas station, they

have a small restaurant inside with seating and made to order food. The outside is very attractive and they seem like good people to work with.

Mr. Gaines talked about Legacy Pancake House buying Holly's and hopefully they will be opening soon. They are taking time to do some cleaning, some work inside and some sign face changes. Mr. Gaines said it was his understanding that they were very popular at their former location.

Ms. Hagerman asked if Mr. Gaines had any information on the River District. Mr. Gaines said that Mr. Dobson would probably have more information on that than he would. He isn't sure what is public information and what is confidential at this point, so he didn't want to mis-speak.

Briefing by City Council Representative(s)

Mr. Dobson said that City Council is working on getting more funds for the project and everything is still in the early stages. He said Council really wants to move forward but it will depend on time and money. He said everything right now is all speculation and in the early stages. Ms. Hagerman asked about the money that the city received from Mike Turner's office. Mr. Dobson said that money hasn't been disbursed yet, so we do not have that money yet to use. Mr. Dobson said there is a lot of interest in this project.

Mr. Dobson commented on Sheetz saying that their dining wasn't anything to brag about, but it's going to be nice having them in the city. He said that they have a nice-looking building.

Mr. Fields asked about the Roberd's property. Mr. Dobson said that he couldn't talk about that. He did say that Council is working on some projects. Mr. Gaines said the developer stated in a public session that there is a lot of interest, but no one wants to be the first domino. The developer said once the first domino falls, then others would follow. Mr. Gaines said that we should be seeing some infrastructure work beginning in that area very soon.

Mr. Robinson asked if there was a comprehensive plan update scheduled for 2025, and Mr. Gaines said that is the plan. Mr. Gaines said that he first has to apply for funding from the county land bank. He mentioned the city manager has some other projects for him first, but that it is coming up soon. He said like the last update, it will be a multi-year process and entail heavy public involvement.

Mr. Robinson asked about the underpass project. Mr. Gaines reiterated that the city was delayed by having to obtain a permit from ODOT, and the city has finally received approval. The city engineer has the construction documents almost finished. The project should be approved on March 19th with the Board of County Commissioners. After that, the project can be bid and the goal is to complete the project this year. Mr. Gaines said that \$160,000 of CBDG money has been awarded for the project, and as much as possible will be done with that money this year and then we will see where we are after that.

Mr. Rinaldi asked if Mr. Dobson if he had anything else from City Council. He did not.

Unscheduled Business

There was no unscheduled business.

Next Meeting



The next Planning Commission meeting is scheduled for April 18, 2024 at 6:30 p.m.

COMMENTS BY THE AUDIENCE

There were no comments by the audience.

ADJOURNMENT

There being no other business, there was a motion by Mr. Fields and second by Mr. Robinson to adjourn the meeting at 8:02 p.m. The vote was unanimous to adjourn.

Chair  Secretary 
Date 6/6/24 Date 6-6-24