

OXFORD PLANNING COMMISSION

Meeting Minutes

Tuesday, December 9, 2014

7:30 p.m.

Call to Order

Those members present: David Prytherch, Richard Keebler, Richard Daniels, Robert Benson, Peter McCarthy, and Robert Bell.

Those members excused: Kate Rousmaniere.

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

Staff members excused: Sam Perry.

Approval of Minutes of the November 11, 2014 Planning Commission Meeting

Mr. Benson made motion to approve the November 11, 2014 minutes as written. Mr. Daniels seconded the motion. (Staff noted that Mr. Daniels was absent at the November 11, 2014 meeting). Mr. Keebler, Mr. Benson, Mr. Bell, Ms. Rousmaniere, Mr. McCarthy, Mr. Prytherch were in favor of the minutes as written.

Public Comments Related to Items Not on the Agenda

There was none.

Reports from Commissions, Boards, Committees & Staff

Mr. Bell reported that the Environmental Commission discussed energy aggregation and discussion points of why they want to promote the City to look at. The Environmental Commission also reviewed stormwater best water practices.

Mr. Benson announced the appointment of Ms. Kelsey Sturgill on the HAPC.

Mr. McCarthy referred to connector roads and having more than just one ingress/egress main road in subdivisions and basing the needs of on occupancy and asked that the Planning Commission look at the subdivision regulations. Mr. McCarthy inquired if the Planning Commission should try and get onto the agenda soon.

Mr. Chen announced that City Staff would be meeting with Talawanda School District regarding the Kramer School construction to establish a timeframe when they would be coming before the Planning Commission.

Mr. Prytherch referred to the ongoing conversation between the City, Miami University and Amtrak regarding getting a connector in the City.

Items Related to Platting

There was none.

Items Related to Zoning

PC-2014-16 ZONING MAP AMENDMENT, to establish a Neighborhood Conservation Overlay District in the area of Hilltop Road, part of Contreras Road, Panda Lane and Pin Oak Drive, for a total of 72 parcels contained in the proposed overlay district boundary, City of Oxford, Applicant

Mr. Keebler made motion to enter into public hearing PC-2014-16. Mr. Daniels seconded the motion. All were in favor.

Mr. Prytherch, Mr. Benson, and Mr. Bell recused themselves.

Mr. Chen provided a report. Mr. Chen reported that the overlay request was for Hilltop, Pin Oak and Panda Drive, and Contreras Road. Mr. Chen stated the petition was filed on September 24, 2014 and was approved by City Council and forwarded to the Planning Commission on October 7, 2014. There were a total of 72 parcels, of which 55 property owners signed the petition; therefore, meeting the 2/3 requirement of the overlay district. Mr. Chen noted that two properties to the south were added after the initial filing of the petition.

Mr. Chen referred to the Decision Standards. Staff recommended approval.

There were no public comments.

Mr. McCarthy made motion to close the public hearing. Mr. Daniels seconded the motion. All were in favor.

Mr. Daniels made motion to approve PC-2014-16. Mr. Daniels seconded the motion. All were in favor.

Decision Standards were reviewed.

The Planning Commission reviewed the Zoning Map Amendment decision standards (must meet one):

There is an error on the Official Zoning Map - Not applicable

The proposed amendment will make the map conform more closely with the Comprehensive Plan. Yes

There has been a substantial change in area conditions that necessitates the amendment. No

There is a legitimate need for additional land area in the zoning district that will be expanded. No

The Planning Commission reviewed the Overlay District decision standards:

The proposed Overlay District meets the boundary criteria. Yes

The proposed Overlay District will preserve and enhance the neighborhood character. Yes

The proposed Overlay District will promote the public health, safety and general welfare of the people of the neighborhood. Yes

The proposed Overlay District will promote and implement the intent of the Comprehensive plan. Yes 2, Mr. McCarthy No.

The proposed Overlay district will satisfy the legitimate need. 2 Yes, Mr. McCarthy No.

The Planning Commission reviewed the justification to allow for an overlay district: stability in

the neighborhood protects property values, protects the neighborhood character. 2 Yes, Mr. McCarthy No.

AYE: Mr. Keebler, Mr. Daniels (2)

NAY: Mr. McCarthy (1)

ABS: None (0)

PC-2014-[17 ZONING MAP AMENDMENT, to establish a Neighborhood Conservation Overlay District in the area of Country Club Drive, Olde Farm Road, and part of Contreras Road for a total of 91 parcels contained in the proposed overlay district boundary, City of Oxford, Applicant 30](#)

Mr. Daniels made motion to enter into public hearing PC-2014-17. Mr. Bell seconded the motion. All were in favor.

Mr. Chen provided an overview stating that a petition was filed on September 16, 2014 and a resolution was adopted by City Council on October 21, 2014. Mr. Chen reported that a petition was filed by neighbors located on Country Club Drive, Olde Farm Road, and part of Contreras Road. Mr. Chen reported that 91 parcels were affected, and that 70 signatures were received, thus meeting the boundary requirement and 2/3 criteria. Mr. Chen stated that staff recommended Planning Commission approval.

Ms. Sue Jones, 118 Country Club Drive, stated she had initiated the petition that involved all of the Heritage Subdivision and one property on Contreras Drive. Ms. Jones explained how she circulated the petition and that she wanted to preserve the neighborhood as a family-oriented one.

Dr. Douglas Brooks, 227 Country Club Drive, described the current owners and the neighborhood character. Mr. Brooks described how neighbors have come together to beautify their neighborhood and felt that the neighborhood has an isolated character. Described how the neighbors take care of their properties and their wish to protect their neighborhood character.

Mr. Steve Haak, 919 Glos Drive, inquired about the limiting of the number of rental occupants.

Mr. Bell made motion to close public hearing. Mr. Benson seconded the motion. All were in favor.

Mr. Benson made motion to approve PC-2014-17. Mr. Bell seconded the motion. All were in favor.

Mr. Prytherch spoke. Mr. Prytherch stated that the overlay process was put in the hands of the public to initiate. Mr. Prytherch described that through his processing of PC-2014-16 he was able to meet neighbors he hadn't met before and that he just wanted to recognize the effort that goes into this process.

The Planning Commission reviewed the Zoning Map Amendment decision standards:
There is an error on the Official Zoning Map - Not applicable

The proposed amendment will make the map conform more closely to the Comprehensive Plan.

5 Yes , No Mr. McCarthy

There has been a substantial change in area conditions that necessitates the amendment. No

There is a legitimate need for additional land area in the zoning district that will be expanded. No

The Planning Commission reviewed the Overlay District decision standards:

The proposed Overlay District meets the boundary criteria. 5 Yes, Mr. McCarthy No

The proposed Overlay District will preserve and enhance the neighborhood character. 5 Yes, Mr. McCarthy, No

The proposed Overlay District will promote the public health, safety and general welfare of the people of the neighborhood. 5 Yes, Mr. McCarthy No

The proposed Overlay District will promote and implement the intent of the Comprehensive plan. 5 Yes, Mr. McCarthy No

The proposed Overlay district will satisfy the legitimate need. 5 yes, Mr. McCarthy no

AYE: Mr. Daniels, Mr. Bell, Mr. Keebler, Mr. Benson, Mr. Prytherch (5)

NAY: Mr. McCarthy (1)

ABS: None (0)

PC-2014-18 ZONING MAP AMENDMENT, to establish a Neighborhood Conservation Overlay District in the area of Emerald Woods Drive, Glos Drive, Brigid Circle, Stone Hedge Circle and French Drive for a total of 57 parcels contained in the proposed overlay district boundary, City of Oxford, Applicant

Mr. Daniels recused himself.

Mr. Benson made motion to enter into public hearing PC-2014-18. Mr. Bell seconded the motion. All were in favor.

Mr. Chen provided a review. Mr. Chen stated that the petition was filed on September 15, 2014 and adopted by City Council on October 21, 2014. Mr. Chen reported that there were a total of 57 properties and that 44 signatures were obtained, representing 47 parcels. The overlay consists of properties located on Emerald Woods Drive, Glos Drive, Brigid Circle, Stone Hedge Circle and French Drive. Mr. Chen referred to one property included in the overlay that sticks out. This property owner had multiple properties and wanted them all included. The application meets the 2/3 requirement and represents 82%.

Mr. Steve Haak again spoke. Mr. Haak explained that he was one of the 18% who didn't sign the petition, explaining that he knew he would not be a long term resident. Mr. Haak described Oxford as a transient community, and that by virtue of his job, it was appealing to know that he would be able to rent to people who could occupy his home. Mr. Haak voiced his concerns of property rights. Mr. Haak referred to his discussion with Mr. Rich Daniels, who acknowledged that too was part of people's concerns. Mr. Haak stated that he may disagree with his neighbors but was their right. Mr. Haak stated he appreciated the opportunity to express his dissent and for the public to take into consideration.

Mr. Keebler made motion to close the public hearing. Mr. Bell seconded the motion. All were in favor.

Mr. Keebler made motion to approve PC-2014-18. Mr. Benson seconded the motion. All were in favor.

Mr. Bell referenced to the map boundaries. Mr. Keebler explained the boundary drawing and its logic. Mr. Bell noted that by signing the petition was not the approval of the boundary change, that there are protections in place of rental rights during the overlay process.

The Planning Commission reviewed the Zoning Map Amendment decision standards:

There is an error on the Official Zoning Map - Not applicable

The proposed amendment will make the map conform more closely with the Comprehensive Plan. 4 Yes , No Mr. McCarthy

There has been a substantial change in area conditions that necessitates the amendment. No

There is a legitimate need for additional land area in the zoning district that will be expanded. No

The Planning Commission reviewed the Overlay District decision standards:

The proposed Overlay District meets the boundary criteria. 4 Yes, Mr. McCarthy No

The proposed Overlay District will preserve and enhance the neighborhood character. 4 Yes, Mr. McCarthy, No

The proposed Overlay District will promote the public health, safety and general welfare of the people of the neighborhood. 4 Yes, Mr. McCarthy No

The proposed Overlay District will promote and implement the intent of the Comprehensive plan. 4 Yes, Mr. McCarthy No

The proposed Overlay district will satisfy the legitimate need. 4 Yes, Mr. McCarthy No

AYE: Mr. Daniels, Mr. Bell, Mr. Keebler, Mr. Benson, Mr. Prytherch (4)

NAY: Mr. McCarthy (1)

ABS: None (0)

PC-2014-19 ZONING MAP AMENDMENT, to establish a Neighborhood Conservation Overlay District in the area of Fieldcrest Avenue, Devonshire Drive, Patrick Drive, Timothy Lane and Contreras Road for a total of 56 parcels contained in the proposed overlay district boundary, City of Oxford, Applicant

Mr. Benson made motion to enter into public hearing PC-2014-19. Mr. Daniels seconded the motion. All were in favor.

Mr. Chen provided an overview. Mr. Chen stated this overlay had a very defined boundary. Mr. Chen stated that a petition for an overlay district was filed on September 26, 2014 and approved by City Council to forward to the Planning Commission on October 21, 2014. Mr. Chen stated that 55 parcels were in the overlay, and that 45 signatures were gathered, thus representing 80%. The overlay district affects Fieldcrest Avenue, Devonshire Drive, Patrick Drive, Timothy Lane and Contreras Road.

There were no public comments.

Mr. Bell made motion to close public hearing PC-2014-19. Mr. Benson seconded the

motion. All were in favor.

Mr. Prytherch stated that he used to own a house in this neighborhood and that it has been a vulnerable neighborhood and described what has been going on. Mr. Prytherch stated that he appreciated his neighbors taking the time to stabilize the neighborhood.

The Planning Commission reviewed the Zoning Map Amendment decision standards:

There is an error on the Official Zoning Map - Not applicable

The proposed amendment will make the map conform more closely with the Comprehensive Plan. 5 Yes , No Mr. McCarthy

There has been a substantial change in area conditions that necessitates the amendment. No

There is a legitimate need for additional land area in the zoning district that will be expanded. No

The Planning Commission reviewed the Overlay District decision standards:

The proposed Overlay District meets the boundary criteria. 5 Yes, Mr. McCarthy No

The proposed Overlay District will preserve and enhance the neighborhood character. 5 Yes, Mr. McCarthy, No

The proposed Overlay District will promote the public health, safety and general welfare of the people of the neighborhood. 5 Yes, Mr. McCarthy No

The proposed Overlay District will promote and implement the intent of the Comprehensive plan. 5 Yes, Mr. McCarthy No

The proposed Overlay district will satisfy the legitimate need. 5 Yes, Mr. McCarthy No

AYE: Mr. Daniels, Mr. Bell, Mr. Keebler, Mr. Benson, Mr. Prytherch (5)

NAY: Mr. McCarthy (1)

ABS: None (0)

New Business

Mr. McCarthy continued his discussion regarding changes to the subdivision regulations and his concern for when one street comes off a main road, and his concern of populated areas. Mr. McCarthy referred to the Jacqueline Drive area and south of town specifically. Mr. McCarthy stated he was concerned should something happening where people could become trapped. Mr. McCarthy wants clear standards set and feels there is a need for a second way out in populated areas.

Discussion followed. Mr. McCarthy feels this to be a safety and health issue. Mr. McCarthy referenced the recent 27 South application, which has prompted his question. Mr. Prytherch inquired if there were standards out there for this type of question. Mr. Prytherch inquired what other communities have done. Mr. Keebler stated that it wasn't just about subdivisions, it was about being properly served by ingress and egress.

Discussion followed.

Connectivity issues were discussed, and the issue not being so much as the originating development but the next developer coming in to connect to it.

Mr. Bell inquired that as these overlay districts gets changed by City Council, if a layer would be shown on the City map. Mr. Bell asked for an updated City of Oxford map. Mr. Chen explained that the Planning Commission would be issued an updated map soon.

Mr. Prytherch referred to 2015 discussions: commercial district language revision, vehicle management language and developing 2015 goals.

Mr. Prytherch thanked the Commission for their hard work.

Other Business

There was none.

Items Under Consideration for Future Discussion - Commercial District Diversification * Neighborhood compatible commercial districts * Commercial core: walkability and mixture of uses - Off-Street Parking Standards * Parking requirements * Sustainable design standards

Adjournment

Mr. Bell made motion to adjourn the meeting. Mr. Benson seconded the motion. The meeting was adjourned at 8:33 p.m.