

**CITY OF WEST CARROLLTON  
PLANNING COMMISSION  
WEST CARROLLTON, OHIO**

**REVISED JUNE 5, 2024**

**RESOLUTION: CU-24-2, APPROVING A CONDITIONAL USE APPLICATION FOR A SHEETZ CONVENIENCE STORE, RESTAURANT, AND FUEL STATION LOCATED AT 2100 SOUTH ALEX ROAD IN THE B-2 GENERAL COMMERCIAL DISTRICT, BEING PARCEL ID #K48 00415 0027 AND COMPRISING 6.663 ACRES, WITH 1.63 ACRES OCCUPIED BY SHEETZ.**

**WHEREAS**, on May 7, 2024 an application was submitted by the Skilken Gold, 4270 Morse Road Columbus, OH 43230, agent for the owner Watertower Partners LLC, 1007 Pearl Street, Suite 252, Boulder, CO 80302, requesting conditional use approval of a Sheetz convenience store, restaurant, and fuel station located at 2100 South Alex Road in the B-2 General Commercial District, being Parcel ID #K48 00415 0027 and comprising 6.663 acres with 1.63 acres occupied by Sheetz, per Section 154.07.01 of the Zoning Code; and

**WHEREAS**, as required by Section 154.07.01(B)(6) of the Zoning Code, a Notice of Public Hearing regarding this application was published in the Miamisburg-West Carrollton News on May 16, 2024; and

**WHEREAS**, a Notice of Public Hearing regarding this application was mailed on May 14, 2024 to all abutting property owners within 200 feet of this project; and

**WHEREAS**, on May 20, 2024 a sign regarding this matter was placed in a conspicuous location on the property; and

**WHEREAS**, the application and meeting notice was posted on the City's website; and

**WHEREAS**, a public hearing was held on June 6, 2024 by the West Carrollton Planning Commission, at which time all people who wished to testify gave their comments; and

**WHEREAS**, Section 154.07.01 of the West Carrollton Zoning Code specifies the requirements for the review and approval of all conditional use applications.

**NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF WEST CARROLLTON, OHIO:**

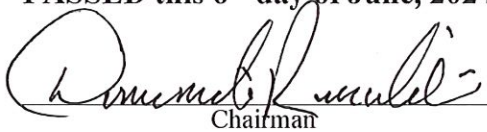

**SECTION I.** That the Planning Commission finds that pursuant to case CU-24-2 the conditional use application of a Sheetz convenience store, restaurant, and fuel station

located at 2100 South Alex Road in the B-2 General Commercial District, being Parcel ID #K48 00415 0027 and comprising 6.663 acres with 1.63 acres occupied by Sheetz, meets all criteria found within Section 154.07.01(B)(2) of the Zoning Code, subject to the conditions outlined in Section II.

**SECTION II.** That pursuant to case CU-24-2 the proposed conditional use application of a Sheetz convenience store, restaurant, and fuel station located at 2100 South Alex Road in the B-2 General Commercial District, being Parcel ID #K48 00415 0027 and comprising 6.663 acres with 1.63 acres occupied by Sheetz, be and hereby is approved with the following conditions:

1. The "right turn only sign" at the S. Alex Road drive approach shall be ~~clarified at site plan stage~~ removed from the final approved plan set.
2. ~~The plan for~~ the existing trees along S. Alex Road and Watertower Lane is ~~not clear and shall be clarified at site plan stage~~ shall be removed as part of the demolition phase of this project.
3. Evidence that peak parking demands for businesses within the Imperial Square shopping center does not conflict with the proposed Sheetz convenience store, restaurant, and fuel station shall be provided, which may include documentation of business hours and data concerning actual parking utilization, along with written documentation of an agreement between Sheetz and the property owner to share at least 42 ~~nine (9)~~ parking spaces.
4. The tracking or spillage of mud, dirt, or debris upon city streets is prohibited and the contractor shall clean up any such incident immediately.
5. Erosion control measures shall be installed prior to initial land disturbance or as soon as practical, and shall include silt fences, straw bales, sediment basins, etc. as necessary and are to remain on site and be maintained at all times during the period of construction.
6. The contractor is to control wastes, garbage, debris, wastewater, and other substances on the site such that they will not be transported from the site.
7. Public ingress and egress from the S. Alex Road drive approach during construction of this project shall be prohibited.
8. Loudspeakers shall not be audible beyond the project's property lines.
9. Final approval by the Planning Commission of a site plan application for this project as required by Section 154.14.01 of the Zoning Code shall be required prior to issuance of a building permit for the project.
10. Any disputes over conditions contained in this resolution shall be subject to final determination by the Planning Commission.

**PASSED this 6<sup>th</sup> day of June, 2024.**

   
Chairman Secretary