OXFORD PLANNING COMMISSION
Meeting Minutes
Tuesday, August 14, 2018
7:00 p.m.

Call to Order
Those members present: Richard Daniels, Steve Dana, William Snavely, Shana Rosenberg, Carla Blackmar, Corey Watt, and Mike Smith.
Those members excused: None.
Staff members present: Sam Perry, and Steve McHugh.
Staff members excused: None.

Welcome new member, Corey Watt
Mr. Snavely welcomed Corey Watt to the Planning Commission.

Approval of the Minutes of June 12, 2018 and July 10, 2018
Mr. Dana made motion to approve the June 12, 2018 and July 10, 2018 meeting minutes as written. Ms. Rosenberg seconded the motion. All were in favor.

Public Comments Related to Items Not on the Agenda
There was none.

Reports from Commissions, Boards, Committees & Staff
Mr. Perry shared that in regards to short term rentals language, he hadn't prepared language into the form of official legislation, but was making progress.

Mr. Watt shared HAPC administrative approvals and them focusing on hiring a consultant for strategic planning.

Mr. Dana reported on a City Council CIP work session, recommending approval of a five-year document.

Ms. Rosenberg reported on short term rentals language progress. Ms. Rosenberg shared that overlays could do short term rentals by right; need to be owner occupied and keep with requiring a permit for more than 5 bookings per year. Multi-unit buildings were being discussed. Ms. Rosenberg reported that the plan was to present the language at the September Planning meeting. Ms. Rosenberg reported on the Environmental Commission, Butler County Recycling and Solid Waste Management District's 15-year solid waste management plan, tree preservation and restoration ordinance development, solid waste and recycling 2020-2022 contract, developments With Tesla electric vehicle charging stations.

Items Related to Zoning
PC-2018-14, CONDITIONAL USE, 22 S. Beech Street, Mesler Auto Body, to allow for a new mixed use building with a proposed hotel, Scott Webb, Applicant, Agent (Tabled)

Mr. Dana made motion to remove from table PC-2018-14. Mr. Smith seconded the motion. All were in favor.

Mr. Perry reported on having received revisions from Mr. Webb since the last Planning Commission meeting. In regards to the impact on parking, the revised plans now show underground parking. Mr. Perry provided the previous design and revised design, noting that the existing on street parking would remain. Mr. Perry noted having not received any more information on the architectural design, but that the HAPC would decide on that. Mr. Perry referred to having received public comments. Mr. Perry referred to Ms. Blackmar's inquiry regarding an idea for allowance potential for affordable housing, noting that the City Staff didn't have a recommendation on how to handle; however, should maybe look at more broadly. Mr. Perry noted that he was still concerned about the height of the building which can be reviewed by the Planning Commission.

Mr. Snavely stated the Planning Commission would determine whether or not a hotel was a reasonable use at this location and that we can put conditions/waivers in, and also reminded the Planning Commission that they were not here to

look at the design of the building.

Mr. Webb provided an overview: the hotel is located in the UP District. This hotel would be considered as an annex to the Elms Hotel. Mr. Webb shared the process hotel guests would follow. Mr Webb reviewed specific concerns: the proximity to residential areas, screening from residential areas, and appropriate street access. Mr. Webb reviewed development regulations, lot area, gross floor area, and occupancy. Mr. Webb reviewed the parking: 12 spaces below the building and increases on the street from three to four. There would be no change in the existing sidewalk. The trash location has been provided adjacent to the ramp. Mr. Webb stated that they have negotiated an access easement with the neighboring property for fire. Mr. Webb described the laundry area. Regarding the adjacent church, Mr. Webb provided a rendering to address concerns discussed at the last Planning meeting stating that the upper stories would be set back. Mr. Webb addressed the building height and that the average height along the front of the building along Beech Street was less than 48'. Mr. Webb reviewed the Decision Standards: meets the intent of the zoning code; is compatible with the Comprehensive Plan; the size and shape of the lot supports the proposed use; will not be hazardous to neighbors; no accessory uses; harmonious to the general character of the neighborhood; traffic and parking are designed to minimize the effect on the neighborhood; supports the Visitors Bureau; encourages economic development; improves infill development.

Mr. Dana inquired if the number of parking spaces would be equal to the number of hotel rooms. Mr. Watt inquired about certain cars not fitting in the underground parking ramp. Mr. Webb responded that the design was the responsibility of Bayer Becker.

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

Ms. Rosenberg thanked Mr. Webb for addressing their concerns.

Mr. Dana stated he was concerned about sun filtering into the church. Mr. Perry reported having received a church response and that they were okay with the design. Mr. Watt stated he was concerned about the building height and not looking like the surrounding properties. Ms. Blackmar had a question regarding affordable housing and the floor area ratio. Ms. Blackmar expressed concern that the City didn't provide adequate housing for low paying jobs and wanted to see this addressed. Ms. Blackmar questioned the FAR being over the allowable square footage. Mr. McHugh discussed impact fees, and that the City didn't have any basis to say this particular property has to do something. Mr. Snavely inquired about interest in waiving the height limit. Mr. Smith stated it didn't bother him particularly.

Mr. Watt inquired placing patios right on the property lot line, and how that would impact future possible owners of the current church property. Mr Webb responded that the closer a structure is built to a property line the more fireproof the structure would be required to become. So it would not impact potential future owners.

Mr. Dana made motion to approve PC-2018-14. Ms. Rosenberg seconded the motion.
AYE: Mr. Smith, Mr. Daniels, Mr. Dana, Ms. Rosenberg, Mr. Snavely (5)
NAY: Mr. Watt, Ms. Blackmar (2)
ABS: None (0)

PC-2018-20, FINAL PLANNED DEVELOPMENT 5728 College Corner Pike, Teamwork Property Group, LLC, Tim Macy Applicant/Agent

Mr. Watt made motion to enter into public hearing PC-2018-20. Mr. Daniels seconded the motion. All were in favor.

Mr. Perry provided an overview. Mr. Perry stated the request was for the development of 14 acres of land to be developed with Phase 1 of a self-storage facility. Mr. Perry displayed the approved preliminary plan. Mr. Perry reviewed the conditions placed on the preliminary plan and noted the property was zoned GB District. Mr. Perry discussed lighting, building designs and the proposed parking. Mr. Perry noted that because of the grade change from the adjacent property there was no need for screening, but suggested increasing the landscaping along the front and sprinkle along the back. Mr. Perry reviewed the elevations.

Mr. Dana referred to page 46 of the agenda and inquired why they wanted to eliminate the bike racks if the plan is to make it walkable.

Mr. Tim Macy, Teamwork Property Group, inquired if there were any questions from the Planning Commission. Mr. Macy referenced bike parking and stated the customer would park their bike in front of their unit. Mr. Watt inquired about diagonal parking and their premise/purpose. Discussion followed.

Mr. Tom Hogback spoke and requested there be less lighting overflow in that area. Mr. Perry noted that pole height requirements have changed since Wal-Mart, but could work with the Engineer to ensure shielded outdoor lighting fixtures are placed to lessen light spillage.

Mr. Watt made motion to adjourn to regular session. Mr. Dana seconded the motion. All were in favor.

Ms. Blackmar inquired if everyone was okay with having a little less open space. Mr. Perry noted having received from the Applicant an adjustment to the area around the storm sewer to meet the requirement, so there would be no need to waive the adjustment.

The Planning Commission reviewed the Decision Standards:
The proposed planned development is in fact permitted in the zoning districts in which it is proposed. YES
If the application is for the same site where a planned development application has been denied within one year, the plan is substantially different from the application so denied. NO
The uses and site plan will satisfy the general intent of this Zoning Code. YES
The uses and site plan will be compatible with the general intent of the Comprehensive Plan. YES
The size and shape of the site are sufficient for the proposed planned development. YES
The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district. NO
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. NO
Accessory uses will be directly related to the operation of the principal uses and will not be operated independent of the principal uses. NO
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. YES
Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services. WILL NOT
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. NOT APPLICABLE
The site is designed so that on-site traffic and traffic accessing the site will not adversely impact the movement or safety of all modes of traffic on adjacent public streets. YES
Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance. NO

Conditions of the Preliminary Plan were reviewed.

Mr. Daniels made motion to approve PC-2018-20 with conditions:

1. Maintain conditions 1,2,5,6,8,9,10 and 11 of the preliminary plan approval Ordinance 3391.
2. The maintenance agreement of the storm water detention area shall be approved by the City Engineer and Law Director prior to the Final Plan approval.
3. Deciduous trees to be planted approximately 50 feet on center along College Corner Pike in the public right of way as part of Phase 1 building occupancy or within 1 year of Final Plan approval, whichever comes first.
4. 10 foot multi-use path to be completed along College Corner Pike as part of Phase 1 building occupancy or within 1 year of Final Plan approval, whichever comes first.
5. Preliminary Plan for Phase 2 valid for 5 years from Phase 1 Final Plan approval.

6. Financial security to be provided for 10 foot multi-use path along College Corner Pike and Todd Road prior to building permit submittal for Phase 1.
7. If the path along College Corner Pike is not installed within one year of Phase 1 Final Plan approval, security will be used by the City to complete the path.
8. If the path along Todd Road is not installed within 5 years from Phase 1 final plan approval, security will be used by the City to complete the path.
9. Outdoor lighting shall comply with Oxford Zoning Code and the Miami University standard of 4,000 degree Kelvin color temperature.
10. The crosswalk from the path to Building A shall be improved crossing the parking lot comply with Oxford Code 1149.05(4)R.
11. That shielded outdoor lighting will be used.

AYE: Ms. Blackmar, Mr. Daniels, Mr. Watt, Ms. Rosenberg, Mr. Smith, Mr. Dana, Mr. Snavely (7)
NAY: None (0)
ABS: None (0)

PC-2018-21, ZONING MAP AMENDMENT, Whistle Stop Property, extending north from W. Spring Street to W. Walnut Street, from General Business (GB) and Office/Residential (RO) Districts, to Single, Two, and Three-Family Mile-Square Residential District (R3-MS) District, Opus Development Company, LLC, Applicant, Agent
Ms. Rosenberg recused herself from PC-2018-21 and the Concept Review.

Ms. Blackmar inquired if she should recuse herself since she read the social media post but did not discuss. Mr. McHugh stated that she could continue in the discussion.

Mr. Smith made motion to enter into public hearing PC-2018-21. Mr. Dana seconded the motion. All were in favor.

Ms. Blackmar suggested maybe discussing and receive clear guidance for boards and commissions in regards to social media. Discussion followed. Mr McHugh agreed it needed addressed.

Mr. Perry provided an overview. Mr Perry stated the request was for a map amendment from GB (General Business and RO (Office/Residential) Districts to R3-MS (Single, Two and Three Family Mile Square Residential District. Mr. Perry shared existing zoning and the area being discussed. Mr. Perry stated it was 4.77 acres including the rights of way. Mr. Perry stated that the developer was interested in acquiring the rights of way. Mr. Perry stated there were 4 decision standards to follow in a map amendment: a. there is an error on map; b. make the map conform more closely with the Comprehensive Plan; c. there has been a substantial change in area conditions necessitating the amendment; d. legitimate need for additional land area in the zoning district that will be expanded.

Mr. Perry reviewed C first, substantial change in area conditions and stated that about half of the land was vacant; the Oxford Farm Service and the Miami Food Service building have both ceased operation since the time of the Comprehensive Plan. B. Discussed the Comprehensive Plan. Staff felt there was not Comprehensive Plan support here. Mr. Perry continued that however, the transportation portion of the Comprehensive Plan, would though likely be supported here. D. Mr. Perry stated this would probably be the toughest one, that if there truly was a need, we don't have quantifiable data; this area likely to be redeveloped was high; maybe there are other options besides changing the zoning district. Mr. Perry reviewed R3-MS allowable dwellings, and suggested a lot consolidation to assure a planned development was 100%, and also a traffic study is done.

Mr. Ben Angelo, OPUS Group, John Mayefski, of Mayefski Architects was present. Mr. Angelo reviewed the history of OPUS Group specializing in residential, retail, healthcare, office, and institutional construction. Discussed college communities they have developed. Mr. John Mayefski spoke. Mr. Mayefski stated their work similar to the same type of work that OPUS performs, focusing on mixed use projects. Mr. Mayefski reviewed the site and surrounding properties and suggested that a controlled development may be best for this site.

Mr. Myefski shared why they felt GB zoning didn't fit in the area now. Mr. Myefski discussed abandoning streets and described how they would maintain the neighborhood character, producing a controlled environment. Also, under the Fair Housing Act, they cannot discriminate. Mr. Myefski reviewed the existing rental occupancy and that they would work with the City utilities. Mr. Myefski stated there were some hardships with this site. Mr. Myefski reviewed existing site

conditions and that they would not place a bunch of buildings near the fire station. Mr. Myefski reviewed the map amendment decision standards: B. considered a weak place, there was a lack of interest in the area. Most of the property is an abandoned "brownfield" site. The plan is to seek to stabilize and enhance existing neighborhoods. Mr. Myefski reviewed surrounding properties. Mr. Myefski reviewed land use seeking myriad housing options within the Mile Square in the Comprehensive Plan to continue to promote diversity of housing opportunities in the Mile Square. Discussed lighting levels, sidewalks, street trees and tree lawns. In regards to a substantial change in area, Mr. Myefski reviewed grain and food service buildings being no longer in service. D. would address diverse housing options.

Mr. Snavely reviewed new units and the empty housing stock and asked the applicant to persuade them for the need for additional student rentals. Mr. Angelo spoke stating that there was a movement toward a higher quality of housing, managed, controlled, secured, and a demand for a different type of housing.

Mr. Watt inquired about properties included in the map amendment and letter of agencies.

Mr. Dana inquired the applicant to elaborate on his comment that higher quality would lead to more diverse housing, as he didn't understand that as he didn't see it in Oxford. Mr. Angelo referred to having on site management, security cameras, and a controlled environment 24 hours per day.

Public comments were received:
Ms. Carol Katz, 214 W. Withrow, initially thought yes the area could use a change, but thought once read, now asks is it safe for high density in this area (railroad, fire station, increase in parking). Have we done a study on vacant properties and the need for high quality housing? Do we want to extend more student living areas? Is it safe, is it necessary?

Mr. John Kennedy, 102 S. Elm, stated he felt the area was dwindling and that he was in favor of the rezoning. Things are changing and the grain mill wasn’t coming back.

Mr. Richard Keebler, 11 Fox Run, asked the Planning Commission to consider the development and its effect on the entire community as a whole, not just the neighborhood. Mr. Keebler reviewed four major issues with this request: reduced GB zoning, significantly residential in the area, adding to vacant rentals, destruction of the face of Elm Street. Mr. Keebler noted this was another large student housing complex. Mr. Keebler reviewed the Decision Standards and stated that in no way was there a legitimate need. Mr. Keebler stressed the current zoning needed to remain. Mr. Keebler stated it could be redeveloped as a mixed use and reiterated that there was no demonstrated need.

Roslyn Benson, 6090 Contreras, stated that the most important thing was that there was little to no data presently to replace commercial with residential.

Andrew McGee, 6163 Contreras, stated that he was not totally opposed to rezoning but was not cohesive with surrounding housing.

Erral Gundler, owner of 211 S. Elm, stated he was not sure of the process we are following.

Stephanie Morton, 230 W. Collins, worried about 600 people and that many cars and asked if this was a way to protect the Mile Square?

Carol Katz, reviewed potential development contributing to the quality of neighborhood stated by the Applicant. Ms. Katz described her neighborhood nearby as diverse with students and owner occupied and that 400-500 students in a concentrated space would change the neighborhood forever. Ms. Katz asked if this was what we want the area to look like. Ms. Katz referred to the nearby Kramer Elementary as anchoring the neighborhood and that once you make that change we can't go back.

Ralph Shwegman, 814 McGuffey Avenue, owner of 112-118 S. Elm, noted that while overlooking from his property he sees the abandoned grain and feed store and the abandoned food service building. OPUS has come before us to redevelop the area and we have waited for the area to be cleaned up. Mr. Schwegman stated he supported OPUS.

Greg Edwards, 615 Liberty Street, stated he didn't live in Oxford; however, worked for the Whistle Stop and obviously this would affect him personally. Mr. Edwards noted that honestly this decision hadn't been dealt with lightly. Mr.

Edwards stated times have changed and a lot has been addressed tonight, but he was in favor of rezoning. Mr. Edwards stated he sees kids running up and down tracks vandalizing, sees stuff going on in abandoned buildings. Mr. Edwards stated that with this proposed zoning you are developing a community.

Mr. Scott Webb, Architect, spoke. Mr. Webb shared his thoughts of the Planning commission always saying no all the time to student housing. Mr. Webb discussed purposeful housing adding that the police receive fewer calls from managed complexes.

Ms. Snavely, disagreed with Mr. Webb's comments stating that the Planning Commission does not have a history of always saying no, and felt it unfair of him to say so.

Mr. Myefski, Myefski Architects, spoke and stated there were not going to be 400-600 beds, more like 80-84 units/4 beds to a unit, for a total of 300 beds. Mr. Myefski stated it wasn't going to be a massive development, but a reasonable development, extremely walkable site. Mr. Myefski noted they couldn't do 4 story buildings. Mr. Dana inquired, reading aloud regarding the transportation chapter of the Comprehensive Plan, that "converting 5 more acres that is farther away from the University would likely lead to a need for bolstering of the transportation policy and infrastructure to support the impact" and asked when would that likely be done in the whole process?. Mr. Myefski stated that was a staff request. Mr. Angelo inquired if the Planning Commission could hear the Whistle Stop concept plan first? Mr. Perry stated no.

Ms. Kelly Hansel, representing Whistle Stop, stated that as much as they hate this happening with the site it is happening. They understand everyone's concern, but what are we waiting for? We have someone here wanting to improve our City. They are willing to work with the City, keeping as much green space as possible and asked the Planning Commission to please consider. Ms. Hansel noted that they will be a good company to work with.

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

Mr. Watt reminded the Planning Commission that they were here to discuss a zoning change. Ms. Blackmar stated that with the lack of a traffic study for the area was a concern for her. Ms. Blackmar stressed the need to take seriously.

Mr. Snavely, inquired if R3-MS was appropriate in the area? Mr. Smith, referred to the consultant hired for a year to discuss the Mile Square, and it was determined this was not a place we would consider R3-MS District for.

Mr. Daniels referred to having worked hard to move more of the R3-MS closer to the Campus, but that area is already developed. Mr. Daniels stated he had no problem with R3-MS in this spot and that he didn't see it developed as RO or GB. Mr. Daniels felt this was the kind of housing kids are wanting and has a lot of similarities as Gas Light Development.

Mr. Snavely felt this was a difficult decision as this was a blighted area in many respects. Mr. Snavely asked about the small houses on the other side of the street.

Mr. Watt reviewed the impact of island zoning and felt there wasn't a problem with rezoning but is this the right classification due to the lack of transition?

Mr. Daniels noted that certain standards have to be followed in the MS District.

Mr. Snavely reviewed conditions noted in the staff report: traffic study and lot consolidation take place.

Mr. Dana stated he wanted the word "bolstering" of transportation policy included in the staff conditions.

Decision Standards were reviewed:
A. There is an error on the Official Zoning Map or in the delineations between districts thereon. NO
B. The proposed amendment will make the map conform more closely with the Comprehensive Plan. Mr. Daniels yes. The Planning Commission discussed the food service building. Mr. Blackmar inquired if anyone has discussed a shared food preparation kitchen. Discussion followed. Ms. Blackmar inquired if we had a perceived better use of the area. It was agreed that had not heard of any. Mr. Perry referred to the question of if we were rezoning to the right zone and what would be the ultimate goal. Is this the correct one? Ms. Blackmar stated she felt the comprehensive

Plan overlooked this area. Mr. Snavely stated at the time of the Comprehensive Plan review, the grain mills, etc. were still in operation. Ms. Blackmar stated she felt the area could function as a mixed use site along lines of Stewart Square; however, the parking may need to be in front versus behind.
C. There has been a substantial change in area conditions that necessitates the amendment. NO. Thinks C is substantial. Mr. Daniels noted the area conditions have changed as grain mill, food service and Whistle Stop wishes to go as the area has changed; the buildings are not sustainable.
D. There is legitimate need for additional land area in the zoning district that will be expanded. NO, there is no data to support it as Staff stated in their report; high density around the Campus decreases students in residential areas.

Ms. Blackmar inquired what is the value of the general area in respect to elderly housing since was close to grocery, pedestrian access, etc.; however, thinks the district too can carry R3-MS designation. Mr. Dana inquired the applicant if they would consider senior housing or low income housing. Mr. Angelo responded he couldn't answer on the spot to determine if viable for senior housing, affordable housing. You could still repurpose as senior housing.

Mr. Dana made motion to approve PC-2018-21 with conditions by City Staff and based upon Decision Standards B and C. Mr. Daniels seconded the motion.

AYE: Mr. Dana, Mr. Daniels, Ms. Blackmar (3)
NAY: Mr. Smith, Mr. Watt, Mr. Snavely (3)
ABS: None (0)

Due to being a 3-3 vote, the recommendation was denial.

CONCEPT REVIEW, Whistle Stop Property, Myefski Architects, property located between S. Elm Street and railroad, extending north from W. Spring St. up to north of W. Walnut Street, August 14, 2018

No discussion took place since PC-2018-21 was denied.

PC-2018-22, MAJOR OR MINOR CHANGE TO AN APPROVED PLANNED DEVELOPMENT, 801 S. Beech Street, Oxford Storage Solutions, Scott Webb, Applicant, Agent

Mr. Watt made motion to enter into public hearing PC-2018-22. Mr. Daniels seconded the motion. All were in favor.

Mr. Perry spoke and stated that Mr. Webb was present to make an amendment to a previously approved Plan. Mr. Perry noted that quite a bit has been built. Mr. Perry stated he had met with owners and had received a revised plan. Mr. Perry stated that the use would still be storage but the plan was to add more interior storage and not have so many outdoor storage units and the business incubator area was deleted. Mr. Perry stated they were requesting if was okay with 100% storage. Mr. Perry referred to Mr. Kyger's comments and if the Planning Commission agreed to a minor amendment, this wouldn't even have to go to Council.

Mr. Webb spoke and noted having accomplished the adaptive reuse and were at 100% occupancy. Mr. Webb provided a history of the site and discussed Mr. Pulley having officially retired and not keeping an office for him. Mr. Webb discussed meeting the needs of the Fire Chief.

Mr. Dana made motion to adjourn to regular meeting. Mr. Watt seconded the motion. All were in favor.

Mr. Dana made motion to consider as a minor amendment. Ms. Rosenberg seconded the motion. All were in favor.

Administrative Approvals

PC-2018-19-ADM, Minor Amendment to an Approved Final Planned Development, 32 Ivywood Square, Scott Webb, Applicant

Adjournment

Mr. Dana made motion to adjourn the meeting. Mr. Watts seconded the motion. The meeting was adjourned at 10:30 p.m.