

BEAVERCREEK PLANNING COMMISSION
REGULAR MEETING, October 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. Ayers MOVED approval of the agenda. Motion was seconded by Mr. Loftis and PASSED by majority voice vote.

Mr. Ayers MOVED approval of the July 6, 2022 minutes. Motion was seconded by Mr. Loftis and PASSED by majority voice vote. (Duiker abstained)

PUBLIC HEARINGS

PUD 99-11 Amendment 9/22, Casey's Gas Station & PUD 99-11 SSP #2, Casey's Gas Station (Applicant has requested case be tabled until November PC meeting.)

Mr. Duiker MOVED to table PUD 99-11 Amendment 9/22 and PUD 99-11 SSP #2 until the next regularly scheduled meeting. Motion was seconded by Mr. Ayers and PASSED by majority voice vote.

PUD 22-3, Dayton-Xenia RE Rezoning

Clerk Gillaugh read the public notice on an application filed by Allan Cummings, 2288 Grange Hall Road, Beavercreek, OH 45431. The application requests approval to rezone 2.5 acres from R-1A, One-Family Residential District and B-2, Community Business District to C-PUD, Commercial Planned Unit Development to allow for construction of an office/retail building. The property is located on the north side of Dayton-Xenia Road approximately 400 feet west of the intersection of Wallaby Drive and Dayton-Xenia Road further described as Book 5, Page 5, Parcel 171, 172, and 173 on the Greene County Property Tax Atlas.

Allan Cummings stated he is presenting the owner for the case. He stated Dayton-Xenia RE LLC bought two lots and another contiguous lot with the intent to potentially put medical offices there. He said there is no site plan developed yet, but in order to do it they would need to get the properties rezoned.

Ms. Pereira summarized the staff report dated September 17, 2022, which stated the applicant is requesting to rezone approximately 2.5 acres of land to Commercial Planned Unit Development. She discussed the location of the property, what currently exists on the properties, the surrounding properties' zoning districts, the Land Use Plan designation, the list of permitted uses, and the required 50-foot buffer along the residential area. Staff recommended approval of the case with six conditions.

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

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Mr. Loftis asked if there was any concern with the lot to the east not having any access. Ms. Pereira explained when McGrath Way is constructed it will have access.

Mr. Self questioned if they will see a lot combination. Ms. Pereira said based on how their final plan comes together, she believed they will need to and it would be conditioned in the site plan.

Mr. Loftis MOVED to approve PUD 22-3 with six conditions:

1. The permitted and conditionally permitted uses within this PUD shall be those uses that are conditional and permitted within B-2 zoning districts as outlined in Exhibit B. Uses not permitted are shown with strikethrough.
2. All buildings shall be designed as required by the Planning and Development Department, Planning Commission and City Council at the specific site plan stage.
3. All building setbacks and access points shall be established and subject to the approval of the Planning and Development Department, Planning Commission, and City Council at the Specific Site Plan stage.
4. All new buildings or substantial improvements to the building 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 and Development Department, Planning Commission and City Council at the Specific Site Plan.
5. All storm water and detention issues related to this development shall be reviewed and approved by the City Engineer, Planning Commission and the City Council at the Specific Site Plan stage.
6. There shall be a 50' buffer to at the north and west residentially abutting property lines. That buffer is demonstrated in Exhibit C.

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

PUD 96-2 Amendment 9/22, Resonant Sciences

Clerk Gillaugh read the public notice on an application filed by James D. Connell, 3650 Somerset Drive, Beavercreek, OH 45431. The application requests approval of an amendment to PUD 96-2 to add research and development/engineering laboratories (with limited assembly) as a permitted use. The property is located at 4051 Indian Ripple Road further described as Book 3, Page 10, Parcel 171 on the Greene County Property Tax Atlas.

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Ron Miller, Vice President of Resonant Sciences, shared some background of their company. He explained the type of work they do, and said they are growing out of their existing space on Executive Drive. Mr. Miller stated they would like to stay in the area, and hoped everyone would see this request good for the area.

Mr. Burkett summarized the staff report dated September 30, 2022, which stated the applicant is requesting an amendment to the PUD to add uses that will permit their company, which is an engineering research company that also permits limited assembly of developed products. He discussed the location of the property, what currently exists on the lot, the amount of parking spaces, the current zoning district, the setback requirements, the Land Use Plan designation, the proposed zoning change, the permitted uses, 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.

Mr. Loftis asked what was going to happen with the property to the west. Mr. Burkett said it was his understanding Vineyard Church would still own and occupy that building. Mr. Loftis asked what the hours of operation were. Mr. Miller said they typically work from 6am to 6pm; however, they may stay late sometimes.

Mr. Duiker said when it comes to the products that the business makes, he questioned if there would be any noise created. Mr. Miller said a person would not be able to hear anything from the outside of the building. Mr. Duiker asked Mr. Burkett to elaborate on the easement from this property to the nursing home property. Mr. Burkett explained there is an existing driveway to the nursing home property so those using the church property can have access to the light. He stated the main access will be the southern access, but he wanted to make sure if they wanted to access the light they would be able to.

Mr. Meyer asked if both businesses would have access to both entrances/exits. Mr. Burkett said yes, and explained the condition he is proposing at the subdivision stage.

Mr. Self and Mr. Burkett discussed the type of products the business makes. Mr. Self asked if the 25% lighting reduction after closing condition would carry forward from the PUD. Mr. Burkett said there is an existing condition regarding that and it will remain in place.

Mr. Ayers MOVED to approve PUD 96-2 Amendment 9/22 with five conditions:

1. All conditions of Ordinance 04-30 remain in full force and effect except where modified herein.
2. The following uses shall be included to the permitted uses in 96-2, within area shaded blue in Attachment A:
 - Research and Development Offices (with limited production, indoors only)
 - Engineering Laboratories (with limited production, indoors only)

3. For the purposes of this PUD, limited production refers to handmade, non-assembly-line scale production of goods.
4. Any production of goods shall be performed completely indoors, and no dust, smoke, fumes, gas, noxious odors, loud noises or other atmospheric effluence shall be discernable beyond the boundaries PUD at any time. Any high-bay door, or other garage doors shall be remained closed, except during deliveries or pick-ups.
5. Any changes to the site and/or building shall require approval through the PUD modification process, as outlined in 158.070 of the Zoning Code.

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

SUBDIVISIONS

S-22-6, Mall at Fairfield Commons Replat

Ms. Pereira summarized the staff report dated September 19, 2022, on a request by MFC Beaver creek, 180 E. Broad Street, Columbus, OH 43215. The applicant is requesting approval of a replat of several lots within the Mall at Fairfield Commons Subdivision. Staff recommended approval of the case with three conditions.

Mr. Self asked if the retention pond would remain part of the mall property. Ms. Pereira said that is correct.

Mr. Loftis MOVED to approve S-22-6 with three conditions:

1. The approved record plan shall be the plan stamped "August 30, 2022", 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.

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

S-22-7, Vineyard Christian Fellowship Replat

Mr. Burkett summarized the staff report dated September 26, 2022, on a request by Caleb Roe, Vineyard Christian Fellowship, 4051 Indian Ripple Road, Beaver creek, OH 45440. The applicant is requesting approval of a replat of the Vineyard Christian Fellowship Subdivision. Staff recommended approval of the case with four conditions.

Mr. Meyer asked if there should be an easement to the south of the building. Mr. Burkett said there is an easement.

Mr. Self thought an amendment needed to be made to the condition stating there should be an access easement along the southern driveway.

Mr. Loftis MOVED to approve S-22-7 with four conditions, modifying Condition #3:

1. The approved record plan shall be the plan stamped "Received September 22, 2022", except as modified below.
2. All concerns and comments of the Planning and Zoning Department, City Engineer, Beavercreek Fire Dept., and Greene County Sanitary Engineering Department shall be satisfied prior to release of the record plan for recording.
3. The cross access easements shall be extended to the western property line of Lot 1A and connect to the access drive between Lot 1A of the Vineyard, and the Harbor Chase Beavercreek Subdivision to the west, which easements will be depicted in Attachment A.
4. Prior to release of the record plat for recording, the applicant shall provide a digital format file of the finalized subdivision in Autocad or .dxf format.

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

ADJOURNMENT

Mr. Loftis MOVED adjournment at 6:40 p.m., seconded by Mr. Ayers. Motion PASSED by majority voice vote.

Melissa Gillaugh
Deputy Clerk