OXFORD PLANNING COMMISSION
Meeting Minutes
Tuesday, December 13, 2011
7:30 p.m.

Call to Order

Those members present: David Prytherch, Richard Keebler, Ted Wong, Richard Daniels, Marvin Hurston, Kate Rousmaniere, and Robert Benson.

Those members excused: None.

Staff members present: Jung-Han Chen, and Stephen McHugh.

Staff members excused: None.

Mr. Prytherch called the December 13, 2011 Planning Commission meeting to order at 7:32 p.m.

Mr. Prytherch introduced the new Planning Commission members: Robert Benson and Kate Rousmaniere. Mr. Prytherch thanked John Harman, City Council Representative, for his service on the Planning Commission.

Approval of Minutes of the July 12, 2011 Planning Commission Meeting

Mr. Hurston moved to approve the July 12, 2011 Planning Commission meeting minutes as written. Mr. Keebler seconded the motion. All were in favor.

Public Comments Related to Items Not on the Agenda

There were no public comments.

Reports from Commissions, Boards, Committees & Staff

Mr. Wong reported on behalf of the Environmental Commission. Mr. Wong stated that the Commission would be presenting to City Council environmental resources that are available and research that was conducted on stormwater in the City.

Mr. Chen recognized that Ms. Kathryn Dale, Planner, had left employment with the City. Mr. Chen provided an update on the recruitment process. Mr. Chen noted he had received 105 applications.

Mr. Prytherch felt that was great news that the search was moving forward.

Communications - Administrative Approvals

PC-ADM-05-2011 610 Oxford Commons Minor Amendment to an Approved Final Planned Development, Scott Webb, Applicant, Agent

PC-ADM-06-2011 510 Miami Commons Minor Amendment to an Approved Final Planned Development, Scott Webb, Applicant, Agent

Mr. Chen provided an overview of two administrative cases approved in August. Mr. Chen explained that the removal of an existing pool was considered a minor amendment to an approved Final Development. Mr. Chen further explained that the pool was considered an accessory and that the function of the property stayed the same.

Items Related to Platting

There was none.

Items Related to Zoning

PC-06-2011 ZONING CODE TEXT AMENDMENT Chapter 1133 Provisions for Zoning Districts, Addition of a New Zoning District and a New Section to Chapter 1143 Districts, 1143.15 Agricultural Open Space District, City of Oxford, Applicant

Mr. Benson moved to enter into Public Hearing PC-06-2011. Mr. Daniels seconded the motion. All were in favor.

Mr. Chen provided an overview of this zoning code text amendment. Mr. Chen noted that many citizens requested having an agricultural district. Mr. Chen stated that the new district would allow for the continuance of farming and agriculture in the City. Additionally, this district would be utilized to maintain environmentally sensitive areas and as a holding zone where there are no future plans contemplated for the property. This district could also serve as a transitional zone between urbanized developments and predominately rural characters in the Township.

Mr. Chen referred to the vision of the Comprehensive Plan.

Mr. Chen referred to a correction needing mentioned on page one of Chapter 1133. Agricultural Open Space should have the abbreviated term AOP not C.

Mr. Benson inquired why the conservation designation was brought about. Mr. Benson stated he liked the word "open space" better than conservation as he thought open space was a more positive term.

No comments were received from the public.

Mr. Hurston moved to close the Public Hearing. Mr. Daniels seconded the motion. All were in favor.

The Planning Commission discussed extensively potential issues with having the new district and existing properties becoming nonconforming. All agreed this was a good start and could be tweaked in the future if needed. The Decision Standards were discussed.

Robert Benson moved to approve PC-06-2011 ZONING CODE TEXT AMENDMENT Chapter 1133 Provisions for Zoning Districts, Addition of a New Zoning District and a New Section to Chapter 1143 Districts, 1143.15 Agricultural Open Space District. Kate Rousmaniere seconded. The motion passed with the following roll call:

AYE: David Prytherch, Richard Keebler, Ted Wong, Richard Daniels, Marvin Hurston, Kate Rousmaniere, Robert Benson (7)
NAY: None (0)
ABS: None (0)

PC-07-2011 ZONING CODE TEXT AMENDMENT Chapter 1141: Accessory, Temporary, Supplemental and Environmental Regulations, City of Oxford, Applicant

Mr. Benson moved to enter into Public Hearing PC-07-2011. Mr. Hurston seconded the motion. All were in favor.

Mr. Chen provided a short overview. Mr. Chen stated that Staff and the Planning Commission wished to clarify/consolidate inconsistencies throughout Chapter 1141. Mr. Chen noted that Staff had found various sections to be inconsistent, needing modified, consolidated, and some sections needing to provide additional language. Mr. Chen referred to the home occupation language and the language addition for mobile food carts, temporary uses, temporary sales, and alternative energy. Mr. Chen referred to the many Planning Commission discussions that had taken place over the past several months.

Ms. Rousmaniere inquired how the Farmers Market, carnivals and tents were handled prior to this language. Mr. Chen stated that the City hadn't had that many; carnivals were handled through the schools, the Farmers Market is pre-approved through City Council, and tents require a permit and are handled through the property owner.

There were no public comments.

Mr. Hurston moved to end the Public Hearing. Mr. Benson seconded the motion. All were in favor.

Mr. Prytherch referred to this Chapter as a catch all category and that with various circumstances we needed to have rules in place. Mr. Hurston agreed and added that the Chapter covered everything and that anyone would be able to understand. Mr. Keebler referred to Fire Chief John Detherage's review and agreed that a definition for controlled substances (under 1141.01(c)(5)M5) was needed. Mr. Chen stated he would speak to Mr. Detherage and get clarification. Mr. Keebler asked Mr. Chen to add verbiage before going to City Council. Mr. McHugh stated he didn't think Mr. Detherage was referring to controlled substances as "drugs".

Ms. Rousmaniere stated that she liked the section regarding exotic animals. Mr. Wong referred to the alternative energy language and that as new information becomes available, alternative energy would need tweaked.

Mr. Prytherch thanked staff for their hard work.

Robert Benson moved to approve PC-07-2011 ZONING CODE TEXT AMENDMENT Chapter 1141: Accessory, Temporary, Supplemental and Environmental Regulations. Kate Rousmaniere seconded. The motion passed with the following roll call:

AYE: David Prytherch, Richard Keebler, Ted Wong, Richard Daniels, Marvin Hurston, Kate Rousmaniere, Robert Benson (7)
NAY: None (0)
ABS: None (0)

PC-08-2011 ZONING CODE TEXT AMENDMENT Chapter 1159 Definitions, Section 1159.04(5)(C)&(D) Type A & B Family Daycare Home, Section 1159.07(10) Fraternity/Sorority House, City of Oxford, Applicant

Mr. Hurston moved to enter into Public Hearing PC-08-2011. Mr. Benson seconded the motion. All were in favor.

Mr. Chen provided an overview stating that the proposed changes were minor and would not alter the essence of the text. Mr. Chen stated that the changes to the definition of "Family Daycare" now referenced the Ohio Administrative Code and clarified that the licensing authority for these types of family daycare would come from the Ohio Department of Job and Family Services.

Regarding the fraternity house definition, Mr. Chen stated that staff recommended removing the "good standing" clause as it was a behavioral issue and not a zoning issue.

Discussion took place regarding that should a fraternity become barred from the University, what the City could do. Mr. McHugh stated that the City would have to get a court order.

No public comments were received.

Mr. Hurston moved to close the Public Hearing. Ms. Rousmaniere seconded the motion. All were in favor.

Mr. Prytherch acknowledged that the Planning Commission continues to tweak this code but the problem remains with fraternities and the enforcement mechanism.

Kate Rousmaniere moved to approve PC-08-2011 ZONING CODE TEXT AMENDMENT Chapter 1159 Definitions, Section 1159.04(5)(C)&(D) Type A & B Family Daycare Home, Section 1159.07(10) Fraternity/Sorority House . Robert Benson seconded. The motion passed with the following roll call:

AYE: David Prytherch, Richard Keebler, Ted Wong, Richard Daniels, Marvin Hurston, Kate Rousmaniere, Robert Benson (7)
NAY: None (0)
ABS: None (0)

New Business
Concept Presentation - Solar Array System at the Knolls of Oxford

Mr. Prytherch began discussion regarding this request to install a solar array at the Knolls of Oxford, which is an existing, approved PUD. The company installing the solar array is asking for feedback on which direction to proceed and whether this should be considered a major or minor amendment to n approved Planned Development.

Mr. Chen presented the Concept Plan to the Planning Commission. National Energy Control wishes to install a 30,000 sq. ft. solar array system to supply electrical power to the main building of the Knolls of Oxford. The company plans to install this solar array at the SW corner of the Knolls' entrance coming from Fairfield Road. Mr. Chen referred to the major and minor definitions adding that should this be considered minor, it could be approved administratively by the Planning Commission Chair and Community Development Director. Should this be considered major, the Applicant would need to apply for a Preliminary/Final PUD, requiring it to go before the Planning Commission and City Council. This process would take about 3-4 months.

Mr. Keebler provided everyone a visual sense as to the size of the solar array as being the size of a football field. Mr. Keebler referred to #2 and #5 under definitions of a "major" amendment. Mr. Keebler noted his concern for the location of where the Applicant wished to place the solar array.

Mr. Benson inquired if the solar array could be divided up into two different arrays. Mr. Chen noted that the array would be providing backup electricity to the main building. Mr. Keebler added that we would probably see more of these kinds of things in the future and felt that the public needs to weigh in on. Mr. Chen referred to Walgreen's roof panels and the inability to see from the street. Mr. Keebler stated that this was another reason of needing to talk about.

Mr. Prytherch stated that the solar array wasn't really a use but an infrastructure. Mr. Prytherch noted his concern that National Energy Control or Knolls of Oxford would regret coming forth with something different. Mr. Keebler stated he was concerned about what the solar array would look like from Fairfield Road.

Mr. Prytherch asked Mr. Chen to communicate the Planning Commission's decision with National Energy Control.

Other Business

There was no other business.

Items Under Consideration for Future Discussion
- Short Term:
o GB Commercial District Site Development, Supplementary Regulations
o Delineation of Flood Plain Overlay District
o MU Alternate Transportation Master Plan and Its Implementation in Relation to City's Thoroughfare Plan
o Neighborhood Conservation Rental Restriction Overlay District

Mr. Prytherch referred to the items under consideration on the Planning agenda and the need to develop a routine communication with City Council and the other Boards. Mr. Prytherch referred to the January 10, 2012 scheduled Planning Commission meeting, and the scheduling of a work session to take place before the meeting to set goals for the year. Mr. Prytherch asked that the Commission think about why the outlined priorities are important to tackle and how they interact with the Comprehensive Plan.

Mr. Keebler announced a joint work session between the Planning Commission and City Council to review the Planning Commission's work items for 2012. The work session is scheduled for January 17, 2012.

Mr. Daniels asked for a brief paragraph on each item as he wasn't sure what they meant since he came onto the Planning Commission later than other Commission members. Mr. Chen noted that each item would be discussed at the January 10, 2012 work session and a brief description would be provided to City Council the Friday before the January 17 work session. Mr. Keebler noted this would get everyone on the same page along with ranking their importance.

Adjournment

Mr. Hurston made motion to adjourn the meeting. Ms. Rousmaniere seconded the motion. All were in favor. The meeting was adjourned at 8:50 p.m.

Mr. Prytherch wished everyone Happy Holidays.