OXFORD PLANNING COMMISSION
Meeting Minutes
Tuesday, June 13, 2017
7:30 p.m.

Call to Order

Those members present: David Prytherch, Richard Daniels, Robert Bell, Steve Dana, Pete McCarthy
Those members excused: Edna Southard
Staff members present: Jessica Brockman, Jung-Han Chen, and Sam Perry
Staff members excused: Steve McHugh

Approval of Minutes of the May 9, 2017 Planning Commission Meeting

Mr. Dana made motion to approve the minutes as written. Mr. Daniels seconded the motion. All were in favor.

Mr. Daniels made motion to reorder the agenda to PC-2017-06, PC-2017-05, PC-2017-13, PC-2017-14, and then PC-2017-10, PC-2017-11, and PC-2017-12. Mr. Bell seconded the motion. All were in favor.

Public Comments Related to Items Not on the Agenda

There was none.

Reports from Commissions, Boards, Committees & Staff

Mr. Dana referred to Mr. Daniels thoughts made during the May Planning meeting regarding when to stop discussion when it becomes a heated conversation, and felt his comments were very worthwhile.

Mr. Scott Johnston, resigned from the Planning Commission and was thanked for his service.

Mr. Bell reported on the Environmental Commission having finalized language for Zoning Code Chapter 935, Trees and Shrubs and has been given to City staff for review. Mr. Bell provided a review of how the Environmental Commission got to this point. Mr. Bell stated they anticipated August to begin talking with Planning Commission. Mr. Bell added that this was a significant addition to the zoning code and significant requirements for new developments.

Mr. Dana referred to the issue of the Butler County Prosecuting Attorney plans to discontinue Area 1 Court.

Mr. McCarthy reported on HAPC approval of the Phan-Shin building and the completion of the historic district inventory.

Mr. Perry reported on the final elements of completion of Phase 1 of the trail and invited everyone to the ribbon cutting ceremony June 14, 2017 at 4pm at Leonard Howell Park.

Mr. Chen reported on having received OKI Funding for Phase II to be led out in 2019; seeking OKI funding again as well.

Mr. Daniels reported on the Community Improvement Corporation new lease for Moon Co-op.

Items Related to Platting

There was none.

Items Related to Zoning

PC-2017-06 - FINAL PLANNED DEVELOPMENT, Red Brick Estates, 23.28 acres, R-1A District, Bryan Price, Red Brick LLC Applicant (Tabled 5/9/17)

Mr. Bell made motion to remove from table, PC-2017-06. Mr. Dana seconded the motion. All were in favor.

Mr. Dana made motion to enter into Public Hearing PC-2017-06. Mr. Bell seconded the motion. All were in favor.

Mr. McCarthy recused himself from discussion since living nearby.

Mr. Chen explained how voting would go with having only four Planning Commission members.

Mr. Perry provided a review of the development and where it was left when tabled at the May 9, 2017 meeting.

Mr. Perry provided a location map. Mr. Perry noted that someone had called June 13 to state that they were a co-trustee of the stub street; however, staff has not received documents verifying this.

Mr. Perry shared new information. The City has a signed contract with the owner to purchase the underlying land of the existing stub street. Also, the Homeowner Association documents have been received and reviewed by staff. The conservation easement document has been received and reviewed as well. The City Engineer has provided an additional written statement regarding the storm water management plan which was included in the agenda. Mr. Perry provided a surrounding zoning map. Mr. Perry provided comparison drawings of the Preliminary Plan reviewed in June 2016 versus the proposed Final Development. The stub street is currently unnamed but will be named Grace Lane once developed. Mr. Perry reviewed the plot plan and the wetland easement (conservation easements).

Mr. Perry noted that there is a mitigation plan filed at the Ohio EPA.

Mr. Perry noted that it was staff's determination that the Plan conformed to the Preliminary Plan.

Mr. Perry reviewed staff recommendations:
HOA received, wetland conservation easements, connections to existing sidewalks be adjusted on construction plans, lettering/numbering be consistent on the Final Plan. Mr. Perry did state that staff has not discussed the lengths of approvals and suggested the Final Plan approval be valid for five years. Also have not discussed the improvement of the stub ROW between lots 9 and 10 and asking that be part of Planning Commission recommendations.

Mr. Bell inquired about individual lot sales. Mr. Perry responded they would be individual sales and Mr. Price would be the builder. Mr. Perry clarified five years was for first phase completion.

Mr. Prytherch inquired about one of the standards, active/passive recreational spaces, and if sidewalk construction would be concurrent with street construction. Mr. Perry responded no, sidewalk construction would be concurrent with home construction. Mr. Perry suggested having a condition that once a percentage of lots developed are completed that all sidewalks are completed. Mr. Prytherch inquired if Phase 2 should not be economically feasible or whatever else could happen, what would happen in the development. Mr. Perry responded that utilities and sewer would still happen.

Ms. Etta Reed spoke. Ms. Reed stated they have met with staff. Ms. Reed highlighted a couple of things: sidewalks typically are completed when the home is constructed; regarding the open space, she explained each. Space A is a really passive area but very limited on what people can do there. Open Space B&C will be mowed and well maintained. Open Space D&E both are slightly wooded. The plan is that the existing trees will stay. Ms. Reed reviewed the staff report and reported that they were agreeable to items 1-5, but did have concerns about improvements to the Grace Lane stub. It is a stub that is dedicated and not their intent to improve it. The HOA will mow grass. Ms. Reed stated they wanted to add a 7th condition that regarding lot coverage that the underlying zone is 35% that they are asking 40% lot coverage.

Mr. Bell inquired 40% for the entire project? Ms. Reed responded no, each individual lot.
Mr. Prytherch asked for more talk regarding phasing and inquired why phasing is beginning at the northern half and not the southern half and how confident they were that it would all be completed. Ms. Reed explained, adding that it was

never their intent to build out Grace Lane in the first phase.

Mr. Prytherch inquired about the planting plan. Ms. Reed responded that Area E wouldn't be touched, Area D minor touching.

Mr. Dana noted that there were a lot of trees to be planted. Ms. Reed responded correct.

Mr. Daniels referred to having read the HOA documents and what a shame more neighborhoods don't have an HOA; very stringent rules.

The Planning Commission talked about how voting was handled as part of an HOA.

Public comments:

Mr. Pete McCarthy stated he was concerned about construction beginning at the north side development first, and suggested the south side first due to roads and drainage. Mr. McCarthy explained that existing neighbors would prefer this because of generated traffic and water runoff. Mr. McCarthy stated he would vote no if the north side was phased first and concluded that he was however in favor of this development happening.

Mr. Doug Brooks, 227 Country Club Drive, spoke and agreed Phase I should begin on the south side and explained why.

Mr. Andrew Riggs, 106 Country Club Drive, inquired about the number of phases. Ms. Reed responded two. Mr. Riggs stated he was confused because he felt by explanation that there were 3 phases. Ms. Reed explained the two phases. Mr. Riggs stated too that he preferred starting south as there was zero reason to start at the other end. Mr. Riggs stated he feared of water and if the development was not finished. Mr. Riggs suggested to not approving 40% lot coverage as he felt there was already not enough land.

Ms. Mary Jo Clark, 10 Olde Farm Road, had questions about the HOA document: Article 7, Section 2, Item E, if a member of the Association doesn't pay their fees, does the HOA then become owner of the lot. Ms. Clark inquired about HOA document, Article 3, Section 2, Annual Assessments (d). Mr. Chen responded that staff had just received from Mr. McHugh his comments regarding this Section and had yet to review. Ms. Clark inquired about what happened if the HOA didn't fulfil its responsibilities, what recourse we would have for that. Mr. Daniels responded the same as your own personal property. Mr. Prytherch asked staff to please ask Mr. McHugh for clarification.

Ms. Ruth Engel, 121 Olde Farm Road inquired about cement trucks parading down the street and what happens to our street after somewhat abused from the development. Mr. Chen responded that the City Engineer would be following the construction closely. Mr. Perry added that this was part of regular Engineering inspections.

Mr. James Chagdes, 209 Country Club Drive, inquired what specifically made this better (a planned development) versus a traditional subdivision. Mr. Chagdes noted that before Planning Commission was lot area and lot width reductions, side yard reductions, and that he didn't think this is what we want to be doing. There are large block lengths (asking for a waiver on this), lot coverage increased to 40%, wetland buffering well below 100 feet, and the rear yards are small. Mr. Chagdes stated he felt the request was for waiver after waiver after waiver on this project.

Mr. Scott Johnston, 131 Country Club Drive, discussed the process stating that the Planning Commission made a Preliminary approval which went to City Council. Mr. Johnston stated he didn't feel that at that time the stub street issue was resolved. Mr. Johnston stated that his recommendation was for the Planning Commission to stick with the process and that when they recommend things to make sure they are not open ended.

Mr. Bell made motion to close Public Hearing, Mr. Dana seconded the motion. All were in favor.

Mr. Daniels made motion to approve PC-2017-06. Mr. Bell seconded the motion.

Mr. Prytherch spoke. Mr. Prytherch reviewed the decision criteria. Mr. Prytherch felt the conversation has to be "does the Final Plan substantially conforms to what the Planning Commission approved at the Preliminary". The Planning Commission has received a lot of information since the Preliminary approval.

The Planning Commission reviewed the three decision criteria for a planned development. Mr. Dana inquired to what extent does the concerns raised need to be ultimately resolved/addressed. Mr. Prytherch responded that it was not the Planning Commission's responsibility to review HOA documents but Legal's responsibility.

Mr. Dana inquired about the difference between 30% versus 40% lot coverage.

Mr. Bell stated that he felt that there were many times where things were up in the air during the Planning Commission's approval process. Mr. Bell stated that he was not comfortable with a couple of things: lot coverage, rear yard size, wetland, overall lot size; was not concerned about lot length, or side yard, and knows it is more compact than the existing subdivision but he was not concerned about that.

Mr. Prytherch stated that a Planned Development gives more sensitive development. Mr. Prytherch reviewed the conditions that were identified at the Preliminary level and approved by City Council. Mr. Prytherch inquired if the waiving of lot coverage was identified at the Preliminary level. Mr. Chen responded that at that time there was not enough information to identify. Mr. Prytherch responded nor was the phasing identified at that time. Mr. Prytherch stated that some of the problem is that the code doesn't require all this information at the Preliminary phase.

Mr. Prytherch expressed concern for the open space, lot coverage, and phasing. Mr. Bell inquired about sidewalks and phasing allowed to 5 years. Mr. Prytherch suggested discussing phasing, lot coverage, sidewalks, and some of the conditions Mr. Perry has listed. Mr. Prytherch reviewed staff recommendations contained in the agenda.

Additional conditions were discussed: if all lots are not built at the end of each phase, the remaining sidewalks will be completed at the time of completion of that Phase or within five years, whichever sooner.

The Planning Commission discussed the 40% per lot coverage waiver. Mr. Bell inquired about approximately what square footage they were talking about. Mr. Perry stated it would be an additional 412 sq. ft. less of grassed area per lot (on the smaller lots-located on the western side). Mr. Perry continued that it was his assumption that some lots wouldn't have 40% coverage. Discussion followed. Mr. Chen suggested not to cherry pick lots' coverage and either all are 40% or stick with the 35% lot coverage; it could however, mean more houses. It was noted that the HOA specifies square foot minimum requirements.

Mr. Daniels inquired about 40% versus 35% and if it included the setbacks. Mr. Perry responded yes per maximum coverages. The Planning Commission asked for staff input. Mr. Perry responded that when Staff is presented a proposal that staff reacts to what was presented; Staff doesn't have the option to design; regarding smaller lots/yards, this is a fairly narrow tract of land, and in order to handle downstream water, we need large detention basins. Mr. Dana stated that the existing site conditions (water/drainage) has made necessary these detention basins.

Mr. Bell stated that he didn't like the 40% coverage waiver. Mr. Dana agreed. Mr. Prytherch stated he could go either way. Mr. Daniels agreed with Mr. Bell and Mr. Dana.

Phasing discussion took place. The Planning Commission inquired Ms. Reed. Mr. Prytherch expressed his concern about the phasing. Ms. Reed asked to clarify the phasing stating that drainage would be addressed with either phase. Ms. Reed stated she understood the concerns of the existing subdivision in regards to the numerous trucks during construction, but noted they would have to pass someone's house. Ms. Reed referred to the block length comment and it having taken place during the Preliminary Plan. Ms. Reed stated they needed to deal with stub streets and that they can as long as they get access onto Grace Lane. Ms. Reed stated that Mr. Price owned all of the property and that it was in his best interest to develop the entire thing. Mr. Daniels stated he felt beginning with the north section first made perfect sense.

Ms. Reed asked that anything with Grace Lane not be a condition for their approval.

Discussion regarding phasing took place. The Planning Commission discussed the development impact on existing properties. Discussion followed. A condition was identified that Phase One shall begin at the south end of the property (not North).

The 35% maximum lot coverage was discussed and decided to be included as a condition.

The Planning Commission reviewed the Decision Standards:
(1) The proposed planned development is in fact permitted in the zoning districts in which it is proposed. **Yes**
(2) If the application is for the same site where a planned development application has been denied within one year, the plan is substantially different from the application so denied. **N/A**
(3) The uses and site plan will satisfy the general intent of this Zoning Code. **Yes. Mr. Bell disagreed, as he felt it didn't meet the intent.**
(4) The uses and site plan will be compatible with the general intent of the Comprehensive Plan. **Yes**
(5) The size and shape of the site are sufficient for the proposed planned development. **Yes**
(6) The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district. **No**
(7) The use will not involve activities, processes, materials, equipment, or conditions of operation that will be detrimental to any person, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare, odors, or other emissions. **No**
(8) Accessory uses will be directly related to the operation of the principal uses and will not be operated independent of the principal uses. NA
(9) The use and site will be adequately served by public facilities and services such as streets, water and sewer, drainage structures, police and fire protection, and refuse disposal, or adequate provisions will be made to provide the same services privately. **Yes**
(10) Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services. **Yes**
(11) The site will be designed, constructed, and maintained in a character harmonious in appearance and general character with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area. Structures to be constructed, reconstructed, or altered in a residential zoning district shall have the appearance of residential buildings permitted in the zoning district. **Yes**
(12) The site is designed so that on-site traffic and traffic accessing the site will not adversely impact the movement or safety of all modes of traffic on adjacent public streets. **Yes**
(13) Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance. **No**

The Final Development Standards were reviewed and agreed upon, including the statement that phasing would begin from the south.

Mr. Dana called the question.

YEA: Mr. Dana, Mr. Prytherch, Mr. Daniels (3)
NAY: Mr. Bell (1)
ABS: None (0)

PC-2017-05 PRELIMINARY PLANNED DEVELOPMENT Gaslight Avenue at Stewart Square, formerly Miami Valley Lumber Site & Associated Properties, 6.45 acres, Scott Webb, Applicant/Agent (Tabled 5/9/17)

Mr. McCarthy rejoined the Planning Commission discussion.

Mr. Bell made motion to pull from table PC-2017-05. Mr. Dana seconded the motion. All were in favor.

Mr. Dana made motion to enter into public hearing PC-2017-05. Mr. Daniels seconded the motion. All were in favor.

Mr. Chen spoke. Mr. Chen reviewed where the Planning Commission left off in May.

Mr.Chen reported having not received anything additional from the applicant. Mr. Chen reviewed issues: maximum density based upon size of the site; required open space; underlying zoning lot coverage; perimeter setback encroachment; perpendicular parking off private street.

Mr. Chen stated that City staff met with the developer about ROW vacation issues and storm water.

Mr. Scott Webb spoke. Mr. Webb referred to having had a concept review, preliminary discussion in May, and here

tonight. Mr. Webb reviewed the site design noting that it hadn't changed since the May presentation.

Identified issues were discussed further by Mr. Webb: street and connectivity improvements, a new utility easement, vacated right-of-way (Rose Avenue). Reviewed discussions with City staff. Referred to a memo from the City Engineer included in packet which described agreements. Mr. Webb stated that a traffic study would be provided to investigate the impact of these connections as requested by the Planning Commission.

Mr. Webb reviewed the density and reminded the Planning Commission of their approval of zoning changes of this area in May. Mr. Webb stated he felt they were meeting the density, proposing 5% less than allowed. Mr. Webb stated they wanted to stick with what they have proposed.

Lot coverage was discussed. Mr. Webb noted that they were 10% higher in lot coverage and explained that building coverage was 7% less than allowed. In regards to parking, it represents less than 13% of lot coverage.

Mr. Webb discussed the open space requirement. Mr. Webb stated the project provided 13.52% qualifying open space. Mr. Webb reviewed the excess perimeter this development has. Mr. Webb stated they have open active space. The development provides a 20 foot or greater perimeter setback around the majority of the perimeter as shown with a few exceptions. Mr. Webb reviewed those exceptions.

Mr. Webb reviewed the design layout of the project, tree islands, and head in parking versus parallel parking.

Mr. Webb summarized the density, lot coverage, open space and perimeter, parking, viability of the project, from the Purpose Statement Chapter 1145.

Mr. McCarthy inquired about one way streets. Mr. Webb responded they wouldn't work. Mr. Webb explained head in parking versus parallel parking requirements and still not ending up with fewer streets.

Mr. Bell clarified viability in the Purpose Statement in the PUD Section of the code. Mr. Bell noted that it was not the Planning Commission's job to weight economic viability.

No public comments received.

Mr. Daniels made motion to close Public Hearing PC-2017-05. Mr. Bell seconded the motion. All were in favor.

Mr. Daniels made motion to approve PC-2017-05. Mr. Dana seconded the motion. All were in favor.

Mr. Bell commented that overall this was a good proposal, and that a lot of the exceptions he didn't have a problem with; but, all combined was more than he could handle. Mr. Bell wants the buffer maintained as much as possible; 21-25 feet not so concerned about, but along the two pieces of property at Rose Avenue and Heather Lane entrances and at top north and south sections, doesn't accept the argument and want that kept at the requirement. Mr. Bell continued that he wants to see the buffer maintained.

Mr. McCarthy shared his idea of aligning some areas of the development.

Mr. Bell stated that he was okay with 88 units versus 85 units; lot coverage he would like to see less of. Discussed trade-offs. Mr. McCarthy inquired if they would get credit for storm water as he felt they have come up with a good alternative. Mr. Bell asked the Planning Commission to discuss lot coverages and areas others see that they could improve.

The Planning Commission inquired about impervious paving. Mr. Webb stated they were not suggesting special paving as they were going for the "Stewart Square" look and special paving would complicate upkeep and parking.

Mr. Prytherch explained his preference that treating some of the approach streets like streets. The Planning Commission reviewed where this could take place in the development.

Discussed Buildings 82 and 83 alignment: Buildings 51-69 and 57-69 move a little west and Buildings 9-35 conform to setbacks with the exception of Buildings 72, 73, 74.

A condition was agreed upon that perimeter setbacks shall be maintained throughout the development with the exception of Buildings 72, 73, & 74.

Mr. Prytherch stated he was concerned about vehicular overhang (over sidewalks). Discussion followed. The Planning Commission discussed wheel stops.

A condition was agreed, that the five foot sidewalk clearance shall be maintained throughout the development.

Staff conditions were reviewed from page 32 of the May Planning Commission meeting.

Detailed discussion took place to:
Waiving dimensional requirements of perimeter setbacks above (#72, 73, 74)
Waiving lot coverage and open space as presented
Vacation of ROW sounded acceptable
Incorporate the City Engineer memo regarding the Traffic Study as a requirement and necessary. Off-site improvements would be funded by the Developer.

A condition was agreed, that a cross access easement would be agreed to with neighboring properties and shall be recorded in the Butler County Recorder's Office.

Mr. Bell inquired about the design of the stairs going up to the units. Mr. Bell asked there be a more open element to the brick stairs. Discussion followed. The Planning Commission asked that Mr. Webb please look at the functionality of how the stairs were going to be used.

A condition was agreed upon that a 5' foot sidewalk clearance shall be maintained througout the development.

Mr. McCarthy reminded everyone that the construction of this development would be done by local workers.

Decision Standards were reviewed:

(1) The proposed planned development is in fact permitted in the zoning districts in which it is proposed. **Yes**

(2) If the application is for the same site where a planned development application has been denied within one year, the plan is substantially different from the application so denied. **NA**

(3) The uses and site plan will satisfy the general intent of this Zoning Code. **Yes**

(4) The uses and site plan will be compatible with the general intent of the Comprehensive Plan. **Yes**

(5) The size and shape of the site are sufficient for the proposed planned development. **Yes**

(6) The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district. **Will not**

(7) The use will not involve activities, processes, materials, equipment, or conditions of operation that will be detrimental to any person, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare, odors, or other emissions. **Will not**

(8) Accessory uses will be directly related to the operation of the principal uses and will not be operated independent of the principal uses. **NA**

(9) The use and site will be adequately served by public facilities and services such as streets, water and sewer, drainage structures, police and fire protection, and refuse disposal, or adequate provisions will be made to provide the same services privately. **Yes**

(10) Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services. **Will not**

(11) The site will be designed, constructed, and maintained in a character harmonious in appearance and general character with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area. Structures to be constructed, reconstructed, or altered in a residential zoning district shall have the appearance of residential buildings permitted in the zoning district. **Will not**

(12) The site is designed so that on-site traffic and traffic accessing the site will not adversely impact the movement or safety of all modes of traffic on adjacent public streets. **Will not**

(13) Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance. **Will not**

Refuse collection was discussed. Refuse containers would be located along the sides of the buildings, not talking about dumpsters. Residents would have private trash cans. Rumpke pick up was discussed. A condition was identified that a centralized refuse collection solution would be identified.

Mr. Prytherch inquired Mr. Webb to look at multi-modal transportation.

AYE: Mr. Daniels, Mr. Dana, Mr. Bell, Mr. McCarthy, Mr. Prytherch (5)
NAY: None (0)
ABS: None (0)

PC-2017-13 ZONING CODE MAP AMENDMENT - to Expand an Existing Residential Conservation Overlay District for Cedar Drive and East Chestnut Street, City of Oxford, Applicant

Mr. Dana made motion to enter into Public Hearing PC-2017-13. Mr. Daniels seconded the motion. All were in favor.

Mr. Chen provided an overview. Mr. Chen stated the request to expand an existing overlay would add 6 more parcels into the existing overlay district. Mr. Chen reported that it met the overlay requirements.

Mr. Prytherch referred to having received communication from the public expressing to be removed from the existing overlay. Mr. Chen explained the procedure.

Ms. Carol Michael, original applicant for the overlay request was present and spoke. Ms. Michael stated she had gathered the signature.

Ms. Patricia Willeke, 1007 Cedar Drive spoke and stated she wanted the overlay extension to take place. Ms. Willeke discussed the Brinkman property and their wish to have their properties as rentals in the District. Shared that this neighborhood does not want the Brinkman's to be allowed to be removed from the overlay.

Ms. Melanie Brinkman, 920-926 Cedar Drive spoke. Ms. Brinkman stated that it shouldn't be the neighbor's decision to what can be done with her property. Ms. Brinkman reviewed the Decision Standards for an overlay and noted that the harm is greater than the benefits.

Ms. Teresa June, 1001 Cedar Drive spoke in favor of the overlay increase. Ms. June described the narrow street and felt it was not meant to include rental property. Ms. June explained being able to walk to the University and how she would hate to lose this.

Mr. Jeff June, 1001 Cedar Drive spoke and described it as a special place and a lot of character showing the best of Oxford.

Mr. McCarthy made motion to close Public Hearing. Mr. Daniels seconded the motion. All were in favor.

Several Planning Commission members stated they had been called by Ms. Brinkman and wanted it made known as part of the public record.

Mr., McCarthy noted that they were not here to discuss removing two properties from the overlay. Mr. McCarthy provided his opinion on overlays.

1. The proposed Overlay District meets the boundary criteria. **Yes**

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

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

4. The proposed Overlay District will promote and implement the intent of the Comprehensive Plan. **Yes**

5. The proposed Overlay District will satisfy a legitimate need. **Yes**

Map Amendments:
A. There is an error on the Official Zoning Map or in the delineations between districts thereon. **No**
B. The proposed amendment will make the map conform more closely with the Comprehensive Plan. **Yes**
C. There has been a substantial change in area conditions that necessitates the amendment. **No**
D. There is a legitimate need for additional land area in the zoning district that will be expanded. **No**

Mr. Bell made motion to approve PC-2017-13. Mr. Dana seconded the motion. All were in favor.

YEA: Mr. Dana, Mr. Daniels, Mr. Bell, Mr. Prytherch (4)
NAY: Mr. McCarthy (1)
ABS: None (0)

PC-2017-14 CONDITIONAL USE, 5500 College Corner Pike, to allow for a daycare in the GB (General Business) District, Kid Camp Learning LLC, Phil Young, Applicant/Agent

Mr. Dana made motion to enter into Public Hearing PC-2017-14. Mr. McCarthy seconded the motion. All were in favor.

Mr. Perry provided a review. Mr. Perry stated that the space hasn't had a viable use in a long time.

Mr. Perry described the location.

Mr. Perry stated this was an allowed use. Mr. Perry reviewed potential concerns. Mr. Perry stated he asked they focus on safety aspects. Mr. Perry noted that the applicant has experience in the operation. Mr. Perry stated that the only real concern had to do with how kids would get in from cars to the building. Mr. Perry stated there was no altering of parking lot needed. The applicant assured Mr. Perry that would not be a problem. Mr. Perry stated that there were 2 parcels here and normally asks they be consolidated.

Discussion followed regarding pedestrian access. Mr. Perry stated that he would like to see in the future but given that it was not a retail building, most children would be arriving by car and not necessary. Mr. Daniels inquired about possibility of buses stopping for drop off. The Applicant stated that school would not be dropping off there so they would have to provide their own bus.

Mr. Phil Young, Applicant, spoke. Mr. Young stated that he operates two daycares in Ross. Mr. Young explained limitations of children outdoors.

Mr. Young noted that Mr. Perry was fantastic to work with.

Reviewed staff conditions:
Mr. Young referred to getting a lot consolidation and stated he has requested this from the landlord. Mr. Young stated he has a 10 year lease. Mr. Chen spoke and said the Planning Commission can set a deadline to resolve the lot consolidation issue. Discussion followed. Mr. Perry stated that as long as the Applicant made a good faith effort and would like evidence of that within one year. Mr. Prytherch suggested a cross access easement be established as another condition. Discussion followed.

Mr. Young stated he wanted to be open this coming school year.

Condition was made that outside lighting be placed on front of the structure. Mr. Young stated that he already exists. Mr. Young noted that the daycare would close by 6:00 p.m. and that most pickups occur in the back of the building where it is very well lit.

Mr. Bell noted that he sees people use the multi-use path and wants to guarantee that is still available. Mr. Bell inquired if signage could be placed on the site.

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

Mr. McCarthy made motion to approve PC-2017-14. Mr. Dana seconded the motion.

Staff conditions were reviewed:
Condition, that, a lot consolidation application or cross access easement is submitted within one year of City Council approval.
Condition, that the Applicant works with Staff to identify a solution for additional lighting in front of the building;
Condition, that safe pedestrian access shall be provided for from the existing multi-use path to the building.

AYE: Mr. Bell, Mr. Daniels, Mr. McCarthy, Mr. Dana, Mr. Prytherch (5)
NAY: None (0)
ABS: None (0)

PC-2017-10 ZONING CODE MAP AMENDMENT - to Amend the zoning designation of certain properties from R-1MS to R-2MS and from R-2MS to R-3MS Districts, City of Oxford, Applicant

Mr. Dana made motion to table PC-2017-10. Mr. McCarthy seconded the motion. All were in favor.

PC-2017-11 ZONING CODE TEXT AMENDMENT- Chapter 1143, District by Amending Chapter 1143, Sections 1143.03, 1143.05, 1143.07, R1MS, R-2MS, R3MS, and Chapter 1147.03. Conditional Uses, New Section 1147.03(39) Accessory Building Use, City of Oxford, Applicant

Mr. Dana made motion to Table PC-2017-11. Mr. McCarthy seconded the motion. All were in favor.

PC-2017-12 , ZONING CODE TEXT AMENDMENT - Chapter 1141, Accessory, Temporary, Supplementary and Environmental Regulations by Amending Section 1141.01 Accessory Regulations and 1141.03 Supplementary Regulations, City of Oxford, Applicant

Mr. Dana made motion to Table PC-2017-12. Mr. Daniels seconded the motion. All were in favor.

Administrative Approvals

Mr. Prytherch reviewed recent administratively approved minor amendments.

PC-2017-15, MINOR AMENDMENT TO AN APPROVED CONDITIONAL USE, 5301 University Park Boulevard, Talawanda High School, Pole Barn, David Schooler, Cross County Pole, Applicant/Agent 131
PC-2017-16, MINOR AMENDMENT TO AN APPROVED CONDITIONAL USE, 5142 College Corner Pike, Wendy's, refresh, restripe, reseal, signage updates, Luis Montoya, Wallin/Gomez Architects, Ltd.Applicant/Agent 132
PC-2017-17, MINOR AMENDMENT TO AN APPROVED CONDITIONAL USE, 300 S. Locust Street, Kroger, Clicklist addition, Brian Raab, PDT Architects, Applicant/Agent 133

New Business

There was none.

Old Business

There was none.

Adjournment

Mr. Prytherch was thanked for his 10 years of service on the Planning Commission.

Mr. Dana made motion to adjourn meeting. Mr. Bell seconded the motion. The meeting was adjourned at 11:39 p.m.