OXFORD PLANNING COMMISSION
Meeting Minutes
Tuesday, July 14, 2015
7:30 p.m.

Call to Order

Those members present: David Prytherch, Richard Keebler, Richard Daniels, Kate Rousmaniere, and Peter McCarthy.

Those members excused: Robert Benson, and Robert Bell.

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

Staff members excused: None.

Approval of Minutes of the June 9, 2015 Planning Commission Meeting

Mr. Keebler made motion to approve the minutes as written. Mr. Daniels seconded the motion. All were in favor. Mr. McCarthy abstained as he was not present at the meeting.

Public Comments Related to Items Not on the Agenda

There were none.

Reports from Commissions, Boards, Committees & Staff

Ms. Rousmaniere reported that the Environmental Commission did not meet in July.

Mr. Daniels reported for the Community Improvement Corporation stating that they were continuing to work with local businesses; renegotiating arrangements with Moon Co-op. Quarter Barrel is about ready to pay off their loan, and SeaView Outfitters is doing very well.

Items Related to Platting

There was none.

Items Related to Zoning

Mr. McHugh announced for the record, that PC-2015-16, Zoning Map Amendment, 5990 Contreras Road, be recommended for tabling, because of a notification error. The owner and agent were agreeable to table until the next meeting.

Mr. Keebler made motion to Table PC-2015-16 and to be heard at the August 11, 2015 Planning Commission meeting. Mr. Daniels seconded the motion. All were in favor. Mr. Pete McCarthy recused himself.

PC-2015-14 ZONING CODE TEXT AMENDMENT, to amend Chapter 1143.10(c) UP (Uptown) District site development regulations and Chapter 1159.07(6) definition of Gross Floor Area Ratio (FAR), City of Oxford, Applicant

Mr. Perry stated that this amendment to the existing zoning code was proposed by staff as a result of a recent BZA case in which an appeal was granted to allow for the stairway to not be counted as part of the residential gross floor area calculation. Mr. Perry referred to Mr. Kyger's comments on page 17 of the agenda, that in his opinion, the intent of the original legislation was to include stairwells, open or enclosed as part of the GFA. Mr. Perry concluded that therefore, staff was proposing a very small clarification to the zoning code describing site development to change the definition of the gross floor area to include stairways along with outdoor patios, decks and balconies for residential use shall be computed into the maximum 2:1 ratio.

Mr. Prytherch inquired what was the logic used by the BZA for approval. Mr. Perry responded that it came down to the

omission of the word "stairways". Mr. McCarthy commented that basically the City is trying to have smaller buildings. Mr. Chen responded that it was a challenge of the interpretation, not a zoning variance request. Ms. Rousmaniere inquired if that included both external and internal stairways. Staff responded yes, all stairways. Ms. Rousmaniere inquired about elevators' shafts. Mr. Perry responded yes they were included. Mr. McCarthy asked for an explanation of net vs. gross floor area. Mr. Chen explained. Mr. Perry added that net was not part of the discussion for Uptown.

No public comments.

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

Ms. Rousmaniere made motion to approve Chapters 1143.10(c) and 1159.07(6). Mr. Daniels seconded the motion. All were in favor.

Mr. Keebler stated that he didn't think it was enough to just say stairways, and that it needed to state "stairways, hallways, elevators, decks, balconies, utility areas and outdoor patios." Discussion followed. All agreed to the statement but to leave out utility areas.

Mr. McHugh referred to the BZA appeal and stated that the argument was "is the stairway the exterior wall". Mr. Chen stated that the argument made was in favor of the applicant.

Mr. Chen agreed with Mr. Keebler's suggestion except for inclusion of utility area. Mr. Keebler agreed, and moved to amend.

Mr. Daniels discussed hallways but inquired if the language should include common space hallways. Discussion followed.

Mr. Keebler read aloud 1143.10(c)(3)B1.b.i motion to approve "Stairways, hallways and elevators, outdoor patios, decks and balconies for residential use shall be computed into the maximum 2:1 ratio". Ms. Rousmaniere seconded the motion. All were in favor.

AYE: Pete McCarthy, Richard Daniels, Kate Rousmaniere, Richard Keebler, David Prytherch (5)
NAY: None: (0)
ABS: None (0)

PC-2015-15 CONDITIONAL USE 110 E. Spring Street, Phi Delta Theta Fraternity, to approve the alteration of an existing fraternity, The Architectural Group, Inc., Applicant, Agent

Mr. Daniels made motion to enter into Public Hearing PC-2015-15. Mr. Keebler seconded the motion. All were in favor.

Mr. Chen presented. Mr. Chen provided a PowerPoint overview stating the application was for an alteration to an existing fraternity house. Mr. Chen described the site which consisted of two parcels. Mr. Chen stated that the applicant wished to enclose an existing breezeway and convert into two bedrooms. Mr. Chen noted that the site has been a fraternity house for a very long time. Mr. Chen stated there were no exterior changes planned, and no increase to the footprint, only converting the breezeway into living space. Mr. Chen reviewed the Decision Standards, noting that they were met. Mr. Chen stated there were no increased demands on parking. Mr. Chen stated staff suggested the parcels be consolidated.

Mr. Prytherch inquired about the patio area. Mr. Chen stated the applicant had not decided yet on whether to construct.

Mr. Norm Butt, Architect, Agent, was present.

Mr. Butt stated that this was classified as a fraternity house, but utilized for individuals who outreach to the fraternity. Mr. Butt described the breezeway and that the handicapped accessible ramp was located there as well and would be maintained.

Mr. Butt stated that the site exceeded the required parking, that they would replace the screened areas of the breezeway

with matching existing materials. Mr. Butt described the bedrooms. Mr. Butt stated that the patio construction hadn't been determined yet if it would occur and that they were thinking of installing a brick paver patio on the site. Mr. Butt stated that they were not planning to install a concrete patio; so wouldn't affect the water runoff.

Ms. Rousmaniere inquired if the area worked as ADA access. Mr. Butt described the flow into the breezeway and the doorways.

Mr. McCarthy inquired about handicap accessible bedrooms. Mr. Butt stated that they would be accessible.

Increasing the occupancy was discussed. Mr. Keebler noted that they wouldn't be increasing occupancy, but increasing the bedrooms. Mr. McCarthy clarified that they would still maintain the approved occupancy of 12. Mr. Butt responded yes. Mr. Chen thought the occupancy would increase from 12 to 14. Mr. Keebler inquired why the need to increase permitted occupancy. Discussion followed regarding occupancy.

Public comment followed. Ms. Kathleen Zien, 6060 Joseph Drive, referred to the floor plans on page 46 and 47 of the agenda and reviewed occupancy per bedroom. Ms. Zien noted that the two extra bedrooms would not have any effect on this property.

Mr. Chen noted that per Mr. Butt's comments, that they were okay with limiting to 12 occupants.

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

Mr. Keebler made motion to approve PC-2015-15. Ms. Rousmaniere seconded the motion.

Mr. Keebler inquired how to handle the patio as he was concerned that a lot coverage increase should be part of the conditions or if the Planning Commission wanted to approve. Mr. Chen noted that we do not have any patio measurements.

Mr. Keebler inquired if the patio could be considered as a minor amendment and asked the applicant if he could make the patio permeable and not very big. Mr. Butt agreed.

Discussion followed.

Mr. Keebler reviewed three conditions; that, the lots be consolidated; approved occupancy for complete structure remain at 12; patio area is not included as part of this approval. Ms. Rousmaniere seconded the conditions.

Ms. Rousmaniere clarified that the patio shown on the drawing was not included in this approval. Response yes.

All were in favor of the three conditions.

Mr. Prytherch clarified that; the exterior appearance would remain the same, that the occupancy would not change and that the patio would be designed carefully. Response yes.

Mr. Daniels inquired about bathroom requirements.

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. Response – Yes
B. The use and site will satisfy the general intent of this Zoning Code. Response – yes
C. The use and site will be compatible with the general intent of the Comprehensive Plan. Response – yes
D. The size and shape of the site are sufficient for the proposed use. Response – yes
E. The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district. Response - will not
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. Response - will not

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. Response – 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. Response – yes
I. Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services. Response - 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. Response - will not; Response - will have the appearance of residential buildings permitted in the zoning district
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. Response - will not
L. Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance. Not applicable
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. Response - yes

Richard Keebler moved to approve PC-2015-15 CONDITIONAL USE 110 E. Spring Street, Phi Delta Theta Fraternity, to approve the alteration of an existing fraternity with three conditions.. Kate Rousmaniere seconded. The motion passed with the following roll call:

AYE: David Prytherch, Richard Keebler, Richard Daniels, Kate Rousmaniere, Peter McCarthy (5)
NAY: None (0)
ABS: None (0)

PC-2015-16 ZONING MAP AMENDMENT, 5990 Contreras Road, to rezone the subject property from R1B (Single-Family Medium Density Residential) District to R3 (Multi-Family Residential) District, Peter and Connie McCarthy, Applicants

The case was tabled to the August 11, 2015 meeting.

Old Business
There was none.

New Business
There was none.

Other Business
Administrative Approvals
Staff reviewed recent Administrative Approvals.

PC-2015-18-ADM MINOR AMENDMENT TO AN APPROVED FINAL PLANNED DEVELOPMENT, The Knolls of Oxford , installation of a freestanding canopy, Queen City Awning, Applicant/Agent
PC-2015-19-ADM MINOR AMENDMENT TO AN APPROVED CONDITIONAL USE, 800 Maple Street, Oxford Bible Fellowship, Scott Webb, Applicant/Agent

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

Mr. McCarthy inquired about the recently annexed property on Bonham Road.

Mr. McCarthy inquired about the Hospital addition.

Mr. Prytherch noted that the Commercial District Diversification Subcommittee needs to meet soon.

Adjournment

Ms. Rousmaniere made motion for adjournment. Mr. Keebler seconded the motion. All were in favor. The meeting adjourned at 8:37 p.m.