

Oakwood, Dayton, Ohio

September 6, 2006

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 4:38 p.m.

The Chair, Mr. William Kendell, presided and the Clerk, Ms. Cathy Blum, recorded.

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

MR. WILLIAM KENDELL.....PRESENT  
MR. JEFFREY B. SHULMAN.....PRESENT  
MR. STEVEN BYINGTON.....PRESENT  
MR. ANDREW AIDT.....PRESENT  
MR. CARLO C. McGINNIS.....PRESENT

Officers of the city present were the following:

Ms. Dalma Grandjean, City Attorney  
Mr. Jay A. Weiskircher, Assistant City Manager  
Mr. Dave Bunting, City Inspector

The following visitors registered:

Ruth Dressler, Oakwood  
Mr. Schooley, 601 Woods Road  
Tom Qualey, 4764 Fawnwood Road  
Steve Wilson, President & CEO, LCNB  
Bear Monita, Lorenz + Williams  
John Fabelo, Lorenz + Williams  
Steve Goodman, Lorenz + Williams

It was moved by Mr. Kendell and seconded by Mr. Shulman that the minutes of the commission meeting held August 2, 2006 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.

Application #06-12, the requests from Lebanon Citizens National Bank (LCNB) for 1) a Major Site Development Plan review associated with the demolition of the buildings at 2701 and 2705 Far Hills Avenue for the proposed construction of a new one-story bank building and parking and 2) a special use request for a free-standing sign, on lots #1739 and #1740, was reviewed. Mr. Weiskircher referenced a PowerPoint presentation and explained LCNB plans to demolish two existing business buildings at 2701 and 2705 Far Hills Avenue and build their first 2,700 square foot Montgomery County branch. He indicated this new building falls under the criteria for Major Site Development Plan review as well as a special use request for a free-standing sign. He reviewed photos of the existing site taken from various directions and pointed out: asphalt located along the Oak Knoll right-of-way area which will be replaced with grass and new trees; curb cuts; the non-existent buffer abutting the residential area; and no current vehicular access to the CVS site.

Mr. Weiskircher reviewed the existing site plan and noted the three parcels will be replatted to one. He referenced the new site plan which locates the building to the north side of the lot, three transaction bays, parking to the west and south, access to the CVS site (which is still unknown whether that will occur), building fronts on Far Hills with a rear entry, and the extensive landscaping. He referenced the Major Site Development Plan review criteria and elevations of the building, pointing out the brick exterior and cement board siding, dimensional shingle roof, cupola, minimal signage on the front, foundation plantings, rear entry, view from abutting residential area and the three bays including an ATM. He reviewed a colored site plan that depicted the landscaping details, including the two new street trees and restored tree lawn area along Oak Knoll Drive. Mr. Weiskircher indicated the screening to the west, abutting the residential area, is a combination of vertical growing evergreens, spruce trees and a privacy fence that will taper from 5' to 42" and 50% open. He also referenced the building material colors for the

brick and trim. The proposed parking lot lighting fixtures were reviewed, which are decorative, as well as the light fixtures affixed to the building.

Mr. Weiskircher then reviewed the following Major Site Development Plan factors:

- A. Conformance with Ordinances. The application must comply with the provisions of this Ordinance and other Ordinances of the city and of any other applicable laws.

**Staff Comments:** Except for the special use request for the free-standing sign, staff has worked very closely with the applicant's architect to ensure that the proposal before you meets all other city ordinance requirements.

- B. Comprehensive Plan. The plan must be in reasonable conformity with the Comprehensive Plan and any specific recommendations associated, or related to the subject property.

**Staff Comments:** The Comprehensive Plan speaks to a number of issues on development in the Far Hills Avenue Business District.

- Adequate off-street parking.
- Size and scale of new buildings should be compatible with the image and character of Oakwood.
- New buildings should be characterized by the highest possible standards of design and construction.
- New buildings should respect the scale of the Far Hills Business District.
- New buildings should be located close to the sidewalk line.
- Buildings should front the street.
- New buildings should be constructed of traditional building materials such as brick and stone in the red and buff ranges.

- C. Land-Use Compatibility and Integration. The overall design integrates neighborhood and site characteristics into a compatible expression of building mass, building scale, circulation and site improvements.

**Staff Comments:** The mass and scale of the building, building materials, plant material and the general use of the site are all consistent with characteristics of the adjoining residential neighborhood and other business-zoned land in the area.

- D. Minimize Impacts to Surrounding Land-Uses. The spatial and functional design minimizes the potential impacts of noise, light, debris and other undesirable effects of development upon adjoining property and the area in general.

**Staff Comments:** Through the use of privacy fencing and plant material typically used for screening purposes in residential areas, the applicant has attempted to minimize any undesirable effects of the development on the adjoining residential property.

- E. Architectural Compatibility. The plan is sensitive in the design of structures through appropriate treatment to vertical and horizontal planes of building facades, and makes use of appropriate building materials in establishing an overall architectural "theme" for the development.

**Staff Comments:** The proposed one-story structure has architectural details not currently found in the two existing buildings on the site.

- F. Signage. Signage is designed to be compatible in scale and character with the overall development.

**Staff Comments:** Except for the proposed 2'6" x 3'0" free-standing sign, which requires special use approval, all other building and site signage is compatible with the scale of the building and existing sign regulations.

- G. Site Access. Access to the site is designed to safely and efficiently facilitate ingress and egress. The use of shared curb-cuts and cross-access easements should be provided when appropriate.

**Staff Comments:** Ingress to and egress from the site will be from a curb cut on Oak Knoll Drive. Users can exit the site from either Oak Knoll Drive or an egress only curb cut on Far Hills Avenue.

- H. Vehicle Circulation and Parking. Adequate provision has been made for traffic circulation which is coordinated with, and minimizes impacts to the adjoining street system. The plan should also demonstrate the provision of safe and convenient off-street parking and loading areas. When appropriate, cross-access easements should be provided between adjoining properties to allow for expanded on-site circulation of vehicles

**Staff Comments:** Based upon the square footage of the proposed building, there are already three surplus parking spaces on the site. If the bank and CVS officials can agree to provide driveway access between the two properties, this not only opens up additional parking for bank patrons, it also provides a side street access to the CVS site.

- I. Pedestrian Circulation. Adequate provisions have been made to ensure that the development will not create hazards to the safety of pedestrian traffic on or off the site, vehicular or circulation paths, or undue interference and inconvenience pedestrian travel.

**Staff Comments:** Sidewalks will be maintained along both Far Hills Avenue and Oak Knoll Drive. Patrons can access the bank from either the front door on Far Hills Avenue or a rear door on the west side of the building.

- J. Utilities and Community Facilities. Reasonable provisions have been made to ensure the development will be served by essential public facilities and services such as police and fire protection, drainage structures, refuse disposal, public water supply, wastewater collection and related facilities.

**Staff Comments:** The electric meter and condenser unit are located at the northwest corner of the building and will be screened with plant material. The bank is serviced by a paper shredding company so there is no need for a dumpster location.

- K. Screening and landscaping. The arrangement and selection of landscaping materials should reinforce functional use areas of the site as well as add natural beauty. Screening in the form of fences, walls and landscaping should minimize the potential for nuisance impacts to surrounding properties.

**Staff Comments:** Within the public right-of-way, the applicant is proposing to remove the existing asphalt and restore the tree lawn on the Oak Knoll side of the property. There are also two new street trees planned for the newly restored tree lawn. On the Far Hills Avenue side, the existing river rock within the right-of-way will be removed and restored in grass. One street tree will be lost for the driveway access to Far Hills Avenue.

Within the site, there will be foundation plantings on the Far Hills and Oak Knoll sides of the property to provide year-round color. There are five islands within the parking lot to be planted with deciduous trees, bushes and ground cover. Along the entire west property line, the applicant is proposing a five foot high privacy fence which will taper down to a 42" - 50% open picket fence to coincide with the front yard of the adjacent residential property. In addition to the fence, there will also be vertical growing evergreen plantings and spruce trees on the parking lot side of the fence.

- L. Lighting. On-site lighting shall provide for adequate illumination for vehicle and pedestrian safety. Lighting should not be permitted to illuminate adjoining properties.

**Staff Comments:** There are three - 15 foot high light fixtures proposed for the parking lot. A photometric plan is included as part of the site plan sheets. Please note that as required by the off-street parking lot standards, the proposed lighting does not exceed .50 foot-candles measured along the west lot line. Nonetheless, we suggest the parking lot lights be placed on a timer to shut off at a reasonable time each evening. When the parking lot lights are off, there should still be adequate lighting near the ATM for security purposes.

- M. Detention and Retention Facilities. When appropriate detention and retention facilities should be designed to provide for shared storage between properties. Detention and retention facilities should be appropriately landscaped.

**Staff Comments:** Stormwater will be captured on-site from three parking lot catch basins and channeled into an underground drainage system. Any overflow will be handled by a connection to the city's existing storm sewer along Oak Knoll Drive.

Mr. Weiskircher noted in regard to the parking, the 2,700 square foot building requires 11 parking spaces; the plan depicts 14 so that requirement has been met. He also pointed out the varying setbacks of businesses in the area and referenced the Business District Design Guidelines which recommend the front be in close proximity to the sidewalk which this complies with. He noted there is also no noted dumpster location since the bank has a paper shredding company come in. He also pointed out the location of the electric meter and condenser as well as the proposed three catch basins to handle stormwater run-off.

Mr. Weiskircher reviewed a drawing of the proposed free-standing sign as well as the two small directional signs for access to the lot. He indicated the free-standing sign, to be located along the Far Hills frontage, is 3' wide by 2'6" and made from natural materials. He referenced photos of other existing free-standing signs in the business district. He also reviewed the following Special Use Standards.

### **SPECIAL USE STANDARDS**

- A. The proposed use at the specified location is consistent with the Comprehensive Plan.  
PRELIMINARY STAFF FINDINGS: The proposed commercial use of the site and construction of the new building is consistent with objectives set forth in the Comprehensive Plan that improvements be undertaken to further upgrade the appearance of the business area.  
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: There are currently free-standing signs at 2701 and 2705 Far Hills Avenue. The adjacent Fifth-Third Bank building to the north and the CVS building to the south both have free-standing signs which are significantly larger than the sign being proposed by LCNB.  
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: As required by the ordinance, the free-standing sign is located 25 feet from the intersection so it should not impact vehicular traffic exiting either the Oak Knoll intersection or the curb cut onto Far Hills Avenue.  
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 sign is located on the east side of the property and will have no impact on the adjoining residential area.  
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 sign will have no impact whatsoever on development of adjacent or nearby properties.  
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 proposed sign matches the architectural style of the building and is less conspicuous than the two free-standing signs on the adjacent business-zoned properties.  
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: This standard is not applicable to this special use request.  
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: This standard is not applicable to this special use request.

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: The BDDG provide that free-standing signs are only permitted where multiple businesses occupy the same building; there is a minimum distance of 8 feet between the building and the sidewalk; and, the property has a minimum frontage of 150 lineal feet. In this application, there is only one proposed use for the building; at its closet point, the building is only 7.5 feet from the sidewalk; and, there is only 123 lineal feet of frontage. In other words, although the proposed sign is small in comparison to the existing free-standing signs in the district, it does not meet any of the criteria for approval as set forth in the BDDG.

PLANNING COMMISSION FINDINGS: Sustained.

Mr. Wilson, President & CEO of LCNB, indicated he has sat through a lot of meetings and honored the commission's time as they review this new potential neighbor. He explained LCNB has been in existence since 1877 with the main office near Golden Lamb in Lebanon. As a graduate of Xenia High School, he is familiar with the area and in particular Oakwood. He understands there are a lot of banks in the area, but LCNB is a community bank serving five counties and this is their first proposed office in Montgomery County, with three more planned. Mr. Wilson explained as a community bank they get involved in the community, hire local residents, are involved in the United Way and believe the success of the community is the same as the bank and vice versa. He introduced his facilities manager and explained they utilize Suburban Nursery for all the landscaping, painting, snow removal, etc. He noted their signature on many buildings is the cupola and reviewed photos of other LCNB branches. He indicated they will be a good neighbor, will take care of the property and wouldn't be making this investment if they didn't feel it would be successful. Mr. Wilson reviewed their holding company information, the bank's personal contact as well as new technological advances.

Mr. Fabelo, Lorenz + Williams, commended Mr. Weiskircher on reviewing all the details and site plan. He explained given the parcel, they wanted the building scale to be compatible with the site so had to redesign the interior of the building. For security reasons, they try to keep entries to a minimum, however, propose a rear entry at this building. He indicated they plan a variety of landscaping materials, including attention to the neighbor's views. Mr. Fabelo reviewed the lighting fixtures which will produce light up and then reflect down to avoid any light "pollution". The building materials are federal style with a palette of colors to blend in with Oakwood. The accent colors will be off-white and ivory, he reviewed the two brick pallet colors, noted shutters will be installed in accent color, everything will be neutral. He referenced the proposed "cement siding" material which requires minimum maintenance. Mr. Kendall asked for additional information on the siding. Mr. Fabelo noted they don't want to use vinyl siding but this cement material requiring minimal maintenance. He also reviewed the cupola which will be made from material similar to the cupola at the city building, not a shiny metallic finish.

Mr. McGinnis welcomed them to Oakwood, is pleased with the appearance of the project and the pedestrian friendly features. He noted it would be great if they could access the CVS lot. Mr. Wilson concurred and introduced Mr. Qualey who negotiated this property and has been in contact with CVS. Mr. Qualey explained CVS has been made aware of the bank project and were contacted about six months ago about the cross easement and parking agreement. He has provided CVS with the site plan and hopes to hear back within a week or two. Mr. Qualey indicated CVS is aware that both the city and bank would like to see this happen. Mr. McGinnis appreciated that cooperation.

Mr. McGinnis commended the lighting which is neighbor friendly and asked that the ATM lighting also be sensitive. Mr. Wilson indicated they concur and in order to provide safety, the ATM is under a roofed island and the lights are under the canopy. Mr. Faeblo explained the “down lighting” is under the canopy and not visible. Mr. McGinnis suggested they also maintain the tree lined walk along Far Hills to the south. Mr. Fabelo concurred; however, part of that area is CVS. Mr. McGinnis hopes that the new trees will mature to fill in. Mr. Wilson indicated they are adding trees that will mature, however, some of the existing mature trees are remaining; in fact one blocks the front sign over the doorway which is part of the reason for the free-standing sign.

Mr. Kendell asked if there were any questions from the audience. There were no comments. Mr. Kendell asked if this is forwarded to council. Mr. Weiskircher responded no, the commission is the final review. He suggested they deal with the Major Site Development Plan first.

Therefore, it was moved by Mr. Shulman and seconded by Mr. Aidt that whereas the Planning Commission has heard and considered the evidence presented by the applicant and other interested parties, and has heard and reviewed the staff’s preliminary findings, the Commission concurs with staff’s findings; and based on the foregoing, the Planning Commission finds that the criteria for plans set forth in Oakwood Ordinance Section 1013.9 are each met; and wherefore, the Planning Commission approves application #06-12, the request from Lebanon Citizens National Bank for a Major Site Development Plan review associated with the demolition of the buildings at 2701 and 2705 Far Hills Avenue for the proposed construction of a new one-story bank building and parking, on lots #1739 and #1740.

Mr. Kendell asked that the issue of having the lights on a timer be included and that staff and the bank representative work out those details.

It was moved by Mr. Shulman and seconded by Mr. Aidt that the aforementioned motion includes the lighting stipulation. Upon a viva voce vote on the question of the motion, same passed unanimously and it was so ordered.

Therefore, it was moved by Mr. Shulman and seconded by Mr. Byington that whereas the Planning Commission has heard and considered the evidence presented by the applicant and other interested parties, and has heard and reviewed the staff’s preliminary findings, the Commission concurs with staff’s findings; and based on the foregoing, the Planning Commission finds that the special use standards set forth in Oakwood Ordinance Section 1004.6 are each met; and wherefore, the Planning Commission approves application #06-12, the special use request from Lebanon Citizens National Bank for a free-standing sign at 2701 and 2705 Far Hills Avenue, and known as lots #1739 and #1740. Upon a viva voce vote on the question of the motion, same passed unanimously and it was so ordered.

Mr. Kendell welcomed them to Oakwood. Mr. Wilson extended thanks to the city staff that has been wonderful to work with.

The Planning Commission adjourned. The public meeting concluded at 5:37 p.m.

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CHAIR

ATTEST:

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CLERK