

Oakwood, Dayton, Ohio

December 13, 2006

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.....PRESENT

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
Mr. Dave Bunting, City Inspector

The following visitors registered:

Alan Rinzler	Lee Schear
Robert Curry, Esq.	Gene & Sandy Burbey, 284 W. Schantz
Tom Donnelly, 830 Oakwood Avenue	Kent Fullmer, 9547 W. 3 rd St.
Grant Fullmer, 9547 W. 3 rd St.	Marshall Weiss, 33 W. 1 st St.
Faye Wenner, 1900 Coolidge	Rob Degenhart, 248 Volusia
John Weldner, 75 Holiday Dr.	Phil Chick, 256 Beverly
J. Frydman, 520 Maysfield	Bill Lockwood, 239 Spirea
Mark Feuer, 1100 Courthouse Plaza	Mark & Marby Schrank, 224 W. Schantz
Hunt & Ann Brown, 800 Shafor	Mr. & Mrs. John Kennel, 1541 Runnymede
Jon Sebaly, 31 Walnut Lane	Irvin Harlamert, 330 Southview
Mr. Trent, 224 Triangle	David Dickerson, 216 Lookout
Mike Palmer, 1353 Lyons Road	Cindy Shafer, 218 Haver
Rachelle Janning, 318 Volusia	Kim Allen, 322 Volusia
Doris Sills, 314 Volusia	Celia Shulman, 1000 Harman
Laura Funk, Weston	Greg Brachs, 1015 Rubicon Road
Jerry & Dee Furrery, 849 Timberlake	Beverly Ames, 910 Harman
John Eastman	George Houck
Gretchen Bullock	Marlene Maimon
Lance Winkler	Jane Maney
Hugh Stephenson	

It was moved by Mr. Kendell and seconded by Mr. Shulman that the minutes of the planning commission meeting held November 1, 2006 be approved as submitted and the reading thereof be dispensed with at this session. Upon a viva voce vote on the question of the motion, same passed unanimously and it was so ordered.

Mr. Kendell explained there is only one application and they plan to wind up the meeting by 7 p.m. He explained this is only "part A" of the review, he seriously doubts if any recommendation will be made this evening and in January they plan to have a work session and regular meeting.

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. Weiskircher referenced the very large three-ring binder, homework assignment given to the commission members last week which depicts all the time and work that has gone into the project. He indicated there have been months of work between the developer and their consultants as well as city staff and city consultants. He noted given this large tract of land, they need to take time to review the issues that will benefit the entire community. He also expects no recommendation this evening; this will be an introduction of the plan details. Mr. Weiskircher indicated not only have physical neighbors been involved, but they have also had discussions with the cities of Kettering and Dayton as well as NCR, a lot of the details are still a work in progress.

Mr. Weiskircher referenced a PowerPoint presentation on the proposed application. He reviewed the property description of parcels that encompass 36+ acres and identified as Lots 1 (owned by OIG), 2 (owned by Versant) and 3 (Versant has purchase option from NCR). The zoning designation, since 1989, has been multi-use special planning district (MUSPD) which includes most permitted uses under the Oakwood Zoning Code. The next slide outlined the three lots and respective acreage. He explained the Sugar Camp Master Plan document was approved by council in October, 2004. It adopts the 2004 NCR Sugar Camp Subarea Plan Site Development Alternatives and Guidelines and modifies the Site Development Guidelines set forth in the 1997 Subarea Plan to the extent they are inconsistent with the 2004 Plan. This plan shall serve as the Master Plan for the area and shall be used in the zoning and development review process required in the MUSPD. Mr. Weiskircher reviewed slides that included aerial depictions of: the master plan and the existing site plan (including roads, parking, and traffic flow).

Mr. Weiskircher reviewed the following proposed changes to the existing Sugar Camp site (Lot 1): Building C has already been approved for use as a synagogue. A new main entrance is planned at the northwest corner of the building. Buildings A, B and D are slated for reuse as professional office space. Last Friday, Ohio EyeCare Specialists announced they will be moving to the Sugar Camp site in the fall of 2007. Their plan is to attract other medical and wellness entities to form a medical campus. The east parking lot will be eliminated to make room for the residential development. Additional parking is planned for either side of Building D and the east side of Building A. The parking lot on the west side of the site will remain and an additional level added. The east entrance will be eliminated and the new primary entrance will be at the gatehouse opposite Kramer Road. The Traffic Study completed for the development recommends that a traffic signal be installed at this intersection. The gatehouse will be preserved and remodeled into a café to serve the site and the adjoining neighborhood. A 24,000 s.f. professional building is being planned for the far west corner of the site. This building may also include a fine dining restaurant on the first floor. A Mikvah (ritualistic bath) for use by synagogue congregants is planned for the western portion of the site. The west gate will remain and serve as the primary access for the new professional building and restaurant and the synagogue. With the parking lot changes as proposed, there will be a net decrease of nine (9) parking spaces. Most of the existing trees along Schantz Avenue will be preserved and low level landscaping will be added to screen the parking lots from Schantz. There will be low-level signage at both the Kramer Road and west gate entrances. Parking lots, streets and pedestrian areas throughout the development will be illuminated with decorative high pressure sodium (yellow) lamps. The existing green cyclone fence which runs along the W. Schantz frontage will be removed.

Mr. Weiskircher referenced a slide on the proposed demolition plan (removal of the remaining cabins), proposed foliage screening, synagogue entrance and entrance signage. He then reviewed the following residential components of the plan. There are three distinct housing environments within the development. All three are geared towards empty nesters and seniors: Towne Villas; Park Villas; and Manor House Residences. In total, there are 33 single family and 60 attached villas planned. In addition, there are 32 condo units in four-4 story buildings located near the residential entrance to the site. Price points range from \$400,000 to \$750,000. There will be a single entrance to the residential portion of the site opposite Springhouse Road. This will also serve as the entrance to the city's newly acquired athletic fields at Old River. The Traffic Study completed for the project recommends that a traffic signal be installed at this new intersection. Architectural styles will include French Eclectic, Italian Renaissance, Tudor, English Manor, Classical and Mediterranean Vernacular. Exterior building features include cut

limestone, sand molded brick, molded plaster, cast stone and tile roofs. There will be brick sidewalks throughout the development along with street widths capable of accommodating parking on one side of the street. Granite cobblestone will be used as an accent feature in selected areas throughout the development. There will also be formal and informal gardens and the use of pergolas throughout the development. Density within the residential portion of the development is 6 units per acres. The Master Plan for the development suggested housing density of 8 to 12 units per acre. Included in the development is a 6,000 s.f. community building for use by the residents. Decorative lighting fixtures will be used throughout along the streets and within parking areas. On the north side of the residential entrance is a proposed 30,000 s.f. professional building. The architecture for this building will be complimentary to the nearby residential structures. Mr. Weiskircher reviewed the following slides: Sugar Camp Parkway; Paths and Gardens; Community Building; Far Hills Professional Building; Towne Villas; Park Villas; Manor Houses; and Landscaping Plan. He noted that trees will be lost due to the development, but many stands of trees will remain and the area will be further enhanced with landscaping. He referenced the following site challenges and opportunities: environmental, traffic, utilities, topography, tree preservation and landscaping.

Mr. Weiskircher reviewed a chart that outlines how the proposed Planned Unit Development compares with recommendations in the 2004 Sugar Camp Site Development Alternates, the 2004 Comprehensive Plan and the 1997 Subarea Plan. (Note: although the chart has been incorporated into the application file notebook, the following were notations on the proposed plans.) In regard to housing density, the plans only recommend 8 to 12 units per acre and the developer is actually proposing a lower density of 6 units per acres, similar to the R-5 and R-6 zoning districts in the southwest portion of the city. Another relates to offices being the preferred use for the existing buildings and except for Building C, which will house the Beth Abraham Synagogue, the other three buildings will be used for professional office space. The plans also recommend limiting the number of curb cuts along Far Hills and Schantz Avenues and they propose one curb cut on Far Hills opposite Springhouse Road to serve the residential portion of the development. In regard to the extreme topography offering views to the north, the developer is proposing housing on the north side of the site to take advantage of the views of downtown Dayton. In regard to park or green space not being an appropriate land use except as a complimentary use within a mixed use project, given the recent acquisition of the Old River Athletic Fields, there are no plans for a community park on the site. The plans also suggest that new construction be limited to three or four stories and the developer has one three story professional building proposed as well as four-4-story condo units. The plans also suggest new housing to attract Oakwood's elderly population and empty nesters. The developer has proposed single family, attached multi-family and low-rise condo units geared towards empty nesters and seniors desiring housing options not currently available in the city. The plans suggest the city seek maximum net fiscal gain for the community and other taxing jurisdictions. When fully developed, the site will generate significant income tax dollars for the city, and property tax revenue benefiting the schools. The plan also recommends that as many existing trees as possible remain - the developer plans to preserve as many mature trees as possible, but there will be a significant loss of existing tree stands.

Mr. Weiskircher reviewed project phasing and explained development of the site will occur incrementally over a period of five years. The proposed development schedule is speculative and will ultimately be driven by demand, especially for the residential housing components. In 2007 – occupancy of commercial buildings A and D; completion of the gatehouse café; and completion of public road serving the commercial use. In 2008 – occupancy of the Synagogue and completion of professional office building and restaurant near W. Schantz. In 2009 – completion of Towne Villas residential section along Far Hills. In 2010 – completion of single and multi-family housing sections along W. Schantz and completion of Far Hills commercial building. In 2011 – completion of 4-story condo units and partial completion of residential development along the north slope. In 2012- completion of final residential housing section at the NWC of the site.

Mr. Weiskircher reviewed information relating to exceptions. With a planned development, Planning Commission and City Council have the latitude to recommend and approve exceptions to the city's normal zoning regulations, provided these exceptions are compatible with the neighborhood and

consistent with the master plan for the development. For the most part the components of the proposed PUD already comply with existing regulations; however, there are several exceptions. Shared Driveways – Throughout the residential development there are a number of instances in which the developer is proposing that two structures share a common driveway so as to minimize hard surface and maximize use of available space. Building Height – Oakwood regulations permit a maximum building height of 35' and the developers are proposing four-4-story condo units which will have a height of approximately 50'. Parking Spaces – Throughout the development the developer is calculating required parking based on three rather than the standard four spaces per 1,000 s.f. of gross floor area. The developers believe, and staff concurs, that the weekday use of the professional buildings and the Saturday use of the synagogue virtually eliminate the possibility of peak concurrent parking. Therefore, the number of parking spaces being proposed should be more than adequate to serve the site. Moreover, the smaller ratio calculations result in the preservation of additional green space within this immediate area. Setbacks – Setbacks for the residential structures do not meet minimum zoning requirements. As is typical of these types of housing environments many of the units will be 18-25' from the street with 10' side yard setbacks and rear yard setbacks of less than 40'. Signage – While the standard is only one free-standing sign per property, given the multiple uses of this property and the separate entrances for commercial, religious and residential units, the request for signage at each of the three entrances to the site seems reasonable.

Mr. Weiskircher outlined the following community benefits of the proposed planned use development. Unified development encompassing all 36+ acres. Existing buildings on Sugar Camp site will be reused. Commercial buildings will generate income tax revenue for the city. Residential environments meet identified housing niches in Oakwood for empty nesters and seniors who want to stay in the community but do not want the responsibility and expense of maintaining older homes and extensive property. The proposed residential development maximizes use of available space by taking advantage of the severe topography, offering potential buyers numerous housing options, creating an aesthetically pleasing environment, and providing some residents with views overlooking downtown Dayton. When fully developed the proposed plan has an estimated value of \$90 million dollars, which will generate significant property tax revenue primarily benefiting the Oakwood City Schools. Mr. Weiskircher reviewed the proposed entry opposite Springhouse Road, the only entrance into the residential area which will then lead into Old River. He pointed out no one can access between the commercial and residential portions of the development. He reviewed proposed streets, existing tree canopy, adequate residential street width for on-street parking to one side, formal garden areas, etc.

Mr. Curry, attorney representing both Versant and OIG, indicated this application covers the entire 36-38 acre site and as Mr. Weiskircher pointed out, this is the Master Plan in the MUSPD based on elements from the 2004 Subarea Plan, 1997 Subarea Plan and 2004 Comprehensive Plan. He explained they are asking for a new Master Plan with three functions: synagogue use; a Master Plan with more detailed specifics; and under the Oakwood zoning code, they will follow planned development regulations. He indicated this is the first step in the process, the zoning code has a lot of requirements of information to be reviewed, which have been provided to the commission in the notebook, and more details will be given on the development. He indicated the two plans have been combined and presentations from the following will be made: Architect, John Fabelo from Lorenz + Williams; Jim Bauman, residential designer; Laura Funk, Weston on environmental issues; Mike Oxner; Steve Nixon, Woolpert review of parking, lighting and traffic; and Fullmer Landscaping. Mr. Curry indicated Sugar Camp has been the subject of intensive study by staff, consultants and the community. They envision the property meeting residential needs of empty nesters and are fortunate to have a developer who fits the goals of the city's plan in a positive manner.

Mr. Fabelo, Lorenz + Williams, gave an overview of the proposal and changes made since the last meeting. He indicated the two developers are working together on the entire campus. At the previous meeting, they focused on religious land uses and since then the Master Plan has been developed. He reviewed the site and pointed out the traffic separation for pedestrians and vehicles, how the parking has been organized with the eastern lot removed, etc. The Master Plan includes a mixed-use to maximize all amenities. Although trees will need to be removed, they have an arborist on board for assistance. He referenced the renderings that depict the overall development and how it blends in. He reviewed the scale

of buildings, canopy extensions on existing buildings, landscaping views, lighting, foliage, etc.

Mr. Rinzler, OIG, referenced Exhibit A which depicts the three lots. OIG has ownership and control of Lot 1 where the office buildings are located and they are working together with Versant who owns Lot 2 with an option to purchase Lot 3 from NCR. When he first approached the city, his idea was to provide a commercial development along Far Hills and Schantz, (originally there were gas stations on the northwest and southwest corners). He indicated city staff made it clear that this was not envisioned at the main entrance to Oakwood, so they switched gears and followed city guidelines. He indicated rewarding and interesting progress has been made on the site plan and the city has been extremely helpful in refining the Master Plan, a development they can all be proud of. He explained they plan to re-use the existing buildings except for four old wooden buildings which, due to extensive decay, will be demolished. He referenced a photo of the existing gatehouse building at Schantz and Kramer which they plan to retain and convert into a café for neighbors and employees (no full service meals).

Mr. Rinzler recognized Dr. Edward Thomas in the audience who announced his intent to move his practice into Building A and envisions bringing others to the site for a medical and wellness center in Buildings A and D. He referenced a proposed three story commercial building toward the west with an option to have a fine dining restaurant on the first floor. Although they have no restaurateur in mind, if that doesn't work out then it could all be office space. In regard to the economic benefits of the plan, he estimates it will increase income taxes by \$400,000-\$600,000; property tax increases at \$3 million/year with the majority going to Oakwood schools; and can't estimate on the estate tax but has heard that many current and former older residents will come.

Mr. Williams, Versant CEO, is responsible for the residential portion of the Master Plan and has worked with Alan Rinzler and Lee Schear on putting the project together. He reviewed his personal background of development in Dayton, hotel projects in various states and resort hotels and condos in the Virgin Islands. He has personally managed over 700 construction workers and feels very qualified and capable. He indicated there are several challenges to the site, one relating to the topography and how they need to balance the grade for the residential developments. He pointed out the ridge line which is the most scenic part of the property. Mr. Williams reviewed other challenges which include the circular traffic patterns within the site, varying grades and slopes, and proposed rockscape support mechanism between the areas. He referenced the 300' cul-d-e-sac which will serve about 20 units, nine on either side of the street.

Mr. Williams referenced environmental issues which have been discussed many times and the existence of foundry sand produced by NCR during the period they engaged in castings manufacturing. He indicated extensive testing has been done and Environmental Scientist Laura Funk will review the remediation plan. Mr. Williams referenced the preferred study recommendation for empty nester housing so they have created three distinct areas of living. The Towne Villas are more urban in design and will include various architectural styles for the single-family and attached units built within the slope. The Park Villas are less urban and also have varying architectural styles. In regard to the overall density issue, Mr. Williams indicated they are proposing 125 units but are requesting approval for 150 since they aren't certain about the market. He noted the units range in price from \$400,000 in the four-story manor up to \$750,000 for homes built into the ridge. Mr. Williams underscored the community benefits in terms of taxes, fulfilling empty nester needs and a new upscale front door to Oakwood and the south suburbs.

Mr. Fabelo reviewed characteristics of the commercial area, pointed out the two main roads and entries, parking off the main vehicular traffic roads and the drop off area to serve all four buildings. He indicated they have looked at the characteristics of the existing buildings for marketability and adjacent parking, the latter of which has been reconfigured in some areas. He noted the diagram shows the association of colors with each building and its parking. Mr. Fabelo pointed out they are also preserving green space and reviewed several views of the buildings, existing trees and vegetation. He also pointed out the green space that will remain abutting Schantz for preservation. Mr. Fabelo indicated they are also using stone to help pick up the characteristics of the existing buildings. He reviewed a rendering of the new entry canopy to Building C which blends in with the character and scale of the property, all in all the new development will tie in with the existing structures.

Mr. Bauman, Brown Builders & Architrend, explained in order to blend with the various architectural styles in the old Oakwood neighborhoods; they have planned a variety of styles in the new residential area. He referenced various slides of the proposed residential styled structures.

Ms. Laura Funk, Weston Solutions, has assessed the environmental soil of Lots 2 and 3 and noted foundry sand was deposited along with some other contaminants. She reviewed the two exposure pathways: direct contact and vapor intrusion. The conclusion was that the risk in the residential area was unacceptable, commercial was acceptable; vapor was unacceptable for residential but not for commercial. They also located three hot spots and proposed a remedy plan which Versant has accepted, and has been discussed with a representative of OEPA, for removal of those hot spots and the material disposed of appropriately. Ms. Funk indicated Versant has gone over and above on its plan to remove all sand and a remedy plan that will bring the site to acceptable standards.

Mr. Mike Oxner, Professional Associates, explained they reviewed the site utilities and referenced a slide of the commercial and residential areas. He indicated the commercial site is fully serviced with all utilities and will remain as is with the exception of some minor relocations. The bigger challenge relates to the residential area due to the significant topography. He pointed out the connection to the water main at the end of Volusia; fire hydrants proposed every 500', sanitary gravity lift station system on the corner and storm drainage. In regard to the latter and the middle portion of the site, they will reactivate the use of the old canal bed and are still working with the cities of Kettering and Dayton, as well as NCR, to mitigate the overall storm water. Mr. Oxner indicated they also reviewed overhead power lines that will be relocated and gas mains to bring all systems in line.

Mr. Nixon, Woolpert, referenced the parking plan and reiterated they have reconfigured parking for easier access to the respective buildings. He noted the 40' setback of landscape buffer along Schantz will help screen the parking areas. He indicated parking has been provided for all the buildings, including the synagogue use, there are approximately 430 existing spaces and they propose 586, which includes parking at the proposed professional building along Far Hills Avenue. Mr. Nixon noted the residential units will also have on-street parking; the road width is 18' so parking can be accommodated. In regard to street lighting, Mr. Nixon referenced a slide depicting the night time representation of lights on the streets and parking lots. They propose to use high pressure sodium lights as well as some of the existing lights that are in good shape. He explained the street residential lights will be 12' in height and the type of fixture is similar to what is used in the Oakwood shop district. The parking lot lights will be 15' in height to match what exists at Sugar Camp. He noted all are environmentally friendly as it relates to light pollution. He also reviewed the intersection and pedestrian walk illumination, a .5 candle lumen.

In regard to the traffic study, Mr. Nixon explained his associate helped with that and there are more specifics in their notebooks. He indicated in October there was a kick off meeting and memo of understanding on how to proceed with the study and the city asked for actual traffic counts on Far Hills for 24 hours. They obtained historical data from the city of Dayton on the areas at Main and Caldwell as well as Brown and Rubicon to help with cross traffic information. The parameters Woolpert used in its November 10 memo to the city was concurred in by staff and a December 1 letter was received about the proposal. He indicated this shows the strong cooperation to address the issues and the thorough and complete study. Mr. Nixon reviewed the speed limits and volumes, Far Hills had approximately 15,000 vehicles in a 24-hour period and need five lanes of traffic; and Schantz had 5,100 vehicles per day and a three-lane segment is warranted. He noted another factor relates to a .5% per year growth rate for a 20 year projected traffic study. He then reviewed the proposed three access points, the west entrance, a proposed signal at Kramer and Schantz, and the residential area access. He also reviewed turning lanes, through lanes, lanes that need to be lengthened, etc.

Mr. Nixon indicated the next presentation relates to the tree preservation plan. It was noted that the arborist was not at the meeting. Mr. Grant Fullmer, Fullmer Landscaping, referenced renderings that will assist in softening the parking from Schantz based on the existing canopy and installation of evergreens that will tolerate the shade. He also reviewed renderings of their other landscaping applications including formal gardens, etc. Mr. Fullmer indicated they are proposing more trees than shrubbery so buildings aren't strangled with overgrowth. He also reviewed the proposed brick pavers, clean hedges in the boulevard for an understated elegant appearance, and the use of perennials and blooms for the various seasons - a year around interest. Mr. Kent Fullmer indicated given the beauty of Oakwood, they wanted a plan that included substantially sized plant material. Although it will take approximately six years to be fairly established, they plan substantial material to blend in with Oakwood.

Mr. Fabelo returned to the podium. At that time, Mr. Kendell asked for comments from the audience since they need to adjourn the meeting around 7 p.m. He suggested the commission meet in a work session the early part of January and then hold another public hearing later in the month.

Ms. Faye Wenner, 1900 Coolidge, asked for an explanation of the mitzvah, its purpose and why it is needed. Mr. Schear indicated it is the equivalent of a baptismal font, a small 1200 s.f. building that must be separate from the synagogue and is needed by the congregation. Ms. Wenner noted that wasn't part of the religious use. Mr. Kendell indicated it has a limited use of three people and both he and Mr. Schear confirmed it was designated as part of the religious use area.

Mr. Gene Burbey, 284 W. Schantz, expressed concern with the need for a liquor license if the restaurant goes into the new commercial building since he lives across the street. Mr. Rinzler indicated fine dining is a possible use, and since the land slopes downward and the building faces toward the north away from the residential area, only the rear of the building will be seen. Mr. Burbey hopes it will be restricted to not be a bar and expressed another concern with a fall back plan if this doesn't pan out. He wondered if they would have to return with a smaller plan and is concerned that a lot of trees might be cut down and then the entire phased project not be completed. Mr. Kendell indicated those are good points the commission will take into consideration.

Mrs. Marlene Maimon, 1101 Ridgeway, questioned the housing density and whether they plan 8-12 homes per acre. Mr. Rinzler indicated the Comprehensive Plan recommends 8-10 per acre; they proposed only 4-6. Mrs. Maimon questioned the square footage. Mr. Williams responded it varies from 2,300 to 3,500 s.f. Mrs. Maimon asked if this will replicate the Arbor and about the ratio of lot size to the house. Mr. Williams indicated the homes are more upscale and of higher quality than the Arbor, will be 18-25' setback in the cluster housing area, 10' for the Towne Villas and 18-30' in the Park Villas. Mrs. Maimon questioned the community center building and whether that is for the city. Mr. Williams indicated it is a community building for use by the residents of the development.

Mr. Kendell referenced an e-mail signed by seven residents encouraging the developers to consider the use of more green space, perhaps a community park. Since Mr. Rinzler was unaware of that e-mail, he was given a copy. Mr. Rinzler noted he assisted the city in obtaining the 30 acre park to the north.

Mr. Tom Donnelly, 830 Oakwood, referenced the Site Area Plan and suggestion that the city form a partnership with the developer for the benefit of the community. He asked if it is in the domain of the commission that the city become a partner as is advised in the plan. Mr. Klopsch referenced how the city recently acquired Old River, the property adjacent to the development. Council plans to maintain it as it has been used during the exclusive lease and then in late 2007, review the property and potential capital improvements for other needs - community input on such things as a playground, park, indoor facility, etc. He added they city has control of the land adjacent to the development. Mr. Donnelly asked if that means no to a partnership. Mr. Klopsch indicated this development will have several public hearings, including hearings once council receives the commission's recommendation. He noted council has the ultimate responsibility and decision on public use. Mr. McGinnis indicated that is a fair question and at this stage, no would be the answer. Mr. Donnelly added it's comforting to citizens that alternative plans are available with a potential partnership and noted the developer is adding housing for more citizens, but

no more parks. He doesn't believe seniors are adverse to a park and/or recreation. Mr. Donnelly suggested they be more proactive than passive.

Mrs. Jane Maney, 300 Southview, asked for clarification on the retail, in particular the café and information in Mr. Weiskircher's presentation. Mr. Weiskircher explained retail is a permitted usage. Mrs. Maney asked if the entire 36 acres could be retail. Mr. Klopsch indicated retail is permitted only as a complimentary use. He indicated any change to the approved plan would require another review and approval. Mrs. Maney indicated she is representing several others in reminding the commission that there is a Tree City USA flag in the city and they have a commitment to being a Tree City USA member.

Mr. George Houk, 310 Schantz, referenced the office building at the western end, opposite from his drive, and wondered if possibly that could disappear during the next review of plans. Mr. Rinzler reiterated given the natural slope of the property, only half of the structure will be visible from Schantz. He noted the building has not yet been designed but will have a stone exterior to compliment the existing buildings.

Mr. Kendell thanked everyone for attending, explained there will be another opportunity to return and in the interim welcomed written comments. He extended compliments to all the professionals on the renderings, time spent, etc.

Mr. Rinzler referenced the 2-3 acres of natural woods that will remain. Mr. Williams indicated overall there are 7.5 acres of untouched woods. Mr. Rinzler suggested the city might want to develop walking paths in those areas. Mr. Kendell noted the developers are amenable to partnering. Mr. Byington was pleased with the public meeting and wondered if another informal meeting like last Thursday is planned and whether a list of concerns had been put together. Mr. Rinzler indicated given the holiday season and these upcoming public meetings, another informal session wasn't planned. Discussion ensued in regard to the January meeting dates and that the next public hearing would be January 17 with a work session scheduled for January 3. Both meetings will take place in the council chambers.

The Planning Commission adjourned. The public meeting concluded at 7:05 p.m.

CHAIR

ATTEST:

CLERK