

Oakwood, Dayton, Ohio

January 19, 2011

The planning commission of the City of Oakwood, State of Ohio, met this date in the council chambers of the City of Oakwood, city building, 30 Park Ave., Dayton, Ohio, 45419, at 4:30 p.m.

The Chair, Mr. Jeffrey Shulman, presided and the Clerk, Mrs. Cathy Gibson, recorded.

Upon call of the roll, the following members responded to their names:

MR. JEFFREY B. SHULMAN PRESENT
MR. ANDREW AIDT PRESENT
MRS. HARRISON GOWDY PRESENT
MRS. E. HEALY JACKSON PRESENT
MR. STEVE BYINGTON PRESENT

Officers of the city present were the following:

Mr. Norbert S. Klopsch, City Manager
Mr. Robert F. Jacques, City Attorney
Mr. Jay A. Weiskircher, Assistant City Manager
Mr. Dave Bunting, City Inspector

The following visitors registered:

Jane Dunwoodie, P.O. Box 446
David Buckley, 206 Telford Avenue
Dan Deitz, 901 Oakwood Avenue
Mike Oxner, 516 Patricia Faye Ct.
Greg Robinson, 236 Rubicon Road
Jeremy Kelley, Dayton Daily News
Lee Schear, 1130 Harman Avenue
Sally Walters, Pointe Oakwood
Don Charles

It was moved by Mr. Aidt and seconded by Mrs. Jackson that the minutes of the planning commission meeting held May 5, 2010 and September 22, 2010 be approved as submitted and the reading thereof be dispensed with at this session. Upon a viva voce vote on the question of the motion, same passed unanimously and it was so ordered.

Mr. Shulman reviewed the meeting procedure.

Application #10-3, an application submitted by the Oakwood Investment Group to amend the Pointe Oakwood Residential Master Plan density from 143 units to 128 units was presented. Mr. Weiskircher referenced a PowerPoint presentation and indicated the commission will make a recommendation to city council on the matter. He reviewed a chart of the number of Master Plan component units - in 2009, 59 single family, 24 attached, 40 mid-rise condos and 24 towne homes compared to 2010 which had 79 single family, no attached, and the same number of mid-rise condos and towne homes. He referenced maps of the focused area along Old River Trail that depicted the lot amendments of 2009, 2010 and 2011. He explained the area on the corner, near the model home, is no longer a buildable lot but will remain green and pointed out two lots that have been combined to one behind the model home. Mr. Weiskircher referenced a chart of the Residential Master Plan past numbers and the current request for a change from 125 units in 2007 to 128 units based on less interest in attached dwellings and more interest in single family homes.

Mr. Mike Oxner, Engineer for the project, clarified that along Old River Trail they are proposing ten single family homes. He indicated marketing representatives are telling them potential buyers want large ranch style homes with a three-car garage. Based on the topography, this type building would fit best along Old River Trail. Although the market is difficult, they hope to begin construction in the spring. Mr. Shulman wondered if any lots have been sold. Mr. Oxner believes two are close to contract but everything was on hold until this amendment.

Mr. Shulman asked for comments. Ms. Jane Dunwoodie explained she is the potential buyer of one of the lots along Pointe Oakwood Way and asked that the location of the mid-rise be pointed out and whether there are any plans to change the towne homes proposed along the north-west corner. Mr. Weiskircher pointed out the location of the mid-rise and clustered towne homes on the plans. There were no other comments from the audience.

Mr. Byington wondered how far the commission should make changes to the original plan and although he understands the market, they keep reducing the number of units, which at an average price of \$400,000 per building is approximately \$6M in buildings not being built. He wondered what will happen if only 90 or so are built; the commission needs to establish limits in case the community starts questioning every change that is requested which means less money for the schools and community. Mr. Shulman agreed that is a legitimate question. Mrs. Gowdy noted the flip side is the lot sizes are being increased and this will attract younger families with school-age children. Mr. Aidt indicated some potential buyer might even buy three lots for one home. Mr. Shulman noted none have yet been sold so any building is an improvement and believes they need to take it one step at a time.

Mr. Klopsch indicated staff had looked into the tax dollars spent on the development, based on the original plan, so can do an estimate on where they stand now. Mr. Shulman indicated if the homes are larger, the property value should increase along with the taxes. Mr. Byington expressed concern that the commission not lose focus of the intent of the original development, in 2007 they were told it was for empty nesters to down size and have less maintenance, yet the development has changed. Mrs. Gowdy agreed they don't want to change the intent and questioned whether this development is still providing unique housing opportunities, not just single family homes. Mr. Shulman agreed it's important to keep the original Master Plan message in mind.

Mr. Byington wondered if there is a sense for what the empty nesters are requesting. Ms. Sally Walters, Sales Director for Pointe Oakwood, indicated the empty nesters (55 years and older) she has spoken with want a ranch style home; however, they have to be careful with "fair housing" requirements so they have refrained from referring to Pointe Oakwood as exclusively an empty nester development. Mr. Byington indicated that differs from the original intent and wondered whether anyone is interested in a two-story. Ms. Walters indicated one of the potential buyers along Old River is a young family with two children and they want a home similar to the model. Mr. Byington wondered if the interest is more empty nesters or families to which Ms. Walters indicated it's about 60-40 for empty nesters and interest has picked up after the holidays.

SPECIAL USE STANDARDS

- A. The proposed use at the specified location is consistent with the Comprehensive Plan.
PRELIMINARY STAFF FINDINGS: The proposed amendments are consistent with not only the 2004 Comprehensive Plan, but also the 2004 Sugar Camp Site Development Alternatives and Guidelines, as well as the 1997 Subarea Plan. The proposed amendments are also in keeping with the overall goal of the development of providing unique housing options not currently available in Oakwood.
PLANNING COMMISSION FINDINGS: Sustained.
- B. The proposed building or use will not adversely affect or change the character of the area in which it is located.
PRELIMINARY STAFF FINDINGS: The proposed amendments to the Master Plan will not change the character of the development and, as already pointed out, actually result in

a reduction in the overall density.

PLANNING COMMISSION FINDINGS: Sustained.

- C. That the establishment, maintenance or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, convenience or general welfare.

PRELIMINARY STAFF FINDINGS: The proposed amendments to the Master Plan will not be detrimental to or endanger public health, safety, morals, comfort, convenience or general welfare.

PLANNING COMMISSION FINDINGS: Sustained.

- D. That the proposed use will not be injurious to the reasonable use and enjoyment of other property in the immediate vicinity for the purposes already permitted, or substantially diminish and impair property values within the neighborhood.

PRELIMINARY STAFF FINDINGS: The proposed amendments will not result in a change or otherwise modify the high quality architectural standards and building materials planned for the entire development.

PLANNING COMMISSION FINDINGS: Sustained.

- E. The proposed use at the specified location will not significantly adversely affect the use and development of adjacent and nearby properties in accordance with the regulations of the district in which they are located. The location, size and height of proposed buildings and other structures, and the operation of the use will not significantly adversely affect the use and development or hinder the appropriate development of adjacent and nearby properties.

PRELIMINARY STAFF FINDINGS: The proposed amendments to the Master Plan will not significantly change the appearance of the planned residential units and will actually result in an increase in the amount of green space within the development.

PLANNING COMMISSION FINDINGS: Sustained.

- F. That the exterior architectural appeal and functional plan of any proposed structure will not be so at variance with either the exterior architectural appeal and functional plan of the structures already constructed or in the course of construction in the immediate neighborhood, or the character of the applicable district as to cause a substantial depreciation in the property values within the neighborhood.

PRELIMINARY STAFF FINDINGS: The overall architectural styles and building materials planned for the development will not be impacted by the proposed amendments.

PLANNING COMMISSION FINDINGS: Sustained.

- G. That adequate utilities, access roads, off-street parking and loading facilities, drainage and/or other necessary facilities, have been or are being provided at the applicant's cost.

PRELIMINARY STAFF FINDINGS: Any costs incurred as a result of these changes will be borne solely by the developer.

PLANNING COMMISSION FINDINGS: Sustained.

- H. That adequate measures have been or will be taken at applicant's cost to provide ingress and egress so designed as to minimize traffic congestion in the public streets and avoid hazards to pedestrian traffic.

PRELIMINARY STAFF FINDINGS: The proposed amendments to the Master Plan will result in fewer residential units and thus a corresponding decrease in traffic within the development.

PLANNING COMMISSION FINDINGS: Sustained.

- I. That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulation may, in each instance, be modified by Council pursuant to the recommendations of the Planning Commission.

PRELIMINARY STAFF FINDINGS: As with the amendment that was approved last December, this is simply a response by the developer to preferences being expressed by potential buyers. These minor changes are not inconsistent with the current Master Plan for the development.

PLANNING COMMISSION FINDINGS: Sustained.

Therefore, it was moved by Mr. Aidt and seconded by Mr. Byington that application #10-3, an application submitted by the Oakwood Investment Group to reduce the density of the Residential Master Plan for the Pointe Oakwood Development from 143 to 128 units be recommended to city council for their review and approval based on plans and information previously submitted and in compliance with all applicable city rules and regulations. Upon a viva voce vote on the question of the motion, same passed unanimously and it was so ordered.

Mr. Shulman referenced a draft rules of procedure document that he and staff have worked on which he would like the commission members to review and act upon at an upcoming meeting.

The commission discussed and concurred with Mr. Shulman remaining Chair and Mr. Aidt as Vice-Chair of the Oakwood Planning Commission.

The Planning Commission adjourned. The public meeting concluded at 5:06 p.m.

CHAIR

ATTEST:

CLERK