

OXFORD PLANNING COMMISSION
Meeting Minutes
Tuesday, February 12, 2013
7:30 p.m.

Call to Order

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

Those members excused: Marvin Hurston.

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

Staff members excused: Sam Perry.

Approval of Minutes of the January 8, 2013 Planning Commission Meeting

Mr. Benson moved to approve the January 8, 2013 minutes as written. Ms. Rousmaniere seconded the motion. All were in favor.

Communications

For City Council's Consideration, Update on US 27 South Safety Improvement Projects

Mr. Prytherch thanked Mr. Mike Dreisbach, Service Director, for attending. Mr. Dreisbach provided a powerpoint presentation on US 27 South Safety Improvement Projects. Mr. Dreisbach noted that City Council had already been presented the information. Mr. Dreisbach referred to two other projects having recently been completed and that this project being discussed tonight was the third and final project using federal funds for improvements. Mr. Dreisbach discussed funds attached to this project. The City has engaged a consultant for the right of way and two structures are to be taken as part of the project and negotiating of fair prices is taking place. Mr. Dreisbach discussed some of the new features: turning lanes, the Collins Run bridge will be raised about 8 feet with Chestnut Street at that point being lowered about 2 feet, two 12' travel lanes, 8' paved shoulders, curb and gutter along the entire project, 6' tree lawn (later to be landscaped by the City), concrete sidewalks on both sides of the road. Stage 3 plans are due at ODOT in the next few weeks. Duke Energy won't plan until finals of stage 3 are in. Will go out for bid in January 2014, and awarded and construction to begin spring 2014. Should be completed by summer 2015. Mr. Dreisbach noted that this would be a difficult project, with delays being substantial. Mr. Dreisbach noted that the City would lose local control; as the project will be constructed and administered by ODOT. Mr. Dreisbach described the end result of this construction project: pedestrians will have safe sidewalks, access to the high school will be much improved and a bikepath along shoulders.

Traffic issues and delays were discussed. Mr. Daniels inquired about the bridge being raised and its effect of Pfeffer Park. Mr. Dreisbach stated it would be affected along with the cemetery.

Mr. Dreisbach noted that City Council action would be occurring on taken properties.

Mr. Prytherch inquired about phasing and design work. Mr. Dreisbach noted that ODOT has hired an engineering firm to do the design work.

Mr. Prytherch inquired if Mr. Dreisbach could attend yearly to provide Planning Commission with a transportation update.

Items Related to Platting

There was none.

Items Related to Zoning

PC-02-2013 [ZONING CODE TEXT AMENDMENTS to Amend Chapter 1141 Accessory, Temporary, Supplementary and Environmental Regulations, Specifically Temporary Sales, Roadside Stands or Transient Vendors, Mobile Food Carts and Vendors; and, Chapter 1143.10 Uptown District \(UP\) Regarding the Sidewalk Use Permit, City of Oxford, Applicant](#)

Mr. Keebler moved to enter into Public Hearing PC-02-2013 Zoning Code Text Amendment. Mr. Benson seconded the motion. All were in favor.

Mr. Chen provided a review stating that this case was about correcting various inconsistencies that Staff had been dealing with over the past several years. These inconsistencies and clarifications included language regarding charitable/community events (temporary), sidewalk uses, addition of the R4 District under Home Occupations and the need to refer to the City of Oxford Storm Water Management Design Manual in the Environmental Regulations.

All of these issues were not considered major changes, but would provide consistency and allow for cross-referencing. Mr. Chen referred to the Planning Commission Work Sessions that took place regarding this amendment.

Staff noted that other changes would need to occur in other sections of the Codified Ordinances (different departments) to align with the Zoning Code but would not need to come before the Planning Commission.

No public comments were received.

Mr. Keebler made motion to close the Public Hearing. Mr. Benson seconded the motion. All were in favor.

The Planning Commission reviewed the language included in the agenda. One very minor change was noted on page 10 of the agenda.

Robert Benson moved to approve PC-02-2013 ZONING CODE TEXT AMENDMENTS to Amend Chapter 1141 Accessory, Temporary, Supplementary and Environmental Regulations, Specifically Temporary Sales, Roadside Stands or Transient Vendors, Mobile Food Carts and Vendors; and, Chapter 1143.10 Uptown District (UP) Regarding the Sidewalk Use Permit, City of Oxford, Applicant. Richard Keebler seconded. The motion passed with the following roll call:

AYE: David Prytherch, Richard Keebler, Ted Wong, Richard Daniels, Kate Rousmaniere, Robert Benson (6)

NAY: None (0)

ABS: None (0)

PC-03-2013 [ZONING CODE TEXT AMENDMENT to Amend Chapter 1137 Nonconformities and Adding Definitions to Chapter 1159, City of Oxford, Applicant](#)

Mr. Keebler moved to enter into Public Hearing PC-03-2013 Zoning Code Text Amendment. Ms. Rousmaniere seconded the motion. All were in favor.

Mr. Chen thanked Mr. Alan Kyger, Mr. Scott Webb, Ms. Kate Rousmaniere, Mr. Rich Daniels, and Mr. Bob Benson for their input and serving on the Planning Commission Subcommittee.

Mr. Chen stated that at the direction of City Council, a Planning Commission subcommittee was formed to review the existing nonconforming chapter of the Oxford Zoning Code. The goal of the subcommittee was to identify barriers to the redevelopment of nonconforming buildings/uses. Mr. Chen provided an overview of the subcommittee's progress and the text language results. The subcommittee identified two issues; the redevelopment process for apartment complexes, and the amending of the nonconformities chapter of the zoning code. Mr. Chen noted that the proposed amendment would allow a building with nonconforming uses to go through the process in a more streamlined manner. The amendment also recommended and defined the improvements of a structure into three categories: renovation, reconfiguration and reconstruction. Mr. Chen also noted that the proposed language would allow reconfiguration to move forward without meeting the site development regulations of the underlying district, but would be subject to the meeting of the 30% reduction in the approved rental occupancy. Mr. Chen also stated that any demolition/destruction of an existing building

was considered reconstruction; however, a new building must satisfy the use and site development regulations of the underlying district. Mr. Chen described other recommendations in regards to allowing buildings with nonconforming uses to expand, subject to the underlying regulations and no increase in intensity of the nonconforming use. Mr. Chen noted that the subcommittee believes this amendment will encourage redevelopment of dilapidated/obsolete buildings with newer and safer buildings.

Mr. Scott Webb spoke. Mr. Webb stated he was happy to have served on this subcommittee. Mr. Webb felt the new code was much clearer. Mr. Webb pointed out that prior to the rewrite; the maximum reduction someone took was 20%. Mr. Webb felt the Planning Commission should maybe discuss the percentage. Mr. Webb stated that market forces have markedly changed the Uptown District; therefore, Landlords now have to reconfigure things in order to recoup what has been lost. Mr. Webb asked that the Planning Commission reconsider the move from 20% to 30% reduction before moving on to City Council.

M. Bill Buechler, 4730 Hampton Pond Lane, Mason, Ohio, and an Oxford property owner, voiced his concerns regarding the 30% reduction and the effect on a landlord. Mr. Buechler asked for reconsideration.

Mr. Benson made motion to close the Public Hearing. Ms. Rousmaniere seconded the motion. All were in favor.

Mr. Prytherch reiterated that the Planning Commission Subcommittee met many months and noted that nonconformities are a challenge to deal with. Mr. Prytherch noted that the goal was to introduce some flexibility and realities. Mr. Prytherch would rather see renovation, than tear downs.

Mr. Keebler clarified the 30% reduction, stating that the Planning Commission were asking for the 30% reduction in the PERMITTED occupancy. Mr. Keebler stated that he could live with the 30%; and that 25% wouldn't bother him either. Mr. Keebler continued that the applicant could always go before the BZA. Mr. Keebler noted that the Planning Commission couldn't write language for all the potentials. Mr. Keebler continued by saying that this language wasn't perfect, but that the Planning Commission could go back and tweak it.

Mr. Daniels felt the end product made sense from a layman's point of view.

Kate Rousmaniere moved to approve PC-03-2013 ZONING CODE TEXT AMENDMENT to Amend Chapter 1137 Nonconformities and Adding Definitions to Chapter 1159, City of Oxford, Applicant. Richard Keebler seconded. The motion passed with the following roll call:

AYE: David Prytherch, Richard Keebler, Ted Wong, Richard Daniels, Kate Rousmaniere, Robert Benson (6)

NAY: None (0)

ABS: None (0)

PC-04-2013 [ZONING CODE TEXT AMENDMENT to Amend Chapter 1143.12 GB General Business District and Chapter 1151.05\(a\)\(3\) Permanent Signs for GB-General Business District, City of Oxford, Applicant](#)

Mr. Keebler moved to enter into Public Hearing PC-04-2013 Zoning Code Text Amendment. Mr. Benson seconded the motion. All were in favor.

Mr. Chen provided an overview of this case. Mr. Chen stated that the text amendment was as a result of several Planning Commission Work Sessions having taken place. Mr. Chen stated that City Council fully supported the Planning Commission reviewing the site development regulations of the General Business District. Mr. Chen noted that some of the current regulations created a practical difficulty to development and did not always reflect the overall vision of the Planning Commission. One specific regulation Mr. Chen referred to was the earthen mounds and the site distance obstruction they caused.

Mr. Chen also referred to the City of Oxford Chamber of Commerce having asked in writing that the Planning Commission review existing regulations in the GB District as they felt that certain regulations were not clear in regards to the City's expectations. The Planning Commission cleaned up some of these development regulations, including earthen mounds, landscape planting materials and sign regulations in relation to the business district.

Mr. Scott Webb spoke on behalf of the Chamber of Commerce adding that sign inconsistencies have been an issue with the Chamber.

Mr. Keebler made motion to close Public Hearing. Mr. Benson seconded the motion. All were in favor.

Ms. Rousmaniere inquired about the bike rack language.

Reviewing of the revised zoning code language, 1143.12, took place. Minor revisions were made to 1143.12(d)(3) regarding the orientation of a principal building entrance in regards to their connectivity to sidewalks/ walkways/adjacent parking.

Mr. Keebler moved to amend Section 1143.12(d)(3). Ms. Rousmaniere seconded the motion. All were in favor.

Richard Daniels moved to approve PC-04-2013 ZONING CODE TEXT AMENDMENT to Amend Chapter 1143.12 GB General Business District and Chapter 1151.05(a)(3) Permanent Signs for GB-General Business District. Robert Benson seconded. The motion passed with the following roll call:

AYE: David Prytherch, Richard Keebler, Ted Wong, Richard Daniels, Kate Rousmaniere, Robert Benson (6)

NAY: None (0)

ABS: None (0)

New Business

There was none.

Other Business

A joint Work Session with City Council to review the Planning Commission's 2013 priorities was scheduled for February 19, 2013.

Adjournment

Mr. Benson made motion to adjourn at 8:47 p.m. Mr. Keebler seconded the motion. All were in favor.