

BEAVERCREEK CITY COUNCIL
REGULAR MEETING June 25, 2018 6:00 p.m.

PROCLAMATIONS

◆ Parks and Recreation Month – July

CALL TO ORDER

Mayor Stone called the meeting to order followed by roll call

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

ABSENT: Council Member Upton, Council Member Vann

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

ALSO IN ATTENDANCE: Todd Brandenburg Public Service Superintendent; Dennis Evers, Chief of Police; Kim Farrell, Recreation Supervisor; Bill Kucera, Financial Administrative Services Director; Pete Landrum, City Manager; Jeff McGrath, Planning and Development Director; Steve McHugh, Legal Counsel; Dianne Miscisin, Clerk of Council, Mike Thonnerieux, Public Administrative Services Director

PLEDGE

Mayor Stone led the pledge and a moment of silence.

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

Council Member Litteral MOVED to approve the June 11, 2018 Regular Meeting Minutes, seconded by Vice Mayor Garcia. Motion PASSED by majority voice vote.

Council Member Curran MOVED to approve the June 18, 2018 Work Session Minutes, seconded by Council Member Litteral. Motion PASSED by majority voice vote.

PUBLIC HEARING PUD 93-4 MOD 4/18 Beaver Creek Ground-Up Outlot

Clerk Miscisin read an application filed by Quinn Gadow, 11501 Northlake Drive, Cincinnati, OH 45249. The application requests a major modification to the specific site plan to allow for the construction of a four tenant building located on

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the southeast side of Centre Drive and Crossing Boulevard. The property is further described as Book 4, Page 2, Parcel 21 on the Greene County Property Tax Atlas.

Applicant Presentation

Edward Brusch, CESO, 2800 Corporate Exchange Drive, Columbus, Ohio

Mr. Brusch explained this was an outlot by Kohl's which was for a four unit, single story developments. He said the building would match architecturally with the surrounding development. This would take up some parking spaces but increase green space.

Staff Presentation

Mr. McGrath summarized staff report dated June 21, 2018 stating the applicant was requesting approval of a major modification of an existing site plan for PUD 93-4 to allow for the construction of an approximately 5,300 square foot multi-tenant building. He reviewed the location, surrounding development, parking, site plan, landscaping, lighting and signing. Planning Commission and staff recommended approval of the application.

Public Input

There being no public input, public input was closed.

Council Input

Council Member Litteral asked if it was known as to what type of businesses would be going into this facility. Mr. McGrath said it was an existing Logan's Steakhouse that was being repurposed. They did not know the nature of the tenants. They would share store fronts. The walls were movable so there could be less than four tenants.

Council Member Rushing asked if there were any plans in the future to make everything walkable. Mr. McGrath said they were trying to retrofit sidewalks but ADA requirements were making it prohibitable because of some of the steep slopes.

Council Member Curran asked who owned the flag. Mr. McGrath said it was installed by the Gunlock Organization in partnership with Miller-Valentine originally. He said the property had since been sold but he could not recollect the new owner's name. Council Member Curran asked if the flag would remain. Mr. McGrath replied yes.

Mayor Stone asked if this was above the original square footage of the PUD Mr. McGrath replied this was larger than the original square footage in the specific site

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plan originally approved. Mayor Stone said he was good with this request but we needed to do our due diligence to fill the empty store fronts.

Vice Mayor Garcia asked to see the entrances. Mr. McGrath reviewed the entrances. She asked if they were going to be two way access. Mr. McGrath replied they would be.

Motion

Council Member Litteral MOVED, for the purpose of taking administrative action, approval of a major modification to a PUD Specific Site Plan for the Beaver Creek Ground-Up Outlot, PUD 93-4 MOD 4/18, 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 PUD Detailed Site Plan 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 93-4, SSP #1 and all subsequent modifications to PUD 93-4 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 "May 09, 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

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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 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 5 feet tall with 40 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

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linear foot of building frontage not to exceed 250 square feet with a maximum letter height of 48”.

15. The proposed cooler shall require approval via a Commercial/Industrial zoning permit prior to its construction.

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

PUBLIC HEARING PC 11-2 MOD 4/18 Inspire Gymnasium Addition

Clerk Miscisin read an application filed by James D. Connell, 3650 Somerset Drive, Beavercreek, OH 45431. The application requests a major modification for 3.326 acres of land to allow for the construction of a 3,500 square foot gymnasium addition to the existing child care facility located at 1481 N. Fairfield Road. The property is further described as Book 5, Page 5, Parcel 183 on the Greene County Property Tax Atlas.

Applicant Presentation

No presentation

Staff Presentation

Mr. McGrath summarized the staff report dated June 20, 2018 stating the applicant was requesting a modification to the existing daycare center to construct a 3,844 square foot addition to the building in order to have an indoor play area. He reviewed the expansion location, storm water retention and additional parking. Planning Commission and staff recommended approval of the application.

Public Input

There being no public input, public hearing was closed.

Council Input

Council Member Litteral questioned the drainage barrier and if there would be any issues with it. Mr. McGrath said they were working with engineering.

Motion

Council Member Litteral MOVED, for the purpose of taking administrative action, approval of a major modification to an ASRA Detailed Site Plan for the Inspire Center for Learning, PC 11-2, 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 an ASRA Detailed Site Plan as per §158.083 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.

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1. All conditions contained within PC 11-2 ASRA 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 architectural plans shall be the plans dated "Received June 20, 2018" except as modified herein.
3. All building mechanical equipment is to be completely 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. The final screening design and materials shall be reviewed and approved by the Planning Department, prior to the release of a zoning permit for the project.
4. 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.
5. All man-doors and service doors shall be painted to match the color of the building as to blend in with the proposed facade.
6. Downspouts shall be painted to match the adjacent architectural materials.
7. Six additional off-street parking spaces shall be added to the parking lot.

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

ORDINANCES, RESOLUTION AND PUDS

Ordinance 18-09 Charter Amendments to Sections 4.07 and 44.03 (Second Reading)

Clerk Miscisin read an Ordinance providing for the submission to the electorate amendments of the Charter of the City of Beavercreek, Ohio, and to place the same on the ballot at the general election, November 6, 2018.

Public Input

Harold Lewis, 1423 Townhall Rd., Beavercreek, Ohio

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Mr. Lewis said he had sat on two Charter Review Committees which had come up with how to replace a council member. He said the city councils always elected not to take their recommendations. He said the recommendation was simply to go back to the most recent election and ask whoever lost if they would like to be on council. If no one was interested then you would have to use this methodology. He explained the reasoning was because they did not like council selecting a council member. He asked why the city could not use this methodology. Two Charter Review Committees brought this forth and no city council elected to consider it. It was a good recommendation.

The public hearing was closed.

Mr. McHugh recommended to amend the Ordinance be adopted as an emergency on the third reading. He explained under the Ohio Constitution there was a very short period of time where the Ordinance has to be introduced and adopted. Because of the three readings and 30 days, this would be at the very limit of time to file with the Board of Elections to place the amendments on the November ballot.

Council Member Curran MOVED to amend Ordinance 18-09 by passing the Ordinance as an emergency on the third reading, seconded by Vice Mayor Garcia. Motion PASSED by majority voice vote.

This Ordinance will move automatically to the Third Reading.

Ordinance 18-12 Bond Issuance for Traditions of Beaver creek (First Reading)
Clerk Miscisin read an Ordinance providing for the issuance of not to exceed \$350,000 road improvement special assessment bonds (Traditions at Beaver creek Project) by the City of Beaver creek, Ohio.

Mr. Kucera said the bond issuance was coming up in September. He reviewed the background and process for the issuance of the bond. He said the final process was to sell the bond which covers the cost to complete the project. He said it was a twenty year bond and the actual cost of the assessment was \$204,000 but the legislation states the amount would not exceed \$350,000. This allows for anything that may transpire from now until the issuance of the bond. He said they wanted to get this in now to ensure the first assessment would be included on the tax duplicate for tax year 2018, first payable in 2019.

Council Member Litteral MOVED to approve Ordinance 18-12 and move to the second and third readings, seconded by Council Member Rushing. Motion PASSED by majority voice vote.

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Resolution 18-26 Ohio Bureau of Workers' Compensation Safety Intervention Grant Application

Clerk Miscisin read a Resolution to authorize the application for the Ohio BWC Safety Intervention Grant Program on behalf of the Beaver Creek Public Service Division.

Mr. Bradenburg explained this was a 3-1 grant that would fund about 75% of an \$18,000 equipment purchase for the Public Service Department. He said they were proposing to purchase a new plate compactor and a demolition hammer for the city's excavators. This would replace manually operated equipment and reduce the risk to exposure to multiple hazards and injuries. The city share would be approximately \$4,500 and was in the 2018 capital budget.

Council Member Litteral appreciated the directors saving money and increasing safety.

Council Member Curran MOVED to approve Resolution 18-26, seconded by Council Member Rushing. Motion PASSED by majority voice vote.

MAYOR'S REPORT

Mayor Stone said the Parks Department has done a fantastic job this summer with all the summer programs. Heartfulness Institute had a book signing on Sunday. Systems Go WPAFB Jazz band will be performing at the Frazee Wednesday night. The new base commander's is Col. Thomas P. Sherman.

COUNCIL TIME

Council Member Litteral reminded everyone of the 4th of July celebration was next week. She thanked all of the sponsors, especially UES. She said the Parks Department and volunteers have done a wonderful job organizing this event.

Council Member Rushing said Greene CATS had invited Council for a ride-a-long. Party on the Patio was this Friday at the golf course.

Council Member Curran said the Parks Department has a nice variety of entertainment.

Vice Mayor Garcia attended a briefing at the Manufacturer's Association Project of the National Association of Manufacturers regarding public nuisance litigation going on across the country. She and Mayor performed a semi-annual city manager review.

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CITY MANAGER'S REPORT

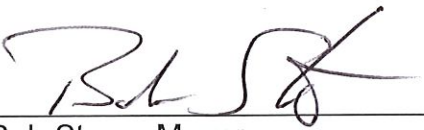
Mr. Landrum gave an update on the Dayton-Xenia Road project stating it was a little behind due to the wet weather. There will be a Community Playground Build at Gerspacher Park on July 7th at 8:00 a.m.

CITIZEN COMMENTS

There being no citizen comments, citizen comments was closed.

ADJOURNMENT

Council Member Litteral MOVED to adjourn the meeting at 6:55 p.m., seconded by Council Member Curran. Motion PASSED by majority voice vote.



Bob Stone, Mayor

ATTEST:



Dianne Miscisin
Clerk of Council
Cmin062518