

Oakwood, Dayton, Ohio

May 7, 2008

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

The Chair, Mr. Jeffrey Shulman, presided and the Clerk, Ms. Cathy Blum, recorded.

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

MR. JEFFREY B. SHULMAN.....PRESENT
MR. ANDREW AIDT.....PRESENT
MRS. REBECCA BUTLER.....ABSENT
MRS. HARRISON GOWDY.....PRESENT
MR. STEVEN BYINGTON.....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:

Ron Waker, 820-24 Far Hills Avenue
Russel Falck, 7 Wisteria

It was moved by Mr. Aidt and seconded by Mr. Byington that the absence of Mrs. Butler 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 Mrs. Gowdy and seconded by Mr. Aidt that the minutes of the commission meeting held April 9, 2008 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. Shulman reviewed the meeting procedure.

Application #08-5, the special use request by Ron Waker to further reduce the 50% required rear yard green space to enlarge parking areas, widen the driveway width and install a sidewalk at 820-824 Far Hills was reviewed. Mr. Weiskircher commended the property owner on all the improvements he has undertaken at the property during the past year, a significant investment. He then referenced a PowerPoint presentation and reviewed the following special use requests: 1) widen driveway to 14 feet (12' is permitted); 2) construct pull-off areas on both the east and west side of existing driveway; and 3) construct a sidewalk next to garage. He reviewed photos of the Far Hills frontage; driveway access to Far Hills; driveway across from Wisteria; east side of apartment building (where the owner wants to fill in the dirt/mud area); and east side of garage (access to garbage cans). The next slide was the plot plan of the property with the noted requests. Mr. Weiskircher reviewed the green space issue. The requirement is 1,452.50 s.f., 925.75 s.f. exists and the proposed sidewalk next to the garage is 80 s.f., west pull off area is 80 s.f., and the east pull off area is 152 s.f. Therefore, the resulting green space coverage if all proposed impervious additions are approved is 21% rather than the required 50%.

Mr. Aidt asked for further review of the drive area off Wisteria. Mr. Waker submitted additional photos of the property. Mr. Shulman questioned the new walk. Mr. Weiskircher explained to the east of the garage for access to the garbage cans. Mr. Waker noted that would be a 3' area and reviewed the mud/dirt area that cars drive into which he would like to make into a hard surface. Mr. Shulman asked if the current drive is 10' in width. Mr. Waker concurred. Mr. Aidt asked if everything will be resurfaced. Mr. Waker indicated he will tear it out and install new concrete by the garage; the area off Far Hills is asphalt and will remain as is. Mr. Byington asked if all units in the building are occupied. Mr. Waker responded yes, it's a three-family unit with a four-car garage and there are five cars on the site.

Mr. Aidt asked in the drive off Wisteria, whether you can travel around a parked vehicle without driving on the grass. Mr. Waker responded no and reviewed photos of the dirt/mud area where he'd like to install concrete. He also plans to install some landscaping, has owned the property for a year and done extensive work including paint, gutters, roof, etc., two tenants plus himself in the third unit. Mr. Aidt asked whether the city has had any success with grass pavers. Mr. Weiskircher indicated there hasn't been much done in that regard. Mr. Aidt suggested the proposed concrete area for the trash cans be reduced in size. Mr. Weiskircher expressed staff's concern with the overall amount of impervious surface the applicant is proposing to add. Mr. Shulman asked about the abutting lots. Mr. Weiskircher indicated the standard single-family homes with two car garages; this property is atypical of that area.

Mr. Shulman noted the ordinance permits driveways to be 12' in width. Mr. Weiskircher concurred, thus the requested 14' width requires a special use. Mr. Waker explained his primary concern is the dirt/mud space, noted he could probably go to 12' and noted his neighbor is in the audience and is supportive of the proposal. Mr. Falck indicated although he is not opposed to 14', he would prefer that there be 1' addition to the east and 3' addition to the west due to the proximity of the large spruce trees. He explained they have been in their home since 1986 and had various water problems so asked that the added surface be angled so it doesn't run on his property. Mr. Waker indicated he can control the runoff toward the street. Mr. Aidt expressed concern with the proposed 14' and noted drainage is a separate issue. Mr. Byington asked if there have been any other efforts in regard to the dirt/mud area, i.e., till the soil for grass or low shrubbery, something to demark the drive. Mr. Waker indicated he'd like to expand that area so another car may pass through. Mr. Shulman asked about the size of that area. Mr. Waker explained it varies from 1 to 5' but overall is less than 100 s.f. Mr. Aidt noted there will still be some green area, it won't abut the house. Mr. Waker agreed. Mr. Shulman expressed concern about the existing lack of green. Mr. Waker indicated he is willing to install bushes in front of the walk off Wisteria to screen the area. Discussion ensued in regard to existing and proposed vegetation, screening, etc.

Mr. Aidt suggested this be approved with only a 12' drive off Wisteria, enlarged area on the east and west of the garage subject to year-round screening along the east property line and of the pull-off area abutting Far Hills. Mr. Waker agreed. Mr. Shulman asked if that includes the dirt/mud area. Mr. Aidt replied yes. Mr. Waker reiterated he will install vegetation to assist in screening. Mr. Shulman asked if he will also commit to not slanting the drive runoff toward the neighbor. Mr. Waker agreed and discussion took place about the screening between he and the neighbor. Mr. Shulman indicated he agrees with Mr. Aidt's suggestion subject to a landscaping plan being reviewed and concurred in by staff. Mr. Aidt suggested the area to the east of the garage not be quite as large, only straight off the side of the garage to avoid a parking space. Mr. Waker questioned accessing out of the car into the grass.

Mr. Byington expressed concern with setting a precedent and although he understands Mr. Waker's requests, the green space regulation is in place for a reason. He appreciates access out of the car and not stepping in the grass, but there is already a lot more area/paving than most have. The only reason is for easier access and he believes something else could be done to deter/delineate the dirt/mud area. He doesn't believe this warrants a special use based on the standards, is more of a convenience. Mr. Byington pointed out the existing area is already at 32% and the proposal takes it down to 21%. Mr. Aidt wondered if an option would be to approve the additional placement request on the east if the pull-off area abutting Far Hills were removed. Mr. Byington doesn't believe the owner would want to give up that spot. Mr. Waker agreed and added he will add lots of bushes.

Mr. Shulman asked about precedent. Mr. Weiskircher explained the proposed additional pull off area to the east of the garage is something that most homeowners in Oakwood would want and over the years, they have discouraged additional parking areas which are too close to the property line. Mr. Byington suggested staff go on site and look at vehicle clearances and parking for a revised plan. Mr. Weiskircher suggested the matter be tabled pending submission of a landscaping plan and that staff be instructed to work with the application to try and meet his needs and at the same time reduce the amount of impervious surface being requested. Mr. Aidt agreed, he feels like they are trying to redesign this. Mr. Shulman indicated it's hard to visualize without landscaping and agreed it be tabled rather than the chance of a possible denial. Mr. Byington indicated he'd like to alleviate the problem areas, hopes they can work

together to maintain the standards Oakwood has. Mr. Weiskircher informed the applicant staff will contact him.

Therefore, it was moved by Mr. Aidt and seconded by Mr. Byington that application #08-5, the special use request by Ron Waker to further reduce the 50% required rear yard green space to enlarge the parking area and to widen the driveway width at 820-824 Far Hills Avenue, and known as lot #465 pt, be tabled pending submission of a landscape plan and on-site review with the applicant and staff.

Upon a viva voce vote on the question of the motion, same passed unanimously and it was so ordered.

Mr. Weiskircher informed the commission that council approved the amendment to the residential plan at Sugar Camp. At this past Monday's meeting, Dr. Scalzo reported on her meeting with staff and confirmed the school district's position that any additional students associated with the Sugar Camp development can be accommodated without negatively impacting the schools. He noted work is underway along Far Hills with the first phase involving clearing for internal access, housing footprints, etc. He noted although some significant trees were lost, there is an 8-acre area toward the west and a buffer area at the top of the hill where existing trees will be preserved and the developer intends to install more than 200 trees along Far Hills and around the internal road system.

The Planning Commission adjourned. The public meeting concluded at 5:35 p.m.

CHAIR

ATTEST:

CLERK