

BEAVERCREEK PLANNING COMMISSION
REGULAR MEETING, June 5, 2019

PRESENT: Ms. Akers, Mr. Hight, Mr. Loftis, Mr. Self, Mr. Shrider

ABSENT: None

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

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

Mr. Loftis MOVED approval of the April 3, 2019 minutes. Motion was seconded by Ms. Akers and PASSED by majority voice vote.

PUBLIC HEARINGS

PUD 06-3 SSP #4, Homestead Village

Clerk Gillaugh read the notice of public hearing on an application filed by AB Partners LLC, c/o David Montgomery, Pickrel, Schaeffer & Ebeling Co. L.P.A., 2700 Kettering Tower, 40 North Main Street, Dayton, OH 45423. The applicant requests specific site plan approval to allow for the construction of a 130-unit apartment complex on 6.7 acres. The property is located on the southeast corner of Park Overlook Drive and Grange Hall Road. The property is further described as Book 1, Page 11, part of Parcel 67 on the Greene County Property Tax Atlas.

Ms. Akers explained this case was on the agenda two months ago and there was quiet a turnout in the audience, and her concern was the neighboring properties were impacted by the tornado and asked if they had the ability to table this until the next meeting to give those neighboring properties a chance to provide their input. Counsel Blankenship explained the Zoning Code requires the Commission to hold a public hearing within 45 days after the submittal of the application. She explained it has already been longer than that, but that was at the request of the applicant. Counsel Blankenship stated the public hearing should be held tonight, but Planning Commission could table it after the public hearing but that would then require running through this same process again. She said there would also be a public hearing held before City Council and the neighboring properties would have the ability to speak at that one as well.

Ms. Akers MOVED to untable PUD 06-3 SSP #4. Motion was seconded by Mr. Hight, and PASSED by majority voice vote.

David Montgomery, Pickrel, Schaeffer & Ebeling, stated he is representing the applicant tonight. He explained they have reviewed the list of conditions in the resolution and the applicant does not have any concerns with those. Mr. Montgomery thanked staff for working with them, and said they are requesting approval for a 130-unit senior living apartment complex on 6.7 acres. Mr. Montgomery discussed the location of the

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property, the age restriction of this community, the amenities this development will provide for the residents of the community, the setbacks and the buffer requirements, and the landscaping plan.

Dave Anderson, AB Partners/Homestead America, said AB Partners is the development company and Homestead America is the operator. He said this is a sister project to their facility in Columbus, which they have owned and operated for approximately 10 years. Mr. Anderson said they have had great success with it and it has been very well received from the community with high occupancy rates and very low turnover. He discussed the amenities space and explained how it was designed.

Bill Andrews, Andrews Architect, said this design had the right components for the active elderly population, and stated the average age of the people who will live in the complex will be in their mid 70's. He stated architecturally it is a traditional look, and felt they have taken a large building and broken it up with different architectural features.

Mr. Burkett summarized the staff report dated May 31, 2019, which stated the applicant was requesting approval to construct a 130-unit senior living apartment complex on 6.7 acres. He discussed the location of the property, and the amendment to the PUD that was approved to allow assisted living facilities, independent living facilities or retirement communities. Mr. Burkett showed the site plan, and explained where the access point would be located. He discussed the greenspace of the property, the dimensions of the building, the construction materials and colors, the modifications to the detention area, the landscaping plan, and several conditions listed in the resolution. Staff recommended approval of the case with 22 conditions, and suggested adding a 23rd Condition regarding streetlights.

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

Ms. Akers asked what kind of delivery trucks would be coming in and out of the facility. Mr. Anderson said besides FedEx and UPS there are no delivery services. Ms. Akers asked how the grocery store worked then. Mr. Anderson explained it is a grocery façade that and would be connected with Instacart. Ms. Akers stated there was a number that was given on the number of residents who drive, and asked if their operation provided transportation services for the residents. Mr. Anderson said they really don't provide any services at all. He explained their average parking is 80% of the residents have a car which was taken over the past ten years from the sister property. Ms. Akers questioned if the apartments would have elevators. Mr. Anderson said yes. Mr. Akers asked if the shrubs would remain in addition to the pines. Mr. Burkett explained where the no cut zone was located they would remain. Ms. Akers questioned if the applicant had permission from the owner of the land where the detention pond would be located. Mr. Burkett stated he was the seller of this land.

Mr. Loftis asked if staff had any concerns with the overall design and aesthetics of the building. Mr. Burkett explained he worked back and forth with the applicant regarding

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the building design, and it is an upgrade to what was originally proposed. Mr. Loftis did not feel the building was congruent with the other buildings in the area. Mr. Burkett agreed it does look different, and believed adding the landscaping around the building would help a lot. Mr. Loftis questioned if they needed to require having a stub since the two were going to potentially connect in the future. Mr. Burkett explained there would be a cross-access easement required. Mr. Loftis asked if there was any concern with a senior complex being located right in front of a round-about. Mr. Burkett stated that is the dedicated access point to the site and they did not want to permit a secondary access point. Mr. Loftis asked what the age requirements were. Mr. Anderson said the minimum age is 55 and over.

Mr. Shrider asked if there were any concerns with a car's headlights shining into the existing residential neighborhood to the south. Mr. Burkett explained there are trees that exist, but he could have them add some additional landscaping to the area to help screen the headlights. Steve Lisle, Reinke Group, explained the driveway starts off low and then gradually increased to eight feet which is the reason why the drive is so long. He stated with the elevation the car lights will not be shining to the abutting rear yards and will not be a concern.

Mr. Hight asked if they needed to add more handicap spaces. Mr. Burkett explained they went above and beyond the ADA requirements. Mr. Anderson explained they increased their count as to what the sister property has in Westerville.

Mr. Self referred to the trees that will be installed close to the building, and asked how large of a caliper tree needed to be planted. Mr. Burkett explained those are normally 2-inch caliper trees. Mr. Self asked if there was a standard traffic count for a senior apartment complex. Mr. Lisle discussed the calculations, and said the impact is minimal. Mr. Self asked if this was strictly senior apartments. Mr. Lisle stated that was correct. Mr. Self questioned if there was a basement or a storm security area. Mr. Andrews said there is not a designated area, but the ground floor of this building is very secure. Mr. Self asked if the Fire Department had any concerns with the long access road. Mr. Burkett explained they did not. Mr. Self asked which way the building faced. Mr. Burkett said the front of the building would face Park Overlook Drive. Mr. Self questioned if there would be any berming where the landscaping would be along the southern property line. Mr. Burkett said no, they would not be disturbing the existing tree vegetation if being was installed.

Ms. Akers asked about the parking requirements. Mr. Burkett explained the calculation. Mr. Anderson said he confused the numbers and it is 60% from the past 3 years on average.

Mr. Self suggested adding language to one of the existing conditions regarding the tree caliper to the trees being installed around the building. Mr. Burkett also requested the Commission add Condition #23 regarding the street lights.

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Mr. Lofits MOVED to approve PUD 06-3 SSP #4 with 23 conditions, modifying Condition #4 and adding Condition #23:

1. The approved site plan shall be the plans stamped "Received May 29, 2019" except as modified herein.
2. The approved architectural elevations shall be the plans stamped "Received May 29, 2019" except as modified herein.
3. A PUD Agreement must be signed by the owner and a bond or letter of credit for the 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.
4. The final landscape plan shall be reviewed and approved by the Planning Department prior to the release of a zoning permit for the building. Additional shade trees, as depicted in Exhibit A shall be included in the final landscape plan, subject to review and approval by the Planning Department prior to the release of the zoning permit. The trees being installed around the building shall be a minimum of 2-inch caliber trees.
5. Prior to any grading on site, the applicant shall install a temporary grading limit fence, around areas labeled as "wooded areas to be preserved" on the landscape plan. If any landscaping or grading is disturbed outside of the grading limit, the applicant shall submit and receive approval of an amended landscape plan showing mitigation for the disturbed areas, prior to the release, or reduction of any landscaping bonds.
6. All building mechanical equipment is to be screened from all directions with architectural features (roof forms or parapet walls) on each building. Metal screening will not be accepted. Pad mounted equipment must be screened with landscaping and/or masonry walls and shall not be visible to the public
7. Any portion of the site disturbed by grading, and on which no construction occurs within three months after completion of the site grading, shall be planted with appropriate ground cover free of noxious weeds and construction debris and shall be properly maintained.
8. 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 installed, within three months weather permitting.

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9. 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.
10. Prior to the issuance of a zoning permit, final cut sheet details, showing the design of wall pack or sconce lighting, and photometric plans for lighting of the buildings and site shall be reviewed and approved by the Planning Department. The maximum mounting height for any pole mounted fixture shall be 16' from adjacent grade. Full cutoff fixtures shall be used throughout the site. All pole-mounted lighting shall be located within a landscaped or concrete island and shall not be permitted to be located within any designated parking stall for the site. This shall be reflected on the photometric plan prior to the release of a zoning permit.
11. Final topography and grading plans shall be submitted for review and approval by the City Engineer prior to submission of application for final subdivision and must be approved prior to the issuance of a site-grading permit.
12. A final subdivision shall be approved by Planning Commission and recorded with the Greene County Auditor's Office prior to the release of any zoning permits for this project.
13. Final drainage calculations shall be approved by the City Engineer prior to the release of the record plan for recording.
14. Prior to the release of the record plan for recording, the applicant shall sign a Subdivider's Contract and submit a bond or letter of credit for the public improvements if required by the City Engineer. Cross access shall be shown on the record plan along the western property line.
15. The outdoor construction hours shall be limited to 7:00 AM to 7:00 PM, Monday thru Saturday.
16. Prior to the release of the record plan, a combination of parkland dedication and/or as fees in-lieu of dedication of parkland shall be paid as determined by the Parks Director.
17. Prior to the release of the zoning permit, impact fees for the development shall be paid as determined by the City Manager.
18. There shall be a limit of one ground sign, which shall include a minimum 1-foot tall, brick and/or stone base, which shall be a maximum of 5 feet tall and have a sign face of up to 32 square feet per side. The final design and location shall be subject

to review and approval by the Planning Department prior to release of a permit for the sign.

19. Material and color samples shall be submitted to the Planning Department for review and approval prior to the issuance of a zoning permit.
20. The final architectural elevations shall include brick encompassing the first floor, on elevations highlighted in Exhibit B. The final design shall be reviewed and approved by the Planning Department prior to the release of a zoning permit.
21. All trash collection containers shall be enclosed within a building or screened from view through the use of a permanent dumpster enclosure designed to match the building by using materials compatible with those found on the building. The final design shall be reviewed and approved by the Planning Department prior to the issuance of a zoning permit. All ground mounted mechanical equipment shall be screened from view per the review and approval of the Planning Department
22. The final location of the water line required by the county shall be subject to approval by the Greene County Sanitary Engineering Department and the City of Beaver creek, prior to the release of the subdivision for recording.
23. Street lighting shall be installed at the existing round-about on Park Overlook Drive as directed by the City Engineer.

Motion was seconded by Ms Akers, and PASSED by majority voice vote.

Z-19-1, Specht Rezoning, R-PUD to R-1A

Clerk Gillaugh read the notice of public hearing on an application filed by Jonathan Specht, 3438 O'Hara Drive, Beaver creek, OH 45434. The application requests the rezoning of 1.203 acres of land from R-PUD Residential Planned Unit Development to R-1A One-Family Residential District. The property is abuts 3438 O'Hara Drive to the north and is further described as Book 6, Page 3, Parcel 226 on the Greene County Property Tax Atlas.

Ms. Pereira summarized the staff report dated May 31, 2019, which stated the applicant is requesting to rezone approximately 1.2 acres from R-PUD to R-1A. She explained the applicant purchased the property in early 2019 that is to the north of his existing property. Ms. Pereira stated the Planning Department did a survey record for the creation of this lot since it was deemed a non-buildable lot until it would be combined with his lot that is located at 3438 O'Hara Drive. She said his plan is to combine the two lots together, but they need to have the same zoning district in order to proceed. Ms. Pereira explained he does not have any other specific plans for it other than to immediately combine it with his existing property. She discussed what the property was classified as on the Land Use Plan, and said the request is consistent with the plan. Staff recommended approval of the case.

In public input, Jenny Barber, 3426 O'Hara Drive, stated she was concerned what the applicant was going to do with the additional acreage because they live next door and plan to sell their house and move soon. She questioned if staff had any idea of what he was planning on doing with it and if it would affect the properties going down the street.

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

Ms. Akers explained they are requesting to rezone it to R-1A, which is a One-Family Residential property so she would not anticipate any businesses going into that area. Ms. Pereira said the applicant has to combine this property with his existing property so he is not able to build another house or have any type of a business enterprise. She stated once the property is combined the only structures he would be able to construct would be a shed, a garage, a swimming pool, or a fence.

Mr. Loftis asked what the maximum size of an accessory structure he could build. Ms. Pereira explained it would be 50% of the footprint of the house. Mr. Loftis assumed he most likely bought the wooded land so the property to the north is not developed all the way back to the applicant's rear property line.

Ms. Akers MOVED to approve Z-19-1. Motion was seconded by Mr. Hight. Motion PASSED by a roll call vote of 5-0.

DECISION ITEMS

PUD 95-5 MOD 5/19, Minor, Dodd Dental

Mr. Burkett summarized the staff report dated May 31, 2019, on a request by Brian Weaver (Agent for Owner), Alt Architecture, 3223 Beaver Vu Drive, Beavercreek, OH 45434. The applicant is requesting approval of a minor modification to the PUD in order to construct a 6,600 square foot addition to the existing building located at 3223 Beaver Vu Drive. He discussed the access points, the proposed site plan, the conceptual elevations of the building, the landscaping plan, and the parking requirements. Staff recommended approval of the case with seven conditions.

Mr. Loftis asked if a condition should be added regarding the perpetual maintenance of landscaping. Mr. Burkett agreed it could be added.

Ms. Akers referred to the parking lot and asked if there was any concern where the stub and the bowling alley parking space met. Mr. Burkett explained with it being located on the bowling alley property the City cannot tell them to get rid of it.

Mr. Shrider questioned if there was a specific reason it was put there. Mr. Burkett explained right now parking is a free for all, and he did not have a problem with it because he likes to encourage cross-access between properties without using the main roads whenever possible. Brian Weaver, Alt Architecture, said they battled if this project was going to be worth doing because of the site constraints. He stated on the south side

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there currently is sort of a pass-through, and they are trying to get as much parking in the area as possible. Mr. Weaver stated there is a lot of shared parking in the area and if it came down to that one spot he believed the applicant would be agreeable to it.

Mr. Self explained the reason he thought there was a free for all between the two parking lots and was all for cross-access easements.

Mr. Weaver thanked staff for their approach on this project.

Mr. Self asked if the use of the building were to change if there was a way to go back and require more parking or a cross-assess agreement with neighboring properties. Mr. Burkett stated a condition could be added that would require a Certificate of Use Compliance Zoning Permit be required for any new business that would move into the building.

Mr. Loftis MOVED to approve PUD 95-5 MOD 5/19 with 9 conditions, adding Condition #8 and Condition #9:

1. This request shall be bound by all prior conditions of PUD 95-5, except as modified herein.
2. The approved site plan for this project shall be the plans stamped "Received May 23, 2019" except as modified herein.
3. The approved architectural elevations for this project shall be the plans stamped "Received May 6, 2019" except as modified herein.
4. A commercial zoning permit must be approved by the Planning and Zoning Department prior to the start of construction.
5. All concerns and comments of the Planning and Zoning Department and City Engineer, shall be addressed and satisfied prior to release of a zoning permit.
6. A PUD Agreement must be signed by the owner and a bond or letter of credit for the 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.
7. There shall be additional shrubs and grasses added to the landscape plan along the perimeter of the east and north elevations of the building, as depicted in Exhibit A.

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8. Perpetual maintenance of the landscaping shall be provided and in dead or diseased material shall be removed and replaced with similar types, species and size as what was originally installed within three months weather permitting.
9. A Certificate of Use Compliance permit shall be reviewed and approved by Planning Department prior to any new tenants moving into the building.

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

ADJOURNMENT

Ms. Akers MOVED adjournment at 7:17 p.m., seconded by Mr. Hight. Motion PASSED by majority voice vote.

Melissa Gillaugh
Deputy Clerk