

BEAVERCREEK PLANNING COMMISSION
REGULAR MEETING, January 15, 2020

PRESENT: Mr. Hight, Mrs. Schwartz, Mr. Self, Mr. Shrider

ABSENT: Mr. Loftis

Chairman Self called the meeting to order followed by roll call.

Mr. Hight MOVED to excuse Mr. Loftis from the meeting. Motion was seconded by Mrs. Schwartz and PASSED by majority voice vote.

Mr. Shrider MOVED approval of the agenda. Motion was seconded by Mr. Hight and PASSED by majority voice vote.

Mrs. Schwartz MOVED approval of the December 4, 2019 minutes. Motion was seconded by Mr. Shrider and PASSED by majority voice vote.

PUBLIC HEARINGS

PC 20-2 ASRA, Darst Road Medical Building

Clerk Gillaugh read the notice of public hearing on an application filed by John Roll, 3176 Kettering Blvd., Dayton, OH 45439. The applicant requests an Administrative Site Plan Review and Approval (ASRA) for 1.58 acres of land to construct a 1-story medical office building. The property is located on the west side of Darst Road approximately 180 feet south of the intersection of Darst Road and Indian Ripple Road further described as Book 3, Page 10, Parcel 169 on the Greene County Property Tax Atlas.

John Roll, Roll and Associates, architect for the project, stated they are proposing to construct a one-story office building for a group of doctors. He explained the project is more of a residentially scaled project. Mr. Roll said they were excited about the project and would do their best to fit it in with the community.

Mr. Burkett summarized the staff report dated January 10, 2020 stating the applicant is requesting approval to construct a single-story 6,900 square foot medical office building on 1.6 acres. He discussed the location of the property, the site plan, the access point, the parking requirements, the buffer requirements, the building renderings and materials, the landscaping requirements, the lighting requirements, and the sign requirements. Staff recommended approval of the case with 18 conditions.

In public input, Steve Fox, engineer on project stated he was available for questions if the Commission had any.

Mr. Roll stated he would like to keep the parking area as it is and requested the Commission remove the condition requiring the buffer. He said they do not feel they need a turn around since that is staff parking but are willing to work with staff on.

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There being no further public input, the public hearing was closed.

Mrs. Schwartz referred to Exhibit B and questioned why they were adjusting the parking. Mr. Burkett explained the buffer requirements in the Zoning Code, but requested the Commission remove the condition regarding the buffer so the parking would stay as it is proposed. Mrs. Schwartz questioned how many doctors would be in the facility. Mr. Roll said there are four doctors that would typically be working. Mrs. Schwartz asked if it was a Monday through Friday, 8 am to 5 pm practice. Mr. Roll stated that was correct.

Mr. Hight referred to Exhibit C, and asked if staff was suggesting reducing the parking space widths down to 9 feet. Mr. Burkett said yes because there would be an interference with the curbing or the dumpster enclosure if the spaces were not reduced in width. Mr. Hight asked if they could remove a space. Mr. Burkett stated they could, but he knew the applicant wanted to maintain the 61 parking spaces.

Mr. Self stated he understood why staff was proposing to remove the parking space so the dumpster enclosure is not hit but he wasn't sure they needed to remove the whole space. Mr. Burkett said the applicant could work with the Engineer and have a little bit wider parking spaces if they would choose to. Mr. Self asked if an addition was constructed if it would meet the pervious surface requirement. Mr. Burkett said currently they to meet the requirement, and it would be something that would be evaluated at the time the addition was proposed.

Mr. Shrider wanted to make sure he understood the reason they would have nine-foot spaces was so there would be a turn around so someone would not have to back up. Mr. Burkett stated that was correct.

Mr. Schwartz asked what the applicant's preference was regarding that parking space. Mr. Roll said they would prefer to leave it as a parking space, but they were willing to work with staff.

Mrs. Schwartz MOVED to remove Condition #17 regarding the 50-foot buffer. Motion was seconded by Mr. Shrider. Motion PASSED by unanimous voice vote.

Mr. Shrider MOVED to approve PC 20-2 ASRA with 17 conditions:

1. The approved plans for this development shall be the plans stamped "Received December 5, 2019", except as modified herein.
2. The approved building elevations shall be those plans stamped "Received December 5, 2019" except where modified herein.

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3. A detailed landscape plan shall be reviewed and approved by the Planning Department prior to the execution of the required Development Agreement and the release of a zoning permit.
4. Perpetual maintenance of landscaping shall be provided and any dead or diseased materials shall be removed and replaced with similar types, species and sizes as originally planted, within three months, weather permitting.
5. A Development Agreement must be signed by the owner and a bond or letter of credit for the required site landscaping must be submitted prior to issuance of a zoning permit for any portion of the project for the purpose, but not for the sole purpose, of insuring the installation of landscaping. Said bond or letter of credit must meet the requirements of the City's landscaping and screening regulations.
6. All trash collection containers shall be screened from view and enclosed within a permanent dumpster enclosure or completely kept within the building. Any dumpster enclosures shall be constructed of materials to match the building, and fitted with a closeable, lockable gate.
7. Debris and trash shall be routinely collected by the owner from the parking lot and grounds of all areas of the project including the storm drainage facilities. The City reserves the right to require more frequent collection as necessary.
8. The façade shall not be painted or altered without the expressed approval of the Planning Department and/or Planning Commission.
9. All service doors shall be painted to match the building per the approval of the Planning Department.
10. Any ground sign shall be a maximum of 5 feet in height, including a 1-foot masonry base and wrap (similar to that as represented in Exhibit A), and shall have a maximum of 25 square feet of sign area per sign face. The ground sign shall be constructed with a masonry base and wrap, to match the materials used to construct the building.
11. The applicant shall be permitted to have one wall-mounted sign, subject to the size limitations set forth in the Zoning Code for B2 properties. All sign letters/symbols shall be individually mounted. The use of raceway signs shall be prohibited.
12. Prior to the issuance of a zoning permit, final cut sheet details and photometric plans for lighting of the site shall be reviewed and approved by the Planning Department. Maximum mounting height for any parking fixture shall be 20 feet, and no pole shall be located in the paved area of the parking field. Lights in the parking lot shall be reduced to no greater than 25 percent illumination level within one hour of closing.

13. All concerns of the City Engineer, Fire Department, Sanitary Engineer and the Planning Department shall be addressed and approved prior to the release of a zoning permit for the building.
14. All mechanical units shall be completely screened from view from all directions with appropriate landscaping.
15. A final subdivision shall be approved by Planning Commission and recorded with the Greene County Auditor's Office prior to the release of a zoning permit for this project.
16. Prior to the expansion of the building into the "Prop. Future Building Expansion" area, the applicant shall submit and receive approval of a zoning permit for the said expansion area. The future addition shall be compatible in scale and architectural style with the architectural elevations approved with this application, and any future expansion area will require adequate parking, per the zoning code.
17. The northernmost parking space in the parking lot shall be striped and labeled as a "No Parking – Turn Around Area", as depicted in Exhibit B.

Motion was seconded by Mr. Hight. Motion PASSED by a roll call vote of 4-0.

PC 20-1 CU, Shri Ram Chandra Mission

Clerk Gillaugh read the notice of public hearing on an application filed by Shri Ram Chandra Mission, P.O. Box 3413, Princeton, NJ 08543. The applicant requests conditional use approval to allow for a place of religious assembly in an R-1A One-Family Residential District. The properties are located on the south side of Lantz Road approximately 180 feet west of the intersection of Town Hall Road and Lantz Road. The property is further described as Book 5, Page 6, Parcel 198 and 211 on the Greene County Property Tax Atlas.

Vijay Chitkara, representing the applicant, stated he practices his meditation services at this location. He said they are requesting conditional use approval at this property to provide services and activities related to the meditation center. Mr. Chitkara stated they have been providing services since 2001 at 3153 Lantz Road. He explained there facility here is the Midwest Regional Center, and they have trainings and workshops at their facility. He stated they do not have any issues with the neighbors and they provide an economic benefit to Beaver creek when they have people come in for their trainings.

Ms. Pereira summarized the staff report dated January 10, 2020, which stated the applicant is requesting approval for a conditional use for an expansion of the existing meditation center to the adjacent property at 3143 Lantz Road. She discussed the location of the property, the zoning classifications in the surrounding area, what currently exists on the property under discussion, and the existing mediation center and what services are provided there. Ms. Pereira explained the primary use of property

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would be small gatherings or small meetings and they have no intentions of changing anything on the property. She reviewed the sign requirements and several conditions proposed in the resolution. Staff recommended approval of the case with four conditions.

In public input, Harold Lewis, 1423 Town Hall Road, stated he was all for this case and they were good neighbors. He said in the future if anything is done to this property they needed to look into how it would affect the water runoff.

Roy Hale, 3128 Lantz Road, gave a handout to the Planning Commissioners. He said he was only in favor of the project if and only if the Commissioners would vote to make some safety changes that the City has to do. Mr. Hale reviewed the changes he would like to see done.

Pam Rodriguez-Roberson, 3058 Lantz Road, asked what the difference is between a conditional use and a permanent use. Mr. Self explained the property is zoned residential however there are other activities that the Commission can approve, and a place of religious assembly is one of the listed conditional uses. Mrs. Rodriguez questioned how it affected the tax base. Mr. McHugh stated this use would be tax exempt. Mrs. Rodriguez stated there is a concern with safety, lighting, and how the road maintenance would be taken care of since it is being changed from residential to a place of religious assembly.

Gary Zembo, 3061 Lantz Road, stated he was concerned about the traffic and the cars speeding.

Puneet Kumar, 3173 Lantz Road, stated he did not have any concerns.

Vijay Chitkara stated whenever they have large assemblies they remind all the participants to follow the speed limit. He appreciated the concerns of the citizens.

There being no further public input, the public hearing was closed.

Mrs. Schwartz appreciated the concerns from the residences, but she didn't want to constrain the applicant in taking away from their organization to address the speed. She said they are two separate issues and was probably best suited to be addressed by City Council. Mr. McHugh stated while traffic maybe an issue, the Commission needed to focus on what kind of traffic this particular use would generate which would not be a high number. Mrs. Schwartz, Ms. Pereira and Mr. McHugh discussed the taxes for this property.

Mr. Hight said the removal of the tax from the house does not directly affect Lantz Road but the City as a whole.

Mr. Shrider asked what the runoff requirement would be if there was a project done on the lot. Ms. Pereira said in most cases it would improve the water runoff, and the Code does not allow the construction to make it worse.

Mr. Self stated when a property develops it tends to improve the drainage issues. He asked if a lot combination would be required for this property. Ms. Pereira said staff did not see the need in combining the lots.

Mrs. Schwartz asked Mr. McHugh who the citizens should address their concerns to regarding Lantz Road. Mr. McHugh suggested getting in contact with the City Manager's Office.

Mrs. Schwartz MOVED to approve PC 20-1 CU with four conditions:

1. A certificate of Use Compliance shall be reviewed and approved by the Planning and Development Department prior to the building being occupied.
2. No external speakers shall be allowed on this site.
3. Ground signage shall be limited to 24 square feet per sign face and 4 feet in height.
4. Any changes to the exterior of the property including, but not limited to, architectural changes, lighting, or parking shall be reviewed and approved by the Planning and Development Department and any other relevant agencies or departments.

Motion was seconded by Mr. Hight. Motion PASSED by a roll call vote of 4-0.

PUD 19-1 Amendment 12/19, IH Credit Union

Clerk Gillaugh read the notice of public hearing on an application filed by Chuck Springmyer, 3233 Newmark Drive, Miamisburg, OH 45342. The application requests approval of an amendment to add an additional 0.485 acers of land to PUD 19-1. The property is located east of 1464 and 1474 N. Fairfield Road further described as Book 5, Page 5, Parcel 272 on the Greene County Property Tax Atlas.

Rick Inesta, Danis Construction, stated they have been hired by the credit union to build the facility for them on North Fairfield Road. He said they are excited to enhance the property and he was available for questions.

Mr. Burkett summarized the staff report dated January 10, 2020, which stated they are requesting an amendment to PUD 19-1. He discussed the location of the property, the area proposed to be included in the PUD, and the Land Use Plan designation. Mr. Burkett suggested adding an additional condition regarding the uses, and recommended approval of the case with three conditions.

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In public input, Bruce Guidon, representing St. Luke Parish, thanked staff for the additional proposed condition regarding the excluded uses. He stated since the site would have 2-way traffic he was concerned that the lights that would shine into the residence to the south. He requested appropriate screening be required.

Harold Lewis, 1423 Town Hall Road, said he was concerned about traffic in and out of the site, especially making a left hand turn. He discussed a line-of-sight issue regarding a sign and the bushes at the intersection of North Fairfield Road and Lantz Road. Mr. Lewis said bicycles are also an issue. He stated there are going to be accidents there.

There being no further public input, the public hearing was closed.

Mr. Hight asked if landscaping was required along the southern property line. Mr. Burkett said yes, a row of evergreen trees were required.

Mr. Shrider questioned if people could exit out onto the Lantz Road access if they didn't want to turn left out of the site. Mr. Burkett said yes they could.

Mr. Self asked about the zoning district. Mr. Burkett explained it would be zoned to PUD with no underlying zoning district. Mr. Self questioned if the lots would be combined. Mr. Burkett said a final subdivision would be required prior to the release of a zoning permit.

Mrs. Schwartz MOVED to approve PUD 19-1 Amendment 12/19 with three conditions, adding Condition #3:

1. All conditions of PUD 19-1 remain in full force and effect except where modified herein.
2. The 0.485 acres, as highlighted in Exhibit A, shall be added to PUD 19-1.
3. The following uses shall be excluded from the permitted uses in all of PUD 19-1:
 - Bar/tavern/night clubs
 - Cigars, cigarette and tobacco stores - retail
 - Hookah bars or Shisha bars
 - Tattoo and piercing parlors

Motion was seconded by Mr. Hight. Motion PASSED by a roll call vote of 4-0.

PC 20-3, Land Use Plan

Clerk Gillaugh read the notice of public hearing for the purpose of reviewing an update to the Land Use Plan.

Mr. Burkett summarized the memorandum dated January 9, 2020. He explained approximately every five years the Land Use Plan is reviewed and an update is

completed through Planning Commission and City Council. He discussed some of the major proposed changes were a new designation of Mixed Use, combining Open Space/Public, Open Space/Private and Public Facilities into one comprehensive classification Open Space – Public Facilities, a changed to the Medium-Density Residential, reorganizing certain VPAs, and changing the designation of 1,150 acres in the City. Staff recommended approval of the case.

There being no public input, the public hearing was closed.

Mrs. Schwartz referred to the medium density change and asked for some examples of those types of properties in the City. Mr. Burkett gave an example of a project. Mrs. Schwartz asked what the reasoning was for increasing the dwelling units per acre. Mr. Burkett explained the market is tending towards smaller lots and larger houses so the City wants to be able to offer opportunities. Mrs. Schwartz asked if it was only 3.8% of the City. Mr. Burkett said yes, it was only a small percentage of the City.

Mr. Self stated medium density could be apartments or condominiums as well as cluster. Mr. Burkett said yes, the City has some single-family medium-density developments. Mr. Self said by cluster he means individual houses with zero side yard setbacks. Mr. Burkett stated it could be. Mr. Self believed there are a number of different options for a developer wanting to go to that density that would not necessarily be multi-family apartment buildings. Mr. Burkett gave an example of a neighborhood in Beavercreek.

Mr. Hight referenced several proposed changes along Factory Road, and Mr. Burkett explained the zoning would not change and that the Land Use Plan is a guiding document for future development. Mr. Hight asked how many categories were proposed to be removed. Mr. Burkett discussed the categories and explained by reducing those it makes the map cleaner and easier to read.

Mr. Shrider referred to the mixed-use area, and questioned if it allowed more flexibility for the property to develop. Mr. Burkett explained it opens it for more opportunities and explained what the intent of the mixed use was.

Mr. Self stated the Land Use Plan is a guideline for developers, and explains what is and is not allowed to be developed in an area.

Mrs. Schwartz MOVED to approve PC 20-3. Motion was seconded by Mr. Hight. Motion PASSED by a roll call vote of 4-0.

SUBDIVISIONS

S-20-1, Simms Cottages of Beavercreek Phase 2

Ms. Pereira summarized the staff report dated January 10, 2020, on a request by Charles H. Simms, 2785 Orchard Run Road, Dayton, OH 45449. The applicant is requesting approval of a replat of Lot 48 of the Cottages of Beavercreek containing

approximately 7.58 acres of land, which was rezoned in 2016 to a Residential Planned Unit Development. Staff recommended approval of the case with three conditions and adding a four condition for an emergency access.

Mr. Self and Mr. McHugh discussed if Mr. Self needed to recuse himself, and Mr. McHugh determined he did not.

Mr. Self stated they did leave the trees on the southwest and asked if those were still required to stay. Ms. Pereira said yes, they have to meet the conditions of the specific site plan.

Mrs. Schwartz MOVED to approve S-20-1 with four conditions, adding Condition #4:

1. The approved record plan shall be the plan stamped "Received January 10, 2020", except as modified below.
2. Prior to release of the record plan for recording, the applicant shall provide a digital format file of the subdivision in Autocad or .dxf format.
3. All concerns and comments of the Planning and Zoning Department, City Engineer, Greene County Sanitary Engineer, and Greene County Auditor shall be addressed and satisfied prior to release of the record plan for recording.
4. An Emergency Access and Maintenance Easement shall be shown at Terrace Drive.

Motion was seconded by Mr. Hight. Motion PASSED by a roll call vote of 4-0.

ADJOURNMENT

Mr. Hight MOVED adjournment at 7:25 p.m., seconded by Mr. Shrider. Motion PASSED by majority voice vote.

Melissa Gillaugh
Deputy Clerk