

BEAVERCREEK CITY COUNCIL
REGULAR MEETING March 12, 2018 6:00 p.m.

PROCLAMATIONS

- ◆ National Girl Scout Week, Susan Grinkemeyer

PRESENTATION

- ◆ UES Fourth of July Donation, Ruth Carpenter and Lisa Porter

DEMONSTRATION

- ◆ Lego Competition Team

CALL TO ORDER

Mayor Stone called the meeting to order followed by roll call

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

ABSENT: Council Member Litteral, Council Member Vann

Council Member Upton MOVED to excuse Council Member Litteral and Council Member Vann, seconded by Vice Mayor Garcia. Motion PASSED by majority voice vote.

ALSO IN ATTENDANCE: Kim Farrell, Recreation Superintendent; Bill Kucera, Financial Administrative Services Director; Dianne Lampton, Clerk of Council; Pete Landrum, City Manager; Jeff McGrath, Planning and Development Director; Steve McHugh, Legal Counsel; Mike Thonnerieux, Public Administrative Services Director

PLEDGE

Council Member Upton led the pledge and a prayer.

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

Council Member Curran MOVED to approve the February 20, 2018 Work Session Minutes, seconded by Council Member Rushing. Motion PASSED by majority voice vote.

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Council Member Upton MOVED to approve the February 26, 2018 Regular Meeting Minutes, seconded by Vice Mayor Garcia. Motion PASSED by majority voice vote.

PUBLIC HEARING –PUD 08-1 Amendment 1/18 YGIC

Clerk Miscisin read an application filed by Hilten Patel, 1032 Deercreek Drive, Fairborn, OH 45324. The application requests approval of an amendment to add an additional 3.002 acres of land to PUD 08-1. The property is located on the west side of Glenbrook Drive and north of Crestmont Court. The property is further described as Book 4, Page 4, Parcel 29 on the Greene County Property Tax Atlas.

Applicant Presentation

Hilten Patel, 1032 Deer creek Drive, Fairborn, OH 45324

Ron Kozar, Attorney, 40 N. Main St., Ste. 2830, Dayton, OH 45423

Mr. Kozar represented the Youth Group for Indian Culture (YGIC). He explained YGIC had run a school on the premises of the Hindu Temple. He said they would like to house the school in its own free standing building on the property being discussed tonight.

Staff Presentation

Mr. Burkett reviewed the staff report dated March 8, 2018 stating the application was requesting a PUD Amendment to PUD 08-1 Hindu Temple located at 2615 Lillian Lane to incorporate 3.002 acres of land currently zoned R-PUD 96-1, the Brookstone PUD. He reviewed the location of the property, the surrounding zoning and the land use plan, setbacks, buffers and allowed uses. Planning Commission and staff recommend approval of this request.

Public Input

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

Council Input

Council Member Upton expressed his appreciation of reinvesting in community

Council Member Curran said he was on the Planning Commission when this went through and it was a unanimous vote.

Mayor Stone said they had been invited on numerous occasions for several events. He said the temple had been a wonderful addition to the community and always a good neighbor.

Ordinance 18-03 (First Reading)

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Council Member Curran MOVED to approve Ordinance 18-03 and move to the second and third readings, seconded by Vice Mayor Garcia. Motion PASSED by majority voice vote.

PUBLIC HEARING –PUD 91-2 MOD 12/17 (Major) BSM Development
Clerk Miscisin read an application filed by BSM Development, LLC, 3011 Armory Drive, Suite 120, Nashville, TN 37204. The application requests a major modification for 0.872 acres of land to allow for the construction of a multi-tenant retail building located on the east side of North Fairfield Road and north of the KFC/LJS restaurant further described as Book 4, Page 6, Parcel 67 on the Greene County Property Tax Atlas.

Applicant Presentation

Jeff Tibbitts, CESO, 2800 Corporate Exchange Drive, Columbus, OH

Mr. Tibbitts explained CESO was the architect and engineers for this project. He said BSM had a decent history of a few years of projects in Beavercreek. He said the proposed development was for an additional 6,800 square foot multi-tenant retail building.

Staff Presentation

Mr. McGrath summarized the staff report dated March 8, 2018 stating the applicant was requesting approval to modify the existing site plan for PUD 91-2 in order to allow for the construction of an approximately 6,800 square foot three-tenant building next to the existing KFC restaurant within the Shoppes at Fairfield Commons. He reviewed the history of the PUD and its development. He reviewed the building design, parking, lighting, screening, crosswalks, landscaping, elevations, signage, and topography. Planning Commission and staff recommend approval of the request.

Public Input

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

Council Input

Council Member Upton asked if there were any tenants lined up for this building. Mr. Tibbitts said there were but could not disclose them at this time. Council Member Upton said the community of Beavercreek was strong in that they are building things with tenants already lined up and they had wonderful partners to construct quality buildings.

Motion

Vice Mayor Garcia MOVED for the purpose of taking administrative action, approval of a Major Modification to PUD 91-2, MOD 12/17, on the basis that City

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Council finds the facts submitted with the application and accompanying materials, and modifications, amendments and supplementary conditions satisfy the standards and criteria for a PUD Major Modification as per §158.070 of the Zoning Code. Supplementary conditions required of this approval shall be as follows. I further move that this motion with all conditions be fully recorded in the minutes of this Council meeting.

1. All conditions contained within PUD 91-2, SSP #1 and all subsequent modifications to PUD 91-2 are incorporated herein by reference to the extent they are not specifically amended or altered by any plans and conditions with this Major Modification.
2. The approved site plan, architectural elevations and landscape plan shall be those plans dated "Received January 28 2018" except as modified herein.
3. All roof top units are to be screened from all directions with architectural features (roof forms or parapet walls) on each building. Pad mounted equipment must be screened with landscaping and/or masonry walls and shall not be visible to the public.
4. A PUD Agreement must be signed by the owner/occupant 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.
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. All trash collection containers shall be enclosed within the building or screened from view and enclosed within a permanent dumpster enclosure. All dumpster enclosures shall be constructed with the same materials used to construct the building. The dumpster enclosure's gate shall be constructed of a vinyl or composite material, or other material, to be approved by the Planning Department.
7. Temporary signs shall not be permitted within this development with the exception of a construction sign that will be allowed during construction

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of the project.

8. 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.
9. The façade shall not be painted or altered without the express permission of the Planning Department and/or the Planning Commission.
10. A final landscape plan and final photometric plan shall be reviewed and approved by the Planning Department prior to the execution of the required PUD Agreement and the release of a zoning permit for the building.
11. Impact fees shall be paid prior to the release of the commercial/industrial zoning permit.
12. The proposed light fixtures must match, in height and design, those of the adjacent development. No light poles may be located outside of any landscape area.
13. This outlot shall be allowed one ground sign that can be up to 4 feet tall with 32 square feet per sign face. The design of the ground sign shall include a masonry base and sides that shall be constructed of similar material to those on the proposed building.
14. This outlot shall be allowed two square feet of wall signage for each linear foot of building frontage not to exceed 250 square feet with a maximum letter height of 48".
15. The final details and design of the retaining wall shall be reviewed and approved by the Planning and Engineering Departments prior to the release of a zoning permit. The retaining wall shall match in design and color those retaining walls in the adjacent development.

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

DECISION ITEMS

Dayton Development Coalition Community Leader Fly-In

Mayor Stone explained the DDC Community Leader Fly-In was coming up and wished to discuss who and how many people they would want to send. He said it

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was budgeted and thought the City Manager should attend. He had a request but wanted to know if anyone else wished to attend. No one responded. Mayor Stone said Vice Mayor Garcia expressed interest in attending along with the City Manager or instead of the City Manager. He said the question was whether to send one or two to the Fly-In.

Vice Mayor Garcia said she had expressed her interest in attending. She thought the DDA a very important part of the community. She said as a new member of Council it would give her an opportunity to build relationships with the DDC and other participants. She said there was more than one meeting at a time and thought two people should attend.

Council Member Upton asked if it was common for city managers to attend. Council Member Curran said from his experience said yes it was common. The big focus of the Fly-In was Wright-Patterson Air Force Base. He said it was worth the while to go.

Council Member Curran MOVED to approve Vice Mayor Garcia and Pete Landrum to participate in the 2018 Dayton Development Coalition Community Leader Fly-In, seconded by Council Member Upton. Motion PASSED by majority voice vote.

Authorize Housing Study Requirement for Community Reinvestment Act

Mr. Landrum explained this was discussed at the work session. He said a completed housing study was part of the CRA requirement and was not originally budgeted. He explained because the budgeted amount for a survey was not going to be utilized, this amount would be used to fund the housing study. This motion was to officially authorize the housing study.

Council Member Rushing MOVED to authorize a Housing Study as a requirement for the Community Reinvestment Act, seconded by Vice Mayor Garcia. Motion PASSED by majority voice vote.

CITY MANAGER'S REPORT

Mr. Landrum said the Streetscape clock was scheduled to be removed on Friday morning for repairs. There would be two public hearings for the electric/gas aggregation on March 22nd. Please see the website for times and details. The 4th of July Celebration is taking applications for the parade and after parade events. Please see the website for details and application forms.

MAYOR'S REPORT

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Mayor Stone participated in Air Camp which he described as similar to space camp. He said it is aimed towards middle school age. It is a week-long camp for students interested in aviation. He said there was a three day camp for teachers which he was invited to participate in. He said they are trying to get the word out regarding this camp.

COUNCIL TIME

Council Member Curran attended the Beaver Creek Day at the Opera which was an excellent performance

Council Member Upton thanked UES for their donation. Without the donation, the fireworks would not proceed as it does.

Council Member Rushing congratulated WSU on winning the Horizon Championship. He reviewed the employee anniversaries. Congratulations to everyone.

Vice Mayor Garcia attended Gold Award Ceremony.

CITIZEN COMMENTS

There being no citizen comments, citizen comments was closed.

EXECUTIVE SESSION

Council Member Upton MOVED to enter into Executive Session at 7:13 p.m. pursuant to Section 121.22 of the Ohio Revised Code, for the purpose of the purchase of property for public purposes conference with city attorney concerning disputes involving the City that are subject to pending or imminent court action, seconded by Vice Mayor Garcia. Motion PASSED by roll call vote of 5-0.

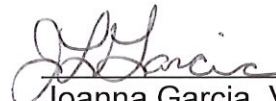
Council Member Rushing MOVED to adjourn executive session at 7:55 p.m., seconded by Council Member Curran. Motion PASSED by roll call vote of 5-0.

Council Member Upton MOVED to reconvene the meeting, seconded by Council Member Rushing. Motion PASSED by majority voice vote.

ADJOURNMENT

Council Member Curran MOVED to adjourn the meeting at 7:59 p.m., seconded by Vice Mayor Garcia. Motion PASSED by majority voice vote.

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Joanna Garcia, Vice Mayor

ATTEST:



Dianne Miscisin
Clerk of Council
Cmin031218