



**MEETING MINUTES
PLANNING COMMISSION
TUESDAY, July 13, 2021
7:00 P.M.**

I. Call to Order

Those members present: Jason Bracken, William Snavely, Steve Dana, Shana Rosenberg, Richard Keebler, and Corey Watt

Those members excused: Carla Blackmar

Staff members present: Sam Perry, Zachary Moore, Ben Mazer, and Eunike Miller

Staff members excused: None.

II. Approval of Agenda

Mr. Watt called the meeting to order at 7:08 pm. Mr. Watt entertained a motion to approve the agenda. Mr. Dana made a motion to approve the agenda. Mr. Snavely seconded. All were in favor.
Mr. Watt welcomed Mr. Snavely back to the Commission.

III. Approval of Minutes of June 8, 2021*

Mr. Watt found a typing mistake, Mr. Dana is referred to as Ms. Dana. Mr. Dana mentioned what Ms. Blackmar said last time between land usage and transportation to be upheld.

Ms. Rosenberg made a motion to approve the minutes. Mr. Watt seconded the motion. All were in favor.
Staff will make the correction.

IV. Public Comments Related to Items Not on the Agenda

There were none.

V. Reports from Commissions, Boards, Committees & Staff

Mr. Bracken had nothing new to report on the Environmental Commission.

Ms. Rosenberg (Housing Advisory Commission) reported that the idea was presented that it should be a housing authority in Oxford to take care of things that are not currently being taken care of, as it was brought to the HAC attention. They all presented their feedback on the topic to Mr. Perry.

Mr. Dana gave report on the CIC mentioning there are hundreds of thousands dollars sitting in the loan fund and they are eager to spend it but there are not many applicants.

Mr. Keebler has nothing new to report.

Mr. Watt provided information that HAPC pre-application preview for a proposed 3-4 story building for 48 E Park Place.

Mr. Moore had nothing new to report.

Mr. Perry reported on North Western Arc Trail Study that is under way, and there will be a meeting about it this week. Mr. Perry also mentioned about a virtual public meeting on August 11th around 12 pm. The meeting is about connecting Oxford Community Park to the Black Covered Bridge. Mr. Perry stated that we have an intern present, Luke Schlake.

VI. New Business

PC-2021-07, 6711 Ringwood Road, PRELIMINARY PLANNED DEVELOPMENT, further development of MayDay Gun Range site, including new self-storage facility, **Scott Webb, Architect, Applicant/Agent**

Mr. Snavelly made a motion to enter into public hearing. Mr. Keebler seconded. All were in favor.

Mr. Moore began his presentation. Mr. Moore provided summarized details about the case, including the location, the applicant, the owner, the current zoning classification, and the lot size. Mr. Moore showed a site location map, describing it as an “upside down umbrella”. Mr. Moore stated that the applicant would like to expand on the property and add additional spaces. It was also noted that the location is the most industrial park in the City since Gillman’s, Capitol Varsity, Schneider Electric, Walmart, and Koenig are all in this area.

Mr. Moore displayed another location map showing the zoning on the area. Where the site is located, it is Light Industrial (LI), and the other side of US 27 and Ringwood Road are zoned as General Business (GB). Mr. Moore showed the Comprehensive Plan and stated that both industrial and commercial uses are permissible.

Mr. Moore displayed the Transportation Plan that showed two alternative roadways to connect US 27 with Contreras Road **(1)** through the existing railroad **(2)** off West to Ringwood Road.

Mr. Moore presented a Bird’s Eye View of the site. It was noted that trees were cut down at one point.

Mr. Moore next displayed site photos that showed a dumpster that is needed to be relocated in order to extend the space for future uses, a couple photos of First Baptist Church and its parking lot that would be used as a possible emergency exit. Site photos were shown of existing entrances on Ringwood Road, and the surrounding Field Areas.

Mr. Moore then started to provide explanation on the individual elements.

- 1) Site aerial map was showing a 60 feet wide parcel that is privately owned. This could be a part of the Major Collector Road to make up the 100 ft.
- 2) **a.** Original Plan – May 2020 concept (total of 8 parcels, more of a subdivision style)
Parcel #3 would be business incubator (space that available for contractors)
Parcel #4 would be self-storage, a/c
The problem that arose was the need for more than one way out.
b. First Revision – March 2021-not processed, wasn’t submitted (it was the first time shown)
c. Second Revision – May 2021-current
It shows more than one way in-out - loop design, and emergency exit
- 3) Division of Uses – 5 additional spaces, not developed yet
- 4) 50 feet setback
The yellow line was representing it. It is necessary in order to comply with code.
- 5) Future Major Collector ROW Line
40 feet from the property edge

- 6) Private “streets” that are connecting multiple parcels
Connecting multiple parcels
- 7) Parking – enough space provided
- 8) Buildable areas
- 9) Structures
- 10) Detention areas
- 11) Vehicle Ingress/Egress Areas – solid surfaces
- 12) Sidewalks good - internal connectivity but not much external
- 13) Open space areas
11.4% altogether
- 14) Major Collector Road
- 15) Possible Interim Walkway Connection – recommended waiver
- 16) Submitted Renderings

Mr. Moore provided an example for tree survey using the Sycamore Street & Morning Sun Rd corner property. Mr. Moore then provided a slide on the Tree Line Proximity at the Ringwood Road property. Mr. Moore explained that the existing tree line is along the railroad track. The closer we get to the tree line the greater is the risk that it could be disturbed. That risk is greater at the proposed business incubator (84 feet) and at the nearest self-storage outbuilding (32 feet). Mr. Moore also pointed out that any area that is more than 100 feet away from the nearest proposed improvement may be exempted from the need to survey. Then a Landscape Plan was displayed.

Mr. Moore showed a Collector Proximity to Storage Outbuilding picture and explained that it cannot be too close to the public road. Staff would like to see added vegetation to soften this.

Mr. Moore presented the Emergency Vehicle Maneuverability Options explaining that a gravel road base would be constructed for the loop road that would provide accessibility to get around and eventually connecting to the church parking lot. Gravel base road would not be allowed normally as a new parking surface. Mr. Moore explained that the recommended action would be leaving the area undeveloped, but put down a paved temporary turnaround at the end.

Mr. Moore then continued his presentation by showing the staff recommendations for approval:

1. The proposed business incubator and the self-storage facility uses would be the only land uses approved at this time.
2. A new Traffic Impact Study is needed to be conducted.
3. Providing bicycle parking.
4. Five foot wide side walk shall be provided along Ringwood Road.
5. A five-foot walkway shall be provided between the walkway shown on the Plan and the existing sidewalk on US 27.
6. Additional landscaping provided by the back side of the larger self-storage outbuilding facing to the future collector road right-of-way, to soften the view.
7. In place of providing a gravel base for the loop road, a paved temporary turnaround/cul-de-sac shall be provided in proximity of the last gated entrance to enable emergency vehicles to turn around.
8. A waiver is granted to reduce the open space requirement from 20% to 11.4%.
9. A waiver is granted to relieve the developer from the Tree Survey requirement on the condition that wooded areas remaining undisturbed during construction and the landscape plan provided is fulfilled.
10. Mr. Bracken inquired about the more practical interpretation of seeing it as “pseudo” frontage along the private roads, given the open space exception, the tree waiver.

Mr. Watt had two questions. (1) There is a gate across the church, how that would affect the emergency road? Mr. Moore said that is a question for the applicant to answer. (2) Whether the storage units were conditional use? Mr. Moore believed so.

Mr. Webb began his presentation. Mr. Webb recalled a Zoom meeting back in 2020. They welcomed the idea of having an access point to US 27 as opposed to Ringwood Road. Due to the Covid virus, the Baptist church didn't meet, so it was hard to get in touch with them. Mr. Webb stated that the proposal was to keep the roadway on the property but need construction access on either side to build the road. Mr. Webb mentioned that they had a Traffic Study done and the new Site Design showed access to US 27 as right in/out only. Mr. Webb presented The Thoroughfare Plan for Future Major Collector Road. Mr. Webb explained that this Major Collector Road requires 100 feet right-of-way. Based on new information, it came to the fore that most of the land belongs to the same person who owns the 60 foot access part. Mr. Webb stated that the applicant agreed to reserve 40 feet of the Gun Range to be combined with the 60 feet access parcel.

Mr. Webb displayed a Proposed Planned Development that showed a connection between the Major Collector Road and US 27 by an internal loop. Mr. Webb stated that a broader loop was created by pushing the northern portion of the loop closer to the northern property line to allow them to come through the church parking lot on an emergency basis. Mr. Webb explained that there are ongoing discussions about this with the church. But their intention is not to pave the road because they don't want unnecessary traffic to use it but emergency vehicles.

Mr. Webb displayed a Site Design photo showing that the land is 11.28 acre which is a very significant LI land in the city and they feel it is currently underutilized. Mr. Webb explained that the plan is to create a drive aisle with parking rather than streets, side yards, street setbacks, and parking. This way the land could be used more efficiently. Mr. Webb stated that for these reasons they cannot do a subdivision style plan, and they also want to create jobs. Mr. Webb said they hoping to create 7 new parcels, 7 new businesses in the city.

Mr. Webb showed the Site Design Calculations explaining that they cover only 45% of the land which leaves significant green spaces.

Mr. Webb proceeded to show Phase 1 Development. Mr. Webb explained that the intention behind the business incubators was that contractors, who are on the road a lot, sometimes want to use these buildings as impromptu office and storage where they not necessarily meeting with customers. Mr. Webb spoke about a unique opportunity, a dual face building where the back site would be storage space while the front would be an "office" with a little door, kind of like a store front. Mr. Webb then talked about the combination use of the self-storage buildings. These have very big markets today so in their proposal the center of the building would be internal conditioned storage, while the flanking edges on both sides along with the two outbuildings would be unconditioned, typical garage type units. There would be two gates that would provide a measure of privacy and protection.

Mr. Webb spoke about the signage. Mr. Webb explained that since the lack of frontage they propose to present a little ground sign at the entrance of the business incubator to let the tenants put their sign there. As far as the storage, they would like to have an identification ground sign and some sort of labels on the buildings. Mr. Webb stated that as part of the signage the staff agrees on putting an overall sign on Ringwood Road with a big picture simply stating storage and business incubator.

Mr. Webb mentioned their plans about lighting, street trees, landscape. Mr. Webb showed a rendering how the tree lines would be. Mr. Webb gave a couple of reasons why they don't intend to put these trees in (1) as of now they have a potential of 7 extra development sites, and one user can take more than one at a time (2) they wouldn't know where the parking or the business entrances would be.

Mr. Webb stated that they would have the utilities such as storm water, underground water under the roadbed.

Mr. Webb started discussing the Decision Standards.

1. Mr. Webb said they felt the uses of the site would satisfy the intent of the zoning code and they would be compatible with the general intent of the Comprehensive Plan.
2. Mr. Webb also mentioned that they feel that the size and the shape of the sites are sufficient for the proposed plan.
3. Mr. Webb commented that the utilities are there and available, and they are internal.
4. Mr. Webb stated that the utilities are available, adjacent to the site and the development would put them in the site.
5. Mr. Webb mentioned that they believe the site is harmonious with the surroundings and it would be a nice fit in that neighborhood.
6. Mr. Webb stated that currently the only one access point is Ringwood Road since the US 27 access point was soundly vetoed at the proposal. Mr. Webb explained that they have accommodated not just the set aside 40 feet but if it gets build they would have a way to connect to it.
7. Mr. Webb said they believe they are not destroying any scenic or historic feature in the area.

Mr. Webb addressed some staff conditions.

1. Their intention is to proceed with Phase 1 simply for the two uses they described.
2. The Traffic Impact Study will be provided, they have reached out to Bayer Becker. They will conduct the study when there is more traffic in town so it would be more accurate and valuable.
3. They agree with bicycle parking, providing bicycle racks.
4. They are in agreement providing sidewalk along Ringwood Road.
5. Sidewalk to US 27 is more problematic. Mr. Webb provided picture of the existing sidewalk on US 27. Between the Gun Range and US 27 the sidewalk drops about 12 feet, then raises back up about 12 feet. There is some type of manhole in the ditch so their concern is what it would take to get to US 27. It would require either a land bridge, or an actual bridge, a very expensive way. Mr. Webb explained they thought the best thing would be to take the shortest distance possible where the sidewalk ends. It still is a big amount of grade that requires a couple sets of stairs or a bridge. Mr. Webb stated that in the future when the roadway comes about and the sidewalks are in on both side, they would be happy to hook to it. As of right now, they feel that the sidewalk request in this area is a little excessive. Mr. Webb was asking for a little consideration whether this sidewalk is truly necessary.
6. Mr. Webb said they agree with the additional landscaping along the backside of the building.
7. Mr. Webb stated that they feel the temporary turnaround is a little bit excessive. Mr. Webb said they were asked to provide documentation that the loop around the storage building doesn't affect the turning radiuses for the fire equipment. Mr. Webb said it does. Mr. Webb also mentioned that all storage facilities provide lockbox keys for the emergency staff. But creating a turnaround is a little excessive. Mr. Webb also thinks it is not the best solution because if the rest of the property is developed without developing the connector road they would be back in this current situation. Mr. Webb believes that they adequately provided opportunity for emergency vehicles to get on the site, to turn around without having to build something that would be torn away in the future.
8. Mr. Webb next talked about the tree ordinance. Mr. Webb stated that the building that is close to anything is still thirty some feet away and it is believed that they are not in any danger from that tree line. Mr. Webb recalled Mr. Moore calculations about the tree and it was stated that they would provide 45% percent of the trees in other places. Mr. Webb expressed his confidence that as the property gets developed more in the future they would even exceed the landscape requirement. Mr. Webb was asking the Commission for their consideration on this matter.
9. Mr. Watt opened the opportunity for questions from the Commission

Mr. Bracken was inquiring if the applicant would be able to stick to planting 117 trees. Mr. Webb gave a positive answer.

Mr. Watt was curious when the trees were removed. Mr. Webb couldn't answer exactly. Mr. Keebler added that the original plan that was presented didn't show the trees. Mr. Watt was then inquired whether the signage on the property could be a way finding sign. Mr. Webb answered with yes.

Mr. Dana wanted to know the walkability between the development and the public right-of-way and whether there is a way to walk to the gun range. Mr. Webb said yes.

Mr. Keebler joined to the discussion with his question whether is a sidewalk from the driveway on Ringwood Road to the gun range. Mr. Webb and Mr. Watt both answered with no. Mr. Keebler believes that there should be one. Mr. Webb explained that it wasn't a requirement as a condition when they put the road in, given the fact that it is not a highly pedestrian area.

Mr. Watt added that the codes and the landscape of the area have changed since then. Mr. Bracken said that it should be noted that also the plans have changed. This was originally a gun range and now a potential parcel.

Mr. Watt invited the public to comment on this on the agenda.

Mr. Terry Dudley, 6744 Contreras Road

He noted there is a bike path and a road going through his farm. Mr. Dudley wanted to know if anyone looked into what it takes to cross the railroad.

Mr. Keebler answered that this is not a specific plan, it is in the comprehensive plan, as a future development.

Mr. Dudley thinks it is a great plan but it does not seem right that the development has to be designed this way. Mr. Dudley wanted to know if the city compensate anything because of the 100 feet easement.

Mr. Snively answered that he keeps the ownership of the property and at such time when the road would be built, then the city or someone has to compensate the owner for that property.

Mr. Dudley was saying if the city has Mr. Webb design his plan around that road. Mr. Snively assured Mr. Dudley that it is done all the time. Mr. Snively proceeded to explain if no accommodation is made for what the Comprehensive Plan says for future development and when the point arrives to start the plan, there will be no way to do it other than by tearing down the building that has been built.

Mr. Dudley stated if he had known this was going to happen he would have asked the 60 feet be included in it. Then he would have been told that he couldn't do anything with that 60 feet.

Mr. Watt made the statement that it is all hypothetical.

Mr. Dudley said that when the developer was asked to hook on US 27 with another access to this property, including Mr. Moore's comment, it would have been a bad point to do it. Mr. Dudley then ask the question that now there is going to be a Thoroughfare Plan to hook up to the same point? What was wrong with the road then?

Mr. Perry noted that the comments will be noted in the record.

Mr. Dudley stated that he does not plan to have a road or bike path going through his farm.

Mr. Dana made a motion to close public hearing, and Mr. Snively seconded it. All were in favor.

Public hearing was closed.

The Commission started a discussion amongst themselves.

Mr. Snavelly thinks it is a good project. Mr. Snavelly would defer to the fire chief, but if it was possible to turn the firetruck around without the cul-de-sac, Mr. Snavelly would be willing to give that up on condition No.7 in order to get condition No.5. Mr. Snavelly thought it was very important to connect to US 27, to that sidewalk because the people who live close by and would want to work there may not have transportation, they might ride a bike or walk to work. Mr. Snavelly said that to him it did not matter what type of connection is. Mr. Snavelly was in favor condition No. 5 but give up condition No.7.

Mr. Keebler expressed his hope that something would be worked out with the church. Mr. Keebler thought the only logical place for a second entrance is off US 27. Mr. Keebler's thought on the turnaround that it was a waste and too much to ask. Mr. Keebler would rather ask where the T-shape starts for the loop road, have the developer pave about 50 feet beyond the radius, that way the largest fire truck would be able to back in there and turn around. Mr. Keebler noted that he had 40 years of experience driving fire trucks. Mr. Keebler also saw the reason of not paving further because of future development.

Mr. Keebler stated he was still in favor of condition No. 7, but the start of the loop run would be extended far enough to allow a T-shape turnaround.

Mr. Dana expressed his agreement with Mr. Snavelly on the connection to US 27 and it should not be overlooked. Mr. Bracken and Ms. Rosenberg were in agreement too.

Mr. Watt was adding what Dr. Prytherch said 'somebody has to build the first sidewalk'.

Mr. Keebler made a motion to approve the Preliminary Planned Development. Mr. Dana seconded the motion. All were in favor.

Mr. Watt stated there were some changes to the conditions.

Mr. Snavelly recommended that a five-foot wide paved pathway shall be provided between the walkways, instead of walkway connection just paved pathways as wide as it can be. Mr. Snavelly made the recommendation on condition No. 7 a paved extension (staff will work on wording) instead of a cul-de-sac.

Based on staff findings, the decision criteria was consent unless it was otherwise noted.

Mr. Snavelly stated decision criteria No. 5 was met. Mr. Snavelly thought if they did not meet with that criteria, then there would be a problem with decision standard No. 12

Mr. Watt asked Mr. Perry to call the roll.

AYE: Mr. Bracken, Ms. Rosenberg, Mr. Dana, Mr. Keebler, Mr. Snavelly, Mr. Watt (6)

NAY: None (0)

ABS: None (0)

PC-2021-18, FINAL PLANNED DEVELOPMENT, Heron Pond, 15 single-family condominium dwelling units, **HPCT Properties Inc., Applicant**

Mr. Dana made a motion to enter into public hearing and Mr. Snavelly seconded it. All were in favor.

Mr. Moore began his presentation. Mr. Moore shared quick details about the case: (1) number of condominiums, (2) name of the applicant, (3) current zoning, (4) size of the site area, (5) current owners of the land.

Mr. Moore displayed some site location pictures describing the surrounding area, the neighborhoods, and the zoning classification.

Mr. Moore presented the Approved Preliminary Plan and the Proposed Final PD Plan. Mr. Moore explained that the most significant difference between the two plans was the flipping of the parking plan.

Mr. Moore showed where the two proposed light pole locations would be, which is along the future Heron Way, and three existing poles within the vicinity.

Mr. Moore stated that one of the significant discussions was providing sidewalks. Mr. Moore explained that one of the previous conditions (No. 4) was to build sidewalks along both sides of Heron Way, and have a sidewalk along Kehr Road. The displayed plan was showing the five-foot wide sidewalk along Kehr Road, and four-foot wide sidewalks on Heron Way. Mr. Moore also mentioned that the developers would be construct a segment of the OATS Trail on the South side of the property.

Mr. Moore next talked about the street trees. Mr. Moore stated that this would be the biggest question for the Commission at this stage, namely whether to have street trees along Roberts Drive. Mr. Moore recalled that this was one of the conditions from the preliminary plan but it may be reevaluated at the final stage. Mr. Moore noted that the developer would be retaining a number of trees and would be planting new street trees. Mr. Moore also noted that there were already lots of trees with a sidewalk. Mr. Moore was suggesting since there are already lots of green spaces that has been incorporated in the proposal, the street trees are not necessary but it could be a point of discussion.

Mr. Moore displayed the Building Architecture. Mr. Moore explained that the architect proposing Craftsman-style 3 bedrooms, 2 bathroom houses with two-car garages. A list of exterior material they plan to use was provided.

Mr. Moore started discussing the points of staff recommendation for approval.

1. Timing aspect. Mr. Moore stated that the final plan was extended to 5 years. Sidewalks and the lighting along Heron Way can be done incrementally, but all other above ground infrastructure such as bike path, sidewalk curb shall be done prior to the approval of the first building permit.
2. Architectural materials.
3. Landscaping shall be in place at the appropriate time as determined by the zoning administrator.
4. Additional steps that the applicant needs to have signed, recorded, and approved prior to the approval of the Final Development Plan: (1) Final Plan, (2) Construction Drawings, (3) Financial Security for the public and private improvements, (4) Right-of-Way Dedication Plat, Easement Plat, and/or Record Plat as appropriate - Subdivisional Land needs to take place (subdivide out the land), (5) HOA Declaration/Agreement.
5. Any other conditions that met with the Preliminary Approval as long as they are not modified in some way this approval will still remain valid.
6. On-street parking shall be prohibited on both sides of Heron Way.

Questions, comments from staff

Mr. Snively wanted to clarify that No. 4 recommendation in the written/printed recommendation (No. 6 above) was still valid since it was not included in Mr. Moore's presentation. Mr. Moore verified that this was still a condition.

Mr. Dana inquired about the neighborhood conservation overlay district, what that is, how it works, why it is appropriate. Mr. Snively pointed out that it was on page 62 under Additional Final Plan Decision Standards (No. 1) and he was interested in this topic too. Mr. Moore's answer was that the applicant voiced the intent to establish an Overlay but this would have to follow the approval of the Final Plat.

Mr. Watt wanted to know how the subdividing of 15 parcels affects setbacks, future ownership, zoning, rebuilding. Mr. Moore's understanding on the matter was when the parcels would be created they would create buildable areas. Within those, structures can be built to the maximum potential of the area. The setbacks will become the lot line itself. Mr. Perry added that the main intent of the subdivision platting standards is to insure that there is adequate public facilities. Mr. Perry stated that this was a recent thing and they would be working on this with the applicant.

Ms. Reed was called up. Ms. Reed stated that they were all in agreement with the staff recommended conditions and they were ready to move ahead after approval.

Mr. Watt invited the public for comments on this agenda item.

Don Smith, 201 Morgan Circle

Mr. Smith has a drainage base in his backyard that collects water from 5 nearby houses. Mr. Smith was concerned whether this drainage system will be overloaded or more water comes through. Mr. Perry explained that the purpose of the city's storm water design standards are to not increase the rate of run-off, to contain on site. Mr. Perry suggested to ask an engineer. Mr. Keebler and Mr. Watt mentioned that everything that is built had to be up to city code and approved by the city engineer.

Sandy Cason, 4211 Kehr Road

Ms. Cason stated that she did not want any more neighbors. Ms. Cason said when Cobblestone Church was moved in she felt like she had an airport because of the lighting. Ms. Cason explained that her bedroom was right by the lighting. Ms. Cason is concerned about more lighting since the entrance of the subdivision would 'right by her doorstep'. Ms. Cason wanted to be on record that she was against the subdivision. Ms. Cason also stated there is already an existing issue with storm drainage with other subdivisions being there and that it has not been addressed. Ms. Cason said she did not have issues before when there was no other new development. Ms. Cason wanted a clarification whether the new buildings were houses or condominiums.

Mr. Keebler stated that the word was changed to landominiums. Mr. Perry said that from the street they would look like houses but there is a piece of property that surrounds the house that is commonly owned. Ms. Cason wanted to know why this case was being looked at by the Committee when other development hasn't been started yet. Mr. Watt answered that project are approved so they can be built. Mr. Watt stated that things are approved by zoning and purpose able use, and things are conceptually related but not interdependent.

Ms. Cason inquired if it was the same developer. Mr. Watt replied it was not and it is something they cannot consider legally or ethically.

Ms. Cason then wanted to know whether the 5 years were from start to finish or they had 5 year to start the project. Mr. Perry answered that it is to start and to make progress, and there is not a defining factor on percentage of completion.

Ms. Cason wanted to know what would happen on her side of the easement. Mr. Watt suggested to Ms. Cason to get with Mr. Perry on the matter. Mr. Keebler along with Mr. Watt stated that there is already an existing road, not part of this development.

Ms. Cason asked on topic for consideration, namely to not allow the gazebo or partying area because it would be right by her bedroom window. Mr. Watt suggested that they would look at this matter.

Ms. Cason inquired whether the pond would be filled. Mr. Watt and Mr. Keebler unanimously said no.

Ms. Cason wanted to know who would own the property. Mr. Watt, Mr. Perry answered that it would be a separate owner.

Mr. Snavelly made a motion to close public hearing. Ms. Rosenberg seconded the motion. All were in favor.

The Commission started their discussions.

The Commission was looking at the location of the gazebo. Mr. Perry stated that the code requires to provide active and passive recreation. It would be a difficult thing to extract. Mr. Perry believes that it may have even been a staff recommendation to activate the green space, and if it was to taken away it may have influence future project.

Mr. Snavelly suggested to relocate the gazebo. Mr. Snavelly agrees with everything else, and also in agreement with the incremental sidewalk development. Mr. Snavelly suggested to add this to the conditions.

Mr. Dana expressed his agreement with Mr. Snavelly on the incremental development of the sidewalk. Mr. Dana acknowledged the applicant's efforts to build a bike trail as part of the OATS Trail.

Mr. Bracken agreed with Mr. Snavelly and Mr. Dana. The Commission was all in agreement to relocate the gazebo elsewhere on the property.

Mr. Watt was mentioning the 5 year window for the project stating that the repeated visits to the Planning Commission for this parcel the latitude make sense. But moving forward it might be something they can constrict. Mr. Snavelly added that changing the code might be a possibility since 1 year seems very short but 5 years might be too long.

Mr. Moore concerned about possibly having to change codes through conditions it might require additional studies.

Mr. Keebler stated that when the project start it would follow right on through.

Mr. Bracken said that as for the code it would be a great if non-substantial changes met they could fast track the process.

Mr. Dana stated that this project encourages or even partially meets with the need for affordable housing.

Mr. Dana made a motion and Mr. Keebler seconded the motion to approve with the recommendations by the staff including the incremental development of the sidewalk and that the staff will work with the developer on the active recreation.

Mr. Watt asked Mr. Perry to call the roll.

AYE: Mr. Bracken, Ms. Rosenberg, Mr. Dana, Mr. Keebler, Mr. Snavelly, Mr. Watt (6)

NAY: None (0)

ABS: None (0)

PC-2021-19, FINAL PLANNED DEVELOPMENT, South Forest Edge, Section One, formerly referred to as Lake Forest Phase 1, 36 single-family condominium dwelling units, **4Leaf Development LLC, Applicant**

Ms. Rosenberg made a motion to enter into public hearing. Mr. Snavelly seconded the motion. All were in favor.

Mr. Moore started his presentation by sharing a few quick details including (1) the applicant, (2) the engineer, (3) total site are, (4) current zoning, (5) the number of planned landominiums.

Mr. Moore presented a picture of the Site Location in relation to the Annex Development, Level 27.

Mr. Moore displayed the Approved Preliminary PD Plan showing the 36 units, 24 on the eastern street and 12 units on the western cul-de-sac. Mr. Moore stated that the developer is planning on a pedestrian bridge that would connect the two phases.

Mr. Moore presented the location of the lights, total of 7. Mr. Moore noted that the drawing missing some lighting along Lake Forest Drive. Mr. Moore stated that the staff would like to see the lighting to go up to US 27, Southpointe Parkway intersection.

Mr. Moore displayed the Landscaping Plan that shows 85 citrus trees, 61 evergreen, and 51 ornamental trees. The plan also shows a sidewalk that would be build all the way up and linking up with Southpointe Parkway intersection. Mr. Moore pointed out that a bike path would run along the south side of Southpointe Parkway that would link up to the sidewalk. Mr. Moore explained that this wasn't a bike path continuation because that would run along the eastern side of Lake Forest.

Mr. Moore stated one of the prior conditions required of providing some kind of active amenity within the open space. The proposal showing variety of landscaping beds, benches. Mr. Moore suggested for consideration whether this would be an active recreation area.

Mr. Moore said that the use of vinyl on exterior surface was prohibited.

Mr. Moore started discussing the staff recommendations:

1. Approval would be valid for 5 years.
2. Phase 1 would be Ashford Oak Drive and Aspen Path, Phase 2 would be Lilac Lane. Construction may occur in either phase at any time, simultaneously, however all above ground infrastructure that is associated with each Phase needs to be on place prior to the approval of each Phase's first building permit. Exceptions are (1) incremental sidewalks and lighting, and (2) infrastructure features in the central green has to be completed no later than the Building Permit approval of 18 of the 24 units associated with this Phase.
3. No more than 24 units overall can receive building permit prior to the construction of the pedestrian bridge.
4. All landscaping should be in place at the appropriate time that is determined by the Zoning Administrator.
5. All the sidewalks should have a minimum width of 5 feet.
6. The cluster mail box needs to be relocated to the cul-de-sac.
7. Street lights and street trees along the entire frontage of Lake Forest Drive
8. Vinyl is prohibited on exteriors.
9. Documents that require approval, signature and/or recorded before the First Building Permit: (1) Final PD Plan, (2) Construction Drawings, (3) Financial Security for public and private improvements, (4) Right-of-Way Dedication Plat, Easement Plat, and/or Record Plat, (5) HOA Declaration/Agreement
There is a need for a Final Subdivision Application that show the individual lot lines. This has to do with the measurement of lot coverage. The coverage limit should not exceed 40% per code.
10. On-street parking on both sides is prohibited.
11. All the other prior approval conditions still stand as they may be applicable.

Questions from the Commission

Mr. Keebler inquired why it was necessary to put in there not to use vinyl sidings. Mr. Perry replied that he requested that and it had to do with the history. Mr. Keebler thought that not using vinyl per the City is inappropriate.

Mr. Dana wanted to know how the three streets connect.

Ms. Rosenberg brought up the topic of active recreation and she wanted to know what active recreation meant to the developer. Mr. Moore replied that the condition that was worded previously had a list of things such as playground, a gazebo, a water feature.

Mr. Snively was inquiring about the Neighborhood Conservation Overlay that it was not included nor provided. Mr. Snively hoped that the applicant could address those items. Mr. Snively stated that debate on vinyl and active recreation would be acceptable.

Mr. Watt wanted clarification on lot coverage that the map was a one-time action and not something that had to be done over and over again. Mr. Moore assured Mr. Watt that it was a one-time activity and it would be reviewed with the final subdivision plan.

Ms. Reed was called to provide answers to the questions

Ms. Reed expressed the desire that she would want to provide explanation on a few points:

1. Lighting: Ms. Reed explained that street lighting is not place in pairs in every 400 feet, rather it alternates on each side of the road. Ms. Reed stated that they do show proposed street light on the East Side of Lake Forest Drive to be constructed when South Forest Edge 2 will be constructed and these drawings have been submitted the week of this Commission meeting.
2. Active open space: Ms. Reed stated that they do have benches that overlook the green space. Ms. Reed explained that the green space was purposely set aside for activities such as throwing a Frisbee, kicking a ball, playing volleyball by putting a net up, this way anyone can so a type of an activity to their liking.
3. Lot coverage: Ms. Reed stated that they provided an exhibit to staff showing that they build out maximum these lots that they could meet the 40% requirement.
4. Neighborhood Overlay District: Ms. Reed explained that the clients not intended this to be a rental community, to bring students in. Ms. Reed stated that in the HOA documents the numbers of units that can be rented is limited.

Questions from the Commission members:

Mr. Snively on the topic of Overlay District stated that there was a history of renting in the area. Mr. Snively thought that stating that there would be only 3 units that can be rented is problematic. Mr. Snively brought up the point what people care about is renting them out to unrelated people. Mr. Snively suggested to put in the HOA or Neighborhood Overlay that there would be a restriction to rent it to unrelated people rather than only three rentals. Mr. Snively also pointed out that the property would be right by a student rental property.

Ms. Rosenberg liked the explanation given on active recreation. Ms. Rosenberg said she had the same thought last year in May as Mr. Snively had just a few minutes ago.

Mr. Watt stated that he would be more comfortable with a Neighborhood Overlay because an HOA can be amended. Mr. Watt brought up the point too that was intended for the property that would stay there. (The example a Whistle Stop was used) Mr. Watt suggested that for the better understanding for the public the City and the Applicant could work together on the Overlay.

Ms. Dana added that the topic of Neighborhood Overlay was well studied and the standards exist.

Mr. Perry added why was HOA used and what feedback he received from those who live in a Neighborhood Overlay area.

Mr. Keebler thought that the only problem with the limited number rental was that there would be nothing that would prevent parents from buying one of the units and let their friends live there whereas the Overlay would prohibit that.

Mr. Watt invited the public to comment on the matter.

Scott Webb

Mr. Webb suggested to simply change the code to unrelated instead of the overlay district.

Mr. Webb brought up two points regarding the number of rentals (1) neighborhood value (2) they are units for sale for single families.

Mr. Dana made a motion to close public hearing and Mr. Snively seconded it. All were in favor.

The Commission's discussions

Ms. Rosenberg agreed with Mr. Webb that conservation overlay wording should be part of the residential code for certain neighborhoods. Mr. Snively agreed with Ms. Rosenberg and Mr. Webb but was not sure whether city council would.

Mr. Snively was in favor of recommended width of the sidewalk.

Mr. Keebler did not agree with the prohibition of using vinyl. (He used his own example using vinyl siding)

Mr. Snively discussed the changing to recommendation No. 8 stop after "submitted rendering" and eliminate "vinyl shall be prohibited". Mr. Perry added that durable material what is needed.

Mr. Bracken made the note that he did not want to regulate anything aesthetically that does not have to be and there are options.

Mr. Watt stated an amendment to recommendation No. 8 to incorporate some reference to durability materials, but this was not accepted by the rest of the Committee members.

Mr. Snively made a motion to approve the Final Planned Development with staff recommendations except for the vinyl siding prohibition. Ms. Rosenberg seconded it.

Mr. Watt asked Mr. Perry to call the roll.

AYE: Mr. Bracken, Ms. Rosenberg, Mr. Dana, Mr. Keebler, Mr. Snively, Mr. Watt (6)

NAY: None (0)

ABS: (0)

PC-2021-20, 6610 Brookville Road, REZONING, 22.014 acres, Oxford Township A-1 to City of Oxford R-1B, Sam Perry, City of Oxford Community Development Director, Applicant

Mr. Snively made a motion to enter into public hearing. Mr. Dana seconded the motion. All were in favor.

Mr. Perry started his presentation referring to pages 224-225 in the meeting packet. Mr. Perry referred to the Concept Review that had been done. Mr. Perry explained that the property is in the process of being annexed to be part of the city, and City Council will review this request next week. Mr. Perry next

described the location and the zoning (A-1) of the property. Mr. Perry mentioned that the recommendation for rezoning would be R-1B that would be consistent with Autumn Drive.

Mr. Perry next discussed the Decision Standard C:

- A. Whether is and error on the Official Zoning Map or the line. Mr. Perry said that this standard was not found as applicable.
- B. The proposed amendment will make the map conform more closely to the Comprehensive Plan. Mr. Perry stated that nothing was identified in this area.
- C. Having availability of non-student residential building lots. Mr. Perry stated that it seemed to be decreasing since the Comprehensive Plan was adopted in 2008. Although changes are very likely in this matter.
- D. They can residentially zone land currently within the City limits but not all is available. Mr. Perry said that this would be an option to annex or rezone lands that are already close by.

Mr. Perry pointed out that the rezoning of this land is important regarding to the density. The rezoning is based on 22 acres that would allow up to 128 dwelling units.

Mr. Perry mentioned that a comment was received from an adjacent property owner to the west, Mr. Michael Glaser. Mr. Glaser opposed the rezoning due to the traffic increase.

Questions from the Commission

Mr. Watt wanted to know whether the property owner, who made the comment, is the immediate adjacent western property owner. Mr. Perry said yes, the property owner is between the proposed annexation land and the driveway to the park.

Mr. Dana wanted clarification on the Decision Standards. Mr. Perry answered that it was both C and D where findings were found.

There was no comments from the public.

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

The Commission's discussion

Mr. Keebler stated that all were talking favorably about the provided concept.

Mr. Snavelly made a motion to approve rezoning based on criteria C and D as a legal justification. Mr. Keebler seconded the motion. All were in favor.

Mr. Watt asked Mr. Perry call the roll.

AYE: Mr. Brecken, Ms. Rosenberg, Mr. Dana, Mr. Keebler, Mr. Snavelly, Mr. Watt (6)

NAY: None (0)

ABS: None (0)

VII. Old Business

There were none.

IX. Administrative Decisions

PC-2021-14, 117 Bishop Street, LOT SPLIT, Pt. of Lot #502, new lot totaling 0.0928 acres, Tara Jones, Applicant/Agent

There were no clarifications needed.

IX. Adjournment

Mr. Snavelly made the motion to adjourn the meeting. Ms. Rosenberg seconded the motion. All were in favor. The meeting adjourned at 10:08 p.m.