

Oakwood, Dayton, Ohio

December 5, 2012

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 City Attorney, Mr. Robert Jacques, recorded minutes as Acting Clerk.

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

MR. JEFFREY B. SHULMAN.....PRESENT
 MR. ANDREW AIDTPRESENT
 MRS. HARRISON GOWDYPRESENT
 MRS. E. HEALY JACKSONPRESENT

Officers of the city present were the following:

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

The following visitors were present:

Mr. Matthew Arnovitz

It was moved by Mr. Shulman and seconded by Mr. Aidt that the absence of Mr. Byington 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. Aidt and seconded by Mrs. Jackson that the minutes of the planning commission meeting held on November 7, 2012, 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, the same passed unanimously and it was so ordered.

Application #12-13, the application submitted by Beth Abraham Synagogue for an amendment to the Sugar Camp Master Plan for the installation of a replacement entry canopy at 305 Sugar Camp Circle, was presented by city staff.

Mr. Weiskircher explained that earlier this year, the original entry canopies for Building B and the synagogue were removed, with the intent of submitting replacement canopies for Planning Commission review. In September, the replacement canopy for Building B was approved, and now Beth Abraham is proposing its own replacement canopy. Mr. Weiskircher referenced a PowerPoint presentation with photographs of the old canopy from the synagogue, the new canopy installed on Building B, and sketches of the new canopy proposed for the synagogue. The proposed canopy is similar in size and scale to the previously existing canopy. Staff's only concern about the design was that three (3) stained glass panels on the canopy would be illuminated from the inside. Mr. Weiskircher closed his presentation with a staff recommendation that the application be approved, provided that the Planning Commission is satisfied with the proposal to illuminate the stained glass panels.

Mr. Arnovitz, a representative from the Applicant, said that Mr. Weiskircher's presentation adequately covered the subject and he was just here to answer any questions.

Mr. Shulman asked if there were any photographs of the proposed glass panels. Mr. Arnovitz produced an iPad with several pictures and a discussion was held at the dais where all Commission members could view the pictures. Mr. Arnovitz explained that the panels were designed with a diffusing film on the inside, so that although they were illuminated, it would be an even light and you would not be able to distinguish the fluorescent fixtures behind the glass. He also said the synagogue plans to use a timer so the panels will not be lit all night.

Mr. Shulman asked if the lighting effect is subtle. Mr. Arnovitz said yes, that the diffusing film keeps it tasteful instead of harsh or bright. They had explored the idea of using down-lighting or not lighting the panels, but the panels were washed out and could not be seen at all. This method makes the panels visible but is subtle and elegant.

Mr. Shulman asked Mr. Weiskircher if he had specific concerns about the lighting. Mr. Weiskircher replied that his only concern was the overnight duration. If a timer is used, there are no concerns.

Mrs. Jackson asked if the panels might actually assist with building identification, in that it would be easier to distinguish the synagogue building from other buildings in the development that contain office or professional uses. Mr. Arnovitz agreed.

There being no additional public comments, the public hearing was closed and the Commission deliberated.

SPECIAL USE STANDARDS

- A. The proposed use at the specified location is consistent with the Comprehensive Plan.
 PRELIMINARY STAFF FINDINGS: In general, the plans for the proposed new entry canopy are consistent with the standards and principals outlined in the Comprehensive Plan and do not impact adjacent neighborhoods, although the lighted stained glass panels could impact the area and should be the focus of Planning Commission inquiry.
 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 canopy itself does not appear to have an adverse effect or change the character, depending upon how the lighted stained glass panels are implemented.
 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 canopy itself does not appear to be detrimental to or endanger the public health, safety, morals, comfort, convenience or general welfare, as long as a timer is utilized so that the stained glass panels are not lit overnight.
 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 canopy is not likely to impact property values within the neighborhood. The canopy should not interfere with other properties as long as a timer is utilized so that the stained glass panels are not lit overnight.
 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 use should not impact the development or use of other properties within the Sugar Camp 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 canopy itself is similar in size, scale and architectural design to other canopies within the Sugar Camp development. The lighted stained glass panels, while unique to this canopy, are not significantly out of character for the area.

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 proposed canopy has no bearing on access or parking, and all electrical utility requirements will be met by the applicant.

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 canopy has no impact on ingress, egress, or other traffic patterns.

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: Except for the special use requested, the property conforms with all other applicable regulations for the Sugar Camp development.

PLANNING COMMISSION FINDINGS: Sustained

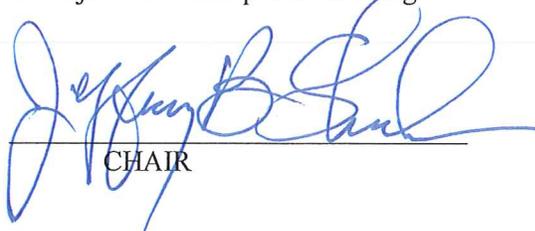
Therefore, it was moved by Mr. Aidt and seconded by Ms. Jackson that Application #12-13, the application submitted by Beth Abraham Synagogue for an amendment to the Sugar Camp Master Plan for the installation of a replacement entry canopy at 305 Sugar Camp Circle, be approved based on plans and information previously submitted and in compliance with all applicable city rules and regulations.

Upon call of the roll on the question of the motion, the following vote was recorded:

MR. JEFFREY B. SHULMAN..... YEA
MR. ANDREW AIDT YEA
MRS. HARRISON GOWDY YEA
MRS. E. HEALY JACKSON YEA

There being four (4) yea votes and no (0) nay votes thereon, said motion was declared duly carried and it was so ordered.

There being no further business, the Planning Commission adjourned. The public meeting concluded at 4:58 p.m.


CHAIR

ATTEST:


ACTING CLERK