MEETING MINUTES
PLANNING COMMISSION
TUESDAY, May 11, 2021
7:00 P.M.

Virtual Meeting held via Zoom and broadcast to YouTube in accordance with House Bill 404

I. Call to Order

Those members present: Jason Bracken, David Prytherch, Carla Blackmar, Steve Dana, Shana Rosenberg, Richard Keebler, and Corey Watt
Those members excused: None.
Staff members present: Sam Perry, Zachary Moore and Christopher Conard
Staff members excused: None.

II. Approval of Agenda

Mr. Prytherch made motion to approve the agenda. Mr. Dana seconded the motion. All were in favor with a raised hand vote.

III. Approval of Minutes of April 13, 2021

Mr. Keebler made motion to approve the minutes as presented. Ms. Dana seconded the motion. Mr. Prytherch commented this was the last set of minutes prepared by Lynn Taylor during her service for the City. All were in favor with a raised hand vote.

IV. Public Comments Related to Items Not on the Agenda

Ms. Jessica Greene, Assistant City Manager, addressed the Commission from the viewpoint of serving as the Economic Development Director for the City of Oxford. Ms. Greene first thanked the Planning Commission for their hard work. Ms. Greene mentioned that the applicant for the Elms Hotel Annex project at 22 S Beech Street was being asked to go through the Planning Commission and HAPC approval procedures again due to approvals expiring during a pandemic. Ms. Greene urged the Commission to consider an extension or an expedited 'rapid' approval process, since nothing had changed with the proposal since the original approval. Ms. Greene voiced her support for the development, and thanked the Commission for their future consideration.

Responding to Ms. Greene's comments, Mr. Watt stated he had met with Mr. Perry and Mr. Chris Skoglind (HAPC Chair) to discuss the matter and mentioned that there were in fact changes in the proposal since the original approval that they felt were important to review. Mr. Watt thanked Ms. Greene for her comments.

V. Reports from Commissions, Boards, Committees & Staff

Mr. Perry noted there had been temporary relief put in place from the enforcement of temporary business sign standards, put in place in response to the pandemic. Staff is looking at setting a date to return to normal enforcement of sign standards, potentially July. Temporary signs include banners, yard signs, etc. Mr. Perry invited the Commission to observe temporary signs they may like in the community, and welcomed any feedback in the future in working toward more permanent changes to standards.

Mr. Prytherch reported from City Council that the Lake Forest subdivision was approved, and is now headed toward a final submission. Mr. Prytherch mentioned that the Amtrak platform design is under contract.

Mr. Dana gave a report on the CIC. Business school students presented their findings as to what is the most viable new business for Oxford. The students revealed two different business possibilities: (1) solar panel installation; and (2) growing hemp.

Mr. Bracken gave a report on the Environmental Commission. The Commission is still working on promoting solar energy. Mr. Bracken thanked the PSP teams from the Institute for the Environment and Sustainability, mentioning they did a great job on the greenhouse gas inventory and resiliency. The Commission is also looking into pollination, retention basins, riparian buffers, and best practices. Mr. Bracken reported the Commission may have found possible solutions for methane emissions from the landfill, such as bio-filters and/or flaring.

Ms. Rosenberg reported that she will be attending the Comprehensive Plan Steering Committee meeting as the Planning Commission representative in a couple of weeks. Ms. Rosenberg also mentioned the Housing Advisory Commission had met to follow up on its goals.

Ms. Blackmar gave a report on the Oxford Parking and Transportation Advisory Board. The Board is starting to look at parking rates, including potential adjustments. Ms. Blackmar reported OPTAB is beginning the update of the transportation portion of the Comprehensive Plan update. Ms. Blackmar commended the Community Development Department for the production of the "What's Happening Over There?" online story map. Ms. Blackmar felt the story map was a great best practice in communication as it helps proactively engage the community, and voiced support for similar future work.

Mr. Watt gave a report on the Historic and Architectural Preservation Commission. Mr. Watt stated the upcoming agenda included a Certificate of Appropriateness for the 22 S. Beech Street project. Mr. Watt shared that the 22 N. College Avenue applicant presenting to the Planning Commission tonight had previously been at HAPC the previous month for consideration of a Certificate of Appropriateness.

VI. New Business

PC-2021-11, 22 N. College Avenue, CONDITIONAL USE, change current use from restaurant/bar to a restaurant/church, **Tom Ellis,** Happy People LLC, Applicant

<u>Mr. Prytherch made motion to enter into public hearing. Mr. Keebler seconded. All were in favor with a raised hand vote.</u>

Mr. Moore began his presentation. Mr. Moore summarized the application details: (1) Case number is PC-2021-11; (2) Address is 22 N College Avenue; (3) the applicant is Happy People LLC, under care of Pastor Tom Ellis who is the pastor of The Calvary Church located in Springdale OH; (4) the property owner is Nara Properties LLC represented by Joseph Kang; (5) the architect for the project is Greg Eller of Eller Architecture; (6) the site area is a little over 10,000 square feet; (7) the current zoning classification is RO Office Residential District; and (8) the proposal is to establish a Place of Worship use.

Mr. Moore elaborated on the use status. The property was previously used for many decades as a restaurant, most recently a Japanese restaurant called Sushi Nara which closed in April 2020. The owner submitted a letter to the City stated the intent to continue the restaurant use, which is non-conforming in the RO District. The applicant would like to continue the restaurant use as a coffee shop, in conjunction with church usage which is a Conditional Use in the RO District.

Mr. Moore shared a map showing the site location. Mr. Moore shared the same map again, but with zoning classifications within the vicinity. Mr. Moore stated that the subject property is located within the Uptown Historic District and is listed on the National Register of Historic Places. Mr. Moore explained that the RO District is meant to be a transition between the Uptown business/mixed-use area and residential areas surrounding it in the Mile Square. RO is meant to be a blend between residential use and compatible commercial uses with limited impacts.

Mr. Moore displayed a map from the Comprehensive Plan, indicating that it falls within the Neighborhood Enhancement Area, where the goal is to stabilize and enhance existing neighborhoods in a way that reinforces traditional character already present. Mr. Moore stated staff feels the proposal at hand would fulfill the objectives of the Neighborhood Enhancement Area, to reutilize and rehabilitate the historic Alexander House.

Mr. Moore briefly touched on the history of the site, including the following points: (1) the building was constructed in 1869; (2) previously inhabited by two different doctors; (3) it was a restaurant for several decades; and (4) the architectural styles are a combination of Greek Revival, Italianate, and Classical Revival.

Mr. Moore presented some photos of the exterior of the property from all angles, highlighting the two story portico and patio on the south side of the structure and an existing second story deck on the western side. The building was originally in an L shape, but an addition built in 1880 made the building footprint more rectangular. Mr. Moore shared some historic photos taken in 1907 and the 1980s. Mr. Moore explained that a carriage house used to be located to the west of the main house, but that was eventually torn down and replaced with a new single-family house on its dedicated lot. The original lot totaling 15,000 square feet and stretched between College Avenue and the parallel alley, and is now 2 lots totaling 5,000 and 10,000 square feet. Mr. Moore displayed aerial "bird's eye" views of the property.

Mr. Moore displayed the original submitted site plan, highlighting the fact that the Commission's packet contained both an original version and a revised version that had been submitted for HAPC's review. Mr. Moore stated that the two plans are very similar, probably 90 to 95 percent alike.

Mr. Moore presented the first floor plan and highlighted the changes proposed, including: (1) a ramp to access the back patio; (2) a new glass elevator lift to reach the second level; (3) restrooms; (4) coffee and condiment bars; and (5) a railed ramp to access the back deck. Mr. Moore explained that a Code waiver is needed for the railed ramp, due to the increase in lot coverage. The Zoning Code offers an exemption for accessibility ramps when there is a setback conflict, but not when there is a coverage issue.

Mr. Moore presented the second floor plan, highlighting features including the elevator lift, as well as the stage and AV booth for the auditorium space.

Mr. Moore presented the original building elevations. Mr. Moore mentioned that HAPC and Mr. Watt, being a member of HAPC, have already seen the application and approved the exterior changes. Mr. Moore presented updated building elevations, noting the features previously discussed as well as a few others including: (1) storage bins in the back for storing lawn equipment; (2) freestanding sign identifying the business "Redlife Coffee House"; and (3) evergreen shrubs along the north side to screen garbage wheeler totes.

Mr. Moore described one of HAPC's conditions of approval to assess/study the possibility of relocating the elevator lift in a manner that would be less visible from the street. Mr. Moore showed a slide where the architect had examined an alternate location, but determined it was not feasible due to a deficient clearance for wheelchairs that would result. The applicant prefers to maintain the same location as shown in the original application.

Mr. Moore presented a side-by-side view of the patio ramp change between the original and revised plans. The architect had determined the existing walk should be sufficient, so it will not need to curve around the new elevator lift. The revised plan also presents a better view of evergreen plantings to soften the view.

Mr. Moore presented a parking study he had performed, explaining that there is no room on the site for additional off-street parking, so all new demand generated would need to be accommodated by publicly available parking. The study was conducted within ¼ mile buffer (5 minute walk) of the site over a 2-hour timespan on a Sunday morning, revealing plenty of existing capacity at least during that time of day to accommodate up to 75 church members at once.

Mr. Moore presented staff's recommendation for approval, subject to 3 conditions, including: (1) a code waiver to allow the church to operate until 10:00pm where the Code only allows up to 9:00pm; (2) a code waiver for the increase in coverage spurred by the additional ramp; and (3) provision for a bike rack in front.

Mr. Moore offered to pull up the decision criteria later, if so desired by the Chair.

Mr. Watt gave the applicant a chance to speak. Mr. Tom Ellis, Pastor of the Calvary Church in Springdale, thanked the Commission for their time and consideration. Mr. Ellis expressed he hoped this project would bring value to the city, specifically four things associated with value: (1) preservation of the historic building and architectural aspects; (2) coffee shop, intended for operation Monday through Saturday 7:00am to either 9:00pm or 10:00pm, and would be open for coffee, community use, and study groups, and they feel they would not be oversaturating the coffee shop market in Oxford; (3) support groups for the community in the evening, such as addition recovery or grief share; and (4) value for people of faith, attending services on Sunday. Mr. Ellis thanked Mr. Moore and Mr. Perry for their assistance through the process, and turned it over to his architect Mr. Greg Eller for any additional comments.

Mr. Eller stated he had looked at relocating and rotating the elevator lift, but it would not fit in the corner. It would be better back where it was shown originally. Mr. Eller stated the portion where it connects is one-story, so even in the corner it would still be visible. Mr. Eller said he would work with the city as work progresses on the renovation. Mr. Eller offered to answer any questions.

Mr. Watt inquired of the Commission whether they had any questions for the applicant or staff. There were none.

Mr. Watt asked Mr. Perry whether there were any public comments. Mr. Perry stated that there was no one from the public virtually attending wishing to speak on the matter.

<u>Mr. Prytherch made motion to return to regular session, seconded by Mr. Dana. All were in favor by a raised hand vote.</u>

Mr. Watt invited Commission members to discuss the proposal.

Mr. Dana said he was impressed by the architectural sensitivity and the value it would bring to the neighborhood. Mr. Dana said it is something we would want for Oxford, in accordance with the Comprehensive Plan.

Mr. Prytherch thanked the applicant and the architect for their proposed investment; it is a keystone structure, there is some deferred maintenance there and was sorry to see Sushi Nara go, but happy to see this investment move forward. Mr. Prytherch stated the reason for the Conditional Use is to examine the impacts generated, and felt the reason churches are in this category is that they can be much bigger. Mr. Prytherch stated we're happy to have churches and coffee shops in the walkable Uptown district.

Mr. Keebler stated the parking study was slightly skewed, because the other two churches on Church Street are currently at limited capacity. If it were a typical church Sunday, the study would have had different results. Although he didn't feel it was enough to suggest that the proposed use wouldn't work.

Mr. Watt thanked Mr. Eller for trying to accommodate a new location for the elevator. Mr. Watt stated the HAPC overall was pleased that there was minimal disruption with the planned restoration. Mr. Watt thanked the applicants for being receptive.

<u>Mr. Keebler made a motion to approve, seconded by Ms. Rosenberg. Mr. Watt asked Mr. Keebler to clarify whether his motion included the 3 conditions recommended by staff, Mr. Keebler responded yes. Mr. Prytherch felt the record could reflect the findings in the staff report pertaining to the decision criteria. Mr. Keebler adopted such observation as part of his motion. Mr. Watt asked Mr. Perry to call the roll.</u>

AYE: Ms. Rosenberg, Mr. Bracken, Mr. Prytherch, Mr. Keebler, Ms. Blackmar, Mr. Dana, Mr. Watt (7)
NAY: None (0)
ABS: None (0)

Motion PASSED. Thus the application was recommended for approval subject to the following conditions:

1. As a waiver to Section 1143.09(d)(2)(A), business hours are permitted to fall within the 7:00am to 10:00pm timeframe daily.

2. As a waiver to the lot coverage standard in Section 1143.09(c)(4)(A)(1), the increase in coverage proposed which results from the added deck ramp shall be allowed despite being over the 35% maximum.

3. A minimum of three (3) bicycle parking spaces (e.g., fulfilled by installing a bike rack) shall be provided within easy access of the front entrance.

VII. Old Business

There was none.

VIII. Administrative Approvals

Mr. Watt asked Mr. Perry to provide an update. Mr. Perry responded several were done this week, and would be included in next month's packet. Mr. Watt clarified they were done the morning prior.

IX. Adjournment

Ms. Blackmar stated there was an update she forgot to mention earlier. Ms. Blackmar shared that Age Friendly Oxford is hosting a webinar on Universal Design, with the intent to assist people to age/stay in place in their home. It is scheduled for May 27 at 11:00am. They are worked on getting it onto the web. For those on the Oxford Seniors or Age Friendly mailing lists, notifications should have been received. This workshop will be more oriented toward consumers. A future workshop is also planned, which would be oriented toward real estate professionals and builders, to help push for adoption of Universal Design in the community.

Mr. Prytherch stated he hoped the Commission could return again to the 35 percent lot coverage in the RO District, since it seemed that applicants frequently needed waivers to it; the Code itself could be changed. Mr. Prytherch stated it had been talked about in the past, considering permitting additional uses in the RO.

Mr. Conard inquired of Mr. Prytherch and staff of what they thought the right lot coverage percentage should be.

Mr. Moore stated he did think it was odd to go from 100 percent coverage in the UP District, to 35 percent in RO, then to 45 percent in the Residential Mile Square Districts; RO should at the very least match the Mile Square coverage.

Mr. Conard stated in his conversations with the former Law Director, their conclusion that if a zoning standard frequently requires waivers or variances, then the Code is not working and should be changed.

Mr. Conard inquired of Mr. Prytherch whether additional uses should be placed in the conditional use category, or having more permitted uses listed. Mr. Prytherch responded the conversation was along the lines of allowing limited impact commercial uses compatible with residential in a mixed use setting, similar to the Neighborhood Business (NB) zone that was established. Mr. Conard stated it might be preferable to have uses fall in the conditional use category, to maintain a level of control because of the transitional aspect of the RO.

Mr. Keebler expressed that there could still be waivers even if the limits were raised.

Mr. Dana inquired of Mr. Keebler what the reasonable solution was. Mr. Keebler responded the solution was to maintain reasonable limits, and still be willing to give waivers when the conditions require it. Mr. Conard stated the critical component is to look at everything case by case.

Mr. Watt asked staff to offer a perspective on the coverage percentages at some point in the near future, possibly in the summer.

Mr. Keebler shared he was on Council at the time the previous owner of 22 N College wanted to rezone from RO to UP, which would have allowed 100 percent coverage on the lot; it was turned down unanimously.

<u>Mr. Rosenberg made motion to adjourn the meeting. Mr. Dana seconded the motion. All were in favor by a raised hand vote.</u> The meeting adjourned at 8:02pm.