

**CITY OF TROTWOOD
PLANNING COMMISSION
MEETING MINUTES
FEBRUARY 25, 2025**

The Trotwood Planning Commission met on Tuesday, February 25th, 2025 at 6pm at the Trotwood Community & Cultural Arts Center in the Cultural Arts Suite, 4000 Lake Center Drive, Trotwood, OH 45426.

PLANNING COMMISSION MEMBERS PRESENT: Karen Bryant Rap Hankins Angela Coe Christa Wheeler Molly Millsop

MEMBERS ABSENT:

GUESTS: Joe Moore, Mike Fields, Shane English, Pete Bales, Bruce Kettel

STAFF:

Jordan , Esq. Attorney

Tyler Hauck, Planning and Zoning Administrator

Kaitlin Higgins Administrative Assistant

CALL TO ORDER AND ROLL CALL

APPROVAL OF AGENDA
~~T. Hauck recommended~~ changing the order of the agenda, putting New Business case PL-2025-0002 before PL-2025-0001.

*Motion to approve the agenda with the recommended change by **R. Hankins, 2nd by A. Coe. Vote, YES; ALL in favor. (5-0)***

APPROVAL OF MINUTES

*Motion to approve the 12/3/2024 special meeting minutes by: **R. Hankins, 2nd by A. Coe. Vote, YES. ALL in favor. (5-0)***

*Motion to approve the 1/28/2025 regular meeting minutes by: **R. Hankins, 2nd by M. Millsop. Vote, YES. ALL in favor. (5-0)***

*Motion to approve the 2/10/2025 meeting minutes by: **R. Hankins, 2nd by C. Wheeler. Vote, YES. ALL in favor. (5-0)***

PUBLIC COMMENT FOR ITEMS NOT ON AGENDA: None

PUBLIC HEARINGS:

PL-2025-0002 (Zappia Motors)

T. Hauck provided the staff report.

A. Coe asked T. Hauck if the applicant is required to have dedicated parking for handicapped.

T. Hauck responded yes, he said this is not a city requirement it is a federal requirement. He said he does not know the history for why those aren't properly striped, but that will have to be done as part of the request.

A. Coe asked if those spaces would have to be in addition to the spaces for employee parking.

T. Hauck said he will look into that.

R. Hankins stated that as he understands the city charter, the way the commission works is, a body is allowed to come to the commission and ask them to approve or deny a particular motion. Once that motion is denied, he understands that the next level of procedure is to appeal to city council. He said by asking the party to come back he believes staff is in violation of the city charter and he believes they should have been asked to appeal to city council. He asked for clarification from staff and law.

T. Hauck said there is no requirement in the code that states an applicant can't come back to planning commission, that is something staff is actively looking into and will hopefully be addressed soon.

Jordan (Law) confirmed there is not a mandatory appeal, after reading the information provided by staff it seems as though this is a new application not an appeal to the same board. He said unless there is a prohibition against a repeated application on the same topic he does not see an issue with the case being heard today.

T. Hauck said he does not feel it is in violation of the charter, as it is not a mandatory appeal it is the right given to the applicant.

R. Hankins asked if T. Hauck saw this case as a continuation of the previous request.

T. Hauck said it is a new case with a new number and there's nothing that doesn't allow an applicant to come back and essentially ask for the same thing.

Jordan said its best not to restrict someone's right to reapply, and based on the reading of the staff report it seems as though this should be treated as a new application.

J. Moore spoke as a representative for Zappia Motors. He asked the commission to allow the minutes from the October 22nd and November 12th meetings to be considered as part of the record and as testimony in this case. He said he is asking this because number one they are the city's minutes, and number two he doesn't want to waste anybody's time. Mr. Zappia could not be at the meeting tonight due to illness. He continued that he has the fire chief here to offer testimony pursuant to Mr. Hankins' request previously, and if the commission will vote to consider the minutes as evidence tonight then they will go forward with the hearing. Mr. Moore said if they vote to not allow the minutes to be part of the record and evidence tonight then he will ask the commission to continue this hearing until the next time we can meet because Mr. Zappia will need to testify again.

Jordan said from a legal standpoint there is no concern to use the prior minutes as part of the record tonight, they are public documents, already approved by commission.

R. Hankins said the only concern he has is in regard to the new member of the board who has not sat through the prior meetings, as long as she feels she has enough information, he has no problem accepting the minutes.

M. Millsop stated she was able to look over the information ahead of time, she said she has a clear understanding of it.

R. Hankins made a motion that the commission accept the prior meeting minutes, 2nd by: **A. Coe. Vote, YES.** (R. Hankins, yes. A. Coe, yes, C. Wheeler, yes, M. Millsop, yes, K. Bryant, no). (4-1)

J. Moore asked the fire chief to come up and speak.

Chief Haacke stated he was asked to go to Zappia Motors to take a look at the property to see if there was enough room to get the large vehicles in there in case there was an emergency. He said that prior to his arrival Mr. Hauck asked Mr. Zappia to set it up with ten vehicles so that it was the way he was proposing the changes. Chief Haacke said there is no issue getting their trucks into the lot with 10 vehicles there, he said they would have to back out their vehicles even if there weren't any cars on the lot. He went on to say if one of the vehicles that are for sale were to catch on fire, they would never pull their trucks into the lot, they would fight it from the street. He finished by saying as the fire department stands, there is no issue with safety with the addition of the five extra cars.

J. Moore came back to the podium to speak on behalf of Mr. Zappia. He said for the record he does not believe they are prohibited from refiling the application, he does not believe the code says they cannot do that. He asked that the commission consider there have been two hearings on this already and the minutes are now a part of this hearing. He reminded the board of the October 22, 2024 meeting where Mr. Hankins continued that meeting to have the fire chief come and he did come to the November 12th hearing. He continued by saying the unique nature of the hearing on the 12th was that there are five members on the commission and three members were there. He also said there was a person at the second meeting who did not attend the first and this person participated in the discussion that took place on November 12th and then voted to abstain, by abstaining that went with the "no's". So, you had three people ready to vote, one who had to abstain but participated. He participated in the hearing, asked questions and made comments and then abstained. J. Moore said that is a procedural situation he wants the commission to be aware of. He is asking the commission tonight to consider all of the facts in this case. Mr. Zappia cannot be here but his testimony is in the minutes, Mr. Fields is the other person who operates this company and he will speak also. There had been some questions about why is this necessary and there were questions about striping which he thought had been addressed by Mr. Fields already. He stated they are trying to keep the business viable, they provided testimony for why they needed up to 10 cars, Zappia motors is in a place where if they don't get this kind of expansion, they are at risk of losing the company. J. Moore also said looking at the photographs, this is a real attribute to the City of Trotwood. He said they're not saying there will be ten cars there all the time, they're looking for an opportunity for up to ten cars. He continued by saying if the commission were to go by the business tonight, they would see four cars there, he also mentioned it is a two-week process from the time of purchase to then marketing. He stated there have been no lawsuits or violations, the company tries to do things right.

Mike Fields confirmed they are currently down to four cars. He said they sold two cars this past weekend so he only had three cars. He said they will not have 10 cars out there the whole time, they

can't get ten cars of the type that they buy, but if they would have ten cars they would like the ability to put them out there. He said to recondition the cars is a process, from the time they buy a car they then put it in the service department, then out to detail, he said they sell very good cars they do not have a bunch of junk sitting out there like other car dealers. Mr. Fields said he hopes they can get up to ten cars, in the summer time they may have ten cars, they just need the ability to do that. He explained the reason they don't stripe it is because they park the cars close, and they back them out when they show a car that is part of their sales process. He said they need this to stay in business, they do have service but they have to have both they go hand in hand. He said when they first started 5 cars were great, but the economy has changed, cars have gotten more expensive, everything is more expensive. He said he goes the commission approves this.

K. Bryant asked at the time they had ten cars out there when they got the violation when they were only supposed to have five, where would customers have parked?

M. Fields responded that they don't have five customers come in at one time, they would have one customer and he can show us on the slide where they can park.

K. Bryant said to Mr. Fields, in the beginning it was 5, then you chose to violate it to make it ten.

T. Hauck added a correction, it was 6 cars that was a violation.

M. Fields confirmed it was 6 and they have never had 10 cars out there except for when they were asked for that display.

K. Bryant asked M. Fields, if they were approved for ten, that would take up that whole front lot?

M. Fields replied yes.

K. Bryant asked where the customers would park and where the employees would park

M. Fields asked for the view to be pulled up of the back of the lot. He pointed out parking space along the back wall.

K. Bryant said according to the staff report that's not enough room.

M. Fields said they have 16 bays they can set cars in for the service department. Those bays are 2-deep.

K. Bryant said she thought that was for car repair.

M. Fields confirmed it is for car repair, but the cars being serviced do not sit outside, he said this leaves more room outside. He said employee parking is in the left of the photo along the back wall, there is room for the three employees to park, and customers can park along the back wall.

T. Hauck asked how many cars they could fit in the show room.

M. Fields said he could probably get 6 cars in there. He has show cars in there and a corvette for sale in there now.

K. Bryant asked if that was one of the 5.

M. Fields responded no, that's a personal car he is selling. He has 4 cars for sale right now.

K. Bryant asked that at the time he had 5 cars for sale in the parking lot, that is the 5 they were allotted to have, there was another one inside for sale?

M. Fields said that is his personal car, that does not belong to Zappia Motors.

T. Hauck said that the way the conditional use is worded, it's the vehicles on the outside. There's no stipulation on if they could fit 5 cars on the inside to sell.

M. Fields said it is hard to sell them when they're inside.

T. Hauck asked M. Fields if they had considered another location.

M. Fields said not really, they won't get bigger than they already are, its really hard to get inventory.

A. Coe asked if the repair service was prohibited in that area, she remembers an issue with pepboys that was originally automotive parts then they started doing service.

T. Hauck replied he does not have the full history off hand about pepboys and that area, he does not believe either (sales, service) is outright permitted within the SARA.

A. Coe said that is what she is getting at, she thought at one point there was discussion about service even being in that area. Goodyear had been gone for some time before Zappia Motors moved in.

T. Hauck confirmed that auto repair is a conditional use within the SARA, which is what brought them before this board in 2022.

A. Coe confirmed it is auto sales that is not permitted.

T. Hauck said yes, that is one of the uses called out in the SARA document as being prohibited.

C. Wheeler asked if the parking for customers and staff was still a concern for the city.

T. Hauck said we did talk about this, it was initially a concern for staff but after hearing testimony from the applicant at the first meeting, staff has less concern. Their business model really limits the number of customers that are going to be there on site.

M. Millsop said when she looked over the SARA provisions, she did not see anything that said no car sales, she asked staff to provide the language.

T. Hauck pulled up the code and read off the specific section of the SARA under Uses Not Permitted.

R. Hankins asked staff if by allowing the 5 cars initially, the commission made an exception to the rule?

T. Hauck said yes.

R. Hankins said once you make an exception to the rule, you're setting precedence (could not hear the rest of his sentence).

T. Hauck said potentially, he feels there is still a lot of discretion when it comes to the planning commission, at what point is it too much or not in character with the SARA, not consistent with the requirements, that's a determination this board can make.

J. Moore asked **Mr. Fields** to tell the commission who his customers are, are they random customers or repeat customers, describe the customer base that he has.

M. Fields responded that 95% of their customers are repeat customers, sales and service.

T. Hauck asked a follow up question, he said if 95% of sales are repeat, why is there a need to advertise out front as opposed to... (M. Fields began response before sentence was finished.)

M. Fields said he needs a selection of cars for when they come in.

Motion to approve case PL-2022-02 (Zappia Motors) by R. Hankins, 2nd by C. Wheeler. Vote, NO. (2-3) Application denied.

R. Hankins- no, K. Bryant- no, C. Wheeler- yes, M. Millsop-yes, A. Coe-no

K. Bryant introduced the next case, PL-2025-01 (Trotwood Together)

T. Hauck provided a brief staff summary.

R. Hankins said there were a couple of things that stood out to him in the comprehensive plan, he discussed data centers and their high water and energy usage, as well as the importance of solar energy and solar being mentioned in one place in the plan. He said it is important to understand the history of what has happened to communities like our own when we look at equity and environmental justice as it relates to the climate. He said it is very important that we put something in the plan that talks about the importance of green industry in our community. He also said at the end of the day our responsibility to the citizens of Trotwood is clean, healthy and environmentally safe industry.

T. Hauck responded that is a great point. He explained where they are in the process stating that staff received this draft and then distributed it to other staff members such as the deputy city manager and city manager and economic development director to get feedback from all of them. He said he wanted to wait until after tonight to get the planning commission feedback and hopefully a positive recommendation to City Council, but after your feedback we'd like to send that on to Wendy and Pete and they will make those changes before they go to City Council. T. Hauck continued by saying to R. Hankins' point there were a lot of those discussions, maybe that exact wording didn't make it into the document but he does feel there are a few sections including our guiding principles that I think could speak to sustainable developments and growth. He also said environmental justice is a huge part of the community, and it needs to continue to be that way, its just a matter of putting it into words.

Pete Bales provided the presentation on Trotwood Together.

T. Hauck asked P. Bales if the brick requirement for new home builds was the most strict in Ohio.

P. Bales responded that he has not seen one stricter, Wendy Moeller was also shocked at that requirement.

P. Bales continued his presentation on the comprehensive plan draft.

R. Hankins discussed concerns over the safety of some siding materials, he said as we loosen requirements for brick it is also important to think about "green" additions to this plan, he said this is something staff needs to look at. He also stated we should not make changes just to make changes, we should be very critical what we allow into our communities.

P. Bales responded that he agrees with that statement. He said this is a scale, they are recommending the city loosen the requirements on brick and that is to incentivize development and make the housing stock more affordable.

T. Hauck responded that staff is not sure what the right answer is as far as siding materials go, it will certainly be something we look into heavily and it will ultimately come before this board. What he can say is what we're currently doing is not working.

R. Hankins responded he is not opposed to change, he said it is their responsibility to understand that what they're making changes for future generations.

T. Hauck responded that he agrees with that, staff will be looking into a lot of the recommendations, he agrees it is a give and take.

M. Millsop mentioned businesses creating a strategic plan which has timeframes around it, she asked if the future land use plan is for the next ten or twenty years?

T. Hauck replied that usually comprehensive plans are estimated to be ten year plans, every 5 years there's a major update. Every year staff should be reviewing and making notes about things that are working or are not working or things that have come up that we didn't think about.

P. Bales said there are goal and implementation recommendations within the plan, he agreed with reviewing it every year as well as it being about a ten-year plan.

M. Millsop said she would like to see a focus on in-fill and what she doesn't want to see happen is approving new developments on the outskirts and still having areas not filled in. She said this will continue the trend of people living on the outskirts and taking their money and careers outside of Trotwood.

P. Bales responded by first saying this is not a zoning plan, he said one thing they are really proud of in the current plan is that they broke down those types of neighborhoods very granularly and looked at the different unique features of the neighborhoods and they offered suggestions that were strictly made for infill development.

T. Hauck said there is a lot of emphasis on infill here it is a priority for the city, he said the suggestions to right size the zoning code goes to help that. T. Hauck provided an example of nonconforming lots due to the requirements in the code. He also pointed out the yellow sections of the proposed land use map and said a lot of that is based on where services are available. He said rural conservation remains, which is primarily driven by the fact that there are no utilities out there. He also mentioned that just because the yellow is there, doesn't mean its going to happen.

R. Hankins discussed the Miami valley being opposed to infill for the past 25 years, as well as the importance of building the community and businesses in the core. He also stated its expensive to build in the rural areas.

A. Coe said it seems like this plan gets very granular about what we want neighborhoods to look like as far as density, and we touch on the size of the lots and the homes and might even get into building materials, but when it comes to mixed use industrial or businesses its almost like its open-ended. She asked if there is a plan for the type of businesses we would like to attract?

P. Bales said the plan focuses heavily on residential opportunities of all shapes and sizes, however, they were very careful to identify those business corridors, industrial zones, agriculture and neighborhood business areas and give good detail on the minimum requirements but they did not focus on the type of business.

A. Coe replied that a lot of feedback from residents showed they relish the old Trotwood, where there was retail and restaurants. Our plan doesn't seem to touch on that, we have designated areas for different types of businesses. She feels that adding types of desired businesses should be part of the plan, as opposed to it being open ended and whatever we get is what we get.

T. Hauck said the plan does call out what we are generally looking for, it doesn't detail the type of business, he read one example from the plan. He continued by saying, one of the discussion point is that we aren't going to be limiting or calling those things out because there's nothing stopping them from being here now. He mentioned a previous meeting where the commission looked over the Use table, he said that is where we will get into detail about what is or is not wanted.

A. Coe responded that if we want this to be an area where people buy homes and live, we have to have something to support that in the community, otherwise you'll have to go somewhere else.

C. Wheeler concurred and said that the feedback from community members of wanting retail, recreation, doesn't seem like it was conveyed over to the plan.

P. Bales responded that none of the appropriate districts prohibit that.

K. Bryant said when people are looking to build or buy houses one of the main things they look at is what amenities are there.

T. Hauck said we agree with you, we heard that a lot and we want to get more amenities here. He said it's like the chicken and the egg, the people who want to live here want to live here because of the amenities, but the amenities won't come if we don't have the rooftops and the income levels. He said he certainly hears the commission, and wants clarification on how we can change this document to fulfill what they're talking about. T. Hauck referenced page 24 as an example, he asked the commission if they want more specifics.

R. Hankins discussed retail dying, and said what he hears his colleagues saying is there should be a clear statement of what the people of Trotwood would like, he said we would like to have what our neighbors have, we want retail and economic development in our community.

M. Millsop said based on what she is hearing, where something like that would make sense is page 32 and 33, it does mention things that are a focus. She said this would where statements of environmental equity, encouraging amenities and maybe spell out the things we don't want.

A. Coe said asked that he break down his "planner talk", what he said earlier in the meeting conveyed from a planner perspective what she was saying. She asked that to be broken down so non planners can recognize.

T. Hauck said it sounds like the statements are in there, but maybe they need to add additional phrasing and examples.

A. Coe said yes.

R. Hankins mentioned a point that was brought up by T. Hauck regarding things we want to trade to builders and manufacturers and if those things are not stated in our document, they don't know what we're trading for.

T. Hauck replied, those are next steps.

R. Hankins said the board understands theory, they'd like a little practice.

T. Hauck and P. Bales agreed they can add phrasing for what they've heard today.

C. Wheeler also discussed adding language for livable, workable communities.

T. Hauck responded yes, we are part of the age-friendly communities, he is sure there is a lot of language that can be put in, we will look at how far we have gotten on the age friendly communities and see.

K. Bryant asked if there was anyone else who wanted to speak.

Bruce Kettel, former council member came to the podium to speak, he touched on the history of the brick requirement as well as trade offs if it is relaxed. He also asked if the plan keeps the 20 acres for the agriculture.

T. Hauck said yes, that is a zoning requirement so we wouldn't be changing that tonight anyways.

B. Kettel also mentioned the need for youth recreation centers and that he was a part of the original 1999 plan.

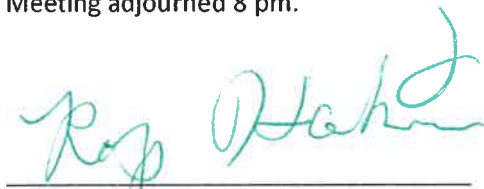
*Motion to close the public hearing by **R. Hankins** 2nd by, **A. Coe**. Vote, **YES. (5-0)***

C. Wheeler stated she would like to see the case continued, to see the changes before the go to City Council.

*Motion to table PL-2025-01 until next month in order to see the revised plan before it goes to council made by **C. Wheeler**, 2nd by **M. Millsop**. Vote, **YES. (5-0)***

ADJOURNMENT: motion to adjourn by **R. Hankins**; 2nd by: **A. Coe**. Vote, **YES. ALL in favor. (3-0)**

Meeting adjourned 8 pm.



Chair Karen Bryant



Admin Assistant Kaitlin Higgins

Rap Hankins - vice chair