OXFORD PLANNING COMMISSION
Meeting Minutes
Tuesday, June 9, 2015
7:30 p.m.

Call to Order

Those members present: David Prytherch, Richard Keebler, Richard Daniels, Kate Rousmaniere, Robert Benson, and Robert Bell.
Those members excused: Peter McCarthy.
Staff members present: Jung-Han Chen, Stephen McHugh, and Sam Perry.
Staff members excused: None.

Approval of Minutes of the May 12, 2015 Planning Commission Meeting

Mr. Keebler made motion to approve the minutes as written. Mr. Daniels 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. Bell reported on the Environmental Commission having met and their discussion of recommendations of contracts for refuse removal. Mr. Bell stated the Commission was looking at a tiered option. Mr. Bell stated that the Commission was interested in a seat on the Planning Transportation Subcommittee.

Mr. Prytherch inquired about the International Town Gown Association Conference held in Washington DC and the City and Miami's participation.

Mr. Prytherch shared recent discussion for an Amtrak stop in Oxford.

Items Related to Platting

There was none.

Items Related to Zoning

PC-2015-09 ZONING MAP AMENDMENT To establish a Neighborhood Conservation Overlay District, Autumn Drive, Harvest Court, Brookville Road, for a total of 49 parcels in proposed overlay district City of Oxford, Applicant

Mr. Benson made motion to enter into Public Hearing PC-2015-09. Mr. Daniels seconded the motion. All were in favor.

Mr. Chen presented. Mr. Chen stated that this was the tenth overlay coming before the Planning Commission. City Council has previously accepted the application. Mr. Chen referred to the Decision Standards.

Mr. Prytherch stated that based upon the criteria and process they have met the criteria.

Ms. Gayle Brahier, 20 Autumn Drive, spoke and felt it was enjoyable to meet and speak with the neighbors. Ms. Brahier noted they had a very diverse neighborhood.

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

Mr. Benson made motion to approve PC-2015-09. Mr. Benson seconded the motion. All were in favor.

The consensus was that the Decision Standards were met. Mr. Prytherch clarified to the petitioners what happens next.

AYE: Mr. Daniels, Ms. Rousmaniere, Mr. Bell, Mr. Keebler, Mr. Benson, Mr. Prytherch (6)
NAY: None (0)
ABS: None (0)

PC-2015-10 ZONING MAP AMENDMENT to establish a Neighborhood Conservation Overlay District Dana Drive, Ryan Drive, Josie Lane, Randall Drive and Part of Oxford- Reilly Road for a total of 72 parcels in proposed overlay district City of Oxford, Applicant
Mr. Benson made motion to enter into Public Hearing PC-2015-10. Mr. Bell seconded the motion. All were in favor.

Mr. Chen spoke stating there were a total of 84 parcels, and that 72 signatures were obtained. Mr. Chen stated there were two sets of Decision Standards to take into consideration. Mr. Daniels referred to the City Park parcel which is land dedicated out of this subdivision.

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

Mr. Benson made motion to approve PC-2015-10. Mr. Keebler seconded the motion. All were in favor.

The Planning Commission reviewed the Decision Standards. Mr. Prytherch referred to page 26 of the agenda packet and Chapter 1146.03(2)b Decision Standards for Overlay District Consideration and after responses of all yes from the Planning Commission: that, the proposed Overlay meets the boundary criteria, will preserve and enhance the neighborhood character, will promote public health, safety and general welfare of the people of the neighborhood, will promote and implement the intent of the Comprehensive Plan, and will satisfy a legitimate need.

The consensus was that the Decision Standards were met after review.

AYE: Mr. Bell, Mr. Benson, Ms. Rousmaniere, Mr. Daniels, Mr. Keebler, Mr. Prytherch (6)
NAY: None (0)
ABS: None (0)

PC-2015-11 CONDITIONAL USE, 50 W. Central Avenue, to build a mini-warehouse on vacant land in a GB (General Business) District, Scott Webb, Applicant/Agent
Ms. Rousmaniere made motion to enter into Public Hearing PC-2015-11. Mr. Benson seconded the motion. All were in favor.

Mr. Chen provided a review. Mr. Chen described the request to build a mini-warehouse on vacant parcels. Mr. Chen stated the parcels would be combined into one development site. Mr. Chen referred to an earlier map amendment for this site (PC-2015-07). Mr. Chen described the site as triangular in shape, bordered by railroad tracks, single family homes, residential to the east and north. Mr. Chen stated the applicant proposes to build a mini warehouse approximately 4,000 square feet. Mr. Chen stated there are three sides that have to have setbacks. The design shows the north and east sides will not have any setbacks. Mr. Chen described the design covering close to 95-98% of the lot. Mr. Chen referred to staff concerns in the staff report.

Mr. Prytherch inquired that the General Business District not only has side setbacks but also specifies there be a hedge, and if this project has that. Mr. Chen responded just storage units facing north and east. Mr. Prytherch inquired about lot coverage, and how does the City handle stormwater. Mr. Chen stated that there are mechanisms in place during review. Mr. Prytherch inquired if this was a complete application in terms of what is supposed to be provided. Mr. Chen

stated not entirely (lighting, interior ground coverage of asphalt, wasn't included); however, it did give us a basis for a conversation between the Applicant and the Commission.

Mr. Benson inquired if staff knew which building materials were proposed. Mr. Chen responded no. Mr. Prytherch inquired about the new owner of the property other than Mr. Pulley. Mr. Chen stated they closed the week prior to this meeting.

Mr. Webb, the applicant, presented. Mr. Webb provided a PowerPoint. Mr. Webb was also the applicant for the other mini warehouse conditional use located across from this proposed mini-warehouse. Mr. Webb showed a design including both developments. The proposal included three small undeveloped parcels and was a companion to the main site approved by City Council. There will not be people located on this site. Mr. Webb stated the design would be concrete block, low slightly slanted metal roofs, and that the center units would be taller with pitched roofs. Mr. Webb described the setbacks and that the site would almost be 100% asphalt paved. Mr. Webb noted that there were no lot coverage restrictions in the General Business District, and that stormwater and lighting were absolute in our code; lights are not allowed to spill onto adjacent properties; stormwater is non-negotiable. Mr. Webb stated that right now the property is totally undeveloped and the site will still maintain the runoff as it does now. In regards to setbacks, it can meet the front yard 35' setback; however, the sideyards are zero. Mr. Webb stated that the site was extremely narrow. Mr. Webb stated that on the western side of the property line, the project would abut the railroad right-of-way, the north and east setbacks of the buildings will be short, similar to an 8' high fence. Mr. Webb referenced the existing dense overgrown trees and shrubs and trash on the site. Mr. Webb referred to the landscape requirement, noting that the design included heavily landscape at the entrance and that the facades are minimal. This is a low impact development. Mr. Keebler inquired what was the exterior. Mr. Webb stated decorative split block with a 9-foot maximum height at the back.

Mr. Prytherch inquired about the screened evergreen hedge requirement in the zoning code and why no attempt to provide buffering for the site. Mr. Webb described the narrowness of the site and inability to do so. Mr. Bell inquired if Mr. Webb was relying on existing conditions around the site providing the buffer. Mr. Webb stated yes. Mr. Bell inquired about square footage for stormwater and expressed his concerns in completely paving the site and the roof design affecting the runoff.

Mr. Bell inquired about lighting documents. Mr. Webb responded it wasn't really addressed at this point however would be wall packed under the eaves. Mr. Bell inquired about facility hours of operation. Mr. Webb responded the plan wasn't intending on 24- hour access. Mr. Bell inquired about entrance capability. Mr. Webb responded it would be either card or code access.

Ms. Rousmaniere noted the design looked like 52 units and if the goal was to build this many. Mr. Webb responded that the goal was to make it a sustainable business and that yes the plan was to try and get as many as possible on the site. Ms. Rousmaniere inquired if they had looked at the option to have less to meet the setbacks. Mr. Webb stated yes; however, would be detrimental to lessen the number of units. Mr. Webb stated if they included 5-10 foot setbacks, it would take away half the units.

Mrs. Suzie Sadler spoke. Mrs. Sadler stated they have purchased the property and would be taking over the project. Mrs. Sadler wanted to assure the Planning Commission that they would make the area beautiful, and that yes it would earn them an income but would also be an asset for the Oxford community. Mrs. Sadler stated they would carry on the vision that Mr. Pulley presented to the Planning Commission in March.

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

Mr. Benson made motion to approve PC-2015-11. Mr. Keebler seconded the motion. All were in favor.

Mr. Prytherch inquired if the General Business District requirements would apply to this parcel. Mr. Chen responded yes.

Mr. Chen stated the Planning Commission needs to look to see if there are any negative impacts to the neighborhood.

Mr. McHugh referred to Section 1147.02(d)(2), Planning Commission action, and that the Planning Commission could waive or modify the dimensional requirements, then review Decision Standards Section 1147.02(c)(2) for burden of proof. Mr. McHugh concluded by stating that the Planning Commission also needed to make sure the Conditional Use didn't cause any negative impacts to the neighborhood.

Mr. Bell inquired that since this was a Conditional Use, could part of the Conditional Use include a restriction to hours of operation. Mr. Chen stated that the Planning Commission had latitude to impose additional conditions. Mr. Bell continued that his concerns would create a very inwardly focused area in regards to an operation having evening hours and a problem for light levels and possible noisy activity. Mr. Keebler added that the Planning Commission needed to be careful on placing conditions on this, because a permitted use could occur without any problems. Mr. Bell stated he was concerned about there being no staff on site. Mr. McHugh stated that the applicant addressed the hours of operation as 7:00 a.m. to 9:00 p.m. and that it seemed like a reasonable condition.

Mr. Chen referred to the setbacks and stated that in order to protect the surrounding residential dwellings that there should be a transitional yard. Mr. Chen also stated that there was no change in the elevation or building design. Mr. Keebler referred to and described the current look of the site. Mr. Keebler stated that he was glad to hear Mr. Webb was planning to use split decorative block and that 9 foot height wasn't all that bad. Mr. Keebler then stated his second thought was privacy being provided by the back walls of the new structures versus installing landscaping and problems with trash accumulation with the inclusion of landscaping. Mr. Bell stated that he has gone back and forth and that what bothered him was the setback between the residential and placing the burden on the property owner to provide a buffer. Mr. Bell stated he did agree that the property would look better than what it is currently, however he just doesn't want to push the burden onto the property owners. Ms. Rousmaniere expressed concern with a lot of concrete in a residential area. Mr. Benson added this was a difficult site and that he was worried about the project taking advantage of the site, (but would improve the site), and should it be a burden to the neighboring sites for buffering. Mr. Bell referred to the Fire Chief comments addressing sprinklers and secondary access to the site. Mr. Webb responded that there was no potential for a secondary access and that in regards to sprinkling there were all kinds of ways to make buildings fire safe. Mr. Keebler inquired if Mr. Webb knew about the water main size down Central Avenue or fire hydrant locations. Mr. Webb stated no. Mr. Keebler stated he felt a hydrant needed to be added as a condition at the entrance to the location of the site. Mr. Bell inquired about the width of the access gate. Mr. Webb responded 24 feet. Mr. Benson inquired if it was a swinging or sliding gate. Mr. Webb stated it would be a bypassing door.

Mr. Prytherch provided an overview stating that this had been a contaminated site, which has stayed vacant and not been taken care of, and that it could stay as is, but become maintained. Mr. Prytherch continued, that now, it is GB zoned which is very permissive and is a parcel in the heart of the neighborhood, so do we further relax the standards. Mr. Prytherch stated that he understood long walls attracting graffiti artists; however, he had an issue with building a 9 foot wall along the lot line and that he wasn't sure the site was big enough for everything they wanted to do with the site. Mr. Bell inquired about how to set parameters for the project. Mr. Prytherch inquired about allowing fencing and if we allowed landscaped walls. Mr. Chen stated that a fence can be placed on the lot line; however, it can be no higher than 12 feet. So, another option is to have a solid wall up to 12 feet in height on the lot line, along with a 25 foot setback, then vegetation, and then the structure.

Staff concerns were reviewed:
Area size for the proposed use; setbacks; landscaping in front yard and in the transitional yards; facade treatment; stormwater runoff; building articulation; material and elevation; other issues that might impact adjoining properties; lighting and queuing off Central Avenue.

The Planning Commission reviewed the Decision Standards:

A. The proposed use is in fact a Conditional Use in the zoning district in which it is proposed. Yes
B. The use and site will satisfy the general intent of this Zoning Code. Yes
C. The use and site will be compatible with the general intent of the Comprehensive Plan. Yes (infill development)
D. The size and shape of the site are sufficient for the proposed use. Question mark - depends on who you talk to. Ms. Rousmaniere felt the applicant was putting too much on a small lot and there is a lack of vegetation; have a mixed consensus.
E. The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district. No
F. 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. Mr. Prytherch stated he was concerned with light spillage and felt that the hours of operation need made as a condition
G. The only accessory uses will be directly related to the operation of the principal use and will not be operated independent of the principal use. Yes
H. 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. Mr. Keebler stated they would require a fire hydrant; in regards to stormwater runoff the Planning Commission would not be waiving any city codes.
I. Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services. Will not.
J. 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. Not applicable. Mr. Bell referred to the same use across the street. Mr. Prytherch stated that the design was lot line to lot line of asphalt and cinder blocks.
K. The site is designed so that on-site traffic and traffic accessing the site will not inappropriately impact the movement of traffic on adjacent public streets. Yes.
L. Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance. No.
M. All necessary permits and licenses for the Conditional Use and its operation have been or can be obtained for the use at the proposed location. Yes.

Mr. Prytherch reviewed Planning Commission recommendations for approval with conditions. They are:
1. Conditions as noted in the Staff report, listed on pages 65 through 71 of the agenda packet and that, statements made by the applicant in his application of April 24, 2015 be included as conditions for approval. All Planning Commission members agreed.
2. The renderings that were included with the proposal which showed decorative split block. All Planning Commission members agreed.
3. A fire hydrant shall be located adjacent to the entrance to the facility and approved by the Fire Chief. All Planning Commission members agreed.

Discussion followed making the lot line setbacks as a condition of approval. The Planning Commission discussed going before the BZA. Mr. Prytherch stated he would prefer a vegetative screen. Ms. Rousmaniere agreed that a 25 foot rear yard setback was not probable but that she would still prefer to see vegetation. Mr. Bell stated he didn't want to see the responsibility for upkeep to fall on the residents. Ms. Rousmaniere stated she didn't want this to go before the Board of Zoning Appeals. Mr. Daniels felt that 10 foot setback was too much.

Mr. Prytherch made motion that the transitional requirement of 25 feet be waived to 10 feet. Ms. Rousmaniere seconded the motion.
AYE: Mr. Bell, Ms. Rousmaniere, Mr. Prytherch (3)
NAY: Mr. Benson, Mr. Daniels, Mr. Keebler (3)
ABS: None (0)

The motion failed with a 3-3 vote.

The Planning Commission agreed to waiving the rear and sideyard setbacks and that the intent of the setback requirement is met through other means.

Mr. Prytherch called the question.

AYE: Mr. Bell, Mr. Benson, Mr. Daniels, Ms. Rousmaniere, Mr. Keebler (5)
NAY: Mr. Prytherch (1)
ABS: None (0)

Old Business
PC-09-2013 25 E. Walnut Street, Holy Trinity, amendment to an approved Conditional Use, Susan Kay, Agent

Mr. Benson made motion to enter into Public Hearing PC-09-2013. Mr. Bell seconded the motion. All were in favor.

Mr. Perry provided an overview of the property stating that once the addition to the church was completed in 2014, there was an issue to the side of the church where graveled parking was installed, which the church would like to use as an overflow graveled parking area. Mr. Perry stated that the intent originally was for the area to be seeded. Mr. Perry noted that the gravel was not an approved surface. Mr. Perry asked that if the Planning Commission believes this to be a minor change according to the code then it can be forwarded to the zoning administrator for approval; if the Planning Commission feels otherwise, then it can be considered as a major amendment.

Mr. Perry read aloud Section 1147.02(f) changes to a Conditional Use. Mr. Prytherch asked for staff recommendations. Mr. Perry responded that water runoff was more due to not following the approved design of seeding; gravel runoff could occur but the Engineering Department was not concerned. Unfortunately, approving gravel parking does send a message to the public that we allow it in some places, but not others. Mr. Perry stated that he didn't know if the issue was cost, or what it might be. Mr. Perry stated staff didn't recommend gravel be encouraged and referred to some impervious pavers having been installed, which improved the look of the site from the street.

Mr. Benson recused himself from discussion.

Ms. Susan Kay, member of Holy Trinity, spoke. Ms. Kay stated the church needed the modification Mr. Perry mentioned. Ms. Kay stated they needed overflow parking and that they have had a hard time maintaining landscaping in that area in the past. Ms. Kay noted that this was a massive improvement of the look and was much easier to keep clean and intact. Ms. Kay noted that the pavers were very expensive. Ms. Kay referred to them having already given up one of the approved parking spaces as they discovered there was no good way to get in or out of the space. Ms. Kay noted that churches were always going to have a demand for parking. They have considered everything possible. Ms. Kay referred to a situation where the church was having a large memorial service which occurred the same day as Miami's Commencement in which it cut down on their ability to open their doors to the community. Ms. Kay stated they need to be able to park on this surface on an overflow occasion. Ms. Kay stated that the gravel provided plenty of room for head in parking and didn't block the alley. Ms. Kay discussed installing signage which would state church overflow parking

only. Ms. Kay stated they were asking for a minor modification to simply allow church overflow parking in this space.

Ms. Rousmaniere inquired about the signage Ms. Kay referenced. Ms. Kay responded that yes they could make a sign. Ms. Rousmaniere inquired if the spaces were deep enough. Ms. Kay stated yes. Mr. Bell inquired what was a definition for overflow parking. Mr. Keebler stated that he understood their problem, but that he didn't like that the gravel was already down.

Mr. Chen referred to page 80 of the agenda and reminded the Commission that they weren't designing the space, but only allowing staff to provide guidance. Mr. Bell stated that he would rather see the area as pavement more than as landscaping.

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

Mr. Mel Shidler, a member of the church, spoke and referred to the church outreach it provides and that he didn't see this as a major amendment at all, and that given the use and what existed around it he couldn't imagine this being a big problem.

Mr. Keebler referred to the initial discussion (PC-2013-09) regarding lot coverage for this project and that gravel was not part of the decision. Mr. Keebler continued that there is no definition for overflow parking and that he felt it had to go back through the process as a major change.

Ms. Rousmaniere noted that again this is less green space. Mr. Keebler noted this amendment could set precedence. Mr. Bell inquired if the Commission will direct staff to determine as a minor amendment. Mr. Chen stated yes and that a major amendment would have to go through the Planning Commission. Mr. Prytherch felt it to be a substantial change and would be a management issue too; however, she was sympathetic. Mr. Bell felt the area needed to conform to the parking code. Ms. Rousmaniere referred to other existing graveled parking. It was noted those were grandfathered parking.

Mr. Perry noted that the original site plan showed a lot coverage exhibit but that it didn't show that area, nor was there a landscaping plan; the plan stated all areas would be seeded.

The Planning Commission discussed how to proceed. Mr. Keebler stated that he didn't have a problem with lot coverage, but only had a problem with graveled parking.

Mr. Bell suggested the Planning Commission forward to staff and staff follows the code regarding parking. Mr. Keebler suggested that the amendment be considered as a minor as long as the parking area conforms to the parking requirements of the City code. All were in favor.

New Business

Concept Review Indoor Target Range, Ringwood Road, Jeff Day

Mr. Perry presented. Mr. Perry described what the property owner would like to do with the site. Mr. Perry noted that the property was located in the LI District (Light Industrial). Mr. Perry noted that an indoor target range was not listed in the conditional uses.

Mr. Perry reviewed the LI District and referencing permitted uses for that district.

Mr. Jeff Day, owner, was present. Mr. Day spoke. Mr. Day stated he was a certified gun instructor. Mr. Day noted that it was extremely expensive to do something like this. Mr. Day stated he has spoke to area police departments to get their support and for them to use it.

Mr. Bell inquired about the size of the facility and Mr. Day stated approximately 10,000 square feet.

Mr. Bell inquired about the number of people at any given time. Mr. Day stated there would be 16 lanes total and 2 separate sections; one range training and the other range for the general public. Mr. Bell inquired if there would be a small retail component. Mr. Day stated maybe 15-20 percent retail; ammunition but not sure of firearms sale. Mr. Day stated that currently ammunition was sold at Wal-Mart.

Mr. Keebler felt that the LI District made sense and was a reasonable request. Mr. Prytherch stated that the secondary impact would depend on the design and that the safety viewpoint made sense.

Discussion took place regarding potential noise and that the LI District sites were designed for no noise industry and that would be the Planning Commission's only concern. Mr. Keebler inquired why there would be noise outside of the building. Discussion took place regarding a shooting range in Cincinnati and Mr. Day stated that he knew there had only been one person complain about the noise. Mr. Keebler inquired about any better ways of keeping down the sound and should Planning place conditions to exclude noise outside of the building. Mr. Day suggested looking at actiontarget.com which provides design. Mr. Prytherch read aloud the LI District description, things that are operating in a clean and quiet manner. Ms. Rousmaniere inquired about potentially surrounding residential properties. Mr. Chen stated there were none except for a church in the area.

Mr. Day agreed that there will be public concerns expressed. Discussion that Mr. Day may restrict shooting during church service, he stated he planned to talk to the church. Hours of operation were discussed. Mr. Day stated 10am-8pm.

Mr. Prytherch inquired if staff felt this to be the most reasonable district. Staff stated yes.

There were no objections from the Planning Commission.

Other Business

Administrative Approvals

PC-2015-12-ADM, LOT CONSOLIDATION, 29 W. High Street, Part of Old Lot 89 and part of Old Lot 90 to New Lot 3849 Goldner-High Street West, Ltd. Applicant, Owner

PC-2015-13-ADM, MINOR AMENDMENT TO AN APPROVED PLANNED DEVELOPMENT, 2 Chestnut Hill, to enclose an existing deck, Jackie Hunt, Owner/Applicant

Mr. Chen reviewed the administrative approvals that were completed recently.

Items Under Consideration for Future Discussion - Commercial District Diversification * Neighborhood compatible commercial districts * Commercial core: walkability and mixture of uses

Adjournment

Discussion took place regarding the July meeting. Both Mr. Benson and Mr. Bell will not be in attendance.

Mr. Benson made motion to adjourn the meeting. Mr. Bell seconded the motion. All were in favor. The meeting was adjourned at 10:09 p.m.