

BEAVERCREEK PLANNING COMMISSION
REGULAR MEETING, January 5, 2022

PRESENT: Mr. Ayers, Mr. Duiker, Mr. Loftis, Mr. Meyer, Mr. Self

ABSENT: None

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

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

Mr. Ayers MOVED approval of the December 1, 2021 minutes. Motion was seconded by Mr. Meyer PASSED by majority voice vote.

PUBLIC HEARINGS

PC 21-6 CU, Metro FiberNet – (Tabled at December meeting. Applicant requesting tabling case until further notice.)

Mr. Loftis MOVED to untable PC 21-6 CU. Motion was seconded by Mr. Ayers. Motion PASSED by unanimous voice vote.

Mr. Ayers MOVED to table PC 21-6 CU indefinitely. Motion was seconded by Mr. Meyer. Motion PASSED by roll call of 5-0.

PUD 22-1, Creekside Cyclery Building Rezoning

Clerk Gillaugh read the public notice on an application filed by Creekside Cyclery, 1271A North Fairfield Road, Beavercreek, OH 45432. The application requests approval to rezone 1.37 acres from ORP-1, Office Research Park District to C-PUD, Commercial Planned Unit Development to allow for construction of a bicycle sales and service retail building. The property is located on the southwest corner of Grange Hall Road and US 35 further described as Book 2, Page 6, Parcel 26 on the Greene County Property Tax Atlas.

Conrad Dillon, co-owner of Creekside Cyclery, stated they started their bike store approximately 2.5 years ago. He said they are outgrowing their current space, and are looking forward to growing their business. Mr. Dillon stated they want to draw people to the Beavercreek area, and build something to stand out. He explained this property is down and across the street from the Grange Hall bike access, and steps away from the bike trail itself. Mr. Dillon believed it was a perfect location.

Mr. Burkett summarized the staff report dated December 29, 2021, which stated the applicant is requesting to rezone approximately 1.4 acres from ORP-1 to C-PUD for the purposes of constructing and operating a bicycle maintenance and sales shop. He discussed the location, the surrounding properties' uses and zoning districts, the Land Use Map designation, the proposed uses, the shared access drive, and several conditions in the resolution. Staff recommended approval of the case with five conditions.

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

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Mr. Loftis was concerned with people crossing Grange Hall Road to come to the shop. Mr. Burkett said technically anyone who crosses there it is an illegal crossing. Mr. Loftis thought it was a great project, but explained that was his one big concern. Mr. Burkett explained it could be addressed more at specific site plan, but he said they would not want to put a mid-block crossing there. Mr. Loftis questioned if there are any line-of-sight issues there. Mr. Burkett explained the roadway is flat and there is good visibility there. Mr. Loftis thought maybe some additional signage would help, and said they could discuss it further in the specific site plan case.

Mr. Self stated he had the same concern. He believed people are going to take the side path down and then cross the street, so he thought it would not hurt to have a "Watch for Cyclist" sign installed. Mr. Self questioned what the remnant piece of property was to the west. Mr. Burkett stated he did not know why it was done that way, and thought maybe it was something from the old Grange Hall Road right-of-way.

Mr. Ayers MOVED to approve PUD 22-1 with five conditions:

1. The plan dated "Received December 1, 2021" shall be adopted as the general concept plan for this C-PUD. Architectural elevations and specific site information contained in said plans are subject to approval of a specific site plan, and are not considered approved as part of this application.
2. The permitted uses within this PUD shall be those uses that are permitted and conditionally permitted in B-2 zoning districts, with the exception of the following uses:
 - Amphitheatres/pavilions (Conditional)
 - Antiques and secondhand merchandise stores
 - Appliance repair services (Conditional)
 - Appliances and supplies - retail (Conditional)
 - Banquet halls, meeting rooms, party rooms (Conditional)
 - Bar/tavern/night club
 - Billiard rooms
 - Brewery, micro (with retail sales) (Conditional)
 - Brew pub
 - Carry outs - beer, wine and party supply
 - Contract constructions services office and showroom (no outdoor storage)
 - Convenience store
 - Convenience store - drive thru (Conditional)
 - Drug and alcohol addiction rehabilitation clinics (no overnight facilities)
 - Farmer's market
 - Fraternal, social and civic associations, including food and beverage services
 - Funeral services and accessory crematory services (Conditional)

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- Grocery stores - including specialty stores such as meat, candy, dairy, and the like
 - Heating, air conditioning & plumbing service, repair (excluding well drilling) & retail stores (Conditional)
 - Hookah bar or Shisha bar (Conditional)
 - Laundry and dry-cleaning - self-service (coin-op) (Conditional)
 - Massage therapy and medical massage or massotherapy
 - Museums (Conditional)
 - Public buildings including community center buildings and libraries
 - Public utility buildings, telephone exchanges, transformer stations and substations except garage and maintenance buildings (Conditional)
 - Recreation facilities and customary accessory buildings and gymnasiums (Conditional)
 - Restaurants - inside and accessory drive thru service only
 - Retail, General
 - Shooting range (indoor) (Conditional)
 - Tattoo and piercing parlor
 - Tattoo removal center (Conditional)
 - Taxidermist services
 - Teen clubs (Conditional)
 - Variety stores - retail
 - Vehicle parts and accessories, (retail)
 - Vehicle service station (gas, lubricant, coolants and accessories only)
 - Veterinary clinic with kennels or animal hospitals (Conditional)
 - Winery, Micro (Conditional)
3. All new buildings shall incorporate four-sided architecture and shall have no apparent rear. All dumpster enclosures shall incorporate three-sided architecture and an opaque front that is constructed of materials that match the new buildings. The buildings and dumpster enclosure shall be designed as required by the Planning Department, Planning Commission and City Council at the Specific Site Plan.
4. There shall be a building setback of 40 feet from Grange Hall Road.
5. The access points and types of access shall be subject to the approval of the City Engineer, Planning Commission, and City Council at the Specific Site Plan.

Motion was seconded by Mr. Meyer. Motion PASSED by a roll call vote of 5-0.

PC 22-1 CU, Kirkmont Presbyterian Church

Clerk Gillaugh read the public notice on an application filed by Edward Hermes, 3377 Shakertown Road, Beavercreek, OH 45434. The applicant requests conditional use approval to allow for a parking lot upgrade and a new ground sign located at 3377

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Shakertown Road. The property is further described as Book 6, Page 3, Parcel 67 on the Greene County Property Tax Atlas.

Brian Smallwood with Woolpert Engineers, representing Kirkmont Presbyterian, stated they would like to use the Shakertown Road Construction Project as an opportunity to upgrade their parking facility. He explained the project would entail reconfiguring the entrances, adding additional landscaping islands within, and lighting.

Ms. Pereira summarized the staff report dated December 29, 2021, which stated the applicant is requesting to renovate the existing parking lot and to install an additional ground sign at the main entrance of the church. She discussed the location of the project, the zoning designation, the reason for the conditional use, the site plan, the access points, and the ground sign requirements. Staff recommended approval of the case with eight conditions.

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

Mr. Meyer said the parking lot and building had been around for a long time, and questioned if anything needed to be done in requires to water runoff. Ms. Pereira explained the amount of impervious surface is decreasing so they are not required to have any additional detention. She said the Engineering Department did review the plans submitted, and they did not any comments. Ms. Pereira stated the City would be installing a sidewalk in front of this property as part of the Shakertown Road Project.

Mr. Loftis asked if they were going to match the stone on the new sign with what was on the existing sign. Ms. Pereira said yes.

Mr. Ayers referred to the lighting, and said typically, there is a condition that requires the lighting be reduced after closing. Ms. Pereira explained that since churches do not have specific hours and the parking lot is over 100 feet away from the adjacent properties, staff did not want to limit it. Mr. Ayers questioned if they did an overnight event if the lights would stay on the whole night. Ms. Pereira stated they would have the ability to do that, and did not feel it would be an issue because they have the old lights that is not turned down now. She said the City has never received a complaint about them.

Mr. Self questioned if there would be shrubs planted along the parking lot near Shakertown Road. Ms. Pereira said the landscaping plan does show a row of shrubs. Mr. Self asked if staff would be requiring oil spreaders in the catch basins because of the natural springs in the area. Ms. Pereira explained a condition was added that the Engineering Department would review and approve the plans prior to the Planning Department issuing a zoning permit.

Mr. Loftis MOVED to approve PC 22-1CU with eight conditions:

1. The approved plans shall be those plans dated "Received December 7, 2021" except

as modified herein.

2. Prior to the issuance of any zoning permit for the development, all comments and concerns of the Planning and Development Department, the City Engineer, and Fire Department shall be addressed and satisfied.
3. Prior to the issuance of a zoning permit, final cut sheet details and photometric plans for the new lighting of the site shall be reviewed and approved by the Planning Department.
4. Maximum mounting height for any parking lot fixture shall be 16 feet. Lights in the parking lot shall be reduced to no greater than 25 percent illumination level within one hour of closing.
5. 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.
6. One additional landscape island along the easternmost parking row shall be shown on the final plans.
7. The final striping of the parking lot shall be reviewed by the City Engineer, prior to the release of a zoning permit.
8. A zoning permit must be reviewed and approved by the Planning and Development department prior to the renovation of the parking lot or the installation of the ground sign.

Motion was seconded by Mr. Ayers. Motion PASSED by a roll call vote of 5-0.

SUBDIVISIONS

S-22-1, Hickory Woods Estates

Ms. Pereira summarized the staff report dated December 29, 2021, on a request by Allure Residential and Commercial, Inc., 1311 Columbia Ave., Middletown, OH 45042. The applicant is requesting approval of a final subdivision for 4.6370 acres to create five buildable lots along Hickory Drive. Staff recommended approval of the case with four conditions.

Mr. Loftis questioned if Holiday Drive and Hickory Drive were part of the same development and developed at the same time. Ms. Pereira did not believe they were built at the same time. Mr. Loftis asked if there was a reason that the street was just stubbed. Ms. Pereira thought it probably had something to do with the expense of the drainage channel and there being a connection to the two plats just four lots north with Wood River Boulevard. Mr. Loftis asked if the lot that Holiday Drive stubs into could be a buildable lot.

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Ms. Pereira said a bridge could be built across the drainage channel or they could have access off Holiday Drive. She explained Lot 3 would be the only lot that would be able to have access of Holiday Drive. Ms. Pereira stated the Code does not have any requirements on how a house must face on a lot.

Mr. Ayers asked if conditions could be created now or in the future requiring the neighborhood continue to be kept the same way. He referred to a letter the Commissioners received from a neighbor concerned they may come in a build large homes that are not compatible with the existing homes. Ms. Pereira explained it is a straight zoning district, so as long as they met the Zoning Code requirements it would be permitted. She said this is the only time to be able to add a condition, and she wasn't sure what the legalities were on putting a maximum square footage on a subdivision when the City has specific regulations in the Zoning Code. Ms. Pereira explained what is proposed meets the requirements of the Subdivision Regulations and the Zoning Code.

Mr. Duiker asked if staff could explain where the water channel goes. Ms. Pereira believed it came from the Bull Skin Run area and runs south where it dumps into the Little Beaver Creek. Mr. Duiker questioned if it would be safe to assume if the channel was majorly altered it would create major implications for water runoff in other parts of the City. Ms. Pereira said yes, and is why no changes are allowed to be made to the channel. Mr. Duiker questioned if building on these lots could cause unintended consequences. Ms. Pereira stated that could happen, but the applicant has been working with the Engineering Department for approximately six months figuring out what they can and cannot do. Mr. Duiker was concerned because they would not see what is being proposed. Ms. Pereira explained staff will receive house permits, and discussed the requirements that have to be met.

Mr. Meyer questioned why they are not requiring a PUD. Ms. Pereira explained the only way the City could force someone to rezone to a PUD is if the property is over 10 acres.

Mr. Self stated there is very little connection between Eileen Drive and Hickory Drive, and proposed adding a 10-foot wide easement between Lots 3 and 4. Ms. Pereira stated an easement would be correct. Mr. Self said the pavement of Holiday Drive ends before the property line, and questioned who would pave it. Ms. Pereira explained if the homeowner would decide to build a house they would be responsible to build an apron and driveway.

Mr. Loftis asked what benefit they would see by connecting the two streets. Mr. Self explained they could use it as an easement to connect the two plats since there is very little connection between them now.

Mr. Meyer asked if the easement would impact the access on Holiday Drive. Mr. Self said it would not because it would run along the lot lines. Ms. Pereira explained it would be a ten-foot easement on Lots 3 and 4, five feet on each lot.

Mr. Duiker said his concern would be as a property owner that there would be easements that he does not necessarily want. He questioned how it would affect the appeal of the lots with the potential of a pedestrian walkway on their properties. Mr. Self explained it had been successful in a number of other plats, and no one seems to have concerns with it. He gave several examples of other plats that have these type of connections.

Mr. Meyer MOVED to add a condition requiring a 10-foot easement between Lot 3 and Lot 4. Motion was seconded by Mr. Duiker. Motion PASSED by a roll call vote of 3-2. (Duiker, Loftis)

Mr. Loftis MOVED to approve S-22-1 with five conditions:

1. The approved record plan shall be the plan stamped "Received Dec 1, 2021".
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. Park fees will be required to be paid prior to the release of the record plan as outlined in the City of Beavercreek Subdivision Regulations.
4. 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.
5. There shall be a 10-foot easement shown between Lot 3 and Lot 4.

Motion was seconded by Mr. Meyer. Motion PASSED by a roll call vote of 3-2. (Ayers, Duiker)

ADJOURNMENT

Mr. Ayers MOVED adjournment at 6:58 p.m., seconded by Mr. Duiker. Motion PASSED by majority voice vote.

Melissa Gillaugh
Deputy Clerk