

OXFORD PLANNING COMMISSION

Meeting Minutes

Tuesday, August 8, 2017

7:30 p.m.

Call to Order

Those members present: Richard Daniels, Robert Bell, Steve Dana, Pete McCarthy, Edna Southard, Shana Rosenberg, and William Snavelly.

Those members excused: None.

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

Staff members excused: Sam Perry.

Approval of Minutes of the July 11, 2017 Planning Commission Meeting

Mr. Dana made motion to approve the minutes of July 11, 2017 as written. Mr. Daniels seconded the motion. All were in favor.

Public Comments Related to Items Not on the Agenda

There were none.

Reports from Commissions, Boards, Committees & Staff

Mr. Dana reported on City Council activities.

Mr. Snavelly reported on the Environmental Commission August meeting and discussion with Ms. Suzanne Zazycki, Oxford resident and the Associate Director at Miami University's Institute for the Environment and Sustainability (IES) encouraging the City of Oxford to participate in the Global Covenant of Mayors for Climate and Energy. Mr. Snavelly reported the Environmental Commission is interested in becoming a client.

Mr. McCarthy reported on HAPC Historic Inventory list completion and Open House activity for the public. Mr. McCarthy stated the Inventory would move onto City Council soon.

Mr. Daniels reported on the CIC Revolving Loan fund in excess of \$400,000. Mr. Daniels stated there were funds available to be borrowed.

Items Related to Platting

There was none.

Items Related to Zoning

PC-2017-22, CONDITIONAL USE, 406 E. Withrow Street, to allow for a campus organization to use a vacant fraternity house for gathering/study space, Crossroads Community Church, Sue Landgrebe, Applicant

Mr. Dana made motion to enter into Public Hearing PC-2017-22. Mr. Snavelly seconded the motion. All were in favor.

Mr. Chen provided a review. Mr. Chen displayed an aerial photograph and notification map. Mr. Chen displayed a Google Earth street shot of the fraternity house. Mr. Chen displayed pictures of their proposal, including the patio, signage, and renderings. Mr. Chen stated that the application was to establish a place of worship at this vacant fraternity house. Mr. Chen noted that church services would take place elsewhere, but for gatherings or study or hosting events the fraternity house would hold. Mr. Chen noted that Crossroads Church was considered a student organization. Mr. Chen noted that a few students would live on the 3rd floor. Mr. Chen reported that the first and second floors would be used for meetings, etc. Mr. Chen stated that they were trying to provide an alternative off campus living environment.

Mr. Chen reviewed the Decision Standards. Mr. Chen thought this use could be a very good one for a vacant fraternity house. Mr. Chen stated that staff was recommending approval. Mr. Chen stated that the second issue was the patio

addition as it is located closer to the property line, which is not in compliance with the zoning code. Mr. Chen noted that the Planning Commission has the authority to waive dimensional standards.

Mr. Chen stated that the third issue was proposed signage on two sides of the structure; however, existing signage is on two sides, but the zoning code allows signage only on one and the size is limited to 12 square feet. Mr. Chen displayed the signage the Church had at their previous location and thought it very nice.

Mr. McCarthy inquired about how we can categorize this as worship when no service takes place. Mr. Chen responded that the fraternity does not have enough space for an entire congregation to attend. Mr. Chen stated that the current capacity is 38, and once constructed would drop to 28.

Ms. Southard inquired about ownership.

Mr. Mike Whalen, CFO of Crossroads Church, spoke. Mr. Whalen stated that they would not be renting out the structure to students; that they may have a student or two live on 3rd floor if allowed, mainly for security and maintenance purposes.

Mr. McCarthy inquired about limitation of number of persons they were planning for. Mr. Whalen responded 2-3 people and that if it would be a deal breaker that they wouldn't push it.

Mr. Whalen reported that remodeling of the top floor was not planned as it will remain bedrooms. Mr. Whalen reported that the second floor remodel would involve removal of three walls. Mr. Whalen stated those would be meeting rooms.

Mr. McCarthy inquired about layout.

Mr. Whalen reported that Sunday services would continue in Benton Hall. House hours were planned to stay open during the week days for students and that this plan was a replication of what the Church does at all of their sites located in Cincinnati, etc.

Mr. Bell inquired if the schedule would remain the same as what went on at the Evans Scholar house they occupied. Mr. Whalen responded yes and that two people lived there.

Mr. Whalen stated that the structure would still be owned by the fraternity house including renting from them for four years. Mr. Whalen stated that their goal was to get back on Campus at that point. Mr. Whalen also pointed out that the University had no jurisdiction over them.

Mr. McCarthy noted that this was a great use of an existing building and discussed current behaviors happening at colleges and their investment here and at University of Cincinnati.

Mr. Whalen stated that their plan was to clean up, carpet, paint, and touch up outside. In referring to the patio, Mr. Whalen stated that the patio addition would make a natural entrance, welcoming and inviting. Mr. Whalen stated that per the lease the fraternity had to approve all of this first.

Discussed signage. Mr. Whalen stated they would like it to draw as many people as possible and that initially they had planned for signage on each corner.

Mr. Dana inquired about the timeline for repairs. Mr. Whalen stated that management wanted them to be ready by school starting; probably two months.

Mr. Daniels inquired about providing services to parents. Mr. Whalen stated that most of the congregation has been students and that if they draw parents, then they would deal with. Discussion followed and that if the property is owned by Theta House Corporation that they were the ones who hold rental permits for 38 beds, and that it was probable they couldn't place restrictions on the number. Mr. Chen stated that Theta Upsilon would not want us to bother their 38 bed occupancy. Mr. Chen noted that when the Fraternity comes back online that they would have to come back as a conditional use to get back their beds.

Discussion took place on bed limits.

Mr. Bell inquired about parking. Lisa Kuhn, has worked with Miami Parking Services and is allowing the Church to have Sunday parking for free. Ms. Kuhn reported they would be removing an existing tree, but it was a diseased tree.

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

Mr. Dana made motion to approve PC-2017-22. Mr. Dana seconded the motion.

Mr. Snavelly stated that it seemed what the Church wanted to do on the porch intruding into the setback would go to the Board of Zoning Appeals, but the Planning Commission could waive the dimensional requirement because of this being a conditional use. Discussion followed. Staff noted that other properties on Withrow Street extended out farther and that with the patio build out, they would still be consistent with other properties.

Mr. Bell inquired about the flat roof porch. It was reported that the roof would be made of lattice.

Discussion took place regarding overage of lot coverage with the patio.

The Planning Commission agreed that one sign was sufficient and 12 square feet.

Mr. Dana noted that if the Church felt they needed two signs that they could go to the BZA.

Mr. McCarthy inquired if the Planning Commission could waive the sign requirement.

Discussion followed.

Signage was discussed and noted that Crossroads was a large word, and that the word Outpost didn't really say what it was. The Applicant was hoping for the word Crossroads sized larger and the word Outpost remain same size as current signage. The Applicant stated they wanted signage on both sides as they felt it provided awareness being on two sides.

Mr. Bell stated to the Applicant that they would still have the ability to go to BZA should the Planning Commission not be comfortable approving two signs.

Mr. Daniels inquired if the signage could be on a freestanding monument sign?

Mr. Bell reviewed potential uses and concerns and parking conditions.

The Planning Commission reviewed the general 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
- D. The size and shape of the site are sufficient for the proposed use. YES
- E. The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district. 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. 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. YES and WILL NOT
- 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. WILL NOT. Referred to Police and Fire Chief comments.
- 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. YES. Keep in mind the porch doesn't.

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. WILL NOT

L. Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance. WILL NOT

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

After a public hearing, the Planning Commission recommended the proposed Conditional Use Permit Application be forwarded to City Council for legislative action with the following conditions:

1. The number of members that could reside on the 3rd floor is limited to 3.
2. The Commission determined that 5 off-street parking spaces would be sufficient for the proposed use.
3. That, the lot coverage and the front yard setback for the placement of the patio are waived.
4. The proposed signage for the proposed use shall conform to the Oxford Zoning Code. Any signage larger than the permitted dimensions shall require a variance from the Board of Zoning Appeals.

AYE: Richard Daniels, Peter McCarthy, Shana Rosenberg, William Snavely, Edna Southard, Steve Dana, Robert Bell (7)

NAY: None (0)

ABS: None (0)

Administrative Approvals

There was none.

New Business

Mr. Bell referred to a prior work session and short term rental discussion.

Staff discussed September meeting agenda items.

Adjournment

Mr. Dana made motion to adjourn meeting. Mr. Snavely seconded the motion. The meeting was adjourned at 8:41.