

OXFORD PLANNING COMMISSION
Meeting Minutes
Tuesday, April 10, 2018
7:30 p.m.

Call to Order

Those members present: Richard Daniels, Robert Bell, Steve Dana, Pete McCarthy, William Snavely, Shana Rosenberg, and Mike Smith.

Those members excused: None.

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

Staff members excused: Sam Perry.

Mr. Bell asked for and Mr. Smith made motion to revise the order of the agenda, to move PC-2018-04 up one item and under new business add topics creating two new committees. Mr. Dana seconded the motion. All were in favor.

Mr. Bell announced that Mr. Snavely would be late.

Approval of Minutes of the March 13, 2018 Planning Commission Meeting

Mr. Dana made motion to approve the minutes as written. Mr. McCarthy seconded the motion. All were in favor. Mr. McCarthy abstained as he was absent at the March meeting.

Public Comments Related to Items Not on the Agenda

There was none.

Reports from Commissions, Boards, Committees & Staff

Mr. Dana reported on the status of BCRTA \$2.6 million funding.

Ms. Rosenberg reported that the HAC would be meeting April 26 and that she planned attending.

Mr. McCarthy reported that the HAPC would be looking at various structures throughout the City considered "historic".

Mr. Chen reported that staff met with Miami staff to share various planning projects they may have. Mr. Chen stated he would report back to the Planning Commission if he finds information significant to share.

Concept Review Hillel Foundation, 11 E. Walnut Street, facility improvements, The Architectural Group

Mr. Craig Moyer introduced Mr. Joel Miller to provide the Planning Commission on what the organization offers to the community. Mr. Miller reported Hillel has been at this location 45 years, and that the structure has reached its useful life. Mr. Miller announced they were awarded a monetary allocation from the State of Ohio in conjunction with Miami University to kickstart their Capital Campaign. Mr. Miller stated the improvements would be an asset for the entire community.

Mr. Moyer reviewed the existing site plan. Mr. Moyer described the parking locations. Mr. Moyer

described the existing upper level layout: lacked ADA accessibility, the existing lower level has some ADA accessibility. Mr. Moyer described the uses on the lower level.

Mr. Moyer stated they were proposing to taking the existing building and almost doubling the square footage while building off the south end. The addition will be two levels and include an elevator. Mr. Moyer stated they have difficulty hosting large gatherings right now and they lack storage space. Mr. Moyer described the landscaping plan, and that they would not lose any parking spaces. Proposing lounge space for students, offices, and ADA bathrooms. Described the changes in the kitchen area, private study spaces Mr. Moyer displayed the north and south elevations which will tie in with the old building.

Mr. Snavelly arrived at 7:48 p.m.

Mr. Moyer described the building materials. Mr. Moyer displayed the east elevation, stating there are currently no operable windows, so where possible are making some of them operable.

Mr. Moyer displayed the west elevation including operable windows in the office space.

Mr. Dana inquired about the number of parking spaces. Mr. Moyer reported that parking spaces would stay the same, 6, with one being ADA. Mr. Dana inquired about the library if it was being expanded. Mr. Moyer stated that it wouldn't be expanded but more centralized/multi-functional. Mr. McCarthy inquired about lot coverage. Mr. Chen reported in the RO District. Mr. McCarthy asked why having a concept review and should this not go straight to BZA. Mr. Chen noted that regulations allow for the Planning Commission to have flexibility. Mr. Bell summarized that for a conditional use, calculations for lot coverage and proposed lot coverage, open space, pervious space, how it sits to its neighbors, fencing, dumpster enclosure captured, signage, all items the Planning Commission looks at. Mr. Chen reminded the Planning Commission that this will go to HAPC as well.

Mr. Dana inquired about any changes to the width of the alley. Mr. Moyer stated it would remain the same.

Mr. Moyer welcomed the Planning Commission to stop by and take a look around.

Items Related to Zoning

PC-2018-04 [CONDITIONAL USE, to allow for an automotive service facility to be constructed on a vacant lot in the LI Light Industrial District, located at 6705 Ringwood Road, Scott Webb, Applicant, Agent](#)

Mr. Smith made motion to open public hearing PC-2018-004. Mr. Dana seconded the motion. All were in favor.

Mr. Chen reported this was a conditional use application to build an automotive service facility in a LI Light Industrial District on vacant land. Mr. Chen reported the proposed use fit in this district. Mr. Chen provided an aerial view. Mr. Chen stated the facility would sit in front of the gun range. Mr. Chen reported this was the last of the vacant land on Ringwood. Mr. Chen reviewed the site plan. Mr. Chen noted this would not be primarily sales, but automotive. Mr. Chen stated there may be some elements the Planning Commission may want to waive for this Conditional Use; parking, and consider bicycle, pedestrian friendly.

Mr. Bell inquired Mr. Chen what was determined that this was an appropriate conditional use? Mr. Chen referred to under the Assembly and Repair Section in the LI District zoning code.

Mr. Scott Webb presented. Mr. Webb stated that they would focus on service and modification and repair of cars.

The use and site will be compatible with the general intent of the zoning code and comprehensive plan. Mr. Webb stated this would be a small business.

Mr. Webb stated that the proposed site plan meets the goals of the use-specific regulations. All work to be performed inside the building. Minimal enclosed storage will be provided on the site. The location of parking and the building was similar to neighboring properties. Mr. Webb stated that lighting and landscaping would be provided. Mr. Webb noted that included was a trash enclosure.

Mr. Webb displayed the building design. Mr. Webb described the flow of the customers' vehicles. Mr. Webb addressed the pedestrian and bicycle question. There are no sidewalks at the location; however, they could include a bike rack.

Mr. Bell inquired about hours of operation. Mr. Webb reported 7a-7p.

Mr. Smith inquired if they had thought about screening of the fenced area for car storage. Mr. Webb stated slatted fence.

No one from the audience wished to speak.

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

Mr. McCarthy stated he was fine with the project: parking in front, no pedestrian or bike issues, lighting plan can be addressed at time of building permit.

Mr. McCarthy made motion to approve waiving the parking requirement in LI District 50' front yard setback (7 parking spaces are shown) and waive the bicycle and pedestrian requirement. Mr. Snively seconded the motion.

AYE: Mr. McCarthy, Ms. Rosenberg, Mr. Daniels, Mr. Snively, Mr. Smith, Mr. Dana, Mr. Bell (7)

NAY: None (0)

ABS: None (0)

PC-2018-02 [ZONING CODE TEXT AMENDMENT, to amend Chapter 1141.01 Accessory Regulations, adding 1141.01\(a\)\(5\) Short Term Rentals, City of Oxford, Applicant \(Tabled 3/13/2018\)](#)

Mr. Dana made motion to remove from table PC-2018-02. Mr. Snively seconded the motion. All were in favor.

Mr. Bell made motion to enter into public hearing. All were in favor.

Mr. Bell announced that the Planning Commission does not set fees.

Mr. McCarthy announced that everyone currently running an Airbnb were operating illegally.

Mr. Chen reported he spoke with Enjoy Oxford staff and that the lodging tax does not kick in until there

are 5 bedrooms or more; therefore, that issue may not be a major concern for Airbnb participants.

Mr. Chen reminded everyone that this issue has been discussed for 2 years and that we don't want to create a cumbersome issue.

Ms. Rosenberg suggested being as a news item on the City of Oxford website.

Public comments were received.

Ms. Melissa Kincaid, an Airbnb host and who has worked at an area hotel at one time, stated that she knows the market and demand hasn't changed in Oxford and if we limit the number of rentals, how important is the impact on local businesses when visitors go outside of town for rooms? How can we support this? Ms. Kincaid stated that she knows Hamilton has decided to not regulate Airbnbs in order to help local business.

Mr. Mike Flitcraft, stated that he rents out two rooms in his home, and that in regards to safety issues, his home is safe for him and his family to live there. It was noted that Mr. Flitcraft lives in an overlay district thus has to follow those requirements.

Mr. Chen noted that City Staff would not go out looking for short term rentals.

Mr. Brian Strung, inquired about reservations versus beds, and referenced the table on page 5 of the agenda and it saying no permit if renting out more than two beds. Mr. Bell responded that last month the Commission described the number of persons, and now describe the number of reservations. Mr. Strung shared that Airbnb regulates users and that he works very hard inside and outside his home to make it immaculate and that it looks better than the neighborhood. Mr. Strung stated that he was asking for the process to be as easy as possible.

Mr. John Grenier, stated that he was confused about the Table in the language and asked that there be a period of sufficient time in order to abide by the rules.

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

Mr. Dana made motion to consider. Mr. Snavelly seconded the motion. Mr. Bell thanked everyone for coming out today and that the Commission obviously has work to do.

Mr. Snavelly thanked people for speaking. Mr. Snavelly reviewed people's comments. Mr. Snavelly agreed they need to give time to adapt/grace period and respect those who have an overlay district.

Mr. McCarthy noted that they want people to come to town and that there is a need. Mr. McCarthy stated that the number of stays was not the problem; we just want to make sure, just like student rentals, family rentals, that there still needs to be a housing permit.

Ms. Rosenberg referred to the self-regulating nature of Airbnb, and that there is a possibility of rentals not with an Airbnb, so agree that Airbnb is self-regulating but it is possible to have rentals outside of that system.

Mr. Dana stated that he was concerned needing a housing permit for those not truly in the rental business. Feels needs tied to a license. This is a different situation than a rental.

Mr. Snavelly suggested having a short term rental permit that wouldn't cost as much.

Mr. Bell reviewed revisions discussed:
Five or less stays - agree
Owner occupied, versus non-owner occupied
Overlay Districts - can't do much because of the zoning code

Mr. Snavelly noted that with this we have now legalized those renting less than 5 or less; however, we need to work on the language, need to add language about requiring a short term rental permit. We are talking short term rentals, people coming in and out.

Much discussion took place on the effect upon overlay districts.

Mr. Snavelly made motion to table so can propose at next meeting. Mr. Dana seconded the motion. All were in favor.

PC-2018-05 ZONING CODE TEXT AMENDMENT, to amend Chapter 1101 Subdivision Regulations, and Chapter 1101.7 Definitions, to incorporate tree preservation provisions, City of Oxford, Applicant

Mr. Snavelly made motion to enter into public hearing PC-2018-05. Mr. Dana seconded the motion. All were in favor.

Mr. Chen provided an overview stating that issues regarding tree preservation came about during a recent approval process of a new development project. The Environmental Commission, under the direction of City Council, looked into creating language that would encourage and regulate tree preservation and protection issues for development projects.

Mr. Chen commended the Environmental Commission on this task.

Mr. Chen reflected upon accomplishments to encourage development:
to be more creative;
find tree fund sources
develop a tree inventory

Mr. Chen reviewed the major components of the proposed language:

1. Applicable to major development and redevelopment projects.
2. Integrate tree preservation and protection as part of the requirements for development projects.
3. Environmental Commission is part of the plan review for the major development projects related to tree protection and preservation efforts.
4. Define specific requirements for the tree inventory, sincere there is typically a two-step review process before the Planning and City Council for those projects.
5. Allowing trade-offs and choices: The EC was mindful about the development would involve site clearing for infrastructure and homes to require replacements to be planted. Should replacement not be accommodated on site, the developer is offered different options to make equitable financial contribution to the Tree Fund.
6. On-going site verification for compliance purposes to meet the requirement and the best judgement of experts.

Mr. Chen noted that we have never had the Environmental Commission be part of the review process, and this will bring their input in.

Mr. Dana stated that he was very impressed by staff of all their work. Mr. Dana noted that Councilor Southard took this on and it's time has definitely come.

Mr. Snavelly stated he liked it.

Mr. McCarthy discussed the burden on the developer.

Mr. Chen referred to the Tree List handout provided at this meeting. Mr. Chen stated that the list was for developers not homeowners to follow (except in the tree lawn.)

Mr. Bell encouraged everyone to read through thoroughly. We have never had before something to hold the developer accountable.

Discussion regarding tree replacement, caliper of trees, ticketing, and penalties took place.

Mr. Snavelly suggested approval and move on to City Council, with City Staff to make corrections

Mr. Snavelly made motion on to move out of public hearing Mr. Dana seconded the motion.

Mr. Snavelly made motion to approve PC-2018-05. Mr. Dana seconded the motion.

AYE: Mr. Snavelly, Mr. Daniels, Ms. Rosenberg, Mr. Smith, Mr. Dana, Mr. Bell (6)

NAY: Mr. McCarthy (1)

ABS: None (0)

PC-2018-06 [ZONING CODE TEXT AMENDMENT, to amend Chapter 1145 Planned Development Regulations, and Chapter 1159 Definitions, to incorporate tree preservation provisions, City of Oxford, Applicant](#)

Mr. Smith made motion to open public hearing PC-2018-06. Ms. Rosenberg seconded the motion. All were in favor.

Mr. Chen stated this to be the same information as Chapter 1101 to incorporate tree provision into Chapter 1145 and additional definitions.

The major components of the proposed language can be highlighted into the following elements:

1. Applicable to major development and redevelopment projects.
2. Integrate tree preservation and protection as part of the requirements for development projects.
3. Environmental Commission as part of the plan review for major development projects relating to tree protection and preservation efforts.
4. Define specific requirements for tree inventory, since there are typically a two-step review process before the Planning and City Council for those projects.
5. Allowing trade-offs and choices: The EC, mindful about the development, would involve site clearing for infrastructure and homes to require replacements to be planted. Should replacement not be accommodated on site, the developer is offered different options to make equitable financial contributions to the Tree Fund.
6. Ongoing site verifications for compliance purposes to meet the requirement and the best judgement of experts.

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

Mr. Snavelly made motion to approve PC-2018-06. Mr. Dana seconded the motion.

Mr. Bell inquired how will this change existing preliminaries.

Mr. McCarthy referenced Chapter 1145.133A stated that he wanted to require an arborist to approve too. Discussion followed. It was noted that there was nothing in the language that wouldn't let us ask for advice.

Mr. Snavelly called the question.

Mr. Snavelly moved the question. Mr. Daniels seconded the motion. All were in favor.

AYE: Ms. Rosenberg, Mr. Daniels, Mr. Dana, Mr. Smith, Mr. Bell, Mr. Snavelly (6)

NAY: Mr. McCarthy (1)

ABS: None (0)

Administrative Approvals

PC-2018-03-ADM [LOT CONSOLIDATION, W. Rose Avenue,, College Avenue and Main Street, 6.684 acres, 12 lots, to New Lot #3323, Dudley Prime Properties, LLC, Applicant \(revised\)](#)

New Business

Mr. Bell referred to meetings that are occurring between the City Staff, the Planning Commission and City Council on transportation projects occurring in the City and asked for a motion to make a recommendation for a standing transportation committee that would consist of three members of the Planning Commission, one from City Council, one business community member and community member and regularly will meet with City Council and City Staff to discuss all aspects of transportation. All were in favor.

Mr. Bell stated he wanted to create an adhoc committee on growth management for discussion during Planning work sessions and need a couple members of the Planning Commission. Mr. Bell stated that if anyone would be interested to let him know.

Mr. Daniels referred to having heard a presentation regarding Miami's growth of programs and major projects to increase their beds and that he suggested the Commission take their time and consider Miami's growth.

Adjournment

Mr. Dana made motion to adjourn the meeting. Ms. Rosenberg seconded the motion. All were in favor. The meeting was adjourned at 10:30 p.m.