

Oakwood, Dayton, Ohio

January 17, 2007

The planning commission of the City of Oakwood, State of Ohio, met this date at the Oakwood Community Center, 105 Patterson Road, Dayton, Ohio, 45419, at 4:30 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.....ABSENT

Officers of the city present were the following:

Mr. Norbert S. Klopsch, City Manager  
Ms. Dalma Grandjean, City Attorney  
Mr. Jay A. Weiskircher, Assistant City Manager

The following visitors registered:

Steve Nixon, 409 E. Monument  
Paul Goodhue, 409 E. Monument  
Kevin, Eva and Brian Huey, 420 Hathaway  
Faye Wenner, 1900 Coolidge  
Bill Frapwell, 400 Hathaway  
Mark Risley, 151 Aberdeen  
Hugh Stephenson, 1211 Far Hills  
Nancy Bain, 444 Acorn  
Jerry & Dee Furrey, 849 Timberlake Court  
Laura Funk, Miamisburg  
Ryan Trent, 224 Triangle  
Steve Young, 320 Irving  
Cathie Black, 620 Woods  
Lance Winkler, 428 Hadley Avenue  
Claude & Mary Malone, 303 E. Schantz  
Shelly Janney, 318 Volusia  
Marlene Maimon, 1101 Ridgeway Road  
Bob Curry, Esq.  
Alan Rinzler, OIG  
Lee Schear, OIG  
Herold Williams, Versant

It was moved by Mr. Kendell and seconded by Mr. Byington that the absence of Mr. McGinnis be excused. Upon a viva voce vote on the question of the motion, same passed unanimously and it was so ordered.

It was moved by Mr. Kendell and seconded by Mr. Shulman that the minutes of the planning commission meeting held December 13, 2006 and of the planning commission work session held January 3, 2007 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 #07-1, the special use request by Kevin Huey for a secondary detached garage and drive at 420 Hathaway was reviewed. Mr. Weiskircher referenced a PowerPoint presentation and plot plan of the property and garage location. He reviewed the proposed garage which includes two bays, a maximum height of 18', Tudor style with asphalt shingles and limestone materials. Mr. Weiskircher explained the height is driven by the need for storage on the second floor and a workshop at the rear of the garage. He then reviewed photos of the existing curb cut, existing two-car attached garage, proposed location of

garage which will be connected by a concrete pad, the neighboring Frapwell detached garage and the detached garage at 313 E. Thruston which is similar in height to the proposed. He indicated the Hueys are at the meeting and have building material samples.

Mr. Huey indicated they have lived in their 1929 Elizabethan Tudor style stucco home for over eleven years and own the rear half lot. Since they have two teenagers and more than two cars, they want to minimize on-street parking for aesthetic and safety reasons so proposed the two-car detached garage constructed from limestone and dimensional shingles which compliment their Tudor home. Mr. Huey reviewed samples of the building materials, noted they meet the setbacks and asked for approval.

Mr. Byington indicated the drawings note a timber frame. Mr. Huey explained it will be 2 x 4 with stone veneer. Mr. Shulman asked if trees will be removed. Mr. Huey responded two cedar trees will remain but the overgrown taxus will be removed and they are contemplating additional screening. Mr. Kendell asked if the new pad will be concrete. Mr. Huey concurred. Mr. Byington asked if the proposal includes gutters. Mr. Huey responded yes. Mr. Kendell asked if the rendering is the end product. Mr. Huey agreed except for the roof pitch which is a bit different, only 18' in height similar to the Frapwell's garage. He reiterated the materials match and the garage mimics the solarium. Mr. Byington asked about exterior lights. Mr. Huey reviewed plans for a small Tudor fixture on the center pillar plus some lighting at the side entry. Mr. Aidt asked if the existing roof is slate or cedar. Mr. Huey explained it is tile which is no longer available so they chose a shingle pattern with a multi-color look to blend in.

Mr. Kendell asked for comments from the audience. Mr. Frapwell referenced his support of the proposal which will look better than his garage. He admired the desire to construct a quality garage and supported the project. Mr. Risley commended the proposed garage which will match the house, however, suggested a new coach style garage door. Mr. Huey indicated their proposal mimics the existing garage door. There being no other comments, the public hearing was closed.

#### **SPECIAL USE STANDARDS**

- A. The proposed use at the specified location is consistent with the Comprehensive Plan.  
PRELIMINARY STAFF FINDINGS: One of the objectives in the Comprehensive Plan is to ensure that additions are compatible with, compliment and enhance existing neighborhood scale and character. The proposed garage is in keeping with the architecture of the existing principle structure and is not out of scale with the size and height of other accessory structures in the 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 already a number of detached garages in the immediate area and the proposed garage sets further back from Hathaway Road than the detached garage located on the adjoining lot to the north.  
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 Hueys currently have an attached two-car garage but the family has five vehicles and they would like to be able to park the vehicles in an enclosed structure rather than on the driveway. Within the proposed garage will be a workbench along the rear wall and overhead storage capabilities. These proposed uses of the structure are consistent with the area and will not be detrimental to the public nor the surrounding properties.  
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: As just mentioned, the proposed use of the garage is consistent with other accessory structures in the area and therefore should not diminish or impair property values.

**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 location, size and height of the structure should have no impact whatsoever on the use or 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:** As previously mentioned, the architecture of the proposed garage is in keeping with the principle structure but due to the unavailability of matching materials, the building will be constructed of limestone with asphalt roof shingles.

**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:** The new garage will be accessed by an 11' x 20' asphalt pad connected to the existing driveway.

**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:** Since the existing driveway will be used to access the proposed garage, there will be no added traffic or ingress or egress issues.

**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:** Other than the special use request required for a secondary garage, the height and setbacks comply with the zoning regulations.

**PLANNING COMMISSION FINDINGS: Sustained.**

The ordinance provides several standards to be considered for secondary garages. The standards which apply to this application are as follows.

1. Driveway access to the private garage shall be combined with attached or detached garage to minimize curb cuts.

**Comments:** As already mentioned, the proposed secondary garage will be accessed from the existing curb cut and driveway.

2. Driveways to the private garage, when extending behind the front building line, must meet the side yard requirements of the zoning district.

**Comments:** The proposed access pad is 7 feet from the lot line of the adjoining property to the north where 3 feet is required.

3. Private garages shall meet the minimum side yard requirements of the district.

**Comments:** The proposed garage meets both the side and rear yard setbacks of the district.

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 the staff's findings; 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 #07-1, the special use request by Kevin Huey for a secondary detached garage and drive at 420 Hathaway Road, and known as lot #2591, be approved 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.

Tabled application #06-15, the review of separate applications for Special Use Permits submitted by the Oakwood Investment Group (OIG) and the Versant Group for a unified Planned Development of the 36+ acres of property, bounded by W. Schantz and Far Hills Avenues, in compliance with the city of Oakwood's Zoning Ordinance provisions governing Special Use Permits and Planned Developments and consistent with the 1997 Sub-Area Plan, 2004 Comprehensive Plan and the 2004 NCR Sugar Camp Site Development Alternatives and Guidelines was presented.

Mr. Kendell explained this is the fourth meeting (including a work session) in reviewing the proposed Sugar Camp plan. He explained to the audience that the Planning Commission is charged with making a recommendation to City Council for their final review and decision. Mr. Weiskircher explained the presentation is in follow-up to questions raised at the January 3 work session. He indicated Mr. Williams, Versant, will review setbacks, sidewalk access, new pocket park; and then Paul Goodhue, Woolpert, will review traffic signals and lane descriptions.

Mr. Williams, Versant, reviewed the park and walkway plan which will create aesthetic paths through the development into the new athletic field. He referenced the drawing and noted the areas outlined in red are brick walks; two buildings have been moved several feet in either direction to make room (between the Towne and Park Villas) for a landscape trail which will include risers and steps; brick sidewalks will be located on both sides of the boulevards and throughout the development; one residential building is being eliminated to accommodate the 3/8 acre pocket park; and walls/terraces within the park for more open space. Mr. Williams referenced the key on the drawing which notes the specific setback at each prominent building. Along Far Hills, the setbacks vary between 40-48' and on West Schantz it starts at 56', the wooded area will be maintained and then deeper setbacks of 77-72'. Mr. Williams reviewed the landscaped paths which are very aesthetic and will allow the public and residents to meander, however, the hill areas are less pedestrian friendly and will remain natural.

Mr. Shulman questioned the 40-48' buffer. Mr. Williams explained there will be vegetation, tree scapes, and low walls with stone cap – architectural elements within the landscape. Mr. Aidt noted at the new Far Hills Avenue entrance there are two points of pedestrian access and suggested a sidewalk be included on the other side of the entry for access to the field without having to cross the road. Mr. Williams agreed. Mr. Kendell asked about the possibility of a pond. Mr. Williams indicated since the area is fairly limited, they would need a large enough area to make a statement so did not include a pond. Mr. Byington questioned the walls along Far Hills. Mr. Williams explained the wall isn't a barrier but a hardscape element with plant material, a vertical surface which is more polished with a granite cap, intermittent and intertwined. Mr. Kendell asked for information on the street material. Mr. Williams explained overall it will be blacktop with a rolled curb, however at intersections and in the small cul-de-sacs they will use granite pavers for accent. He indicated they did look at brick but that was cost prohibitive. Mr. Byington asked about the removal of buildings. Mr. Williams indicated they are removing one building which had two units to make enough space available for the pocket park. Mr. Byington thought the original plan had more buildings between the noted I and K setback information. Mr. Williams explained the buildings were shifted.

Mr. Kendell referenced concern with the height of buildings and questioned how the four-story building will fit into the topography. Mr. Williams reviewed the elevation drawing cross sections and explained when looking south on Far Hills at the northern side, the community building will be seen. The highest building is the four-story condo building which has eight units per building, however, based on the topography and the steady slope, only two stories will be visible. He indicated the community building

and plantings will help camouflage the height and noted the buildings cannot be seen from W. Schantz. Mr. Shulman asked about proposed elevators. Mr. Williams explained the four story buildings have private elevators from the parking garage to the individual units. He explained all housing units are being designed for an optional residential elevator since the elevator industry has become very competitive. He noted all units are wheel chair friendly, will have wide corridors for handicap accessibility, etc. Mr. Weiskircher referenced the proposed pocket park and explained for comparison purposes, Shafor Park is approximately one acre and the proposed park will be one-third an acre.

Mr. Goodhue, Woolpert, referenced an overview of the transportation plan which includes lane widenings for turns and a simulation of the traffic network. He reviewed how the six major intersections will function - information is based on the traffic study. He pointed out the busiest time of the week is approximately 4:30-5:30 p.m. and the simulation depicts peak traffic movements. He reviewed the turn lanes, traffic signal modifications, areas that will need to be widened and the optional landscape median island on Far Hills. Mr. Weaver indicated this is based on actual traffic counts. Mr. Goodhue agreed the information is based on existing traffic data from 2006 and upcoming needs through 2009. He reviewed multiple vehicles clearing through and indicated they will need to connect to the timing by the NCR property and Main Street since those signals are not coordinated. Mr. Kendell appreciated the helpful presentation and noted the question is whether it will work and wondered what will happen if there is a wreck. There being no other formal presentation, Mr. Kendell opened the meeting for public comment.

Nancy Bain, Acorn Drive, referenced a discussion with John Eastman about stormwater management and groundwater direction. She was informed the water will run into the NCR lagoon and asked about potential contamination. Mr. Oxner explained the middle of the project's runoff will be directed to the NCR lagoon and the surface pollutants are no different than what currently exists. He indicated there are filters that can be put in catch basins but at this point, nothing new has been planned. Ms. Bain referenced how Council has been on the hot seat about the deer issue and the traffic plan does not depict what will happen when the deer are crossing the street since the natural acreage is being wiped out. She believes questions are not being answered and has concern with what will happen when this doesn't work out since there is such a downturn on housing. Mr. Kendell agreed there is a concern with that and a performance bond would be required. Ms. Grandjean explained a performance bond would cover any loss to the city if the project fails only as it relates to expenses - there is no guarantee for the tax revenue. Mr. Klopsch explained the roadway along the north edge to service Old River is to be put in by the city and since public money will be invested in that, they are looking at financing it through a TIF arrangement based on the new tax revenue generated by the development. He noted there may also be other infrastructure items financed through a TIF. Mr. Aidt indicated the project will also be bonded.

In regard to the deer issue, Mr. Byington asked if the thermal scan depicted a sizeable population in that area. Mr. Klopsch indicated they undertook an aerial survey, similar to what Five Rivers did, with the focus on Hills and Dales and the survey ended at Northview. He added they can't explain the 24 cited animals since there were 34 reports in 2006 from the public safety department of deer issues, 15 deer were killed. Mr. Byington questioned the deer accidents near this area. Mr. Klopsch recalled three to four. Ms. Bain indicated the deer utilize this green space and travel around. She is not saying they need to redo the development for the deer but felt it is unfortunate that years ago the area was not developed in a more environmentally sensitive and efficient way for the citizens of Oakwood and wildlife. She also questioned the \$90 million per year tax. Mr. Klopsch clarified the \$90 million is the real estate value - not the annual amount of tax revenue. Ms. Bain referenced all the time that has been spent on the deer issue, no one cares about what goes into the lagoon and she has spent years learning about water. She has lived in Oakwood for 20 years due to the natural areas and given all the taxes she has paid, is concerned with the small pocket park, lagoon, traffic, deer being pushed out, etc.

Mr. Bieser, 790 E. Schantz, asked about the width of the roadways not just for fire and safety issues but also aesthetics. He hopes the final design will have roads at a minimum width. He also wondered if there is any assurance that the Old River Park will remain since some of the homes are built to overlook that area. Mr. Klopsch explained the code requires 27' street width but the commission and council have authority to permit a smaller roadway and it's in the best interest of the developer to keep the roadway narrower. The city prefers a 24' width, similar to the new Little Woods roadway as it is less pavement, more green space and traffic calming which helps reduce the speed. Mr. Williams explained as a

developer they concur with making sure the right roadway width is met and have proposed 24' for two-way and 18' for one-way. Mr. Klopsch explained the 24' with roll curb is only 19' of road with 2 ½' of curb on either side. Ms. Bain asked about extra cars. Mr. Klopsch indicated there is on-street parking. Ms. Bain believes on-street parking isn't aesthetic. Mr. Williams explained every unit will have a two-car garage and drive and they could limit with covenants and restrictions that there be no more than one car in the drive. He noted street parking is generally for guests, not residents. Mr. Klopsch indicated since the city now owns the 28 acres of playing fields at Old River, and although he cannot speak for future elected officials, he cannot imagine the land will change. Mr. Bieser referenced the area to the west of the lagoon which is not controlled by the city of Oakwood and could possibly become a high rise or used car lot. Mr. Klopsch indicated that land is west of the corporation line and there is no property overlooking the area. Mr. Bieser suggested the developer use less than 24' width which would help save money and contribute to the aesthetics.

Mr. Trent, 224 Triangle, expressed concern with the winding design of the sidewalks on Far Hills; with the walks at the entries since that is a heavily traveled roadway; and entry signs to this neighborhood when there are no other such signs in Oakwood except in the Business District. He also wondered why the cul-de-sac at the western area does not access the upper parking lot and suggested the potential median on Far Hills match the Far Hills Business District median. Mr. Williams explained the curved meandering walks abutting Far Hills are for aesthetic reasons, a landscape architectural planting. In regard to the cul-de-sac connecting to the parking lot, Mr. Williams noted the hill is so steep that a connection would be impractical.

Ms. Faye Wenner, Coolidge, referenced the special use standards and indicated this development is a loss of green space, includes heavier traffic, different housing and will have an adverse impact on the neighborhood and property values. Mr. Kendell believes that is a matter of opinion – for years the city has studied this area via the Comprehensive Plan, etc., and it calls for this type of development. He believes this will enhance property values and positively change the character of the area. Ms. Wenner asked if the neighborhood in the immediate area has been surveyed for their opinion. Mr. Kendell indicated all those citizens have received notice of the public hearing and there has been opportunity to provide concern. Mr. Byington noted the standard states “adversely” which is the key word. Mr. Curry pointed out the special use standards were for the previous application; this is a PUD. Ms. Wenner indicated in her opinion this is not acceptable. Mr. Klopsch referenced staff's concern that that the 36 acres has not been used for years and history showed in the 1970s it was heavily used and some may recall the traffic generated by NCR, the two gas stations on the corners of Far Hills, etc., now the land can be developed.

Mr. George Houk, 310 W. Schantz, lives across from the proposed commercial building at the southwest corner of the lot. He expressed serious objection with the close proximity of the building to the street, four-story building with possible restaurant which in turn leads to liquor, drunks, etc. Mr. Gene Burbey, 284 W. Schantz, echoed those concerns and wondered why the building will be so close to the street. He has heard it was a three-story building and now questioned the four-stories, density of the building, etc. He believes there will be more traffic, questioned the café density, liquor license, setting a precedence (potential future strip club) and whether on-street parking will still be available by the west gate.

Mr. Kendell explained the commercial building is only three-stories, the ordinance would not permit a strip joint, and the liquor license is governed by state regulations. Mr. Rinzler explained when you enter at the west gate, the west side of the property slopes severely and the commercial building will be built into the slope and setback considerably from the road. He indicated only 1 ½ stories will be visible from the street and the existing 40' tree line setback will remain. He noted it is only a rumor about four-stories; the building has always been three-stories with a total of 24,000 s.f. Mr. Rinzler indicated the first floor of the three-story building will only have 8,000 s.f. and at this time they have no potential client but want the option for a fine dining restaurant. The café is located in the historic gatehouse and he asked if there are questions relating to that. Mr. Burbey responded no. Mr. Goodhue indicated the on-street parking will be maintained.

Mrs. Marlene Maimon, 1101 Ridgeway, asked about the mature tree vegetation that will be eliminated along Far Hills. Mr. Kendell indicated some trees will be removed; however, new vegetation is planned.

Mr. Williams explained good vegetation will remain in that 40' setback area and the Schantz setback area is already more dense. Mrs. Maimon recalled in December hearing that 20 acres of green space would be reduced to 7 acres and expressed her concern with the impact on the environment. She referenced Mayor Cook recently rejecting the Disbrow subdivision because a "buffer" on the south side of Oakwood was needed to help protect Fairmont from noise, traffic, etc. Mrs. Maimon indicated the argument Mayor Cook used should apply in principle with Sugar Camp. She indicated they are spoiled in Oakwood, this land has been vacant and undeveloped but it helps filter pollutants from Dayton, I-75, assist with heat retention in the summer rather than asphalt, etc. She would prefer this be a buffer area with more green space. Mrs. Maimon indicated although the developers have the right to make money, the city has an obligation to protect the quality of life citizens have enjoyed. She urged commission members to ask what impact the development will have on Oakwood and whether the quality of life for Oakwood citizens will be compromised.

Mr. Hugh Stephenson, 1211 Far Hills, asked what cost obligation the city will have as it relates to the infrastructure and fire protection. Mr. Klopsch explained the public safety department has reviewed the development and indicated they have the capacity to handle the fire component. He explained if the city has a working fire, they call for mutual aid since the city doesn't have a ladder truck. In regard to public works, they have also reviewed the issues and can handle the work as it relates to street sweeping, refuse, etc. In regard to the amount of money for the infrastructure, they can't yet answer that but hope to have information by the March council meeting.

There were no other comments. Mr. Kendell explained that as a result of the meetings, the Planning Commission has developed the following findings and recommendations.

***SUGAR CAMP MASTER PLAN PROPOSAL  
OAKWOOD PLANNING COMMISSION FINDINGS  
AND RECOMMENDATIONS***

*Oakwood Planning Commission held public hearings on December 13, 2006, and January 17, 2007, and conducted a work session, open to the public, on January 3, 2007, to review the Sugar Camp Master Plan Application submitted by the Oakwood Investment Group (OIG) and the Versant Group, owners of the 36+ acres of property bounded by West Schantz and Far Hills Avenues. This Master Plan was submitted to satisfy the requirement for development within a Multi-Use Special Planning District.*

*In advance of the initial public hearing on December 13, 2006, all members of the Planning Commission received an extensive submittal packet in support of the Master Plan Application. This packet included data and summary information compiled by the developers and their consultants on issues related to the proposed development of the 36+ acres of property encompassing Sugar Camp and the adjoining property. Included in the submittal packet was a Traffic Study performed by Woolpert Consultants and reviewed by LJB on behalf of the city. Also included were the results of soil borings and environmental tests performed on the site by consultants of NCR, the Versant Group and entities previously expressing interest in the property. Information was also submitted on tree preservation, utility installation and lighting components of the Plan. There were also numerous boards and drawings depicting proposed buildings and other site issues, along with renderings of architectural themes to be used throughout the development.*

*This information, along with comments and presentations made by city staff, the developers and their consultants, consultants representing the city, and the general public, has been thoroughly reviewed by Planning Commission. Based upon that review, the Planning Commission makes the following findings and recommendations on the proposed Master Plan for development of Sugar Camp and the adjoining acreage.*

- 1. The proposed Plan meets many of the recommendations set forth in the 2004 Sugar Camp Developmental Alternatives and Guidelines, the 2004 Comprehensive Plan and the 1997 Subarea Plan – the current Master Plan for the area. Components of the proposed Master Plan consistent with the re-use and redevelopment guidelines are as follows.*

- *A unified site development site plan of the entire 36+ acre tract.*
  - *A multi-use development which provides for commercial reuse of the existing buildings on the Sugar Camp site; limited speculative commercial development; and residential development to include single and multi-family housing units and mid-rise condominiums with a focus on “step-down” housing for seniors and empty nesters.*
  - *Outdated and non-code compliant cabins on Lot 1 will be demolished along with the cyclone fence which runs along the W. Schantz frontage.*
  - *Adequate parking will be installed to serve the needs of the office, religious and possible restaurant uses throughout the site.*
  - *Except for a proposed office building at the northern terminus, the Far Hills corridor of the site will be developed with upscale residential housing units.*
  - *The density of the residential development shall not exceed six (6) units per acre; less than the 8 to 12 units suggested in the Master Plan documents for the site.*
  - *Recognizing that mature tree stands will be lost when the residential portion of the Plan is implemented, natural features on the site, including topography and existing vegetation and trees, will be used to create an environment and amenities unique in this area.*
  - *Both the commercial and residential portions of the development will be attractively landscaped and include 40-foot landscaped setbacks along both the Far Hills and West Schantz frontage in all areas except where the existing Gatehouse will be converted into a neighborhood café.*
  - *A single curb cut on Far Hills Avenue will serve as ingress and egress for the residential portion of the site as well as the city’s athletic fields at Old River. There will be two curb cuts along West Schantz Avenue and the primary entrance to the commercial portion of the site will be opposite Kramer Road. At both Kramer Road on West Schantz and opposite Springhouse Road on Far Hills Avenue, traffic signal devices will be installed and lane modifications undertaken consistent with recommendations included in the Woolpert Traffic Study and concurred in by the city’s traffic consultant.*
  - *Except for four 4-story condominium units proposed within the residential portion of the site, all other new residential and commercial buildings will be three stories or less.*
  - *The commercial portion of the development will yield additional income tax revenue for the city of Oakwood and the entire development will yield property tax benefits primarily benefiting the Oakwood City Schools.*
2. *The proposed office portion of the development yields community-wide benefits by reusing buildings currently on the site for office, religious and potential commercial uses complementary to the adjoining residential development and the adjacent Hatch Plat neighborhood. Furthermore, the residential portion of the development maximizes use of available space by taking advantage of the unique topography to create multiple housing options with varying architectural styles and floor plans designed to meet individual housing and lifestyle needs in an aesthetically pleasing environment.*
  3. *Within Lot 1, Buildings A, B and D will be reused for office space. Building C has already been approved as the location for Beth Abraham Synagogue. The exterior appearance of these four buildings will not be altered except for a new canopy on the northwest side of Building C as well as a new canopy and drop off area near Building A.*
  4. *A Mikvah Building, not to exceed 1,000 s.f., may be constructed at the location depicted in exhibits submitted by the developer. Building materials shall be consistent with the site.*
  5. *The existing gatehouse along Schantz Avenue may be renovated to serve as a café serving light fare such as pastries, coffee, tea and sandwiches.*

*The Planning Commission further recommends that City Council may wish to consider establishing operating hours for the café.*

6. *A professional building, not to exceed three (3) stories in height, may be constructed on the western edge of Lot 1. Such building shall not exceed 24,000 s.f. and must be constructed of exterior building materials consistent with the site. This building may include a fine dining restaurant and shall be*

*subject to all requirements and restrictions imposed by the State of Ohio Liquor Control Board and/or the city of Oakwood.*

- 7. While the development is not geared towards younger families with school-age children, school officials have indicated there is sufficient class room space available to accommodate school-age children residing within the development, or those families with school-age children who may move into the district as current residents sell their homes and relocate to Sugar Camp.*
- 8. The location and number of parking spaces serving the existing and proposed commercial buildings and the community building will be consistent with the Master Plan. Decorative lighting fixtures, not to exceed sixteen feet mounting height with high pressure sodium lamps, will be used in all parking areas. The lights will be cut-off style that project light downward but not outward directly toward adjacent properties. The interior of the parking areas will include ground cover and trees consistent with Oakwood requirements. All parking areas visible from Far Hills and West Schantz Avenues will be visually screened with evergreens at least five (5) feet in height at planting.*
- 9. Except as required for security reasons, all parking lot lights within the development will be placed on timers to be shut off when a lot is no longer in use.*
- 10. Environmental conditions identified on Lots 2 and 3 are being addressed by the developer through remediation procedures recommended by the developers' consultant, and concurred in by the city's consultant as well as by representatives of the Ohio Environmental Protection Agency.*

*Consistent with a recommendation from the Oakwood Board of Health, the Planning Commission recommends that the city employ a consultant throughout the construction phase of the project to ensure that environmental issues, both known and unknown, are addressed consistent with already approved remediation methods and other requirements deemed appropriate by the city or other controlling agencies.*

- 11. All new public and private streets within the development will be constructed using Oakwood standards and specifications. The new streets within the residential areas shall generally be asphalt with cobblestone or paver accent features and rolled concrete curbs. The streets shall have a maximum width of 24 feet and shall not be less than 18 feet wide in any location.*
- 12. All utilities serving the development will be constructed according to city of Oakwood specifications. No overhead utility lines will be permitted on the site.*
- 13. The total number of single family and duplex units may be modified by up to 20% without an amended plan being filed, but in no case may the density exceed more than six (6) units per acre. All single family and duplex residential units shall have a minimum two-car garage and include an option for a residential elevator.*
- 14. The residential portion of the site may also include a maximum of four-4-story condominium buildings in the location depicted on the Master Plan. Each building will be served by an underground garage system and private elevators, and there shall be no more than eight (8) units per building. Any request by the developers to build additional multiple-story condominium buildings must be approved by the Planning Commission and City Council.*
- 15. Architecture for the residential units, the community building and proposed professional office building shall be generally as depicted in the developers' submittals.*
- 16. Proposed building materials, within the residential portion of the site, reflect an upscale development and shall generally be consistent with products and samples presented to the Planning Commission at their January 3, 2007 work session. All new residential and commercial structures within the residential portion of the development will have tile roofs within the color ranges identified by the developer.*

17. *Brick sidewalks, with a minimum five foot width, will be constructed within the residential development consistent with the Master Plan. In consultation with the city, the developer will be required to provide a safe and convenient walking route for the public to gain access to the athletic fields at Old River.*
18. *The developer shall work with city staff on appropriate signage to be located at the three entrances to the development. All signs shall be consistent with the architecture of the site and shall have landscaping around the base. All signs will be either uplit or have shadow lighting. The wording on the signs shall be approved in advance by city staff.*
19. *Landscaping is an important component of the Plan and the Planning Commission recommends that as development progresses, the developers be required to submit a master landscape plan for review by both Planning Commission and City Council.*

*The Planning Commission further recommends that no occupancy certificate be issued for a building until all landscaping associated with that building has been completed. The developers shall be responsible for future maintenance of all trees, bushes and flowers planted on the site, with dead or significantly diseased vegetation to be removed and replanted as reasonably practicable.*

20. *The developers shall contract with an arborist who, along with members of city staff, shall identify all trees to be preserved on the site and shall agree upon a method to protect these trees before, during and after construction.*

*The developer shall be required to reasonably reroute roads and driveways and relocate building footprints in order to minimize tree loss. The group of trees along W. Schantz Avenue shall be preserved, except for those trees which are diseased or dead, or trees which must be removed for the new main entrance and parking lot opposite Kramer Road. Any trees removed along W. Schantz Avenue, except those trees at the main entrance and the new parking lot, will be replaced with a like species at least 4" in diameter at planting.*

21. *While recognizing the topography challenges on the site and the desire to maximize use of available acreage, the Planning Commission strongly recommends that the city and the developers work together to identify at least one location for a pocket park to serve the residents of the Sugar Camp Development and the surrounding neighborhoods. Development of park space on the site will be consistent with other pocket parks located throughout Oakwood.*
22. *According to city staff, city services to both the commercial and residential portions of the site can be furnished by existing safety and service personnel.*

23. *The proposed phasing of the project appears to be appropriate for an upscale development and is consistent with absorption rates described in the 2004 NCR Sugar Camp Subarea Plan.*

*Although phasing may be accelerated, if any portion of the Master Plan falls more than 12 months behind schedule, the Planning Commission recommends that the developers be required to submit a revised build-out schedule for approval by both the Planning Commission and City Council.*

24. *All other aspects of the Plan not specifically referenced herein shall be as proposed and referenced in submittals provided to the Planning Commission.*

*The Master Plan submitted by OIG and the Versant Group demonstrates a sincere effort by the developers to meet the guidelines established by the existing Master Plan for Sugar Camp and the adjoining property. The developers have chosen to reuse existing buildings on the site for religious, commercial and office purposes which compliment the remaining residential portion of the development as well as the adjoining neighborhoods to the east and south. Special attention and consideration have been given to limit the number of access points to the development and traffic impact on nearby residential streets. The residential portion of the development offers potential buyers varied housing opportunities not currently available in Oakwood. Importantly, the Master Plan also attempts to*

*maximize the fiscal gain to the community by generating additional income tax and property tax revenue benefiting the city of Oakwood and the Oakwood City Schools.*

*Based on the foregoing, the Planning Commission recommends that the proposed Planned Unit Development Special Use for the 36+ acres of property encompassing Sugar Camp and the adjoining property be granted, subject to the restrictions recommended herein, along with any other conditions or requirements Oakwood City Council may deem appropriate, including the procurement of all necessary Performance Bonds to insured the completion of all work involved in this project.*

Therefore, it was moved by Mr. Shulman and seconded by Mr. Byington that application #06-15, the review of separate applications for Special Use Permits submitted by the Oakwood Investment Group (OIG) and the Versant Group for a unified Planned Development of the 36+ acres of property, bounded by W. Schantz and Far Hills Avenues, in compliance with the city of Oakwood's Zoning Ordinance provisions governing Special Use Permits and Planned Developments and consistent with the 1997 Sub-Area Plan, 2004 Comprehensive Plan and the 2004 NCR Sugar Camp Site Development Alternatives and Guidelines, be recommended to city council for review and approval at the March 5 council meeting. Upon a viva voce vote on the question of the motion, same passed unanimously and it was so ordered.

Mr. Rinzler extended thanks to the Commission. Mr. Kendell expressed appreciation to citizens for all their input and commended the developers for the obvious time spent on this high class development.

Mr. Aidt asked about the next step. Mr. Klopsch explained the recommendation will be forwarded to council at the March 5 meeting for a public hearing. He indicated council could either make a decision in one meeting or identify issues or questions to be answered which could delay the process. Mr. Aidt asked what happens after council approval. Mr. Klopsch indicated the developers would then begin to carry out the plan and a survey team and staff would stake out roadways, walk through to identify trees and the project will begin to unfold. Mr. Aidt asked if plans will return to the Commission. Mr. Klopsch indicated Lot 1, owned by Versant for the residential component, will need to be subdivided and the Commission is the approving authority. He indicated there are also other details to be worked out, i.e., financial issues, stormwater runoff which involves cities of Kettering, Dayton and NCR.

The Planning Commission adjourned. The public meeting concluded at 6:50 p.m.

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CHAIR

ATTEST:

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CLERK