

BEAVERCREEK CITY COUNCIL
REGULAR MEETING July 8, 2019 6:00 p.m.

CALL TO ORDER

Mayor Stone called the meeting to order followed by roll call

PRESENT: Council Member Curran, Council Member Litteral, Council Member Rushing, Council Member Upton, Council Member Vann, Vice Mayor Garcia, Mayor Stone

ABSENT: None

ALSO IN ATTENDANCE: Randy Burkett, City Planner; Theresa Hathaway, Assistant Finance Director Bill Kucera, Financial Administrative Services Director; Pete Landrum, City Manager; Jeff McGrath, Planning & Development Director; Steve McHugh, Legal Counsel; Dianne Miscisin, Clerk of Council; Scott Molnar, Captain Beavercreek Police Department

PLEDGE

Council Member Vann led the pledge and a prayer.

APPROVAL OF AGENDA

Council Member Rushing amended the agenda by adding a Julie Garrett from the SBA as a pre-scheduled speaker, seconded by Council Member Vann. Motion PASSED by majority voice vote.

Council Member Vann MOVED to approve the agenda as amended, seconded by Council Member Curran. Motion PASSED by majority voice vote.

APPROVAL OF MINUTES

Council Member Curran MOVED to approve the May 28, 2019 Regular Meeting Minutes seconded by Vice Mayor Garcia. Motion PASSED by majority voice vote.

Council Member Litteral MOVED to approve the June 10, 2019 Regular Meeting Minutes seconded by Vice Mayor Garcia. Motion PASSED by majority voice vote.

Council Member Rushing MOVED to approve the June 17, 2019 Work Session Minutes seconded by Vice Mayor Garcia. Motion PASSED by majority voice vote.

PRESCHEДУLED PRESENTERS

2018 Audit Review, Kevin Vaughn, Plattenburg & Associates
Mr. Vaughn summarized the single audit report for year 2018. He explained there were no deficiencies and this was once again a clean audit. All the departments within the city were very helpful.

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Julie Garrett, Public Affairs Specialist, Office of Disasters Assistance, SBA (Small Business Administration)

Ms. Garrett reviewed the county figures for Greene County as of this morning. She said there was \$212,400 approved. There were 70 homeowner/renter loans in process in which four were approved for a total amount of \$167,000. Two business loans were approved for \$45,900 with five more in process. There were also two economic injury loans in process. She said for the entire Ohio Declaration there has been \$2.4 million approved. She said the deadline to apply for a loan was August 19th. People could apply at Shaw Elementary Monday thru Saturday, 8:30 a.m. – 7:00 p.m. There is also SBA representatives at the Beavercreek Chamber of Commerce.

PUBLIC HEARING – Z-19-1 Specht Rezoning

Clerk Miscisin read an application filed by Jonathan Specht, 3438 O'Hara Drive, Beavercreek, OH 45434. The application requests the rezoning of 1.203 acres of land R-PUD Residential Planned Unit Development to R-1A One-Family Residential District. The property 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.

Applicant Presentation

Jonathan Specht, 3438 O'Hara Drive, Beavercreek, OH 45434

Mr. Specht had recently purchased the two acre parcel behind his property which was a land locked parcel. He said it needs to be rezoned so he may merge it with his current parcel and be rezoned. He reviewed a GIS view of the property.

Staff Presentation

Mr. McGrath summarized the staff report dated July 3, 2019 stating the applicant was requesting to rezone approximately 1.2 acres from R-PUD, Residential Planned Unit Development to R-1A, One Family Residential. He explained the property is currently zoned R-PUD 89-13 which was done in conjunction with the rest of the Coy Estates Property. He explained that in order to combine the lots the R-PUD 89-13 has to be eliminated and rezoned to R-1A. His said it was a straight rezoning so there would be no conditions to be considered and was consistent with the Land Use Plan.

Public Input

There being no input, the public input was closed.

Council Input

There was no input from council.

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Ordinance 19-15 (First Reading)

Council Member Upton MOVED Ordinance 19-15 to the second and third readings, seconded by Council Member Curran. Motion PASSED by majority voice vote.

PUBLIC HEARING – PUD 06-3 SSP #4 Homestead Village

Clerk Miscisin read 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.

Application Presentation

David Montgomery, Montgomery, Pickrel, Schaeffer & Ebeling Co. L.P. A., 2700 Kettering Tower, 40 North Main Street, Dayton, OH 45423.

Mr. Montgomery introduced the development team, Dave Anderson of AB Partners and Homestead America; Bill Andrews, Andrews Architects and Steve Lisle, Reinke Group. Mr. Montgomery thanked staff for the time and effort in the process. He said it was 130 unit independent senior living facility located on 6.7 acres on the south side of Park Overlook Drive. It is a senior restricted community for 55 and over. There would be 105 single resident units and 25 double units. He said the site would have a town center feel to it. He reviewed the setbacks, parking and landscaping requirements.

Mr. Anderson AB Partners and Homestead America, Columbus, Ohio

Mr. Anderson said this was their third project for senior living. He said the concept is to try to encourage residents to visit in the village for most of the day. He reviewed the amenities of the town center village.

Mr. Bill Andrews, Andrews Architects

Mr. Andrews reviewed the architecture of the project. He said this would be a comfortable and safe place for the residents. He passed a photo of the town square.

Staff Presentation

Mr. Burkett summarized the staff report dated July 3, 2019 stating the applicant was requesting approval of a specific site plan within PUD 06-3 to allow for the construction of a 130-unit retirement community senior apartment complex on 6.7 acres. He reviewed the location of the property, the zoning, the proposed site plan, setbacks, parking, open space requirements, parkland dedication, elevations,

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storm water retention, landscaping, sidewalks, impact fees and signage. He reviewed a few of conditions included in the motion for approval.

Public Input

Alice Frantz, 3790 Ellsworth Drive, Beavercreek, Ohio

Ms. Frantz said this area was too congested now and they can't get in or out.

Frank Fechek, 4308 Kemp Rd., Beavercreek, Ohio

Mr. Fechek asked if the 6.7 acres included the acreage they were giving away. The applicant said that it did.

Bill Schieman, 3971 LaBonne Rd, Beavercreek, Ohio

Mr. Schieman questioned alternate ingress, egress for emergency purposed and thought it should be discussed.

The public input was closed.

Council Input

Council Member Litteral said her concerns were with access and the roundabout. She said lots of people cut through there currently and there was a need to look at the roadways and if there was a plan of action for the future. Mr. Burkett said in terms of the future plan of action engineering and staff could discuss the long term plans. He said the plans were routed out to the fire department and they were comfortable with the plan. He said he could re-route it out to them again and discuss grass pavers. He said the fire department was not a fan of grass pavers. He said they would discuss the concerns with the fire department regarding these issues.

Council Member Rushing asked the location of the dumpsters and the distance to the closest property. Mr. Burkett said they would be approximately 100 feet for the residential area.

Council Member Vann asked the unit size. Mr. Burkett said they were mostly 500 square feet with a maximum of 752 square feet. Council Member Vann asked how many parking spaces. Mr. Burkett replied 100 explaining there were two parking spaces for every three units. Council Member Vann was concerned about the parking. She expressed concern with only one access as well.

Council Member Upton asked if the Tree Advisory Committee had been consulted for the greenery. Mr. Burkett replied they had not yet at this time.

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Council Member Curran asked if the south side could have a berm or screen for the residents on that side. Mr. Burkett said you would have to remove the existing trees to do this.

Vice Mayor Garcia echoed all the comments. She asked if there was any type of transportation for this type of community. Mr. Burkett said they did not have their own but they could utilize Greene CATS. Vice Mayor Garcia asked about the affordability. Mr. Anderson said this was not government subsidized. He said they were trying to keep the rent lower around the \$900 on a monthly basis.

Mayor Stone asked if the unit on Columbus was within walking distance a lot of things. Mr. Anderson replied it was not near anything. He said the average age is 72 years of age. Mayor Stone said he was surprised that 41% did not have a vehicle. He thought there needed to be a secondary access for the property for emergency purposes. He addressed his concern with headlights shining into the houses behind the property. Mr. Lyle addressed the headlight concern. He said the grade would direct the headlights into the ground and block the light. He said a berm would be counterproductive. Mr. Lyle addressed the congestion concern and said this type of senior living does not utilize cars like residential areas. He reviewed the secondary access concern stating the roundabout can be driven over.

Vice Mayor Garcia said the sister community is actually in Westerville which is very similar to Beavercreek by comparison.

Mayor Stone said this would hopefully not impact traffic much if at all. The applicant would be paying an Impact Fee to help address traffic issues. He said he would like the fire department to take another look at the access.

Motion

Council Member Curran moved for the purpose of taking administrative action, approval of a Specific Site Plan for Homestead Village, on the basis that City Council finds the facts submitted with the application and accompanying materials, and modifications, amendments and supplementary conditions satisfy the standards and criteria for a Specific Site Plan as per §158.066 of the Zoning Code. Supplementary conditions required of this approval shall be as follows. Council Member Curran further moved that this motion with all conditions be fully recorded in the minutes of this Council meeting.

1. The approved site plan shall be the plans stamped "Received May 29, 2019" except as modified herein.

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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.

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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 Beavercreek, 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.

Seconded by Council Member Litteral. Motion PASSED by majority voice vote.

PUBLIC HEARING – 2020 Tax Budget

Clerk Miscisin read a public hearing on the tax budget for the fiscal year beginning January 1, 2020 and ending December 31, 2020.

Staff Presentation

Ms. Hathaway explained the County Auditor requires that the 2020 Tax Budget be filed by July 19th. The tax budget is prepared by staff and was in compliance with

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the ORC. She said the tax budget shows the estimated revenues generated by the city's current voted and non-voted tax levies are necessary to maintain city services. The tax budget process starts by determining the estimated cost of maintaining current levels of service. Estimated revenues, expenditures and fund balances are updated for all of the city's operating, capital and trust funds. Adjustments were made for inflationary factors, contractual obligations and capital expenditures. Revenues generated from property tax levies are estimated by the County Auditor. She said the numbers in the tax budget were estimated to be greater than they were in 2019. The estimates provided by the Auditor have to be used in this tax budget. All other revenues are based on current and historic trends. She said at this stage it was typical for the tax budget to have some fund balances below the 20% threshold. Council would be provided a balanced budget in November reflecting minimum fund balance requirements. She said starting in August estimates would be refined bringing expenditures in line with the available resources. Each department or division would review their budget and make necessary adjustments. The revised budgets would be reviewed with city council and then finalized and presented for adoption in December. She summarized by stating the tax budget proves that needs exceed resources and all current taxes and levies are necessary. The tax budget as presented shows several reductions in fund balances that will be addressed during the budget process over the next few months. Budget hearings with the County Auditor will be set at a future date and the final 2020 budget will be within the fund balance guidelines as established by city council.

Public Input

There being no input, the public input was closed.

Council Input

Council Member Curran asked if there was any idea how much property tax would be lost as a result of the tornado. Mr. Kucera said they did not know yet.

Council Member Litteral thanked the finance department for all that they do.

Mayor Stone said levy funding is for a specific dollar amount regardless of how many houses are on it. He said the loss of money would be from the inside mileage but not on voted mileage.

Resolution 19-37

Council Member Upton MOVED to approve Resolution 19-37, seconded by Council Member Litteral. Motion PASSED by a roll call vote of 7-0.

ORDINANCES, RESOLUTIONS AND PUDS

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Ordinance 19-11 PC 19-3 2019 Thoroughfare Plan Update (Third Reading)

Clerk Miscisin read an Ordinance amending the current thoroughfare plan, as approved by Resolution 82-3 and amended by Ordinances 89-19, 93-61, 94-55 and 12-22 and the approved Bikeway Plan, as approved by Resolution 99-12 and amended by Ordinance 12-22, be replaced with the Thoroughfare Plan 2019 update as described in "Exhibit A" dated June 4, 2019 (PC-19-3).

Council Member Litteral MOVED to approve Ordinance 19-11, seconded by Vice Mayor Garcia. Motion PASSED by majority voice vote.

Resolution 19-38 Authorize Submittal of Funding Application to the Ohio Public Works Commission (OPWC) for the County Line Road Widening Project

Clerk Miscisin read a Resolution authorizing the City Manager to execute and file with the District 11 Public Works Integrating Committee an application on behalf of the City of Beavercreek for aid in partly financing the cost of capital improvement projects pursuant to the programs administered by the Ohio Public Works Commission, as amended; to execute contract agreements with the State of Ohio; authorizing the City Manager to perform all acts and execute all documents they consider necessary to fulfill the City of Beavercreek's obligations under said grant applications and corresponding agreements and to comply with all relevant local, state or federal legal requirements and to provide assurances and additional information as required by the Ohio Public Works Commission.

Mr. Moorman said staff had been working with the City of Kettering on a joint project to improve a section of County Line Road between Vale Drive and Dorothy Lane. The project would widen about 3,200 linear feet of roadway from a three lane pavement section to a five lane pavement section which would match the width of the pavement sections to the north and south of the project. He said Beavercreek and Kettering both have been actively applying for grant money and combined have received over \$2 million in federal monies toward construction. He said to further defray construction costs they were recommending to apply for Ohio Public Works Commission Funding. He said the grant request would be for \$586,500.

Vice Mayor Garcia MOVED to approve Resolution 19-38, seconded by Council Member Vann. Motion PASSED by a majority voice vote.

COUNCIL TIME

Council Member Curran enjoyed the 4th of July parade and the events at Rotary Park.

Council Member Upton enjoyed his final 4th of July parade as a Council Member. He expressed his gratitude toward staff, volunteers and to UES for their generosity.

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Council Member Vann said Rotary Park was full for the 4th of July event. She thanked UES for their support.

Council Member Rushing thanked those who helped put the 4th of July event. He attended the 3rd annual celebration of Red, White and Brew at the Mall at Fairfield Commons.

Council Member Litteral echoed all of the comments. She said UES has inspired to keep it as a family event.

Vice Mayor Garcia said the parade was great. She thanked all the float entries.

Council Member Upton said the city hosted Senator Portman to discuss the tornado event with the county, township and city officials along with a few others involved with the efforts.

Council Member Vann said two of the coding teams from Beaver creek schools won at the national level in Washington D.C.

MAYOR'S REPORT

Mayor Stone said Senator Portman had responded by appreciating all the input. He thanked the senator for coming to Beaver creek. He said the tornado issue is not over and we need to stay in communication with our representatives.

CITY MANAGERS REPORT

Mr. Landrum gave an update on construction throughout the city. He gave an updated on the upcoming Party in the Park locations. Movie Night would be August 2nd at Dominick Lofino Park with Peter Rabbit showing.

CITIZEN COMMENTS

Bill Schieman, 3971 LaBonne Rd, Beaver creek, Ohio

Mr. Schieman talked about vegetative and non-vegetative debris. He said he has not seen the vegetative debris picked up recently. He said they were pilling it up and the trucks are probably working in another neighborhood. He said the city manager says it's too costly to pick up the non-vegetative debris. Volunteers have been picking it up but they are risking injury. He said it is something council needs to discuss in a public forum. He wanted to hear the elected officials talk about non-vegetative debris pickup.

Mayor Stone said they do not get into discussions at this part of the meeting. Bunyon will be working for a while still. A final put out date will be coming.

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Citizen Comments was closed.

ADJOURNMENT

Council Member Curran MOVED to adjourn the meeting at 7:43 p.m., seconded by Council Member Rushing. Motion PASSED by majority voice vote.



Bob Stone, Mayor

ATTEST:



Dianne Miscisin
Clerk of Council
Cmin070819