

Oakwood, Ohio
October 5, 2022

The Planning Commission of the city of Oakwood met in a regular session at 4:30 p.m. in the council chambers of the city of Oakwood, 30 Park Avenue, Oakwood, Ohio 45419.

The Chair, Mr. Andy Aidt, presided and the Clerk, Ms. Lori Stacel, recorded.

Upon call of the roll, the following members responded to their names:

MR. ANDREW AIDT	PRESENT
MRS. HARRISON GOWDY	ABSENT
MRS. E. HEALY JACKSON.....	PRESENT
MR. GREG LAUTERBACH	PRESENT
MR. STEVE BYINGTON.....	PRESENT

Officers of the city present were the following:

Mr. Norbert S. Klopsch, City Manager
Mr. Robert F. Jacques, City Attorney
Mrs. Jennifer S. Wilder, Personnel and Properties Director
Mr. Ethan M. Kroger, Code Enforcement Officer

The following in-person visitors registered:

Mr. Kip Bohachek, Board of Zoning Appeals
Mr. Kevin Hill, Board of Zoning Appeals
Mrs. Linda Weprin, Board of Zoning Appeals
Mr. Don O'Connor, Board of Zoning Appeals

There were no Zoom visitors in attendance.

Mr. Aidt called the meeting to order at 4:30 p.m. He shared that Mrs. Gowdy was unable to attend the meeting and asked to be excused. It was moved by Mr. Aidt and seconded by Mr. Byington that the absence of Mrs. Gowdy be excused; the motion was approved by viva voce vote.

Mr. Aidt asked if there were any questions or concerns with the minutes from the September 7, 2022 meeting. There being none, it was moved by Mr. Lauterbach and seconded by Mr. Byington that the minutes be approved as submitted and the reading thereof be dispensed with at this session. Upon a viva voce vote on the question of the motion, the same passed unanimously and it was so ordered.

Mr. Klopsch welcomed everyone and explained that the purpose of the meeting is to discuss the Comprehensive Plan and the accomplishments to date towards the Goals and Objectives. He explained that the City last updated the Comprehensive Plan in 2004, and city staff believes that the Plan remains valid since the land in Oakwood is nearly fully developed.

Mr. Jacques referenced a PowerPoint presentation and provided an overview of the history of planning and zoning; a timeline of Oakwood's planning and zoning efforts; and Oakwood's 2004 Comprehensive Plan.

Prior to the 1900's and before zoning laws, land-use was managed by lawsuits, restrictive covenants, eminent domain and police power. Planning and zoning developed in the 20th century to address land-use issues that were largely handled privately and reactively. Daniel Burnham's "Plan for Chicago" was instrumental in paving the way to comprehensive planning in the United States. The Burnham Plan remains highly influential to the philosophy and process of planning

cities. The need for zoning then evolved to implement a degree of post-development control. From 1922-1926, the U.S. Department of Commerce developed the "Standard State Zoning Enabling Act" (SZEAA), which was a model law to govern land use planning. Nineteen states had adopted it verbatim by 1926, and most others adopted it (with some variation) in the ensuing years. The SZEAA's comment that zoning should not be done without a comprehensive study created a concept of basing land use on a "plan" or "comprehensive plan." A Comprehensive Plan is local government's primary statement of goals, objectives, and policies to guide public and private development within its planning jurisdiction. Comprehensive Plans are not required for municipalities, but case law makes it clear that some kind of plan is better than no plan.

Oakwood's first zoning ordinance was adopted in 1952. The ordinance was a basic, self-contained ordinance that included the plan itself, as well as rules for enforcing it. Oakwood's first Comprehensive Plan was written in 1989. Primary objectives stated in the plan were to: (a) reinforce and strengthen existing land use structure of Oakwood; (b) encourage compatible and high-quality new development in selected locations; (c) improve traffic circulation and public transportation services; and (d) enhance the community facilities and municipal services that are a hallmark of Oakwood. Direct results of the 1989 Comprehensive Plan included a number of planning and zoning efforts, including a formal Subarea Plan for the NCR/Sugarcamp site (no longer needed now that the site has been redeveloped), design guidelines for the Far Hills Business District, and the 2000 Zoning Ordinance. The Comprehensive Plan was written as a long-range document, addressing foreseeable problems or possibilities across a 10-20 year timeline.

In 2004, the Oakwood Comprehensive Plan was updated. A Comprehensive Plan Committee was assembled, including City Council, the City Manager and Deputy City Manager, and 25 citizens from different areas of the Oakwood community. There were several community outreach activities to involve as many people as possible in the process. The 2004 Comprehensive Plan was broken down into the following seven sections: Community Setting; Goals & Objectives; Land Use Plan; Transportation Plan; Community Facilities Plan; Community Character Plan; and Implementation.

Mr. Klopsch reviewed various aspects of the Plan, including the vision statement and overall purpose of the Plan. He noted that Oakwood is an established community and city staff believes that the 2004 Comprehensive Plan remains a valid guide for city initiatives and important issues facing the community.

He then highlighted the achievements made to date towards the Goals & Objectives set forth in the city's 2004 Comprehensive Plan. The documented achievements primarily capture the work that has been done over the past 18 years. Mr. Klopsch noted that he would only provide a brief overview since the documented achievements were shared with the Planning Commission prior to the meeting.

The Goals & Objectives section of the 2004 Comprehensive Plan are broken down into eight categories that have a different purpose in the planning process. Mr. Klopsch referenced a PowerPoint presentation and reviewed the goals, existing objectives and new objectives of the following categories: Community Image and Character; Housing and Residential Areas; Commercial and Business Development; Transportation; Community Facilities; Parks and Open Spaces; Marketing and Promotion; and Communication and Cooperation.

Mr. Lauterbach inquired about the past legal action on pre-sale inspections.

Mr. Klopsch explained that the City has operated a successful pre-sale inspection program since 1968. When the Property Maintenance Code was updated in 1992, an appeal procedure that was included in the previous version of the Property Maintenance Code was not included in the Code update due to a clerical error. An attorney challenged the pre-sale inspection program in a lawsuit that was based on this technicality. City Council corrected the issue immediately. The city vigorously defended the program, and it was ultimately upheld by a federal court and continues to protect and benefit Oakwood residents and business owners.

Mrs. Jackson recommended that information regarding the pre-sale inspection program be added to the Goals & Objectives document.

Mr. Klopsch responded that this information would be added.

Mr. Hill asked how the new hybrid work environment will impact the Oakwood community.

Mr. Klopsch shared that Oakwood benefits from more residents working from home. More employers are withholding and submitting local taxes directly to Oakwood for their employees working from home. There will also be less commuting which will create a reduction in traffic volume.

Mr. O'Connell asked if there is a current effort to update the Comprehensive Plan.

Mr. Klopsch explained that city staff is proposing that a major study or update is not needed at this time. The current plan is still valid for our stable, fully-developed Oakwood community. A formal process is now needed to acknowledge that the Plan still applies.

Mrs. Jackson stated that the City Manager has reported on accomplishments made to date towards the Goals & Objectives set forth in the city's 2004 Comprehensive Plan, and has submitted a document summarizing those accomplishments. It was moved by Mrs. Jackson and seconded by Mr. Byington that the Planning Commission acknowledge and accept the report and accomplishments as presented, and that the City Manager's summary document be appended to the minutes of this meeting.

Upon call of the roll on the question of the motion, the following vote was recorded:

MR. ANDREW AIDT	YEA
MRS. E. HEALY JACKSON.....	YEA
MR. GREG LAUTERBACH	YEA
MR. STEVE BYINGTON.....	YEA

There being four (4) YEA votes, thereon, said motion carried.

Mrs. Jackson stated that the Planning Commission has reviewed the 2004 Comprehensive Plan, and notes that Oakwood is a mature, established community that values its history and preservation of its stability and ambience over systematic, and/or rapid, dynamic change. It was moved by Mrs. Jackson and seconded by Mr. Lauterbach that the Planning Commission recognize the 2004 Comprehensive Plan of the city of Oakwood, including the Vision Statement and all component parts thereof, as a document of continuing validity as the city's official policy guide for physical development addressing the use of land, the movement of vehicles and pedestrians, the protection of community character, and the provision of parks, schools, and other public facilities; and that the Planning Commission shall hereby recommend that Oakwood City Council ratify the 2004 Comprehensive Plan prospectively, consistent with that determination.

Upon call of the roll on the question of the motion, the following vote was recorded:

MR. ANDREW AIDT	YEA
MRS. E. HEALY JACKSON.....	YEA
MR. GREG LAUTERBACH	YEA
MR. STEVE BYINGTON.....	YEA

There being four (4) YEA votes, thereon, said motion carried.

There being no further business, the Planning Commission adjourned. The public meeting concluded at 5:57 p.m.



 CHAIR

ATTEST:



 CLERK