

Oakwood, Ohio
February 3, 2016

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., Oakwood, Ohio, 45419, at 4:30 p.m.

The Chair being physically absent but participating by speaker phone, the Acting Chair, Mr. Andy Aidt, presided and the Clerk, Lori Stacel, 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. Ethan M. Kroger, Code Enforcement Officer

The following visitors were present:

Lauren Stephenson, *DDN/NC7*
April Jordan, *OIG*
Marc Myers, *Starbucks*
Jim Obert, *Hills Properties*
Michael Copfer, *Hills Properties*
Bob Posner, *OIG*
Louis Guttman, *Hills Properties*
Jeanne Harman, *325 Haver Road*
Cindy Buckreus, *2599 Miamisburg Centerville Road*
Sarena Kelley, *420 Kramer Road*
Justin Kelley, *420 Kramer Road*
D. Stack, *550 Rubicon Road*
Michael Hapgood, *305 Northview Road*
Amy Schenck, *254 Northview Road*
Brian Barr, *Oakwood Register*
Wendy Lewis, *115 Ascent Circle*
D. Lee Geary, *132 Pointe Oakwood Way*
Krishnamoorthy Manickam, *340 Lonsdale Avenue*
Jessica McCann, *407 Wiltshire Boulevard*
Cole Prizler, *546 Shafor Boulevard*
Deborah Vandercher, *272 W. Schantz Avenue*
John & Connie McKay, *450 Kramer Road*
Brian & Elizabeth Morris, *325 Maysfield Road*
Karen Kaw
Sarah & Bryan Waechter, *231 Northview Road*
Stephan Susta, *20 W. Schantz Avenue*
Greg Robinson, *236 Rubicon Road*
Cate Berger, *423 Glendora Avenue*
Jane Maney, *300 Southview Road*
Jim Joly, *1011 Little Woods Road*

Michelle Tucker, 49 Ivanhoe Avenue
Kati Gottesman, 1501 Shafor Boulevard
Louis Keiler, 318 Southview Road
Terence Lau, 165 Pointe Oakwood Way
Anne Hilton, 900 Harman Avenue
Gary Haines, 223 Oakwood Avenue
Cara Kite, 338 Volusia Avenue
Caroline Merithew, 205 Kramer Road

Mr. Aidt explained that Mr. Shulman is attending the meeting by phone.

Mr. Aidt asked if there were any questions or concerns with the minutes from the January 6, 2016 meeting. There being none it was moved by Mrs. Gowdy and seconded by Mrs. Jackson that the minutes of the Planning Commission meeting held January 6, 2016, 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.

Mr. Aidt reviewed the meeting procedure with all in attendance.

Mr. Aidt opened the public hearing for Application #16-1. Mr. Weiskircher explained that this application is a special use request by Starbucks to sell beer and wine at their franchise store location at 2424 Far Hills Avenue.

Mr. Weiskircher referenced a PowerPoint presentation which explained that in addition to the regular nine special use standards, there are also seven design and performance standards for coffee shops selling beer and wine. He reviewed the seven standards and noted that the application complies with each of the design and performance standards. He also noted that besides beer and wine sales, Starbucks has also expanded its food menu to include a selection of oven warmed plate entrees.

The matter was then opened for public hearing.

Mr. Marc Myers, an attorney representing Starbucks, explained that Starbucks is interested in enhancing 27 different Starbucks locations in the Ohio area with a "Starbucks Evening" menu, which includes a selection of local craft beers and wines.

Mrs. Jackson asked how strong of a commitment Starbucks has to selling only craft beers. Mr. Myers said that Starbucks has no intent on selling a bottle of Budweiser or other national beers in their stores. They only plan on offering alcoholic beverages that are manufactured close to the store locations.

Mr. Aidt asked if there would be any interior store modifications with the changes. Mr. Myers said that the store may possibly have to install a new oven to help with the new menu items, but otherwise the store would remain essentially unchanged.

Mr. Krishnamoorthy Manickam, 340 Lonsdale Avenue, stated that he did not want alcohol at Starbucks. He and his family do not consume alcohol and do not want Starbucks to offer it.

Ms. Caroline Merithew, 205 Kramer Road, stated that the Starbucks Corporation made a decision to sell alcohol to make more money. Starbucks is the community coffee house and there are already enough places to buy beer and wine.

Mr. Myers shared that he understood the concerns expressed by the residents and explained that Starbucks is sensitive to the nature of choosing locations and assured the residents that the Oakwood store will remain a family friendly atmosphere.

Mr. Aidt asked how age verification would be done when selling alcoholic beverages.

Mr. Myers stated that it would be done following Ohio law, at the point of sale by the Starbucks employee making the sale. He explained that Starbucks has a special training program for employees in stores that sell beer and wine. Employees would be trained to monitor patrons and ensure that only adults are consuming beer and wine. There would also be no carryout sales.

There being no further public testimony offered, the public hearing was closed and the Planning Commission began its deliberations.

Therefore, it was moved by Mrs. Jackson and seconded by Mrs. Gowdy that the preliminary staff findings shall be adopted, and on that basis, application #16-1, the special use request by Starbucks to sell beer and wine at their franchise store location at 2424 Far Hills Avenue, and expansion of the menu to include oven warmed small plate entrees, shall be approved.

SPECIAL USE STANDARDS

- A. The proposed use at the specified location is consistent with the Comprehensive Plan.
- PRELIMINARY STAFF FINDINGS:
- The proposed special use request is consistent with recommendations contained in the Comprehensive Plan that commercial uses should be compatible with the image and character of Oakwood. The proposed sale of beer and wine at Starbucks is consistent with the set of qualities that make the Far Hills Business District special.
- 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:
- Beer and wine are already available in the same block at the Oakwood Club and across the street at Flyboy's Deli so allowing beer and wine sales at Starbucks will not change the character of the area.
- 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:
- There should be no detrimental impact on the public as beer and wine sales at Starbucks will be governed by the same regulations and restrictions that apply to all other establishments serving alcohol.
- 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:
- Starbucks is a strong anchor tenant in the Far Hills Business District and there is no reason to believe that beer and wine sales will have any negative impact on any of the adjoining businesses in the area or the adjoining neighborhood.

- 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 have no impact whatsoever on the development of other properties in the immediate area. Darlene Gutmann Marlowe, owner of the building in which Starbucks is located, also owns both adjoining buildings as well as the buildings which house Graeter's and Eden Salon in the 2400 block along with the Oakwood Retail Center and the Talbots Building in the 2500 block, and submitted a letter in full support of the special use request.

- 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:

- There will be no exterior changes to the building if beer and wine sales are permitted.

- 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 request.

- 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:

- Most of the Starbucks patrons currently park along the cruise lane in front of the building or along the first block of Orchard Drive and we anticipate that this practice will continue.

- 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 use complies with all other applicable regulations in the district.

Besides the regular special use standards, coffee shops selling beer and wine must also comply with the following added design and performance standards:

1. No more than 18 counter or bar seats.
Staff Response: There are currently eight (8) counter seats but no additional seats are planned if the proposed use is approved.
2. Operating hours shall not extend beyond 12 a.m. and the use of any outside seats shall conclude by no later than 10 p.m.
Staff Response: Starbucks will continue to close at 10 p.m. There is currently no outside seating and none is planned if the proposed use is approved.

- 3. No more than 70% of gross revenue in any month may come from alcohol sales.
Staff Response: Starbucks anticipates that less than 5% of its monthly revenue will come from beer and wine sales.
- 4. There shall be no alcohol sales for off premise consumption or carryout sales.
Staff Response: Starbucks has no plans for carryout sales.
- 5. Live entertainment in the form of a musical group is limited to two (2) members no more than four (4) times per month and must occur on the interior of all buildings.
Staff Response: There is currently no live entertainment at Starbucks and none is planned if the special use is approved.
- 6. There shall be no display of advertising signs or plaques on the exterior structure of the building or in a location that can be seen from the street.
Staff Response: Starbucks intends to comply with these restrictions.
- 7. No illuminated advertising signage shall be visible from the outside of the building.
Staff Response: Starbucks intends to comply with this restriction.

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
 MR. STEVE BYINGTON YEA

There being five (5) yea votes and no (0) nay votes thereon, said motion was declared duly carried and it was so ordered.

Mr. Aidt opened the public hearing for Application #16-2.

Mr. Byington recused himself as he resides near the proposed condominiums. Mr. Aidt accepted his recusal.

Mr. Weiskircher explained that this application submitted by Hills Developers, Inc. is for 1) construction of two – 4 story buildings with a total of 84 condo units, a clubhouse and pool to be built along Old River Trail opposite the Old River athletic fields; and 2) to increase the residential density for the entire Pointe Oakwood development to 177 units.

Mr. Weiskircher referenced a PowerPoint presentation which exhibited illustrations of the proposed condominiums and discussed guidance from the 2004 Comprehensive Plan & 2004 Sugar Camp Subarea Plan.

Mr. Weiskircher expounded on the details of the Old River Trail Condominiums. The buildings will be organized with a condominium association, and the units can be leased or purchased. An outdoor pool and exercise facility will be available for use by residents of the Old River Trail condominiums and residents of ‘The Pointe’ condominiums. There will be indoor parking for approximately 51 vehicles per building, with an additional 62 parking spaces along the rear of the buildings for residents and guests. The target market for the proposed condominiums are young professionals, empty nesters and retirees.

Addressing concerns voiced at prior meetings, Mr. Weiskircher reported that all ingress and egress to the proposed building will be from the traffic signal at the Old River Trail and Far Hills Avenue intersection. At the peak morning period, a traffic engineer has estimated that there will be approximately 31 vehicles exiting the development. During the peak evening period, it is estimated there will be approximately 32 vehicles entering the development. Based on the demographic profile of young professionals, empty nesters and retirees, it is anticipated that a total of approximately 10 school age children will reside in these two buildings. Oakwood school administrators have indicated that they could accommodate the additional students at any of the schools in the district.

Mr. Weiskircher completed his presentation by summarizing that if both condominium projects at 'The Pointe' and Old River Trail are approved, and if all the units are leased, it represents a 2.25% increase in the number of non-owner occupied units in the city's residential housing stock.

Mrs. Gowdy asked if there were any development plans for the five acres of land on top of the hill.

Mr. Weiskircher said that he is not aware of any specific plans.

Mrs. Jackson stated that she was curious why condominiums haven't been considered until now if the 2004 Comprehensive Plan called for multi-use developments.

Mr. Weiskircher explained that when this project first started, the developer had a different vision and at that time there were only 32+ condos proposed. He described how the Master Plan has been amended over time, moving the condos to different locations in the development and adjusting the numbers.

The matter was then opened for public hearing.

Mr. Louis Guttman, Hills Properties, shared that Hills Properties is a family-owned and operated company. The company's main focus is multi-family residential locations. He shared that they recognize how important Sugar Camp is to the city and residents of Oakwood. Their goal is to create an exclusive community that cannot be found anywhere else in the Dayton area.

Mr. Michael Copfer, Hills Properties, referenced a PowerPoint presentation which exhibited illustrations of other local multi-family developments in the area and discussed the Old River Condominium proposal in further detail.

Mr. Copfer explained that the proposal is for 84 condominium homes in two – four story buildings (3 residential floors over a 1st floor parking garage), including a clubhouse building and outdoor pool. Construction would likely start in the summer of 2016, with completion in 2018. Each condominium will be recorded with its own fee simple legal description and can be transferred individually. At this time, Hills Properties plans to retain ownership, lease the homes and continue to serve as property manager.

Hills Properties feels that the proposed condominiums will be successful in the city of Oakwood because of Oakwood's desirable location within the Greater Dayton area. The proposed community will be near shopping and major employment opportunities, and medical centers. The desirable location will attract millennials and empty nesters as residents similar to Hills' other recent developments in comparable locations. Hills Properties delivers luxury amenities; quality construction; premium finishes; high-end kitchen features; and, a professional and responsive

management team. The example communities he highlighted were 100% leased at or before construction was completed.

In terms of leasing standards, Mr. Copfer explained that the shortest length for a lease is one year. Background checks are done in addition to a credit check. Hills performs criminal checks and eviction checks using national databases.

Hills Properties is targeting professional millennials and empty nesters for the proposed development. They are not targeting students or government subsidies. All of the multi-family homes that Hills Properties owns and manages are 100% market-rate communities and are targeted to the highest multi-family levels within each market.

Mr. Jack Pflum, P.E., consulting civil engineer for Hills Properties, reported that he completed a traffic analysis on Old River Trail and Pointe Oakwood. He explained that there are two critical peak periods, 7-9 a.m. and 4-6 p.m. The proposed 84 units will produce 39 more vehicles in the morning peak hours and 49 more vehicles in the evening peak hours, which is very modest based on his experience. His conclusion is that this development will generate more traffic, but it will not cause any safety or congestion issues. It can be absorbed easily into the flow of Far Hills Avenue.

Mr. Bob Posner, OIG, shared that he understands the concerns that the proposed development will increase the transient population. He assured residents that tenants will be screened well and there is no interest in marketing or leasing to UD undergraduates.

Coldwell Banker agent, Cindy Buckreus shared that she receives calls daily from people looking for leasing options. People are always looking for something new and different. She read an excerpt from a recent *Dayton Business Journal* article on new condo/lease developments in the local area. She is aware of local and national trends toward leasing.

Mr. Alan Duvall, CPA, moved his accounting business to Sugar Camp late in 2015. He shared that Oakwood services took a huge hit when the Ohio estate tax was repealed in 2013. Sugar Camp has restored some of these dollars via income tax and real estate tax. He assured residents that the proposed project is not just another scheme for the investors to get rich, as he has seen the books and it is little more than a break-even development.

After the applicant's presentation, Mr. Aidt asked if there were questions.

Mrs. Jackson asked if the units initially leased in other Hills developments are still being leased or if they have been sold. Mr. Copfer responded that they are still being leased. He further explained that the way they are set up legally, they could be sold at any time.

Mr. Aidt asked why Hills Properties sees Oakwood as a viable site for the proposed condominiums. Mr. Copfer explained that they have comparable demographics and variables to what Hills has experienced in Mason and West Chester, where they have had much success.

Mr. Aidt asked how the proposed condominiums will be marketed. Mr. Copfer answered that it will be marketed through realtors, the internet, Facebook, company websites, and print media.

Mr. Aidt asked where the HVAC systems will be located. Mr. Copfer answered that they will be located on the roof.

Mr. Aidt asked about the construction material of Hardie board siding and what it was. Mr. Copfer explained that it is used in siding planks and provides a hard protective surface similar to brick or stone. It can be painted or is available in colors.

Mr. Michael Hapgood, 305 Northview Road, stated that it is bothersome that the applicant is making promises that cannot be kept. UD students cannot be prevented from renting in the proposed development. What happens when the plans change? Will Oakwood be responsible for trash disposal? Does Oakwood have a use tax? The mentality that something has to go there needs to be avoided. Mr. Jacques responded that Oakwood does not have a use tax.

Mr. Justin Kelley, 420 Kramer Road, stated that Hills Properties saying that the proposed development could be the "jewel of Oakwood" means that they do not understand the Oakwood community. The data of the estimated number of additional children attending Oakwood schools is not based on any facts.

Ms. Cara Kite, 338 Volusia Avenue, stated that the Routsong Retail Center has not been successful as City Council expected it would be and this will be the same. Hills Properties specializes in apartment complexes, which will negatively affect property values. She also questioned why data was being used from a 2004 Comprehensive Plan and questioned whether this is still valid.

Ms. Deborah Vandercher, 272 W. Schantz Avenue stated that she is opposed to the apartment.

Mr. John McKay, 450 Kramer Road, stated that he attended one of the first meetings and was shown great pictures with beautiful trees and landscaping. Then all the trees were cut. He has watched the project deteriorate and unfortunately, the changes are getting worse. He shared that it is hard to trust the pictures because they keep changing.

Mr. Brian Morris, 325 Maysfield Road, stated that he doesn't agree that it will be the community that Hills says it will be.

Ms. Jeanne Harman, 325 Haver Road, thanked Hills Properties for the presentation. She went on to state that when people move to Oakwood they do not just buy a house, they buy a neighborhood. It is important to balance the character of the neighborhood and market research is very critical. She doesn't have the confidence that controls are in place with this project and she would like to see a market study that is not prepared by the developer.

Mrs. Sarah Waechter, 231 Northview Road, stated that she feels it is important that an agreement should be made on a master plan and not on all of the smaller individual plans. She questions how this will not have an impact on schools in Oakwood when the units are so desirable.

Mr. Stephan Susta, 20 W. Schantz Avenue, shared that he appreciated the information from Hills Properties. He stated that he doesn't feel the legal ad that was sent out is accurate as it states condos and he doesn't feel this proposal is for a condo development. He read excerpts from the original developer's 2007 master plan. He shared that the proposed development is not in the character of Oakwood. Also, as a side note, he recommended that the City and OIG clean up the site before moving forward any further. He concluded by stating that Hills Properties did a great job with their presentation, but it is not meeting the expectation of the citizens of Oakwood.

Mr. Greg Robinson, 236 Rubicon Road, stated that he reviewed the plans from the initial application which has been revisited many times and he doesn't believe an increase in density is needed.

Ms. Jane Maney, 300 Southview Road, stated that she is a real estate broker and there is an inconsistency between Oakwood and the other developments that Hills Properties referenced in their presentation. She believes Mason and West Chester are growing more than the Dayton area. She also expressed concern that data is being used from the 2004 Comprehensive Plan to determine if rentals are needed. She questioned how kids will walk to school and suggested that even more rentals will be proposed on the remaining undeveloped land.

Mr. Jim Joly, 1011 Little Woods Road, thanked Hills Properties for the detailed presentation and thanked Assistant City Manager Jay Weiskircher for being a great resource. Mr. Joly stated that he is more concerned about the student to instructor ratio in Oakwood schools, which he feels is the data that is really needed. In regards to the traffic study, there are a lot of assumptions that go into these studies and the results can be made to come out certain ways. The traffic study needs to be done by an independent engineer. Mr. Joly concluded by stating that he is not opposed to rentals, but he is opposed to high density rentals.

Ms. Carol Kuntz, 490 Rubicon Road, stated that the proposed condominiums will change the integrity of Oakwood. She is more concerned about the long-term effect and what it will look like in 10 years. She feels there will be a problem with renting the units.

Mr. Kevin Nels, 245 Park Road, stated that his concern with the plans is that there is nothing unique with the proposed condominiums and they do not belong in our special community.

Mrs. Michelle Tucker, 49 Ivanhoe Avenue, stated that she loves Harman School and she is concerned about the class size. She believes the developers are naïve if they believe this development will not have any impact on the schools because the classes are already full.

Mr. Cole Prizler, 546 Shafor Boulevard, stated that Hills Properties presentation was very good and his fear is that the development will be successful. He went on to explain that the biggest asset of this community is the schools. He is concerned about who will move into the empty single family homes of the Oakwood empty nesters that will move into the new condominiums.

Mr. Terence Lau, 165 Pointe Oakwood Way, stated that he purchased a Rhoades home that was illustrated with trees and had beautiful plans. Now, he possibly has to go home to these condominiums in his backyard. The proposed condos will change the character of the neighborhood. He enjoys his backyard with his family in the summertime. There is only one way into the neighborhood and now 117 new units and more traffic, including the games from the Old River Athletic Field, will be devastating to his property.

Mrs. Wendy Lewis, 115 Ascent Circle, stated that the building is beautiful, but her property value would go down. Her property would look down onto the HVAC units and the dumpsters at the proposed condominiums. She shared that she loves the community and feels that the density is way too much. Every bit of traffic that comes into the Pointe Oakwood development shines headlights at her front door and she has concerns with this new development.

Ms. Cate Berger, 423 Glendora Avenue, asked that the Planning Commission deny the proposal. She went to state that this is not what Oakwood residents want on this land. She feels that it is important for the Planning Commission to step back and make a decision with a better and more up-to-date Master Plan.

Mr. Gus Huertas, 406 Greenmount Boulevard, stated that adding 10% rentals will impact the market and the city should focus on refurbishing existing units.

Ms. April Jordan, legal counsel representing OIG, was offered an opportunity for rebuttal or a closing statement. She shared that she understands Oakwood residents have very strong feelings about the proposed development. She clarified that the land is zoned as Multi-Use Special Planning District, which means that all residential uses are permitted to be built in this zoning district and can be considered on this site. In regards to the concerns of the "piecemeal" nature of the development, she explained that with these types of projects, by their nature, it is usually done this way, especially with larger projects. Ms. Jordan explained that Ohio Law requires a condominium to be a conveyable parcel, which is not required of an apartment.

Mrs. Gowdy shared that she is still confused by the difference between condo homes and leasable homes.

Mrs. Jackson stated that she now believes it may be an apartment complex.

Ms. Jordan restated that Ohio law requires a condominium to be a conveyable parcel, which is not required of an apartment.

Mr. Aidt asked if there will be a maintenance fee for the condo units. Ms. Jordan explained that the tenant will pay rent and the owner will pay the maintenance fees.

Mrs. Jackson asked if the legal notice that was sent out was correct for this application. Law Director Rob Jacques stated that it was. He further explained what a condo is defined as in the Zoning Code and said that this is what Hills Properties is proposing in this application. There is no legal requirement as to a minimum or maximum number of owners.

Mrs. Gowdy asked if the hillside greenspace will stay undeveloped. Ms. Jordan explained that Oakwood Investment Group has a contractual obligation to Hills Properties that they would not build in that area.

Mr. Aidt stated that he wanted to ask the developer questions that were raised by residents throughout the meeting. He inquired how trash will be removed. Mr. Copfer, Hills Properties, answered that trash will be privately removed during daytime hours at the expense of the condo association. Mr. Aidt asked about the ingress and egress of the new Old River Athletic Facility. City Manager Norbert Klopsch explained that the primary way in and out of the Old River Athletic Field site will be on River Park Drive and not through Pointe Oakwood, although there would still be an entrance from Pointe Oakwood.

Mrs. Gowdy inquired about how many more parcels are still available for buildable land. Ms. Jordan reviewed a PowerPoint slide and showed available land, which included a 5 acre parcel on the hill between the townhomes and Sugar Camp, and a 1 acre parcel west of the synagogue.

Mrs. Jackson asked if OIG has considered putting houses in this area. Mr. Posner answered that they have been unable to get price points that the market could bear. They are very limited on what could be done in that space.

Mrs. Jackson shared concerns of presenting this proposal to City Council based on a 2004 plan with no trend analysis. She understands there is a need, but the data may not be current.

Mrs. Gowdy asked if Hills Properties would consider removing the pool and clubhouse. Mr. Copfer said that the pool and clubhouse are part of the lifestyle and they are the soul of the community. In their experience, people want these type of amenities.

Mr. Aidt asked if this proposed development would be withdrawn if 'The Pointe' development is not approved. Mr. Copfer answered that they are independent projects and they stand alone.

There being no further public testimony offered, the public hearing was closed and the Planning Commission began its deliberations.

Mrs. Jackson shared that she feels that they need something more acceptable. She doesn't feel the proposed buildings reflect Oakwood architecture. They have a suburban feel in an urban area. Her concern is that they are setting up more of a divide of Pointe Oakwood.

Mrs. Gowdy explained that she isn't concerned with the building or density, but the community feel is a little bothersome. She is a resident of Irving Avenue and she feels that the traditional UD student will not want to live in these proposed condos. She asked that people remember that the history of Oakwood has had a lot of failures before its many successes. She also noted that she believes so many of the fears expressed today are speculative. Oakwood already has one large condo development, Oakwood Manor, adjacent to some very large and very expensive homes. The condos do not drive down neighboring home values because this can work in a community like Oakwood.

Mr. Aidt reminded everyone that that Planning Commission only makes a recommendation to City Council. He shared that he has been a planner for 25 years and he understands that plans change. He likes the density and believes it is ideal for Oakwood. The location is good and he believes the condos will be sold or leased before they are even built. Oakwood is a great community because of the location and because of the schools, but it is missing housing diversity. The school district says that it can handle the extra students. He likes the urban architecture and how it looks out toward Downtown Dayton. Not everyone wants or needs a single family home and this project can help Oakwood attract and retain millennials and empty nesters.

Mr. Shulman shared that the original concept of Pointe Oakwood provided an alternative to people whose kids are out of school. It was step down housing, and so far, that is not what has been built. He shared that he sees an opportunity to increase diversity and make something available to those residents who would normally leave Oakwood.

It was then moved by Mr. Shulman and seconded by Mrs. Gowdy that application #16-2, for 1) construction of two - 4 story buildings with a total of 84 condo units, a clubhouse and pool to be built along Old River Trail opposite the Old River athletic fields; and 2) to increase the residential density for the entire Pointe Oakwood development to 177 units, be recommended for approval by City Council.

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

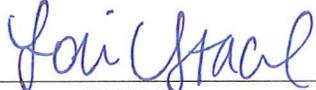
There being four (4) yea votes and no (0) nay votes thereon, said motion was declared duly carried and it was so ordered.

There being no further business, the Planning Commission adjourned. The public meeting concluded at 8:45 p.m.



ACTING CHAIR

ATTEST:



CLERK