OXFORD PLANNING COMMISSION
Meeting Minutes
Tuesday, March 8, 2011
7:30 p.m.

Call to Order

The March 8, 2011 regularly scheduled Planning Commission meeting began at 7:30 p.m. after a work session to discuss Subdivision Regulations took place.

Those members present: Susan Kay, Richard Keebler, Ted Wong, Marvin Hurston, Dave Prytherch, and Richard Daniels.

Those members excused: John Harman.

Staff members present: Jung-Han Chen, Kathryn Dale, Stephen McHugh, and Lynn Taylor.

Staff members excused: None.

Approval of Minutes of the January 11, 2011 Planning Commission Meeting

Ms. Kay submitted to Staff minor corrections to the minutes.

Mr. Prytherch moved to approve the January 11, 2011 Planning Commission meeting minutes with minor corrections. Mr. Hurston 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. Chen referred to the registration form included in the Planning Commission packet for planning and zoning training offered by the Greenville, Ohio Planning Commission.

Mr. Wong provided an Environmental Commission report stating that at their December 2010 meeting the Commission broke into subcommittees; public relations subcommittee, storm-water management subcommittee, and an energy efficiency subcommittee. Mr. Wong stated that Mr. Dreisbach came and spoke about energy issues and what the City has done to save money and energy. Mr. Wong stated this subcommittee would be visiting LSI Industries Inc. who would be presenting on LED lighting. Mr. Wong stated that the storm water subcommittee was working with IES and looking into storm water erosion along Bull Run. Mr. Wong stated that the Public Relations subcommittee was working on a newsletter.

Communications - Administrative Approvals

PC-ADM-01-2011 MINOR AMENDMENT TO A PLANNED DEVELOPMENT, 601 S. Locust Street, McDonald's, Etta Reed, Applicant, Agent

Mr. Chen shared with the Commission that two applications had been approved Administratively.

Mr. Chen stated that PC-ADM-01-2011 to demolish the existing McDonald's building and construct a new shorter building at the same location. Mr. Chen stated the existing single-lane drive-thru would be expanded to a two-lane drive-thru. Mr. Chen noted that he and the Planning Commission Chair determined that the proposed changes still fell under criteria to be considered as a minor amendment. Mr. Chen also noted that the proposed changes conformed to the regulations approved in 1986.

Mr. Prytherch voiced his disappointment that the proposed changes were not brought before the Planning Commission to make the determination whether the changes were considered major or minor. Mr. Chen agreed that past cases had been brought before the Planning Commission for determination; however, the difference here was that the proposed McDonald's changes were still in conformance with the original plan, whereas the others involved obvious, additional features that were not on the original approval.

Ms. Kay asked Staff to explain the difference of a minor and major amendment. Mr. Chen stated that regarding McDonald's and looking at the five criteria under 1145.10, the proposed McDonald's did not fall under a major modification. Therefore, Staff and the Planning Commission Chair agreed jointly that it was a minor.

Mr. Prytherch referred to the recent Stewart Square minor and the need for the public to understand the process and what makes PC-ADM-01-2011 a minor. Mr. Chen stated that regarding Stewart Square the Applicant wasn't sure if the changes would be considered a major or minor so he asked that it go before the Planning Commission to decide; the Planning Commission determined it was a minor.

Mr. Chen suggested not discussing the merit of the case but just the procedural aspects. Ms. Kay added that there was a substantial difference in the definition of a nonconforming property from a PUD. Mr. Prytherch expressed his concern for not having done adjacent property owner notifications - would have liked to have had the same opportunity as Stewart Square.

Ms. Kay referred to an email received from Kathleen Zien and entering it into public record. Mr. Keebler noted that the email mostly contained a different subject.

PC-ADM-02-2011 MINOR AMENDMENT TO A CONDITIONAL USE, 5156 Westgate Drive, McGuffey Foundation School Annex, Don Thomas, Applicant, Agent

Staff reported that the Applicant requested an amendment to convert an existing garage space to a classroom for daycare. The approval in 1999 was for a Special Use as a private school. Converting a room in this Annex to an additional classroom fell under the perimeter of the

previous approval. The approval was granted by the Zoning Administrator as stipulated under Section 1147.02(f).

Items Related to Platting

There were no items relating to platting.

Items Related to Zoning

PC-01-2011 CONDITIONAL USE, 5200 College Corner Pike, to allow for a drive- through banking facility in a General Business District (GB), Scott Webb, Applicant, Agent 21

Mr. Prytherch moved to enter into Public Hearing PC-01-2011. Mr. Keebler seconded the motion. All were in favor.

Mr. Chen described the location of this case at the corner of College Corner Pike and Hester Road. Mr. Chen stated the application was before the Planning Commission solely because of a drive-thru request. Mr. Chen referred to the Comprehensive Plan description for this area as being a corridor enhancement area. Mr. Chen stated the site was over an acre, with narrow frontage, and would operate the same as other banks with some weekend hours. Mr. Chen referred to the Staff Report regarding having an earthen mound located in the ROW needing to be corrected.

Mr. Scott Webb, Applicant, introduced the manager of the bank. Mr. Webb referred to the bank's current location at Westgate Plaza.

Mr. Webb provided a description of the vehicle management area, the noise from vehicles and loudspeaker and the screening that would be provided for adjacent uses. Mr. Webb noted that the one thing missing was a loading space as the bank doesn't need a loading space. Mr. Webb pointed out the dumpsters. Mr. Webb noted the landscaped berms on both road frontages, and the retention area being only a depression, as there would not be standing water on the property. Mr. Webb noted that the setbacks were met.

Mr. Daniels inquired if access to College Corner Pike could be eliminated. Mr. Webb stated the bank wanted the access onto 27 and had even met with the City Engineer to discuss and assure this would be okay.

No public comment was given.

Mr. Prytherch moved to close the Public Hearing. Mr. Hurston seconded the motion. All were in favor.

Discussion took place. Mr. Keebler felt it to be a good plan; worked with city staff; now understands about the adjacent lot and it being owned by the Baymont Inn; pleased with green space. Mr. Keebler referred to the City Engineer's comments regarding the mounding on the ROW; not sure why we require mounding on commercial locations, and felt the mound should go on city property. Discussion took place regarding the mound extending onto City property

and if the Commission could waive having the mound. Staff stated that it would have to go through BZA.

Mr. Prytherch referred to the Comprehensive Plan and discussion on landscaping of this area and pedestrian connections. Mr. Prytherch inquired Mr. Webb if they could improve the design relatively minor to make more functional for the customer. Mr. Webb suggested perhaps extending the sidewalks at building to the outer-edged sidewalks. Discussion followed regarding connectivity of the parking lot, to sidewalks, to Hester Road and College Corner Pike. Mr. Webb was agreeable to the sidewalks - one sidewalk would connect to College Corner Pike and the other sidewalk would connect to Hester Road. Mr. Prytherch also inquired about providing a bike rack. Mr. Webb was agreeable to the bike rack.

Discussion followed regarding having a pedestrian-friendly ATM. The Planning Commission asked Mr. Webb to look into a design solution of the ATM to be vehicle and pedestrian friendly. Mr. Webb stated he didn't feel pedestrians would actually be stepping into traffic. Mr. Prytherch stated that whether it is signage or whatever, we need to think of those who are on foot or bike.

Discussion followed regarding there not being a loading zone on the Site Plan. Mr. Chen stated that since a loading zone is a requirement, the Applicant must show a loading area on the site plan. Mr. Keebler asked staff to revisit loading zones and mounding in the code at a future date.

Decision Standards were reviewed:

A. The proposed use is in fact a Conditional Use in the zoning district in which it is proposed. **6-0 Yes**
B. The use and site will satisfy the general intent of this Zoning Code. **6-0 Yes**
C. The use and site will be compatible with the general intent of the Comprehensive Plan. **6-0 Yes w/conditions**
D. The size and shape of the site are sufficient for the proposed use. **6-0 Yes**
E. The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district. **6-0 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. **6-0 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. **NA**
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. **6-0 Yes**
I. Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services. **6-0 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. **6-0 Will**
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**. 6-0 Will Not**
L. Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance. **6-0 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. **6-0 Can**

After reviewing the Decision Standards, the Planning Commission agreed to the following conditions:
That, sidewalks be installed at the banking facility and connect to College Corner Pike and Hester Road sidewalks;
That, a bike rack is provided;
That, pedestrian-friendly ATM accessibility is reviewed.

Dave Prytherch moved to approve PC-01-2011 CONDITIONAL USE, 5200 College Corner Pike, to allow for a drive-through banking facility in a General Business District with conditions. Marvin Hurston seconded. The motion passed with the following roll call:

AYE: Susan Kay, Richard Keebler, Ted Wong, Marvin Hurston, Dave Prytherch, Richard Daniels (6)
NAY: None (0)
ABS: None (0)

New Business
There was none.

Other Business
There was none.

Items Under Consideration for Future Discussion
Ms. Kay reviewed the items listed for future discussion.
Chapter 1101 Subdivision Regulations
Fraternity Definition
Chapter 1141.03 Supplemental Regulations
GB(R) District

Adjournment
Mr. Hurston moved to adjourn the Planning Commission meeting. Mr. Wong seconded the motion. All were in favor. The meeting was adjourned at 8:28 p.m.