



AGENDA
PLANNING COMMISSION
TUESDAY, December 12, 2023
7:00 P.M.

MEMBERS

Corey Watt, Chair, HAPC Rep.

Shana Rosenberg, Vice Chair, HAC Rep.	Ann Kaufman Webster
Jason Bracken, Council & Environmental Commission Rep.	Michael Smith, CIC Rep.
David Prytherch, Council & CASC Rep.	Matt Arbuckle

STAFF

Sam Perry, Director, Community Development
Zachary Moore, City Planner / GIS Coordinator
Christopher Conard, Law Director

MEETING PROCEDURE: Comments from the Public are welcome at two different times during the course of the meeting:
(1) Comments on items not on the Agenda will be heard under Public Comments Related to Items not on the Agenda – and
(2) Comments for all public hearing items will be heard during Planning Commission consideration of said item. Please wait until you are recognized by the Chair, state your name and address so that your comments may be properly recorded and limit your remarks to a period of three minutes or less.

- I. Call to Order
- II. Approval of Agenda
- III. Approval of Minutes of September 12, 2023 1
- IV. Public Comments Related to Items Not on the Agenda
- V. Reports from Commissions, Boards, Committees & Staff
- VI. New Business
 - PC-2023-15, 101 E Chestnut Street, ZONING MAP AMENDMENT**, for 0.40 acres 5
from General Business (GB) to Multi-Family Residential (R-3) District, **Robert Humphrey,**
Applicant/Agent
 - PC-2023-16, 601, 603, 607 W Chestnut Street, ZONING MAP AMENDMENT**, for 38
3.33 acres from Single-Family Low-Density Residential (R-1A) to Single –and Two-Family
Residential (R-2A) District, **City of Oxford, Applicant**
- VII. Other Business
 - Proposed Solar Facility Project – Letter of Intent, City of Oxford & Clean Capital** 69
- VIII. Adjournment



OXFORD PLANNING COMMISSION

Meeting Minutes

Tuesday, September 12, 2023

[Link for website video here](#)

Roll Call

Corey Watt, Chair

Shana Rosenberg, Vice Chair

Ann Kaufman Webster

Michael Smith

Jason Bracken

David Prytherch

Matt Arbuckle

Time: 3:45

A regular meeting of the Oxford Planning Commission was called to order by Chair Corey Watt on Tuesday, September 12, 2023 at 7:00 p.m.

Members in attendance were Shana Rosenberg, Michael Smith, Ann Kaufman Webster, David Prytherch, Matt Arbuckle, and Jason Bracken

Members excused: None

Staff Members in Attendance

Mr. Sam Perry, Director, Community Development, Mr. Christopher Conard, Law Director, Ms. Eunike Miller, Administrative Assistant

Staff Members Excused

Mr. Zachary Moore, City Planner/GIS Coordinator

Approval of the Agenda

Time: 3:54

Motion – To Approve the Agenda

(Voice Vote) 1st Mr. Smith

2nd Mr. Prytherch

AYE: (7)

NAY: (0)

ABS: (0)

Commission Appointment (OPTAB)

Time: 4:24

Motion – To Nominate Mr. Matt Arbuckle as OPTAB Representative

(Voice Vote) 1st Mr. Arbuckle

2nd Mr. Prytherch

AYE: (7)

NAY: (0)

ABS: (0)

Approval of Minutes of August 8, 2023

Time: 6:59

Motion – To Approve the minutes as written

(Voice Vote) 1st Mr. Smith

2nd Mx. Rosenberg

AYE: (6)

NAY: (0)

ABS: (1)

Mr. Prytherch abstained from voting because he was not present at the August meeting.

Public Comments Related to Items Not on the Agenda

Time: 8:07

Comments from the Public are welcome at two different times during the course of the meeting: (1) Comments on items not on the Agenda will be heard under Public Comments Related to Items not on the Agenda - and (2) Comments for all public hearing items will be heard during Planning Commission consideration of said item. Please wait until you are recognized by the Chair, state your name and address so that your comments may be properly recorded and limit your remarks to a period of three minutes or less.

There were no public comments.

Reports from Commissions, Boards, Committees & Staff

[Time: 8:40](#)

Old Business

PC-2023-07

[Time: 15:40](#)

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1. 525 N Campus Avenue, CONDITIONAL USE, new Fairfield by Marriott hotel, Oxford Hotel Group LLC, Applicant/Agent **Tabled from August 8 meeting**

Motion – To Remove the Case from the Table

(Voice Vote) 1st Mx. Rosenberg

2nd Mr. Prytherch

AYE: (7)

NAY: (0)

ABS: (0)

Motion – To Enter into Public Hearing

(Voice Vote) 1st Mr. Prytherch

2nd Mr. Bracken

AYE: (7)

NAY: (0)

ABS: (0)

Comments from the Public

Seth Copenbaker, Economic Development Specialist

Mr. Copenbaker spoke in favor of the proposed hotel project emphasizing the positive effects that this will bring to the City of Oxford as well as the residents.

Craig Erickson, 5280 Morning Sun Rd

Mr. Erickson expressed his concern about the screening and privacy.

Motion – To Close Public Hearing

(Voice Vote) 1st Mr. Smith

2nd Mr. Bracken

AYE: (7)

NAY: (0)

ABS: (0)

Motion – To Approve staff preparing conditions to recommend approval to City Council

(Roll Call) 1st Mx. Rosenberg

2nd Mr. Smith

AYE: Mr. Smith, Ms. Webster, Mr. Arbuckle, Mr. Prytherch, Mr. Bracken, Mx. Rosenberg (6)

NAY: Mr. Watt (1)

ABS: None (0)

Motion – To Approve PC-2023-07 subject to the 17 conditions recommended by the Commission and the material presented by the Applicant at the meeting

(Roll Call) 1st Mr. Prytherch

2nd Mx. Rosenberg

AYE: Mr. Smith, Ms. Webster, Mx. Rosenberg, Mr. Arbuckle, Mr. Prytherch, Mr. Bracken (6)

NAY: Mr. Watt (1)

ABS: None (0)

Administrative Decision (Previously Decided)

[Time: 2:10:58](#)

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2. PC-2023-10, 6711 Ringwood Road, MINOR AMENDMENT TO FINAL PLANNED DEVELOPMENT, 3 Lot Subdivision of Previously Approved Planned Development, Mark Rosenberger, Applicant/Agent

Mr. Perry provided a brief summary and explanation of the decision that was made on this case.

Motion to Adjourn Meeting at 9:14 p.m.

[Time: 2:14:37](#)

(Voice Vote) 1st Mr. Smith

2nd Ms. Webster

AYE: (7)

NAY: (0)

ABS: (0)

STAFF REPORT

Community Development | Planning Commission

APPLICATION DETAILS

Applicant	Robert Treadon & Associates, c/o Robert W. Humphrey, RA
Location	101 E Chestnut Street (Parcel ID H4100114000001)
Action Request	Zoning Map Amendment
Owner	JAI RAM LLC, c/o Saahith Vukanti
Current Zoning	GB General Business District
Proposed Zoning	R-3 Multi-Family Residential District
Current Use	Commercial / Laundromat (closed) + Storage Units
Site Area	16,595 square feet / 0.381 acres
Site Frontage	84.19 feet
Surrounding Land Uses	Multi-Family Residential to the east, commercial to the west, single-family residential to the north
Staff Recommendation	Approval , but with disclaimer on challenges posed by current plans

PROPOSAL SUMMARY

On behalf of the property owner, Architect Robert Humphrey of Robert Treadon & Associates has submitted a request to rezone property located at 101 E Chestnut Street to a Multi-Family Residential (R-3) District. The property is a little more than a 1/3rd of an acre in size and currently zoned General Business (GB) District. The property was previously occupied by the Suds City Laundromat, which is now closed. The Verge student housing complex is adjacent to the east, and to the west is the Red Ox Drive Thru.

The ultimate goal expressed by the applicant is to demolish the commercial building and replace with new residential housing geared toward student renters. The architect has provided a preliminary look at a potential site layout, floor plan, and building elevation that could be pursued if the rezoning were successful. While these particular plans have been submitted by the applicant as part of the overall application package, the specificity conveyed by the plans is not being formally considered at this time. The only matter currently under consideration is a request to rezone from GB to R-3, which if approved, could enable the possibility for more residentially-oriented development in the future.

PUBLIC COMMENTS

Public notices were mailed to surrounding property owners and a sign was posted at the front of the property on E Chestnut Street. No public comments have been received as of the writing of this report.

DEPARTMENT COMMENTS

Below are comments from City departments:

Department	Respondent	Response
Economic Development	Seth Copenbaker, Economic Development Specialist	Returned with Comments
<i>The proposed Zoning Map Amendment for the property at 101 E. Chestnut from the current zoning of General Business (GB) to R-3 (Multi-Family Residential) represents a potential benefit to the citizens and economy of the City of Oxford. The proposed change to the R-3 zoning distinction is aligned with the current zoning of the property immediately east of 101 E. Chestnut St., at 912 Arrowhead Dr. The addition of dwelling units that support the workforce within the City of Oxford would be a welcomed addition. However additional residential units for the primary purpose of housing Miami University undergraduate students is not supported. The City of Oxford is in need of all housing types that support permanent year-round residency, but we continue to have a surplus of dwelling units targeted for temporary and part-time use as "student rentals". Additionally the access and egress to the site gives further pause for consideration. Access and egress along this corridor of Chestnut St. currently poses challenges to pedestrian and vehicle safety as well as general traffic congestion. Potential impacts of the proposed Zoning Amendment should consider access and egress impacts before adoption. The Economic Development Staff support the proposed Zoning Map Amendment at 101 E. Chestnut St., with concerns regarding use and access/egress.</i>		
Engineering	Scott Otto, City Engineer	Returned without Comments
Fire	John Detherage, Fire Chief	Returned with Comments
1. The submitted design shows fifteen parking spaces and approximately 30 beds. Not a realistic design that will cause an overflow of cars that will limit building access and cause an enforcement issue for the life of the building. Much the same as the issues we are currently dealing with at the Gas Light development. 2. The design contains a pinch point that reduces the required 20' fire department access. 3. There is limited access to the building for firefighting activities. Access to both stairwells is impeded by parking creating an issue for hose advancement into the structure. 4. The drive which is in excess of 150' requires an approved area for turning around fire apparatus.		
Police	John Jones, Police Chief	Returned with Comments
<i>Same parking concerns with the site plan as the fire department. But as far as zoning, with the surrounding residential property, I do not see any issues.</i>		

CASE HISTORY

A summary of past case history for this site is provided below:

Case No.	Application	Decision
BZA-1980-06	Variance	BZA approved on
The purpose of the requested Variance was to allow for a pole sign serving a business that combined a gas station (Gulf) with a restaurant (Rib Cage). The Zoning Code in effect at the time allowed a pole sign for any gas station use in any zoning district, but not for any other commercial use within the C-4 district, which the site was zoned. Due to the combination of businesses, staff therefore interpreted that a Variance request was needed for a pole sign to be erected. The blue colored pole still present on the site today is believed to be the remnants of the prior Gulf pole sign.		
PC-1996-20	Special Use	City Council approved on 1/21/1997 by Ord. No. 2497
In the 1990s, a request for a “Special Use” was reminiscent of the Conditional Use process now commonly pursued under today’s Zoning Code. The hard copy file for this particular case could not be located in City records. Relying solely on information in the department database, this appears to have been a request to approve another use on the property for 20 storage units. Council voted in January 1997 to approve the request, subject to several conditions, including: (1) elimination of one of the ingress/egress points [likely there were two originally]; (2) no parking in the front yard setback; (3) inclusion of a T-turnaround in the east rear corner of the site; and (4) a parking area reserved specifically for the storage units. It is not clear what degree of follow-up enforcement actually occurred with respect to these conditions during the timespan between this case and the next one considered in 2004.		
PC-2004-17	Alternate Design Plan	Planning Commission approved on 12/14/2004
A request for an “alternate design plan” was a legacy process that is now largely absent from today’s Zoning Code, whereby the Planning Commission could directly approve parking layouts that did not otherwise strictly adhere to code standards outlined in the Parking Chapter. The standards being considered for relief at the time included: (1) parking within the 35-foot front yard setback; (2) pavement within the 6-foot setback along the west property line [adjacent to Red Ox]; (3) absence of curbing around the parking perimeter; and (4) absence of required landscaping islands. The Planning Commission voted to approve the plan contingent on curb installation in the front yard portion of the lot, as well as installation of wheel stops for four parking spaces adjacent to building. A site visit verified that the property is still in compliance with these two approval conditions.		

DECISION CRITERIA

Section 1135.02(c)(1) specifies that *a proposed amendment shall be approved only if it meets at least one of the following criteria, and if its benefits will likely outweigh any potential pitfalls*. The table below provides a summary of the four review criteria applicable to Map Amendment requests:

Criterion A	There is an error on the Official Zoning Map or in the delineation between districts thereon.
N/A No additional support toward granting the request	This criterion does not apply to the case at hand. There is no evidence or reason to believe that the current GB zoning designation was previously applied in error.

Criterion B	The proposed amendment will make the map conform more closely with the Comprehensive Plan
Yes This criterion <i>could</i> provide support toward granting the request.	The new Oxford Tomorrow Comprehensive Plan adopted in January classifies the property as Urban Mile Square Neighborhood, a character type described as a primarily residential area of the city and featuring a variety of housing types ranging from single-family homes to large-scale fraternity houses, but still accommodating some neighborhood-scale commercial uses as secondary uses. From a land use perspective, it could be said that both the proposed zoning district and existing zoning district each align, in their own way, with the Comprehensive Plan’s presently prescribed character type. Rezoning to an R-3 District could better enable development that more closely embraces the vision and goals expressed in the Plan, including but not limited to: promoting redevelopment, maintaining an adequate capacity of student housing, and favoring infill development. However, there are also ways the property could be put to use in alignment with Plan goals while maintaining the GB designation. Retaining commercial zoning would affirm the existing business node along E Chestnut Street and still permit potential redevelopment into more pedestrian-oriented, small-scale commercial uses serving the surrounding residential neighborhoods.
Criterion C	There has been a substantial change in area conditions that necessitates the amendment
No This criterion does not seem to provide much support toward granting the request.	At present, there is a small automobile-oriented commercial node along E Chestnut Street, consisting of the subject property at 101 E Chestnut together with SDS Pizza at 7 E Chestnut and the Red Ox Drive Thru at 95 E Chestnut. Strictly speaking, staff does not believe there has been a change in terms of “on-the-ground” conditions that necessitates an amendment be approved, which seems to be how this criterion has been applied in past cases. However, staff would be remiss not to mention that the new Comprehensive Plan does devote increased attention to what it calls the Chestnut Fields Focus Area, which the subject property falls within. As defined in the Plan, focus area boundaries call attention to areas that warrant further examination and planning because they have a stronger chance of experiencing physical change in the more immediate future. Therefore, the land use categories found within these focus areas could be interpreted more flexibly prior to more precise district-level planning efforts, should any occur later down the road. In other words, the land-use makeup of the area could be seen as being in a potential state of flux. Significant preparations and planning are currently underway for a future BCRTA bus hub and Amtrak platform, both due west of the subject property, on the opposite side of the CSX railroad tracks. An important recommendation of the Oxford Tomorrow Plan is to promote transit-oriented development (TOD) around key transit nodes, which could someday take root around anticipated transportation-oriented uses like BCRTA and Amtrak. The railroad bisecting across the commercial node could later serve as a natural dividing line between a

	purely residential area and a possible mixed use node integrated with the new bus hub and passenger rail platform. The argument for dissolving the existing business node in favor of shifting commercial pressures westward, or perhaps to other locations in town, might be stronger if the vision and rezoning efforts for both Suds City (101 E Chestnut) and Red Ox (95 E Chestnut) were consolidated. The effort at present is more piecemeal in nature. A switch from commercial to residential should ideally be enacted through a more comprehensive rezoning of the area, and furthermore such a process should be informed by a more granular, district-level planning process which the Comprehensive Plan recommends but has not yet occurred.
Criterion D	There is a legitimate need for additional land area in the zoning district that will be expanded
Yes This criterion <i>could</i> provide additional support toward granting the request.	The Oxford Zoning Code defines multi-family as being any residential use greater than 3 units per structure. At present, approximately 70.4 acres of the city is zoned R-3 Multi-Family. With the municipally zoned area comprising a little over 4,548 acres (~ 7 square miles), the R-3 zoned portions therefore amount to only 1.5% overall. When accounting for all areas zoned to allow multi-family residential uses by-right (i.e., the R-3 and R-4 districts), this amounts to 151 acres total, or 3.32%. The vast majority of properties zoned for multi-family use are already developed; the lone exception is 38 acres of undeveloped land east of Annex and Level 27, accessed from Lake Forest Drive and Southpointe Parkway. All developed land in either the R-3 or R-4 District is currently devoted to residential usage, excepting property at 600 McGuffey Avenue which is zoned R-3 and the site of a dentistry business (Willow Creek). Miami University enrollment has remained fairly level over the past couple of years; according to the University Fact Book, total enrollment in Fall 2022 was 19,107, slightly down from 19,264 in Fall 2021. The Housing Needs Assessment conducted by Bowen National Research in 2020 concluded that the student housing market was strong at the time owing to high occupancy rates, but there is chance the market has since “softened” post-COVID. Any brand new housing product catering to students certainly has the potential to draw demand away from other older, less desirable, housing units. By the same token, allowing for possible turnover from commercial to residential at an in-town location close to campus could help to deter market pressure from spilling out to other locations on the periphery of the city where other housing types may be more appropriate.

ADDITIONAL COMMENTARY

While building elevations and a site plan have been voluntarily provided by the applicant as part of the submitted application, these cannot become controlling aspects of a rezoning approval. The only item officially under consideration at the present stage is a potential change in zoning designation from GB to

R-3. However, having preliminary plans available for evaluation at this stage does help staff to gauge the degree of fit for the applicant's desired level of housing density, and subsequently determine what regulatory obstacles may be faced in the future if the property is successfully rezoned.

In the realm of multi-family development, this is a fairly small site, being only 1/3rd of an acre in size. A comprehensive review of the map amendment criteria could certainly determine that residential is a suitable primary use for this site, thus allowing for a rezone from GB to R-3; however, such an action would not assure the applicant & owner that the currently desired plans can move forward.

A Preliminary Zoning Review conducted by staff in October is included as part of the meeting packet. The Review revealed a number of regulatory challenges posed by the desired development, including but not limited to: (1) deficient lot width; (2) excessive building height; (3) deficient drive aisle width, and (4) deficient parking setback.

Lastly, given the property's dimensional characteristics, it is important for the applicant to recognize that the most intense land use that could be permitted by-right under a hypothetical R-3 district designation would be a two-family dwelling.

MAP AMENDMENT RECOMMENDATION

Based on a review of the decision standards, staff recommends **approval** of the request to rezone from GB to R-3. This recommendation is being made with an important disclaimer that a rezoning of the property would not necessarily guarantee the intensity of residential use as currently conveyed by the applicant's preliminary plans.

SUBMITTED BY:



Zachary Moore, AICP
City Planner / GIS Coordinator

DATE: December 5, 2023

APPENDIX A

RELEVANT PROVISIONS FROM THE ZONING CODE

Within the Oxford Zoning Code, *Chapter 1135* governs zoning amendments, *Section 1143.06* provides the base standards for the R-3 zoning district, and *Section 1143.12* provides the base standards for the GB zoning district.

Chapter 1135 – Zoning Code Amendments

1135.01 – General.

- (a) This Zoning Code is generally intended to provide for long-term land use and site planning in Oxford. However, there are times that the public necessity, convenience, general welfare, or good zoning practice require amendments to this Code. This section provides the procedures and standards by which this Code will be amended.
- (b) There are two types of possible amendments to this Code. A text amendment changes the written text of the Code, which equally affects all land and improvements that are subject to such regulation. A map amendment (also called rezoning) changes the boundaries between zoning districts on the Zoning Map, which equally affects all of the land that is so rezoned.

1135.02 – Procedure.

- (a) Initiation.

A text amendment may be initiated by the Chair of the Planning Commission, by adoption of a motion by Council or the Planning Commission, or by application to Planning Commission by a landowner or a resident of the City of Oxford.

A map amendment may be initiated by adoption of a motion by Planning Commission, by adoption of a motion by Council, or by application to Planning Commission by at least one owner of the property within the area proposed to be rezoned.

 - (1) Referral to Planning Commission.

After the proper initiation of a text amendment, the Zoning Administrator shall place the item on the Planning Commission agenda as required by Section 1129.09, Application Administration.
- (b) Application.

If Planning Commission or Council initiates an amendment, then the Zoning Administrator shall provide information as necessary for proper consideration of the motion. The information provided shall be substantially similar to that required of an application for amendment.

An application for amendment shall be filed with the Zoning Administrator. An application shall be complete prior to being scheduled for a public hearing. An application will be considered complete only if the Zoning Administrator is satisfied that all of the materials required by this chapter are included and are sufficient in their content to satisfy the intent of the application requirements.

 - (1) Contents of application.

The applicant shall contact the Zoning Administrator prior to submitting an application to discuss the submission requirement, which includes the following information. A written, detailed description, where applicable, is required for each subsection.

All applications:

 - A. Application Fee.
 - B. The name, mailing address, and telephone number of the applicant.
 - C. A general description of the proposed amendment.
 - D. A narrative statement that describes how the proposed amendment relates to the Comprehensive Plan.

- E. A statement that identifies potential negative consequences of the proposed amendment.
- F. Such other information regarding the proposed amendment as may be pertinent to the application or required by Planning Commission or Council.

Also required for text amendments:

- A. Any existing section number and text that is proposed to be deleted or amended.
- B. Any new or amended text as it is proposed to be codified including its proposed location in the Code. (section numbers)
- C. A narrative statement that describes the expected effects of the proposed text.
- D. A narrative statement that compares the expected effects of the proposed text with any existing text that it will replace, if applicable.

Also required for map amendments:

- A. A legal description of the area to be rezoned.
- B. The proposed zoning of the area.
- C. The current zoning of the area.
- D. A description of existing uses in the area.
- E. A vicinity map, at a scale approved by the Zoning Administrator, showing property lines, streets, existing and proposed zoning and other items required by the Zoning Administrator.
- F. A list of the names and mailing addresses of all owners of land that is proposed to be rezoned and all land owners within 200 feet of every parcel proposed to be rezoned.

(2) Reapplication.

No application for a Zoning Code amendment that is substantially similar to an application that has been denied, wholly or in part, shall be accepted for one year from the date of denial. The Zoning Administrator shall determine if a similar application differs enough to be considered a different application and not subject to this section. The Zoning Administrator may consider factors such as the nature or size of a proposal, changes in the development or traffic patterns of the area, or newly discovered evidence pertinent to a decision on a previous application. An applicant may appeal the decision of the Zoning Administrator to the Board of Zoning Appeals.

(c) Planning Commission and Council Review.

The Planning Commission shall base its recommendation on a proposed Zoning Code amendment upon the complete application, upon any staff report, and upon any relevant and credible public comment presented during the public hearing. Council shall base its decision on the same materials and shall also consider the Planning Commission recommendation.

If the Planning Commission or Council finds that the information provided is insufficient to make a determination, it may suspend its review until sufficient information has been provided.

(1) Decision standards.

A proposed amendment shall be approved only if it meets at least one of the following criteria, and if its benefits will likely outweigh any potential pitfalls.

Text Amendments

- A. The proposed amendment will make the Code conform more closely with the Comprehensive Plan.
- B. The proposed amendment will improve the public health, safety, and general welfare of Oxford.
- C. The proposed amendment will clarify the intent of the Code.
- D. The proposed amendment will better implement the intent of the Code.
- E. The proposed amendment will improve enforcement of the Code.

Map Amendments

- A. There is an error on the Official Zoning Map or in the delineations between districts thereon.
 - B. The proposed amendment will make the map conform more closely with the Comprehensive Plan.
 - C. There has been a substantial change in area conditions that necessitates the amendment.
 - D. There is a legitimate need for additional land area in the zoning district that will be expanded.
- (d) Action by Planning Commission and Council.
 - (1) The Planning Commission shall recommend to Council approval, approval with modifications, or denial of an application as presented and shall clearly state the findings upon which its recommendation is based.
 - (2) Council shall base its decision on the recommendation of Planning Commission and the decision standards of this section.
- (e) Implementation of Amendment.
 - (1) The Zoning Administrator shall implement all Code amendments approved by Council when the ordinance approving the amendment becomes effective, regardless of when the amendment appears in the Zoning Code text or on the Zoning Map.
 - (2) Zoning Code amendments do not expire.

1143.06 – R-3 Multi-Family Residential District.

- (a) Purpose.
This zone is intended to accommodate multi-family structures suited to the lifestyles of individuals and families, generally located in areas adjacent to major thoroughfares and commercial areas.
- (b) Uses.
 - (1) Permitted uses.
 - A. Single-family dwellings.
 - B. Two-family dwellings.
 - C. Multi-family dwellings.
 - D. Accessory buildings and uses incidental to the principal use as provided in Chapter 1141.
 - E. Day Care Home Type B family.
 - (2) Conditional uses.
The following Conditional Uses are subject to review and regulation in accordance with Chapter 1147.
 - A. Community-Oriented Residential Social Service Facilities (CORSSF's).
 - B. Shared Housing and Congregate Housing for the elderly.
 - C. Government owned and/or operated parks and recreation facilities.
 - D. Bed & Breakfasts.
 - E. Open space recreation areas that are privately or publicly owned, such as golf courses, tennis courts, parks, forests, or wildlife preserves.
 - F. Day care facilities, including Child Day Care, Child Day Care Center, and Day Care Home Type A family.
 - G. Schools: primary, intermediate, and secondary, both public and private.
 - H. Places of worship.
 - I. Nursing homes for convalescent patients.
 - J. Professional Offices.
- (c) Site Development Regulations. (Unless superseded by Conditional Use Requirements)
 - (1) Lot requirements.
 - A. Minimum lot area

1. One-family dwelling	6,000 sq. feet
2. Two-family dwelling	7,500 sq. feet

3. Three-family dwelling and up 9,000 sq. feet
 - B. Maximum Residential Density – Occupancy shall be limited to one person per 450 square feet of lot area for multi-family dwelling use.
 - C. Minimum Lot Width/Frontage
 1. One-family dwelling 60 feet
 2. Two-family dwelling 75 feet
 3. Three-family dwelling 90 feet
 4. Four-family dwelling 100 feet
 5. Five to 24-family dwelling 120 feet
- (2) Yard requirements.
- A. Minimum front yard depth 30 feet
 - B. Minimum rear yard depth
 1. One, two, and three-family dwelling 35 feet
 2. Four-family dwelling 40 feet
 3. Five to 24-family dwelling 45 feet
 - C. Minimum side yard width on each side
 1. One- and two-family dwelling 7.5 feet
 2. Three to 24-family dwelling 15 feet
- (3) Structural requirements.
- A. Maximum building height 35 feet
 - B. Number of Principal Buildings Per Lot or Development Site.
The project shall follow the Planned Development process in Chapter 1145 in order to permit more than one principal building per lot.
 - C. Minimum floor area per dwelling unit in multi-family dwellings
 1. Efficiency 400 sq. feet
 2. One-Bedroom 600 sq. feet
 3. Two-Bedroom 800 sq. feet
 4. Three-Bedroom 1,000 sq. feet
 5. Four-bedroom 1,200 sq. feet
- (4) Lot coverage.
- A. Lot total 50 percent
 - a. Stormwater Reduction Incentive.
Lot coverage up to 70% may be allowed if the stormwater management plan reduces projected runoff rate more than required. For every one percent reduction in the rate of stormwater runoff, the allowable lot coverage may be increased by one percent, up to 70% maximum lot coverage.
 - B. Front yard 25 percent of front yard.

1143.12 – GB General Business District.

- (a) Purpose.
This district is intended to provide for a variety of retail, service and administrative establishments required to satisfy the needs of the overall community. This district is also intended to accommodate retail trade establishments in the community that cannot be practically provided for in a neighborhood commercial district development. This district is only appropriate within areas that are presently served, or will be served upon development, with both central water and sewer.
- (b) Uses.
- (1) Permitted uses.
- A. Retail services. (Not to exceed 15,000 square feet of total gross floor area)
 1. Apparel and jewelry.
 2. Books, stationery, newspapers, magazines, office equipment and office supply stores.
 3. Department stores.

4. Drug stores selling health and personal care aids.
 5. Food products, including groceries, meat, fish, baked goods, confectionary, and beverages.
 6. Flowers, potted plants, and garden supplies.
 7. Hardware, paint, home furnishings, and other home improvement products.
 8. Optical aids.
 9. Photography, bicycles, gifts and toys, pets, music, sporting goods, and other hobby and craft supplies.
 10. Restaurants, not including drive-in or fast food.
 11. Sales of new and used motor vehicles by dealerships holding franchises authorized by manufacturers for the sale of new vehicles.
- B. Personal and professional services. (Not to exceed 15,000 square feet of total gross floor area)
1. Accounting, advertising, architectural, auditing, bookkeeping, legal, and medical offices, and offices for other similar professional service providers.
 2. Banks, credit agencies, investment firms, real estate, insurance offices, and other similar establishments engaged primarily in financial services.
 3. Barber and beauty shops.
 4. Cleaners, including dry cleaning and Laundromats.
 5. Home improvement services, including carpentry, electrical, heating, plumbing, and decorating.
 6. Offices for nonprofit, charitable, labor, and other service organizations.
 7. Repair establishments for bicycles, household appliances, locksmiths, shoes, and motor vehicles (if no gasoline is sold and repair work is done inside).
 8. Theaters, not including drive-ins.
 9. Other similar personal and professional services, such as employment agencies, travel bureaus, and ticket offices.
- C. Accessory buildings incidental to the principal use.
- (2) Conditional uses.
- The following Conditional Uses are subject to review and regulation in accordance with Chapter 1147.
- A. Retail services.
1. Automobile service stations selling gasoline.
 2. Bars and establishments serving alcohol.
 3. Banks with drive-through facilities.
 4. Building supplies, garden supplies.
 5. Drive-in and fast-food restaurants.
 6. Sales of motorcycles and used motor vehicles, rental and service of motor vehicles, sales and rental of boats and marine equipment, and sales and rental of trailers.
 7. Temporary or outdoor sales of plants and garden supplies.
- B. Personal and public services.
1. Animal hospitals or kennels.
 2. Bowling alleys.
 3. Cultural institutions, including libraries, art galleries and museums.
 4. Hotels and motels.
 5. Places of worship.
 6. Funeral homes.
 7. Indoor skating rinks, arcades, and similar recreational uses.
 8. Instructional studios.
 9. Night clubs, discotheques, and other entertainment facilities.
- C. Other uses.
1. Community-Oriented Residential Social-Service Facilities (CORSSF's).
 2. Shared Housing and Congregate Housing for the elderly.

3. Government owned and/or operated parks and recreational facilities.
4. Bed & Breakfasts.
5. Publicly owned and operated neighborhood recreation centers.
6. Day care facilities, including Day Care for child, Day Care Center for child, Day Care Home Type A family, and Day Care Home Type B family.
7. Schools: primary, intermediate, and secondary, both public and private.
8. Mini-warehouse (Self-Storage Units)
9. Business Incubator
10. Any permitted or combination of any retail, personal or public services that exceed 15,000 square feet of gross floor area

(c) Site Development Regulations. (Unless superseded by Conditional Use Requirements)

(1) Lot requirements.

- A. Minimum lot frontage and width: 100 feet
- B. No minimum lot size is specified; however, the lot size shall be adequate to provide for parking, access drive spacing, yard space and screening requirements.

(2) Yard requirements.

- A. Minimum setbacks.

Front yard	Rear yard	Side yard
35 feet	25 feet	0 feet

When a side or rear lot line abuts residential district lot lines, the minimum side or rear transitional setback distance shall be 25 feet in depth and shall be screened from the residential district by a dense evergreen hedge a minimum of 6 feet tall at planting and that will maintain at least 90 percent opacity over time. Existing vegetation may be considered as long as the anticipated overall opacity effect can be achieved. Alternatively, different types of screenings may be utilized subject to review and approval by the Zoning Administrator if the alternative material can achieve the overall 90% opacity effect.

- B. Maximum front yard setback.
A maximum front yard setback of 150 feet; and at least 75% of the façade of the principal building must be setback no more than 150 feet from the front lot line.

(3) Structural requirements.

Maximum building height 45 feet

(d) Supplementary Regulations.

- (1) All merchandise, new and used, with the exception of boat, automobile, truck or farm implements and plants and garden supplies, shall be stored within a completely enclosed building. Displays of boats, automobiles, tractors, recreational trailers and/or mobile homes shall conform to the requirements as defined in Section 1141.03 (e)
- (2) Landscaping:
Landscaping of the site shall comply with the requirements of Chapter 1148.
- (3) The building should be oriented so that the principal building entrance faces the principal street or the street providing main access to the site. The entrance must be connected to the street and adjacent parking with clearly marked sidewalks/walkways. The building façades facing the street must adhere to the façade treatment as outlined in the following sections. In no instance, shall the rear of the building face the public right-of-way.
- (4) Building facades that are oriented toward a right-of-way shall be provided for visual relief as follows:
 - A. Windows and transparent doors must occupy a minimum of 60% of the entire building wall area measured between 2.5 and 7 feet in height above grade along the entire front façade. Glass block, opaque or darkly tinted glass is not considered to be transparent.
 - B. Building façades must have different articulation in height and setback. Different horizontal articulations with material, color and opening shall also be utilized when building elevation is higher than 14 feet. Preferred materials include brick, stone, glass or wood.
- (5) Each development is required; where appropriate, to provide adequate space (including easements) for alternative modes of transportation such as bike paths, multi-use paths, bus

stops and turnarounds. Each development is also required to provide bicycle rack space at a rate of 3 per 10,000 square feet of gross floor area.

- (6) The front façade of the principal structure shall be finished, utilizing at least 50% natural materials including brick, stone, masonry, glass, or wood. No aluminum or vinyl siding shall be used in finishing or utilized on the front façade of the building.

- (7)
 - A. All utility boxes must be screened with appropriate landscaping material such that they are not visible from a right-of-way or other publicly accessible area.
 - B. All refuse collection and recycling containers must be enclosed or screened so as not to be visible from a right-of-way or other publicly accessible area. The structure surrounding the container(s) must be enclosed on all sides, one of which includes a gate or door that can be secured. The enclosure may consist of wood or masonry walls. Containers shall not be located in any front yard. The exterior perimeter of the enclosure(s) must be landscaped, excluding the access point.



PC-2023-15

Surrounding
Property Owners
Notifications Map

Legend

Subject Area

200 Ft. Buffer

Oxford Corp. Limit

Address Point

16.5' Vacated ROW

Building Footprint



1 inch = 100 feet

Prepared on Thursday, November 16, 2023

The City of Oxford does not guarantee the dimensional accuracy of this map. Precise dimensional accuracy should be based upon recorded deeds, plats or a professional survey.



Site



200 Feet

100

50

O

1

U.

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Subject Property

CSX Corp.

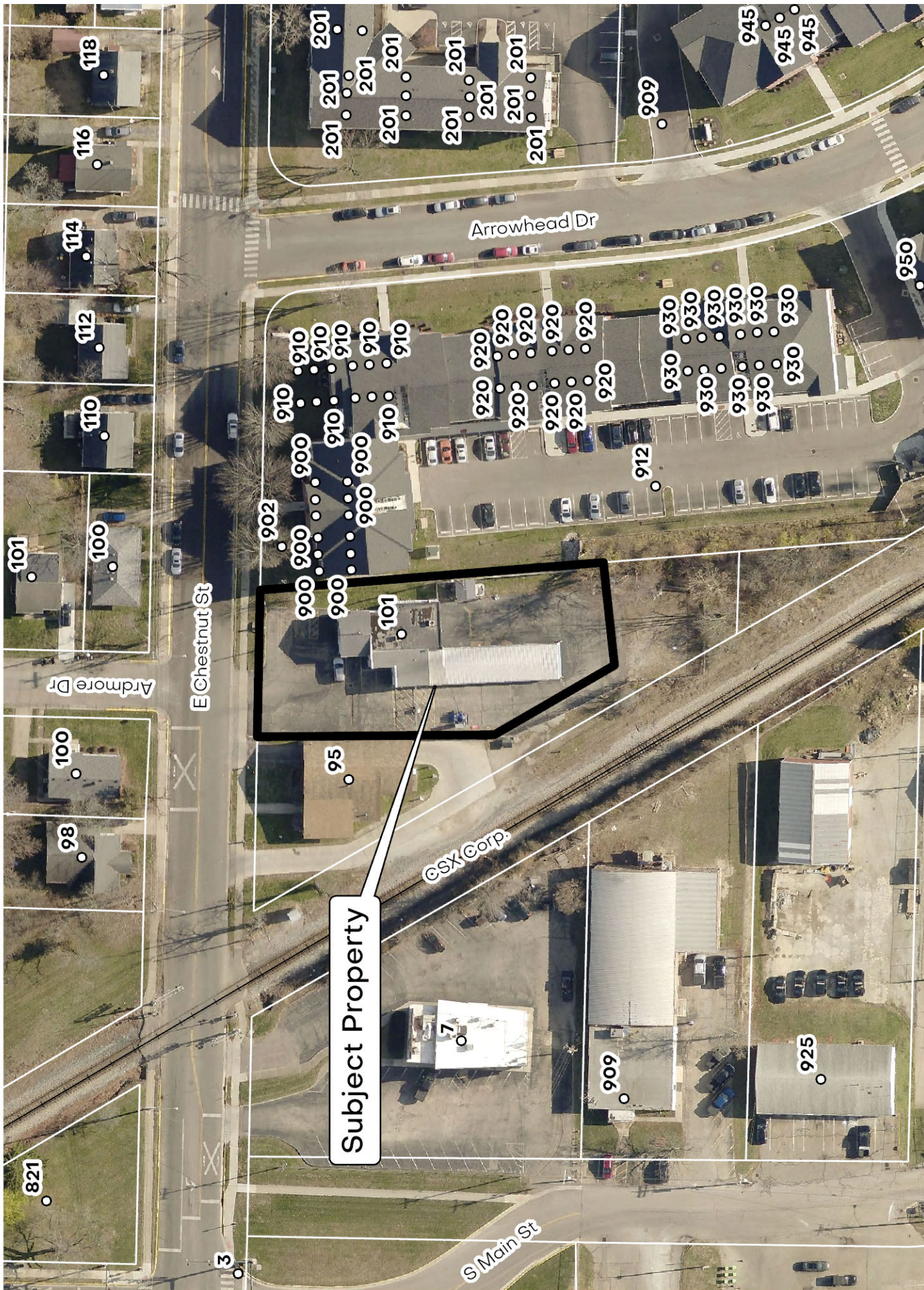
Arrowhead Dr

E Chestnut St

Ardmore Dr

S Main St

019



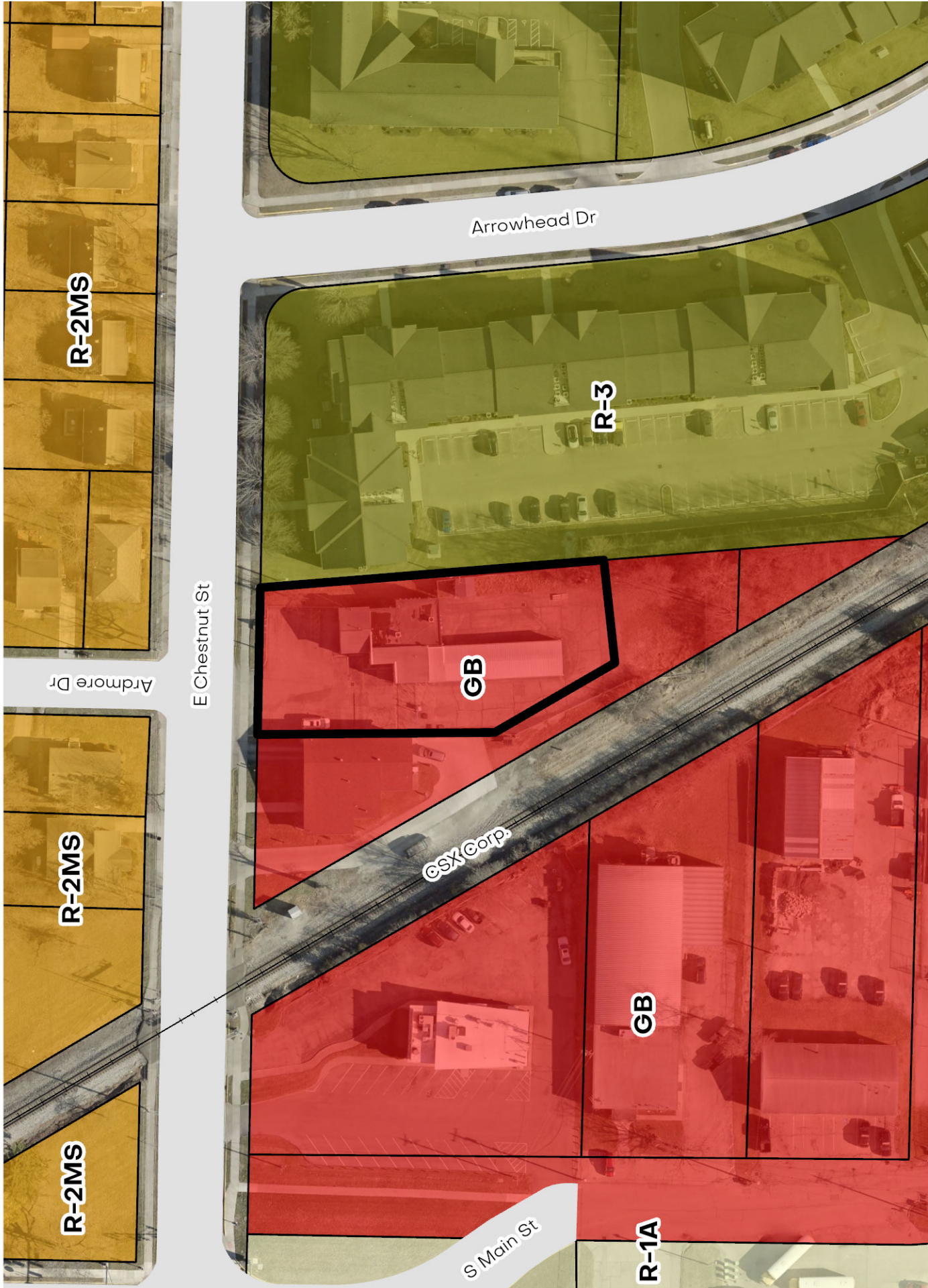
Current Zoning



0 50 100 200 Feet



Site

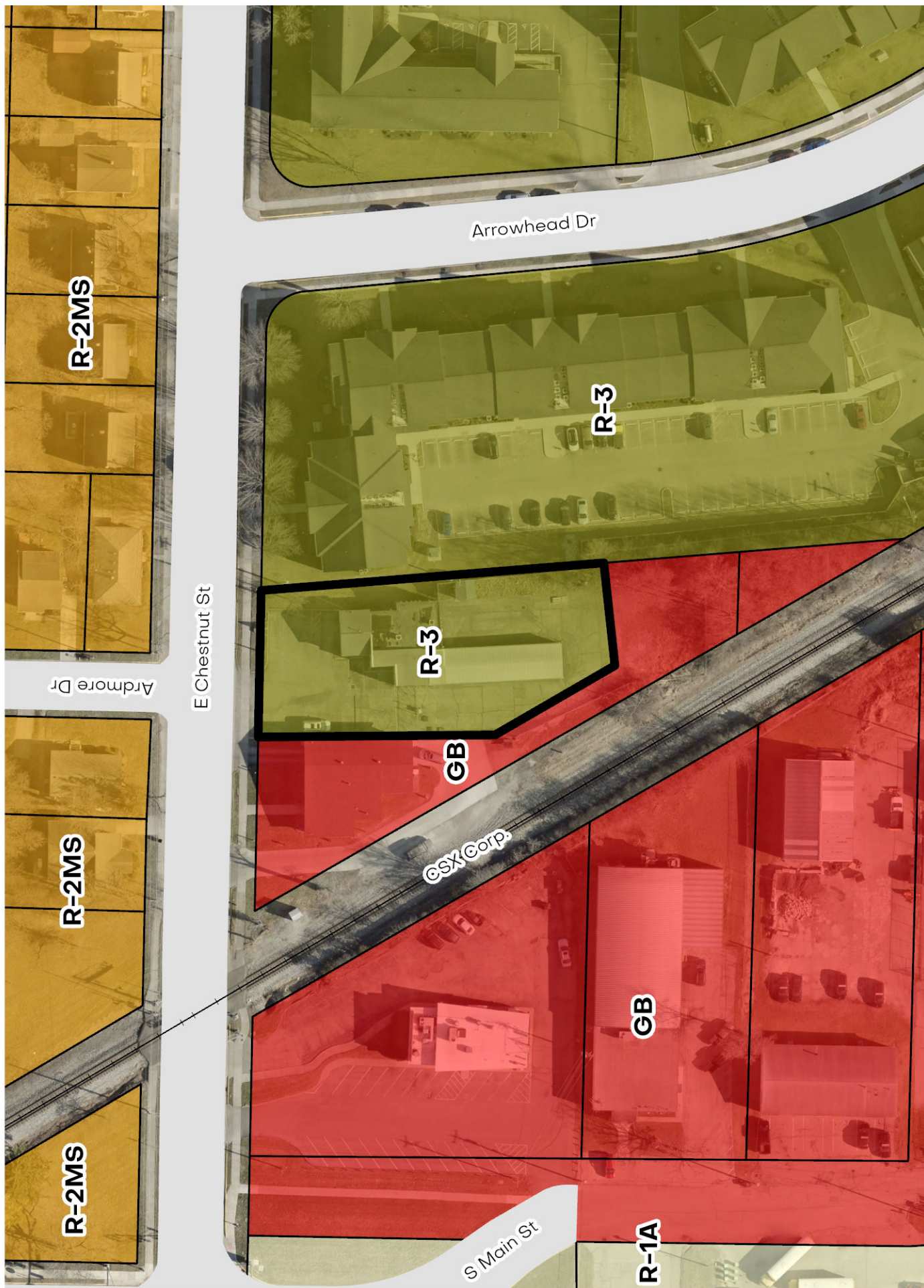


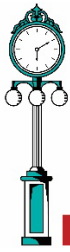
Proposed Zoning



0 50 100 200 Feet

Site





MEMORANDUM

Fire Department
513-523-6324

TO: Robert Humphrey
Applicant

FROM: John Detherage
Fire Chief

DATE: 11-09-2023

RE: PPC-2023-15 | 101 E. Chestnut St.

The subject application is **Returned, Revisions Required.**

1. The submitted design shows fifteen parking spaces and approximately 30 beds. Not a realistic design that will cause an overflow of cars that will limit building access and cause an enforcement issue for the life of the building. Much the same as the issues we are currently dealing with at the Gas Light development.
2. The design contains a pinch point that reduces the required 20' fire department access.
3. There is limited access to the building for firefighting activities. Access to both stairwells is impeded by parking creating an issue for hose advancement into the structure.
4. The drive which is in excess of 150' requires an approved area for turning around fire apparatus.

All revisions are to be submitted through the Community Development Department.



Internal Use Only:	PC-2023-15
Case No.	
Date Filed	10/27/2023

Zoning Map Amendment Application

Applicant Information

Attach a Letter of Agency if the Applicant is not the property owner.

Name *	Robert W. Humphrey, RA
Mailing Address *	300 High Street, Suite 612
City, State & Zip Code *	Hamilton, Ohio
Telephone Number(s) *	513-863-7162 Ext: 106
Email Address	rhumphrey@rtarchitects.com

Location and Lot Information

Location *	101 E. Chestnut Street
General Description of Proposed Amendment *	Rezoning existing site to R-3 Residential for student housing.
Current Zoning *	GB General Business
Proposed Zone(s) *	R-3 Residential

Submission Requirements and Documentation

From Section 1135.02 Procedure¹.

- (a) Initiation. A map amendment may be initiated by adoption of a motion by Planning Commission, by adoption of a motion by Council, or by application to Planning Commission by at least one owner of the property within the area proposed to be rezoned.
- (b) Application. If Planning Commission or Council initiates an amendment, then the Zoning Administrator shall provide information as necessary for proper consideration of the motion. The information provided shall be substantially similar to that required of an application for amendment.

An application for amendment shall be filed with the Zoning Administrator. An application shall be complete prior to being scheduled for a public hearing. An application will be considered complete only if the Zoning Administrator is satisfied that all of the materials required by this chapter are included and are sufficient in their content to satisfy the intent of the application requirements.

- (1) Contents of application. The applicant shall contact the Zoning Administrator prior to submitting an application to discuss the submission requirement, which includes the following information. A written, detailed description, where applicable, is required for each subsection.
- Application Fee.
 - The name, mailing address, and telephone number of the applicant.
 - A general description of the proposed amendment.
 - A narrative statement that describes how the proposed amendment relates to the Comprehensive Plan.
 - A statement that identifies potential negative consequences of the proposed amendment.
 - Such other information regarding the proposed amendment as may be pertinent to the application or required by Planning Commission or Council.
 - A legal description of the area to be rezoned.
 - The proposed zoning of the area.
 - The current zoning of the area.
 - A description of existing uses in the area.

- K. A vicinity map, at a scale approved by the Zoning Administrator, showing property lines, streets, existing and proposed zoning and other items required by the Zoning Administrator.
- L. A list of the names and mailing addresses of all owners of land that is proposed to be rezoned and all land owners within 200 feet of every parcel proposed to be rezoned (see later section).

Surrounding Property Owners

On a separate sheet, provide the parcel numbers, names, and mailing addresses of all property owners within 200 feet of all boundaries of the property in question. The [Butler County Auditor Real Estate Search](#)² is helpful when searching for the mailing address of adjoining property owners. It allows you to search by owner, address, or parcel number. *Property Owner names will not be provided in the agenda packet.*

Decision Process

From Section 1135.02(c)(1) Decision Standards¹.

A proposed amendment shall be approved only if it meets at least one of the following criteria, and if its benefits will likely outweigh any potential pitfalls.

- A. There is an error on the Official Zoning Map or in the delineations between districts thereon.
- B. The proposed amendment will make the map conform more closely with the Comprehensive Plan.
- C. There has been a substantial change in area conditions that necessitates the amendment.
- D. There is a legitimate need for additional land area in the zoning district that will be expanded.

Fees & Receipt

The required fee is \$375.00, plus \$10.00 postage charge. Write a check payable to **City of Oxford**. You may also pay in-person using Visa, MasterCard, and Discover.

Sign and Date

Applicant Signature *

Date *

10/27/2023

Submit Application, Submission Requirements and Documentation, and Fees

We will not accept incomplete applications and/or plans and documentation.

Send or drop off this application with required documentation as attachments and a check for fee and postage charge made payable to **City of Oxford**, to Community Development Director, 15 South College Avenue, Oxford, OH 45056.

Direct questions to the Community Development Dept. at (513) 524-5204. The application will be placed on the next possible agenda.

Note: You must adhere to notification and publication requirements. Submit materials 45 days prior to the proposed Planning Commission meeting on which the action is requested. City Staff will place a public hearing sign on the subject property. **The Applicant is responsible for removing the signage at the completion of the hearing(s).**

¹ City of Oxford Codified Ordinances: <http://www.cityofoxford.org/fees-ordinances-and-charter>

² Butler County Auditor Real Estate Search: <http://www.butlercountyauditor.org/>

Robert Treadon & Associates Architects

October 27, 2023

City of Oxford, Ohio
Planning Commission
Oxford, Ohio 45056

RE: Application for Zoning Map Amendment
101 East Chestnut Street
Oxford, Ohio 45056

Commission:

Please accept this letter as a formal request for a Zoning Map Amendment for the property located at 101 East Chestnut Street, Oxford, Ohio. This property is zoned General Business and currently houses Suds City, a vacant laundromat with attached storage units.

The Owner is requesting that the City amend the zoning map from General Business (GB) to Multi-Family Residential (R-3) to allow for construction of a New Three-Story Student Housing apartment building. Except for the Redox drive-thru next door the site is surrounded by Residential Use, including a Three-Story Apartment complex directly east of the site.

From Section 1135.02(c)(1) Decision Standards, a proposed amendment shall be approved only if it meets at least one of the following criteria, and if its benefits will likely outweigh any potential pitfalls.

A. There is an error on the Official Zoning Map or in the delineations between districts thereon.

As stated, the Property is nearly surrounded by Residential Use. The Official Zoning Map is inconsistent with the site location being classified as General Business, given the Apartment Complexes directly adjacent to the Site and residential neighborhood across the street. The Owner is a graduate of Miami University and understands the need for Student Housing throughout the city. The Site has been unused for years and the Owner purchased the site with the plan to build a future apartment building.

City of Oxford
Planning Commission
October 27, 2023
Page Two

- B. The proposed amendment will make the map conform more closely with the Comprehensive Plan.*

The Site is located in the Urban Mile Square Neighborhood, which Primary Uses include Single-Family residential, duplexes, fourplexes, multiplexes, and fraternity houses. Therefore, changing the zoning on this property for Residential Use is consistent with the Comprehensive Plan. Also, as per the "Future Land Use Map" located on Page 51 of the Comprehensive Plan, the site is a future ***Focus Area*** - *areas that warrant further examination and planning because they have a stronger chance of experiencing physical change over the next ten years and beyond.*

- C. There has been a substantial change in area conditions that necessitates the amendment.*

A number of nearby properties have been redeveloped, including the property directly east of the site which is currently a Three-Story Apartment Complex. The current property is underutilized and will remain so without a zoning map amendment.

- D. There is a legitimate need for additional land area in the zoning district that will be expanded.*

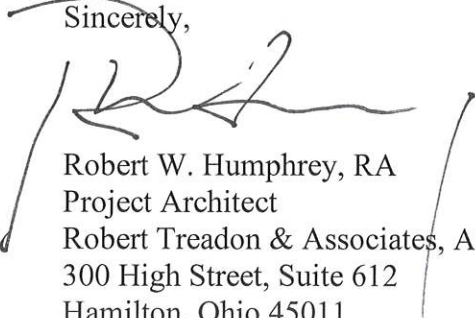
Changing the Zoning for this property would conform to numerous Benefits of Transit-oriented development (TOD) communities, as listed in the Comprehensive Plan on Page 56. Including, Increased ridership for transit systems, Revitalization of the neighborhood, larger supply of affordable housing and Economic returns to surrounding landowners and businesses.

Robert Treadon & Associates Architects

City of Oxford
Planning Commission
October 27, 2023
Page Three

If you have any questions regarding the attached submittal or require additional information, please feel free to contact me at any time. Thank you very much for the assistance given thus far in this process.

Sincerely,



Robert W. Humphrey, RA
Project Architect
Robert Treadon & Associates, Architects
300 High Street, Suite 612
Hamilton, Ohio 45011
(513) 863-7162, Ext. 106
rhumphrey@rtarchitects.com

Attachments:

1. Zoning Map Amendment Application
2. Letter of Agency
3. Vicinity Map showing surrounding zoning districts. Project location is to the west of the corner of Chestnut and Arrowhead Lane.
4. Legal description of the property.
5. Pictures of existing site.

LETTER OF AGENCY

To Whom It May Concern:

Please be advised that

Robert Humphrey, Robert Treadon & Associates, Architects

(Applicant Name)

has permission to represent our interest with the City of Oxford regarding
Proposed Student Housing

(Application Description)

located at

101 East Chestnut Street, Oxford, Ohio

(Property Address/Location)

Thank you,

Saahith Vukanti

(Property Owner Printed Name – must be a person)

JAI RAM, LLC

(Property Owner Company Name – if applicable)

Saahith Vukanti

(Property Owner Signature – must correspond to printed name above)

10/24/2023

(Date)

EXHIBIT A

Entire Lot Numbered Eight Hundred Eleven (811) as the same is known and designated upon the recorded plat of the City of Oxford, Butler County, Ohio;

SAVE AND EXCEPTING THEREFROM the following described property:

Situate in the City of Oxford, Butler County, Ohio and being part of Lot No. 811 bounded and described as follows:

Beginning at the extreme southerly corner of said lot; thence North 30 deg. 17' West along the easterly side of the Baltimore & Ohio Railroad right-of-way, 116.87 feet; thence South 88 deg. 30' East 50.15 feet to a point in the east line of said road; thence South 5 deg. 03' East along said east line, 100 feet to the point of beginning.

ALSO SAVE AND EXCEPTING THEREFROM the following described real estate:

Situate in the City of Oxford, Butler County, Ohio and being a portion of Lot 811 as the same is numbered and designated on the revised list of lots of the City of Oxford and bounded and described as follows: Beginning at a point in the north line of said Lot 811 and south line of Chestnut Street which lies North 83 deg. 30' West 84.19 feet from the northeast corner of said Lot 811; thence from said beginning point South 0 deg. 15' East 155.35 feet; thence South 30 deg. 17' East 78.26 feet; thence North 84 deg. 57' East a distance of 63.28 feet to a point in the east line of said Lot 811; thence South 5 deg. 03' East along the east line of said lot a distance of 81.18 feet to the Grantor's southeast corner; thence North 88 deg. 30' West along the Grantor's south line a distance of 50.15 feet to a point in the east right-of-way line of the Baltimore and Ohio Railroad; thence North 30 deg. 17' West along the east line of the Baltimore and Ohio Railroad a distance of 347.32 feet to a point in the north line of said Lot 811 and south line of Chestnut Street; thence South 88 deg. 30' East along the north line of said Lot 811 and south line of Chestnut Street a distance of 115.00 feet to the point of beginning, containing 0.4039 acres of land, more or less.

Parcel Address: 101 E. Chestnut Street, Oxford, Ohio 45056

Parcel No.: H4100-114.000-001



By ML at 3:13 pm, Jul 10, 2020



ARIEL SITE VIEW



FRONT ELEVATION



ADJACENT 3-STORY APARTMENT COMPLEX

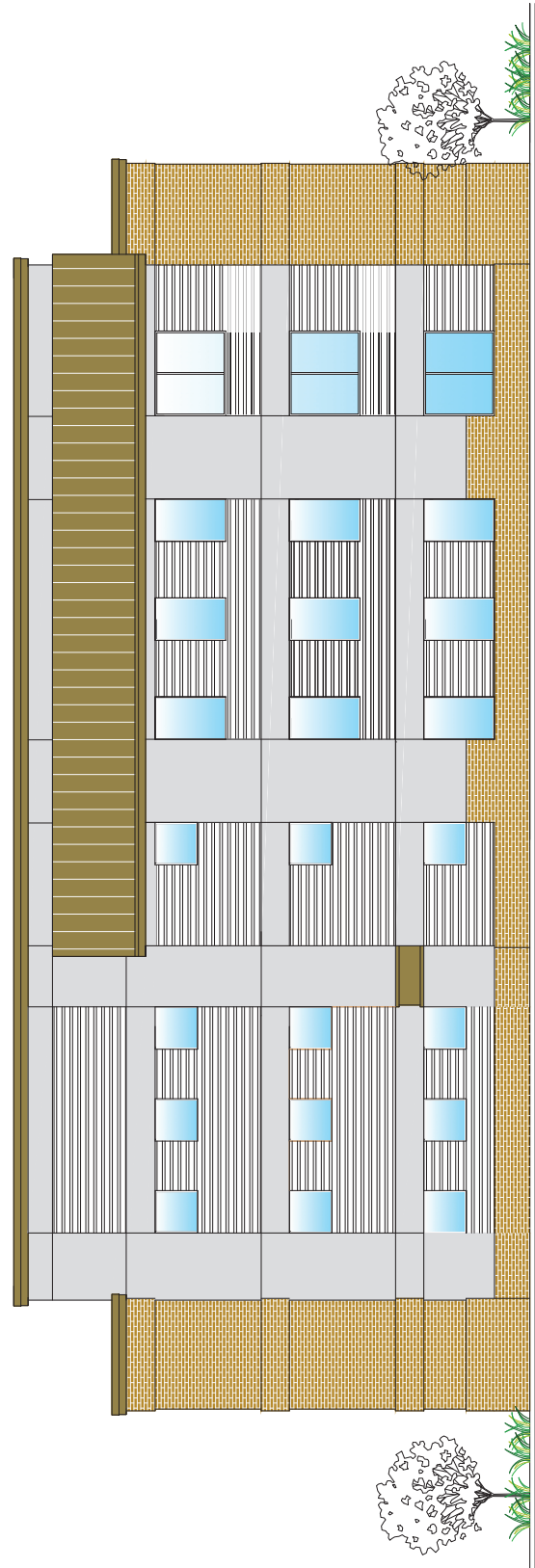
PROPOSED STUDENT HOUSING FOR:
 JAFAM LLC
 101 E. CHESTNUT ST.
 OXFORD, OHIO 45056

Robert Treadon & Associates
 Architects
 300 High Street, Suite 612
 Hamilton, Ohio 45011 (513) 863-7162 Fax 863-1116

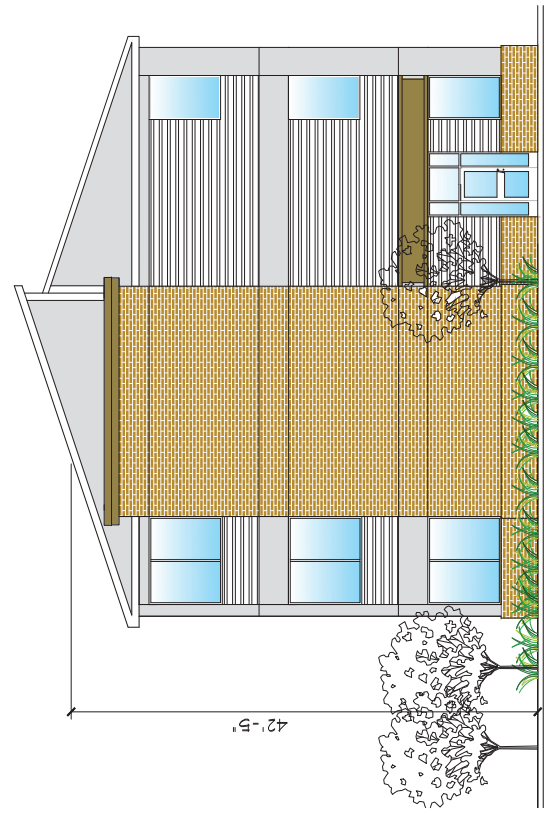


PRELIMINARY Robert Treadon & Associates 300 High Street, Suite 612 Hamilton, Ohio 45011 (513) 863-7162 Fax 863-1116	This Rev. Issue Date 1 A 10/27/2019	Description PETITION FOR ZONING VARIANCE
--	--	---

1 EAST ELEVATION
 SCALE: 3/16" = 1'-0"



2 SOUTH ELEVATION
 SCALE: 3/16" = 1'-0"



- STANDING SEAM METAL ROOF
- BRICK VENEER
- METAL OR WOOD SIDING
- EIFS.

October 13, 2023

Robert Humphrey
Robert Treadon & Associates, Architects
300 High Street, Suite 612
Hamilton, OH 45011

VIA EMAIL:
rhumphrey@rtarchitects.com

RE: Preliminary Zoning Review for 101 E Chestnut Street – Proposed Rezoning to R-3 for Multi-Family Building

Dear Mr. Humphrey:

As requested, I have reviewed your plans received October 6, 2023 for a proposed rezoning of property at 101 E Chestnut Street from GB General Business District to R-3 Multi-Family Residential District for the purpose of accommodating redevelopment into a new 3-story multi-family structure containing 9 dwelling units. The existing use of the property is commercial service (Suds City Laundromat).

This is only a preliminary review based upon the details currently provided, assuming a successful rezoning from GB to R-3, followed by permitting for actual construction. In order for a rezoning of the property to be considered, this requires submission of a [Zoning Map Amendment application](#), entailing a formal review by City staff, recommendation from the Planning Commission, and a final determination by City Council. **Note: Staff is still assessing whether a purely residential district, such as the R-3 District, is a good fit for this property in comparison to the policy and land use recommendations expressed by the 2023 Oxford Tomorrow Comprehensive Plan.**

A [Commercial Building Permit application](#) (for multi-family use) is required to be submitted and approved by the City prior to commencement of any construction. Any differences in plans submitted at the time of a Permit review may reveal new or revised comments different than those appearing below. This review only observes compliance with respect to the Oxford Zoning Code, and not to any other codes or regulations including but not limited to the Property Maintenance Code or Ohio Basic Building Code.

Based on the hypothetical of the property being zoned R-3 Multi-Family Residential, preliminary comments on the submitted plans are as follows:

1. **Section 1143.06(c)(1)(C)(5)** specifies that a property must have a minimum lot width/frontage of 120 feet when a structure containing anywhere from 5 to 24 dwelling units is situated on the property. The existing width of this parcel is shown to be just above 84 feet, under the 120-foot minimum, therefore not permitting a 9-unit building by-right. For comparison, a lot width of 75 feet would allow for a two-family dwelling and a lot width of 90 feet would allow for a three-family dwelling.
2. **Section 1143.06(c)(3)(A)** limits new buildings in the R-3 District to a maximum height of 35 feet. For buildings with a gable roof, the measurement is taken from the *average elevation to the mean height level between the eaves and the ridge* per the definition contained in **Section 1159.03(7)**. The submitted plans show a height measurement of 48 feet 8 inches from grade to the top of the roof ridge; when measuring to the midpoint of the gable, staff estimates the “zoning height” to be somewhere between 43 and 44 feet, which although less than 48, still far exceeds the max height of 35 feet.
3. **Section 1148.04(c)** specifies minimum tree planting requirements for multi-family developments. Although it is recognized this potential project is still in a conceptual phase so these details are not yet contemplated, staff would like to alert you to the following standards. Tree planting requirements are largely based on lot frontage. In terms of the overall site (exclusive of ROW), 1 tree is required for every 10 feet of frontage; some of these trees must be located within the front yard between the building and ROW, at a reduced rate of 1 tree for every 25 feet of frontage.

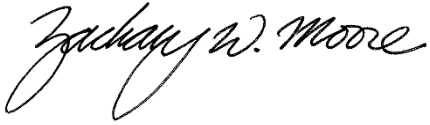
S:\shared\Plan Reviews\2023\101 E Chestnut - 9-unit MF bldg - Preliminary Zoning Review.docx

This equates to a minimum of 8 new trees on the overall site, and at least 3 of these trees being within the front yard area. Furthermore, planted trees must be a minimum 2 inch caliper and be a species appearing on the City's [Tree List](#).

4. **Section 1148.05** provides various tree preservation requirements, including a stipulation to replace any large trees 10" DBH or greater at a rate of 1 inch for every 2 inches removed. In order to assess the degree of tree loss vs. replacement, the Code requires a professional tree survey for all non-residential and multi-family developments. The survey must document the location, DBH, and species for each individual tree, except for trees in areas exempted by **Section 1148.05(a)(2)**. Areas more than 100 feet away from structures and developed surfaces that are either existing or planned can also be exempted, at staff's discretion. In order to have a proposal considered which forgoes the tree survey component completely, the Landscape Plan Review process must be followed pursuant to **Section 1148.07(c)**; this process allows the Planning Commission to consider an alternative which does not strictly adhere to Code requirements. Staff believes this site is a good candidate for potential waiver of the tree survey requirement.
5. **Section 1149.04(c)** requires two-way drive aisles to be at least 20 feet wide. A portion of the proposed drive aisle narrows at one point to around 18 feet in width, near a 90-degree corner of a proposed walk around the building.
6. **Section 1149.05(a)** specifies that a multi-family use in an R-3 District must provide at least 1 off-street parking space per 2 permitted occupants. Observing the first floor plan provided (and presuming a near identical layout on the second and third floors) each unit is shown to have a total of 3 bedrooms. Under the assumption that each unit is permitted for 3 occupants, this equates to 27 total occupants within the building (9 units x 3 occupants each). Under these calculations, the site should meet the minimum parking requirement since a total of 17 spaces are proposed. If a different occupancy figure is anticipated, please inform staff.
7. **Section 1149.07(b)(2)** provides that *all paved areas of an off-street parking area shall be a minimum of 6 feet from any lot line or 10 feet from any lot line in a residential district*. Certain parking surface areas of the site are existing and are perhaps at a zero – or close to zero – setback (particularly along the western property line), and are therefore recognized to be grandfathered. However, it is not certain whether the parking bay in the rear would encroach further into the 10 foot setback in relationship to the eastern property line bordering a residential district (The Verge).
8. Please keep in mind the following additional design specifications for off-street parking facilities: (1) minimum security lighting level of at least 1 footcandle pursuant to **Section 1149.07(e)(4)(D)**; and (2) minimum 6-inch high concrete curb around entire parking area – including raised walkways adjacent – per **Section 1149.07(e)(4)(E)**. Occasional openings in curb are permitted for stormwater management. It should also be noted that the two spaces on either side of the aisle at the very end of the rear parking bay will be extremely hard to back out of, since there is not a "stub" turnaround at the end of the bay; it is recommended these two spaces be eliminated to comply with the spirit of **Section 1149.07(e)(4)(I)**.
9. **Section 1149.07(e)(5)(1)(a)** requires a minimum of three (3) bicycle parking spaces. This can be met by providing an outdoor bike rack within reasonable proximity to the entrance. Indoor lockers can also meet this standard and are the encouraged option. Please note that additional bicycle parking above and beyond the minimum, to serve future residential tenants, can certainly be provided.
10. **Section 1149.07(e)(6)(B)** specifies minimum tree planting requirements for off-street parking areas. The requirement is for a minimum of 2 trees per parking facility, plus 1 tree for every 5 spaces or fraction thereof. This amounts to a total of 6 trees which are required to be planted within proximity to parking spaces. These 6 trees may count toward overall site trees and front yard trees as are required by **Section 1148.04(c)** as was previously mentioned in comment #3.
11. **Section 1149.07(e)(7)(B)** requires a walkway connection be established between the building and the existing public sidewalk along E Chestnut Street. The walkway must be hard surface, at least 5 feet in width. This requirement can be easily met by extending the walkway already shown on the plan a little further north across the front yard lawn to intersect with the sidewalk.

Please contact me if you have any questions.

Respectfully,

A handwritten signature in black ink that reads "Zachary W. Moore". The signature is written in a cursive, flowing style.

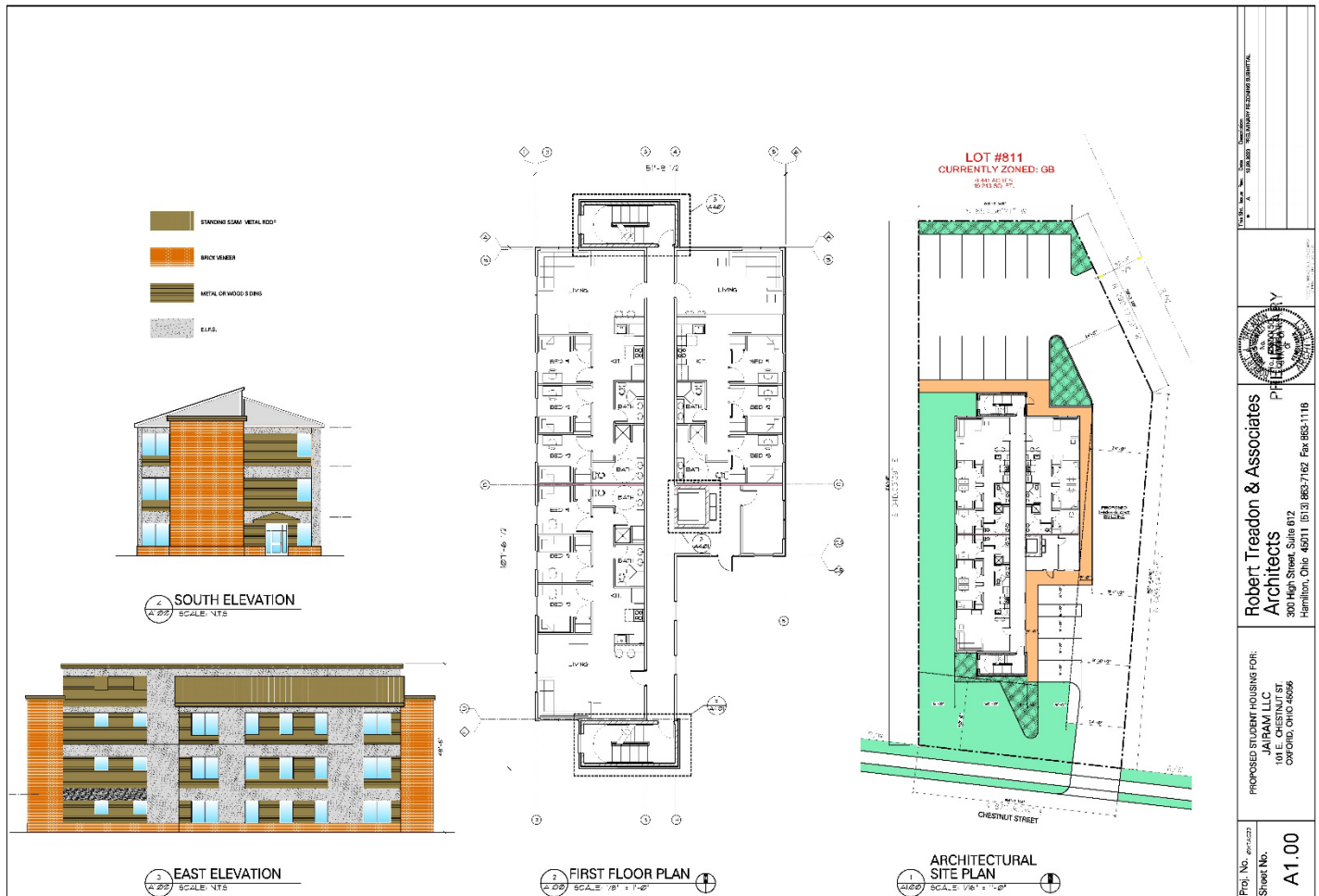
Zachary Moore, AICP

City Planner / GIS Coordinator

zmoore@cityofoxford.org

513-524-5204

ATTACHMENT: Reviewed Plans



STAFF REPORT

Community Development | Planning Commission

APPLICATION DETAILS

Applicant	City of Oxford, c/o Sam Perry
Location	601, 603, 607 West Chestnut St. – Parcel ID H4100121000125, H4100121000006, H4000121000007
Action Request	Zoning Map Amendment from R-1A to R-2A
Owner	City of Oxford
Current Use	Single-Family Residential, Vacant Single-Family Residential
Current Zoning	R-1A Single-Family Low-Density Residential District
Proposed Zoning	R-2A Single and Two-Family Residential District
Site Area	Approximately 3.33 Acres
Site Frontage	Approximately 322 feet
Surrounding Land Uses	Undeveloped creek basin and Southern Knolls Subdivision to the south; Townhomes and apartments to the west; Single-Family Residential to the north and east
Staff Recommendation	Approval

PROPOSAL SUMMARY

Starting in 2021, the City of Oxford set a bold goal to provide “Housing for All.” As noted in the City’s 2020 [Housing Study](#) and the 2023 [Comprehensive Plan](#), the critical housing needs are for low to moderate income. In order to achieve the goal, the City’s research has shown that land acquisition and zoning preparation are key tools supporting the goal. The City acquired three adjacent parcels of land on West Chestnut Street with plans to increase the number of affordable housing units on the land. Currently the subject property is zoned R-1A which would allow three individual single-family homes, or a potential planned development of up to 10 dwelling units (single homes, apartments, townhomes). R-1B zoning would allow three individual single-family homes, or a potential planned development of up to 19 dwelling units. The proposed R-2A zoning would allow up to three duplexes or a potential planned development of up to 38 dwelling units.

The City is actively seeking to partner with an affordable housing developer. A Request For Proposals was advertised and three responses were submitted. The respondents were YWCA, Habitat for Humanity and Cristo Homes. If and when the City decides on a developer partnership, then the details of the site design will begin under a separate process.

PUBLIC COMMENTS

Neighbors to the west of the subject property, Cathy Titus and Stefan Davis have inquired about this project. Ms. Titus and Mr. Davis are both residents of the townhomes to the west. Cathy has spoken at City Council meetings requesting to be involved in decision processes regarding the subject property acquisition, zoning and development. Stefan is president of the Charleston Square Condominium Association. Stefan has written that he is opposed to the zoning map amendment until more information about the details of the development is shared. See attached email from Stefan. Staff has been informed that the townhomes are represented by two separate home owner associations. One home owner association has designated a representative to attend city meetings (Stefan Davis) while the other has not designated a representative at the time of the writing of this report.

DEPARTMENT COMMENTS

Below are comments from City departments:

Department	Respondent	Response
Economic Development	Seth Cropsenbaker, Economic Development Specialist	Returned with Comments
<i>The Economic Development Staff fully support the proposed Zoning Map Amendment for the property at 601 W. Chestnut.</i> <i>The change in zoning from the current R1-A to the proposed R2-A is a vital and necessary step to the creation of both the number and type of housing to support the citizens and economy of Oxford.</i> <i>The proposed zoning change would allow for a significant number of additional dwelling units on this parcel, facilitating a meaningful increase the number of available housing units in Oxford.</i> <i>The proposed zoning change would also allow for the development of 2-family attached units, facilitating the affordability of the housing units to better support the Oxford economy and members of our workforce.</i> <i>Further, this proposed zoning change supports multiple findings and recommendations put forth by the Oxford Tomorrow Comprehensive plan through modernization of our zoning code and application to achieve;</i> <i>H1-A1 "increase density and promote diversity of residential housing types"</i> <i>H1-A3 "Identify areas of town which are appropriate for increased density allowance, housing diversity..."</i> <i>H1-A4 "Leverage land and other tangible assets to address housing supply gaps by boosting inventory"</i> <i>H3-A1 "Identify exiting NOAH areas and developments"</i> <i>The Economic Development Staff support and encourage the proposed Zoning Map Amendment for the property at 601 W. Chestnut without reservation or concern.</i>		
Engineering	Scott Otto, City Engineer	Returned with Comments
<i>Future development of the properties will require proper abandonment of existing septic system, water cisterns, wells and other rural utility systems known or found during demolitions.</i>		

Fire	John Detherage, Fire Chief	Returned without Comments
Police	John Jones, Police Chief	Returned without Comments

CASE HISTORY

There is no recorded planning and zoning case history with the subject property.

DECISION CRITERIA

Section 1135.02(c)(1) specifies that *a proposed amendment shall be approved only if it meets at least one of the following criteria, and if its benefits will likely outweigh any potential pitfalls.* The table below provides a summary of the four review criteria applicable to Map Amendment requests:

Criterion A	There is an error on the Official Zoning Map or in the delineation between districts thereon.
N/A No additional support toward granting the request	This criterion does not apply to the case at hand. There is no evidence or reason to believe that the current R-1A zoning designation was previously applied in error.
Criterion B	The proposed amendment will make the map conform more closely with the Comprehensive Plan
No This criterion does not provide support toward granting the request.	The new Oxford Tomorrow Comprehensive Plan adopted in January classifies the property as Suburban Neighborhood on the Future Land Use Map, a character type shaped by residential subdivisions of medium-lot neighborhoods with relatively uniform housing types and densities. Homes typically include attached front- or side-loaded garages. New residential subdivisions in this district should be designed with sidewalks, street trees, neighborhood parks, and trail connections. For the proposed Map Amendment to be supported by this criterion, a Comprehensive Plan Future Land Use Map Amendment to Transitional Suburban Neighborhood or Urban Mile Square Neighborhood would be recommended.
Criterion C	There has been a substantial change in area conditions that necessitates the amendment
No This criterion does not provide support toward granting the request.	At present, the subject properties contain three separate single-family homes. The surrounding area is existing developed neighborhoods. These were the same conditions in place at the time of the most recent adoption of the 2023 Comprehensive Plan.

Criterion D	There is a legitimate need for additional land area in the zoning district that will be expanded
Yes This criterion <i>could</i> provide additional support toward granting the request.	Based on the critical need for additional affordable housing units identified on pages 76-79 of the Oxford Tomorrow Comprehensive Plan, there is legitimate need for additional R-2A land. The R-2A and R-3 land areas that are in locations walkable to community services are already developed and therefore unlikely to be redeveloped within the 10-year time horizon of the Oxford Tomorrow Plan. There is vacant R-2A land along Lake Forest Drive, but it is planned for development in the near future and therefore not available. Based on this, it could be determined that there is legitimate need for the additional R-2A land area.

ADDITIONAL COMMENTARY

Zoning Map amendments are almost always inspired by potential developments. The Zoning Map is one of the regulatory parameters for the land use development policies of the city. However, the details of potential developments cannot be used to decide on regulatory parameters. The proposed development must comply with whatever the set parameters are, within the prescribed processes for those parameters. Therefore, while the two aspects are intertwined, their decision processes are separate. The decision processes could be administrative only (no hearings) or it could require public hearings if a Planned Development or Conditional Use is requested. For these reasons, it may be helpful for the Commission to compare and contrast some of the following in its analysis, rather than consider potential developments.

- Review Land Use Character types in the [2023 Comprehensive Plan](#), or on the [Future Land Use Viewer Map](#) or [Zoning Viewer Map](#)
- Review existing residential dwelling densities in the area and citywide
 - As a comparable density analysis, the townhome neighborhood to the west contains 26 units and sits on 3 acres of land. The townhome neighborhood is zoned R-3 but is developed at a density below R-2A. The townhome neighborhood is designated Transitional Suburban Neighborhood on the Comprehensive Plan Future Land Use Map.
- Review existing building types in the area and citywide

STAFF RECOMMENDATION

Based upon a review of the relevant Decision Standards, staff recommends **approval** of the zoning map amendment.

SUBMITTED BY:A handwritten signature in black ink, appearing to read "Sam Perry", with a long horizontal flourish extending to the right.

Sam Perry, AICP
Community Development Director

DATE: December 6, 2023

APPENDIX A

RELEVANT PROVISIONS FROM THE ZONING CODE

Within the Oxford Zoning Code, *Chapter 1135* governs zoning amendments, *Section 1143.01* provides the base standards for the R-1A zoning district, and *Section 1143.04* provides the base standards for the R-2A zoning district.

Chapter 1135 – Zoning Code Amendments

1135.01 – General.

- (a) This Zoning Code is generally intended to provide for long-term land use and site planning in Oxford. However, there are times that the public necessity, convenience, general welfare, or good zoning practice require amendments to this Code. This section provides the procedures and standards by which this Code will be amended.
- (b) There are two types of possible amendments to this Code. A text amendment changes the written text of the Code, which equally affects all land and improvements that are subject to such regulation. A map amendment (also called rezoning) changes the boundaries between zoning districts on the Zoning Map, which equally affects all of the land that is so rezoned.

1135.02 – Procedure.

- (a) Initiation.

A text amendment may be initiated by the Chair of the Planning Commission, by adoption of a motion by Council or the Planning Commission, or by application to Planning Commission by a landowner or a resident of the City of Oxford.

A map amendment may be initiated by adoption of a motion by Planning Commission, by adoption of a motion by Council, or by application to Planning Commission by at least one owner of the property within the area proposed to be rezoned.

 - (1) Referral to Planning Commission.

After the proper initiation of a text amendment, the Zoning Administrator shall place the item on the Planning Commission agenda as required by Section 1129.09, Application Administration.
- (b) Application.

If Planning Commission or Council initiates an amendment, then the Zoning Administrator shall provide information as necessary for proper consideration of the motion. The information provided shall be substantially similar to that required of an application for amendment.

An application for amendment shall be filed with the Zoning Administrator. An application shall be complete prior to being scheduled for a public hearing. An application will be considered complete only if the Zoning Administrator is satisfied that all of the materials required by this chapter are included and are sufficient in their content to satisfy the intent of the application requirements.

 - (1) Contents of application.

The applicant shall contact the Zoning Administrator prior to submitting an application to discuss the submission requirement, which includes the following information. A written, detailed description, where applicable, is required for each subsection.

All applications:

 - A. Application Fee.
 - B. The name, mailing address, and telephone number of the applicant.
 - C. A general description of the proposed amendment.
 - D. A narrative statement that describes how the proposed amendment relates to the Comprehensive Plan.

- E. A statement that identifies potential negative consequences of the proposed amendment.
- F. Such other information regarding the proposed amendment as may be pertinent to the application or required by Planning Commission or Council.

Also required for text amendments:

- A. Any existing section number and text that is proposed to be deleted or amended.
- B. Any new or amended text as it is proposed to be codified including its proposed location in the Code. (section numbers)
- C. A narrative statement that describes the expected effects of the proposed text.
- D. A narrative statement that compares the expected effects of the proposed text with any existing text that it will replace, if applicable.

Also required for map amendments:

- A. A legal description of the area to be rezoned.
- B. The proposed zoning of the area.
- C. The current zoning of the area.
- D. A description of existing uses in the area.
- E. A vicinity map, at a scale approved by the Zoning Administrator, showing property lines, streets, existing and proposed zoning and other items required by the Zoning Administrator.
- F. A list of the names and mailing addresses of all owners of land that is proposed to be rezoned and all land owners within 200 feet of every parcel proposed to be rezoned.

(2) Reapplication.

No application for a Zoning Code amendment that is substantially similar to an application that has been denied, wholly or in part, shall be accepted for one year from the date of denial. The Zoning Administrator shall determine if a similar application differs enough to be considered a different application and not subject to this section. The Zoning Administrator may consider factors such as the nature or size of a proposal, changes in the development or traffic patterns of the area, or newly discovered evidence pertinent to a decision on a previous application. An applicant may appeal the decision of the Zoning Administrator to the Board of Zoning Appeals.

(c) Planning Commission and Council Review.

The Planning Commission shall base its recommendation on a proposed Zoning Code amendment upon the complete application, upon any staff report, and upon any relevant and credible public comment presented during the public hearing. Council shall base its decision on the same materials and shall also consider the Planning Commission recommendation.

If the Planning Commission or Council finds that the information provided is insufficient to make a determination, it may suspend its review until sufficient information has been provided.

(1) Decision standards.

A proposed amendment shall be approved only if it meets at least one of the following criteria, and if its benefits will likely outweigh any potential pitfalls.

Text Amendments

- A. The proposed amendment will make the Code conform more closely with the Comprehensive Plan.
- B. The proposed amendment will improve the public health, safety, and general welfare of Oxford.
- C. The proposed amendment will clarify the intent of the Code.
- D. The proposed amendment will better implement the intent of the Code.
- E. The proposed amendment will improve enforcement of the Code.

Map Amendments

- A. There is an error on the Official Zoning Map or in the delineations between districts thereon.
 - B. The proposed amendment will make the map conform more closely with the Comprehensive Plan.
 - C. There has been a substantial change in area conditions that necessitates the amendment.
 - D. There is a legitimate need for additional land area in the zoning district that will be expanded.
- (d) Action by Planning Commission and Council.
 - (1) The Planning Commission shall recommend to Council approval, approval with modifications, or denial of an application as presented and shall clearly state the findings upon which its recommendation is based.
 - (2) Council shall base its decision on the recommendation of Planning Commission and the decision standards of this section.
- (e) Implementation of Amendment.
 - (1) The Zoning Administrator shall implement all Code amendments approved by Council when the ordinance approving the amendment becomes effective, regardless of when the amendment appears in the Zoning Code text or on the Zoning Map.
 - (2) Zoning Code amendments do not expire.

1143.01 – R-1A Single-Family Low-Density Residential District.

- (a) Purpose.

This district is intended to provide areas for low-density single-family residential development, generally located within the outlying areas of the City. Such development would be located and designed to protect and enhance the open space character of selected areas within the City.
- (b) Uses.
 - (1) Permitted uses.
 - A. Single-family dwellings.
 - B. Accessory buildings and uses incidental to the principal use as provided in Chapter 1141.
 - C. Day Care Home Type B family.
 - (2) Conditional uses.

The following Conditional Uses are subject to review and regulation in accordance with Chapter 1141.

 - A. Community-Oriented Residential Social Service Facilities (CORSSF's).
 - B. Shared Housing and Congregate Housing for the elderly.
 - C. Government owned and/or operated parks and recreation facilities.
 - D. Bed & Breakfasts.
 - E. Open space recreation areas that are privately or publicly owned, such as golf courses, tennis courts, parks, forests, or wildlife preserves.
 - F. Cemeteries.
 - G. Day care facilities, including Child Day Care, Child Day Care Center, and Day Care Home Type A family.
 - H. Schools: primary, intermediate, and secondary, both public and private.
 - I. Places of worship.
- (c) Site Development Regulations. (Unless superseded by Conditional Use Requirements)
 - (1) Lot requirements.
 - A. Minimum lot area 15,000 sq. feet
 - B. Minimum lot width 90 feet
 - C. Minimum lot frontage 90 feet (not applicable to cul-de-sac lots)
 - (2) Yard requirements.
 - A. Minimum front yard depth 30 feet

- B. Minimum rear yard depth 40 feet
- C. Minimum side yard width 10 feet on each side
- (3) Structural requirements.
 - A. Maximum building height 35 feet
- (4) Lot coverage.
 - A. Lots with vehicular access from a public street
 - 1. Lot total – Maximum 35 percent
 - 2. All enclosed buildings – Maximum 25 percent of lot
 - 3. Front yard – Maximum 25 percent of front yard
 - B. Lots with vehicular access from a rear or side alley, and no access from a public street
 - 1. Lot total – Maximum 40 percent
 - 2. All enclosed buildings – Maximum 25 percent of lot
 - 3. Front yard – Maximum 15 percent of front yard

1143.04 – R-2A Single- and Two-Family Residential District.

- (a) Purpose.
This district is designed to provide and preserve neighborhoods of smaller single-family residences within and adjacent to areas of similar development. This district also provides for a limited number of two-family residences.
- (b) Uses.
 - (1) Permitted uses.
 - A. Single-family dwellings.
 - B. Two-family dwellings.
 - C. Accessory buildings and uses incidental to the principal use as provided in Chapter 1141.
 - D. Day Care Home Type B family.
 - (2) Conditional uses.
The following Conditional Uses are subject to review and regulation in accordance with Chapter 1147.
 - A. Community-Oriented Residential Social Service Facilities (CORSSF's).
 - B. Shared Housing and Congregate Housing for the elderly.
 - C. Government owned and/or operated parks and recreation facilities.
 - D. Bed & Breakfasts.
 - E. Private and publicly owned commercial and noncommercial recreational areas, uses and facilities of an open space nature, such as golf courses, tennis courts, parks, forests, wildlife preserves, etc.
 - F. Day care facilities, including Child Day Care, Child Day Care Center, and Day Care Home Type A family.
 - G. Schools: primary, intermediate, and secondary, both public and private.
 - H. Places of worship.
- (c) Site Development Regulations. (Unless superseded by Conditional Use Requirements)

	<u>1-family</u>	<u>2-family</u>
(1) <u>Lot requirements.</u>		
A. Minimum lot area	6,000 sq. ft	7,500 sq. ft.
B. Minimum lot width	60 feet	75 feet
C. Minimum lot frontage	60 feet	75 feet
	(lot frontage requirements not applicable to cul-de-sac lots)	
(2) <u>Yard requirements.</u>		
A. Minimum front yard depth	30 feet	30 feet
B. Minimum rear yard depth	30 feet	30 feet
C. Minimum side yard width	7.5 feet	7.5 feet
(3) <u>Structural requirements.</u>		
A. Maximum building height	35 feet	35 feet
(4) <u>Lot coverage.</u>		

- A. Lots with vehicular access from a public street
 - 1. Lot total – Maximum 35 percent
 - 2. All enclosed buildings – Maximum 25 percent of lot
 - 3. Front yard – Maximum 25 percent of front yard
- B. Lots with vehicular access from a rear or side alley, and no access from a public street
 - 1. Lot total – Maximum 40 percent
 - 2. All enclosed buildings – Maximum 25 percent of lot
 - 3. Front yard – Maximum 15 percent of front yard



Memo
Service Department
Engineering Division
513/524-5208

TO: Community Development Department

FROM: Scott Otto, P.E.
City Engineer

RE: Application #PPC-2023-16
601 W. Chestnut St. – Zoning Map Amendment

DATE: November 17, 2023

The Engineering Division offers the following comment:

- Future development of the properties will require proper abandonment of existing septic system, water cisterns, wells and other rural utility systems known or found during demolitions.

PC-2023-16

Surrounding Property Owners Notifications Map

Legend

 Subject Area

 200 Ft. Buffer

 Oxford Corp. Limit

 Address Point

 16.5' Vacated ROW

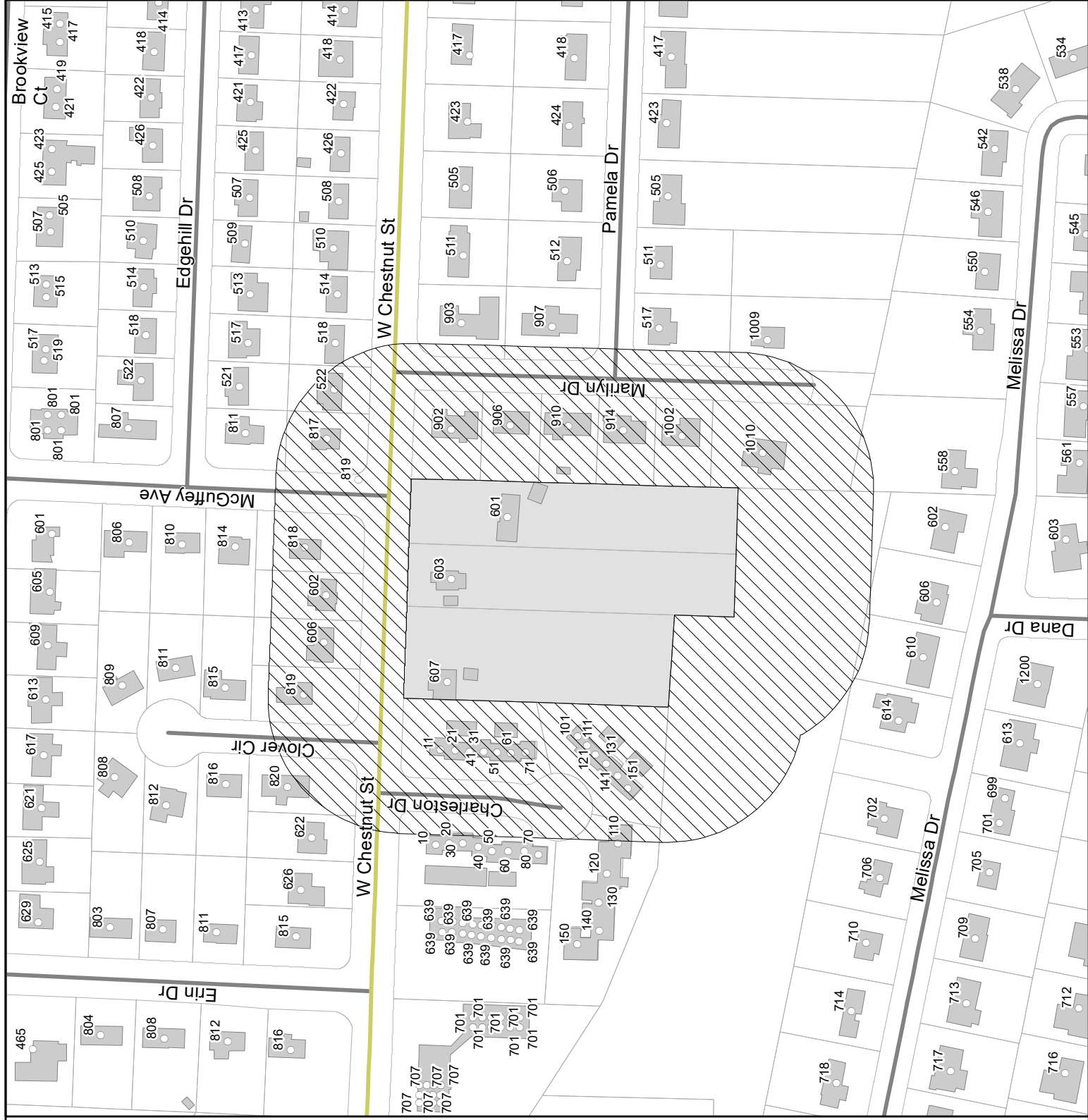
 Building Footprint



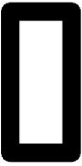
1 inch = 200 feet

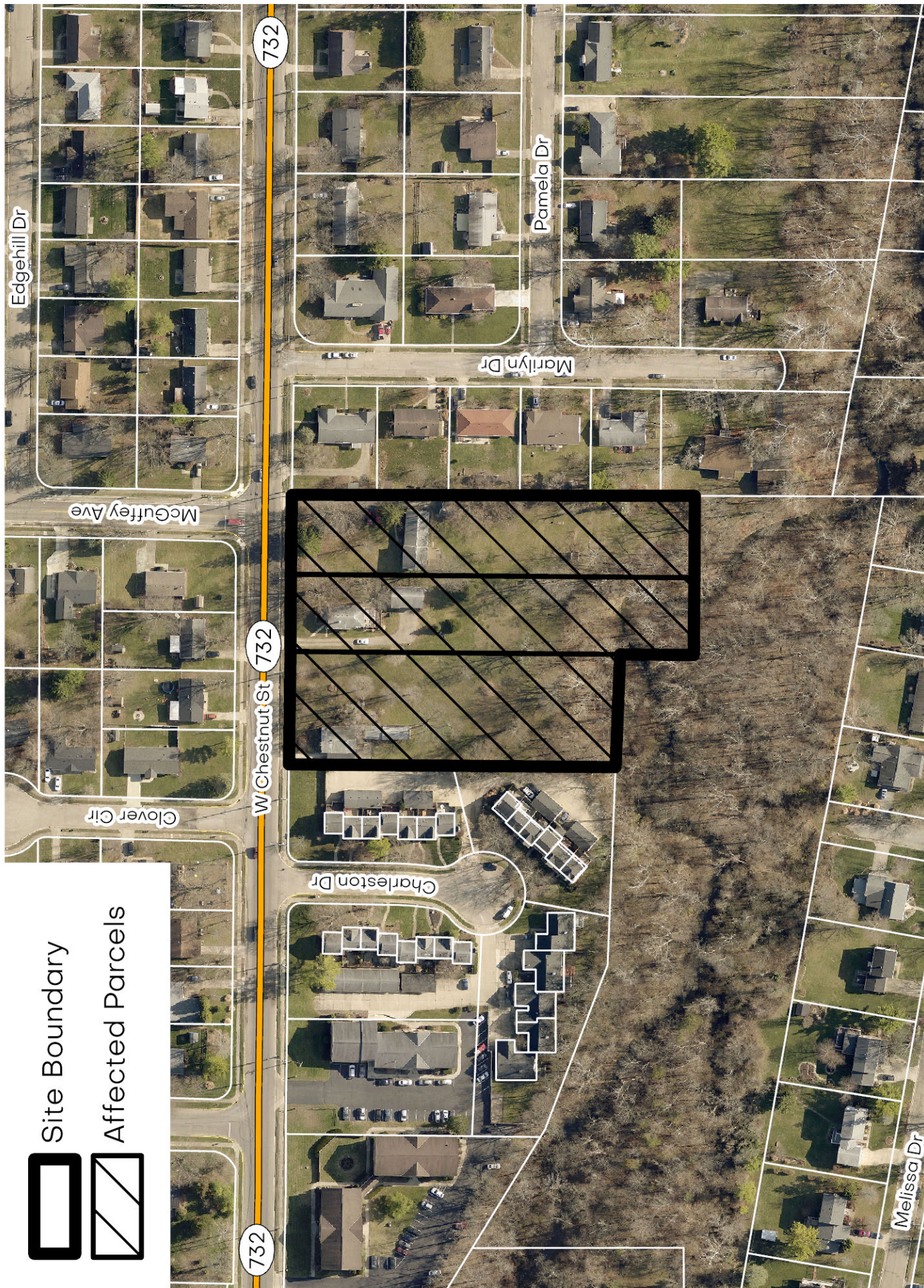
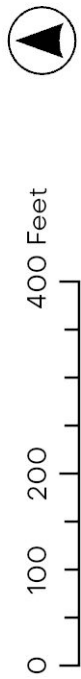
Prepared on Thursday, November 16, 2023

The City of Oxford does not guarantee the dimensional accuracy of this map. Precise dimensional accuracy should be based upon recorded deeds, plats or a professional survey.

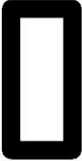
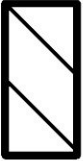


Aerial Map

-  Site Boundary
-  Affected Parcels

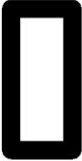
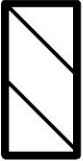


Current Zoning

-  Site Boundary
-  Affected Parcels



Proposed Zoning

-  Site Boundary
-  Affected Parcels



**Internal Use Only:**Case No. **PC-2023-16**Date Filed **10/30/2023**

Zoning Map Amendment Application

Applicant Information

Attach a Letter of Agency if the Applicant is not the property owner.

Name *	Sam Perry
Mailing Address *	15 South College Ave
City, State & Zip Code *	Oxford, Ohio 45056
Telephone Number(s) *	513-524-5204
Email Address	sperry@cityofoxford.org

Location and Lot Information

Location *	601, 603, 607 West Chestnut St
General Description of Proposed Amendment *	Zoning Map Amendment of 3.33 Acres from R-1A to R-2A
Current Zoning *	R-1A
Proposed Zone(s) *	R-2A

Submission Requirements and Documentation

From Section 1135.02 Procedure¹.

- (a) Initiation. A map amendment may be initiated by adoption of a motion by Planning Commission, by adoption of a motion by Council, or by application to Planning Commission by at least one owner of the property within the area proposed to be rezoned.
- (b) Application. If Planning Commission or Council initiates an amendment, then the Zoning Administrator shall provide information as necessary for proper consideration of the motion. The information provided shall be substantially similar to that required of an application for amendment.

An application for amendment shall be filed with the Zoning Administrator. An application shall be complete prior to being scheduled for a public hearing. An application will be considered complete only if the Zoning Administrator is satisfied that all of the materials required by this chapter are included and are sufficient in their content to satisfy the intent of the application requirements.

- (1) Contents of application. The applicant shall contact the Zoning Administrator prior to submitting an application to discuss the submission requirement, which includes the following information. A written, detailed description, where applicable, is required for each subsection.
- A. Application Fee.
 - B. The name, mailing address, and telephone number of the applicant.
 - C. A general description of the proposed amendment.
 - D. A narrative statement that describes how the proposed amendment relates to the Comprehensive Plan.
 - E. A statement that identifies potential negative consequences of the proposed amendment.
 - F. Such other information regarding the proposed amendment as may be pertinent to the application or required by Planning Commission or Council.
 - G. A legal description of the area to be rezoned.
 - H. The proposed zoning of the area.
 - I. The current zoning of the area.
 - J. A description of existing uses in the area.

- K. A vicinity map, at a scale approved by the Zoning Administrator, showing property lines, streets, existing and proposed zoning and other items required by the Zoning Administrator.
- L. A list of the names and mailing addresses of all owners of land that is proposed to be rezoned and all land owners within 200 feet of every parcel proposed to be rezoned (see later section).

Surrounding Property Owners

On a separate sheet, provide the parcel numbers, names, and mailing addresses of all property owners within 200 feet of all boundaries of the property in question. The [Butler County Auditor Real Estate Search](#)² is helpful when searching for the mailing address of adjoining property owners. It allows you to search by owner, address, or parcel number. *Property Owner names will not be provided in the agenda packet.*

Decision Process

From Section 1135.02(c)(1) Decision Standards¹.

A proposed amendment shall be approved only if it meets at least one of the following criteria, and if its benefits will likely outweigh any potential pitfalls.

- A. There is an error on the Official Zoning Map or in the delineations between districts thereon.
- B. The proposed amendment will make the map conform more closely with the Comprehensive Plan.
- C. There has been a substantial change in area conditions that necessitates the amendment.
- D. There is a legitimate need for additional land area in the zoning district that will be expanded.

Fees & Receipt

The required fee is \$375.00, plus \$10.00 postage charge. Write a check payable to **City of Oxford**. You may also pay in-person using Visa, MasterCard, and Discover.

Sign and Date

Applicant Signature *



Date *

10/27/2023

Submit Application, Submission Requirements and Documentation, and Fees

We will not accept incomplete applications and/or plans and documentation.

Send or drop off this application with required documentation as attachments and a check for fee and postage charge made payable to **City of Oxford**, to Community Development Director, 15 South College Avenue, Oxford, OH 45056.

Direct questions to the Community Development Dept. at (513) 524-5204. The application will be placed on the next possible agenda.

Note: You must adhere to notification and publication requirements. Submit materials 45 days prior to the proposed Planning Commission meeting on which the action is requested. City Staff will place a public hearing sign on the subject property. **The Applicant is responsible for removing the signage at the completion of the hearing(s).**

¹ City of Oxford Codified Ordinances: <http://www.cityofoxford.org/fees-ordinances-and-charter>

² Butler County Auditor Real Estate Search: <http://www.butlercountyauditor.org/>



MEMORANDUM
Community Development Department
513-524-5204

TO: Planning Commission

FROM: Sam Perry, AICP
Community Development Director

DATE: October 27, 2023

RE: **Narrative for Chestnut Street Re-zoning submitted with application on behalf of the City of Oxford**

On behalf of the City of Oxford, I am submitting a Zoning Map Amendment application for three parcels of land owned by the City of Oxford. The properties are 601, 603 and 607 West Chestnut Street. The property is currently zoned R-1A. The proposed zoning district is R-2A. The total land area is approximately 3.33 Acres. The existing use of the area is single-family residential. The proposed use is not determined at this time. The City is seeking to partner with an affordable housing developer by offering its own land for affordable housing development.

Relationship to Comprehensive Plan: The Housing and Land Use/Development Chapters within the Oxford Tomorrow Comprehensive Plan identifies several goals, objectives and actions. H1-A4 on page 80 states the following: Leverage land and other tangible assets to address housing supply gaps by boosting inventory. "...the City and other public agencies and major institutions can utilize their real estate assets to encourage new housing developments." ***The subject property is owned by the City, which is in direct alignment with this objective.*** H1-A5 on page 81 states the following: Support developments and programs addressing supportive and transitional housing. ***It is possible that a non-profit agency with supportive services could develop the subject property if the zoning map is amended as proposed. The current zoning district would likely prevent this from happening.*** L3-A3 on page 54 states the following: "...the development of dense, walkable, mixed-use development near transit attracts people and adds to vibrant, connected communities." H3-A2 and H3-A3 on page 83 state that: "Existing NOAH (Naturally Occurring Affordable Housing) should be protected." ***The subject property is adjacent to older housing stock, which tends to be lower cost than newer housing stock on the edge of the community. Because the City is the owner, it is feasible for the City to guide the details of the development such that it is designed sensitively and appropriately to fit into the neighborhood and not negatively affect the character and stability of the existing surrounding housing stock.***

Decision Standards:

- A. There is an error on the Official Zoning Map or in the delineations between districts thereon. *There is not an error on the map in this location nor any delineation errors resulting from parcel line or survey plat corrections.*
- B. The proposed amendment will make the map conform more closely with the Comprehensive Plan. *The subject properties are shown on the Future Land Use Map (FLUM) as Suburban Neighborhood which anticipates single-family detached subdivision development as the primary use.*
- C. There has been a substantial change in area conditions that necessitates the amendment. *There have not been any substantial changes in area conditions since the adoption of the Oxford Tomorrow Plan earlier this year.*
- D. There is a legitimate need for additional land area in the zoning district that will be expanded. *Based on the critical need for additional affordable housing units identified on pages 76-79 of the Oxford Tomorrow Plan, there is legitimate need for additional R-2A land. The R-2A and R-3 land areas that are in locations walkable to community services are already developed and therefore unlikely to be redeveloped within the 10-year time horizon of the Oxford Tomorrow Plan. There is vacant R-2A land along Lake Forest Drive, but it is planned for development in the near future and therefore not available. Based on this, there is legitimate need for the additional R-2A land area.*

601/603.607 West Chestnut

Davis, Stefan S. <ssdavis@iupui.edu>

Mon 11/20/2023 1:42 PM

To: Sam Perry <sperry@cityofoxford.org>;

Mr. Perry:

I have the notice regarding zoning of the West Chestnut property. I serve as President of the Charleston Square Condominium Association. It is very difficult to make any kind of informed statement when the materials being presented are so vague. Saying affordable housing is not very helpful. What does that mean. Houses, apartments, condos? How many? What is the plan to protect the value of surrounding property owners given the likelihood the density and affordable tag will result in a decrease? How will sound be approached and protection from incursion onto our land be handled? Will there be a property manager for the development as required for other Oxford properties.

It would seem that since the city of Oxford is making the zoning request there is little doubt but that it will be approved. Better transparency would be helpful for those of us who will have a direct impact from this project. Until such time as better information is provided, I would be opposed to any change.

Stefan

Stefan S. Davis

317-287-4076 Mobile

ssdavis@iu.edu

Opposition to 601/603/607 W Chestnut Street Zoning Map Amendment, for 3.33 acres from Single-Family Low Density Residential (R1A) District to Single-and Two-Family Residential (R-2A)

Case No: PC-2023-16

The rezoning of 601/603/607 W Chestnut street would allow up to 38 units of “affordable housing”. We oppose the rezoning because we do not believe that the city can ensure that this proposed development can be designed sensitively and appropriately to fit into our neighborhood. We believe that value of, the character of and the stability of our existing neighborhood will be negatively affected.

Table of Contents

Attachment 1	Map and numerical summary of opposition signatures
Attachment 2	List of opposition signatures to rezoning
Attachment 3	Petition of opposition original signatures (8 pages)

Submitted by:

Harrison Titus (513) 291-5901

Cathy Titus (513) 404-7645

101 Charleston Dr.

December 6, 2023



Blue highlighted area indicates signed petition in opposition to amending zoning map for **Case No: PC-2023-16**

51 properties within 200 ft of Chestnut St properties

40 signatures on petition of opposition

7 properties with both homeowners signing

17 property owners waiting for response

1 property owner has conflict of interest

1 property owner declined to sign

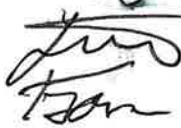
Signatures in
opposition to
Case No: PC-2023-16

	A	B	C	D
1	<u>NAME</u>	<u>NUMBER</u>	<u>STREET</u>	<u>PHONE</u>
2	Cana DeGirolamo	10	Charleston	440-829-1696
3	Jane Sheard	11	Charleston	513-523-3817
4	Timothy Demarks	20	Charleston	513-739-5810
5	Scott Saddler	21	Charleston	812-350-1844
6	Lisa Saddler	21	Charleston	812-350-1844
7	Elaine Brandner	30	Charleston	513-330-2054
8	Marie Meade	31	Charleston	513-461-3383
9	Lei Song	40	Charleston	513-593-5510
10	Larysa Bobrova	60	Charleston	814-206-4662
11	Yurig Bobrov	60	Charleston	
12	Vangie Elzey	61	Charleston	513-461-4285
13	Sandra Manning	70	Charleston	917-348-8670
14	Stefan Davis	71	Charleston	317-287-4076
15	Jon Patton	80	Charleston	513-290-5827
16	Cathy Titus	101	Charleston	513-404-7645
17	Jim Clawson	110	Charleston	513-383-2112
18	Jean Sears	111	Charleston	513-523-3513
19	Daniel C Cox	121	Charleston	513-839-0754
20	Ricardo Tipton	131	Charleston	513-523-3932
21	Joy Tipton	131	Charleston	513-523-3932
22	Matt Arbuckle	140	Charleston	303-570-9576
23	Kathy McClellan	141	Charleston	513-319-8971
24	Michael Henn	150	Charleston	513-200-6118
25	Jason D. Puckett	602	Chestnut west	513-377-0003
26	Latricia Hillman	820	Clover	513-461-4561
27	Virginia Preston	902	Marilyn	513-523-6265
28	Kate Francis	906	Marilyn	808-254-5528
29	David Smith	910	Marilyn	513-309-9005
30	Saleh Yousef	914	Marilyn	513-255-3828
31	Lori Libby	914	Marilyn	513-255-0523
32	Kathy Pechan	1010	Marilyn	513-382-7495
33	Michael Pechan	1010	Marilyn	513-330-4114
34	Hank Stevens	558	Melissa	513-461-1704
35	William Mundy	602	Melissa	765-580-1004
36	Dale Robinson	606	Melissa	513-523-3848
37	James A Robinson	606	Melissa	513-523-3848
38	Janelle Rainey	614	Melissa	513-706-9410
39	David Wespiser JRJ		Melissa	513-524-9500
40	Craig Hunter	517	Pamela	513-317-7393
41	Nancy Hunter	517	Pamela	513-460-3423

Opposition to 601/603/607 W Chestnut Street Zoning Map Amendment, for 3.33 acres from Single-Family Low Density Residential (R1A) District to Single-and Two-Family Residential (R-2A)

Case No: PC-2023-16

The rezoning of 601/603/607 W Chestnut street would allow up to 38 units of "affordable housing". We oppose the rezoning because we do not believe that the city can ensure that this proposed development can be designed sensitively and appropriately to fit into our neighborhood. We believe that value of, the character of and the stability of our existing neighborhood will be negatively affected.

NAME	ADDRESS	PHONE	SIGNATURE
			
Cathy Titus	101 Charleston Dr	813 404-7645	C Titus
Matt Albright	140 Charleston Dr	303-520-9526	
JON PATTON	80 Charleston Dr.	513-290-5827	Jon Patton
Larysa Bobrova	60 Charleston Dr	814 206-4662	
Yuriy Bobrov	60 Charleston Dr		Yuriy Bobrov

NAME	Address	Phone	Signature
Lei Song	40 Charleston Dr	513-593-5510	
Jane Sheard	11 Charleston Dr.	513-523-381	Jane Sheard

<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE</u>	<u>SIGNATURE</u>
Jean L. Sears	111 Charleston Dr	513-523-3513	Jean L. Sears
Ricardo Tipton	131 CHARLESTON	513-523-3932	Ricardo Tipton
Joy Tipton	131 Charleston	513-523-3932	Joy Tipton
Kathy McClellan	141-Charleston Dr	513-319-8971 513-461-4285	Kathy McClellan
Vangie Elzey	61 Charleston Dr		V. Elzey
Virginia Preston	902 Marilyn Dr.	513-523-6268	Virginia Preston
Kate Francis	906 Marilyn Dr	818.254.5528	Kate Francis
David Smith	900 Marilyn Dr	513-309 9005	David Smith
<u>NAME</u>	<u>ADDRESS</u>	<u>phone</u>	<u>Signature</u>

Daniel C. Cox	121 Charleston Dr.	513-839-0754	Daniel C. Cox
Timothy Delmaris	20 Charleston Dr.	513-739-5810	Timothy Delmaris
ELAINE BRANDNER	30 CHARLESTON DR	513-330-2054	Elaine Brandner
Sandra Manning	70 Charleston Dr.	917-348-8670	Sandra Manning
Michael Henn	150 Charleston Dr.	513-200-6118	Michael Henn

NAME	ADDRESS	PHONE	SIGNATURE
CRAIG Hunter	517 Pamela	513 317 7393	CRAIG Hunter
Nancy Hunter	517 Pamela	513 460 3423	Nancy Hunter
Latricia Hillman	820 Clover Cir	513-461-1561	Latricia Hillman
JASON D. POCKETT	602 W. CHESTNUT	513-377-0003	JASON D. POCKETT
Dale H. Robinson	606 Melissa Dr	513-523-3848	Dale Robinson
James A Robinson	606 Melissa Dr	513-523-3848	James A Robinson
Salah Yusuf	914 Marilyn Dr.	513-255-3828	Salah Yusuf
Lois Libby	914 Marilyn Dr.	513-855-0523	Lois Libby
Anna DeGiroelamo	10 Charleston Dr.	440 829 1696	Anna DeGiroelamo
Maria Meade	31 Charleston Dr	513-461-3383	Maria Meade
Hank Stevens	558 Melissa Dr.	513-461-1204	Hank Stevens
Janelle Rainey	614 Melissa Dr	513-706-9410	Janelle Rainey
William Mundy	602 Melissa Dr	765-580-1004	William Mundy

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NAME	ADDRESS	PHONE	SIGNATURE
Kathy Peckan	1010 Marilyn Dr. Oxford, Ohio	513-382-7495	Kathy Peckan
Michael J. Peckan	1010 Marilyn Dr. Oxford	(513) 330-4114	M. Peckan

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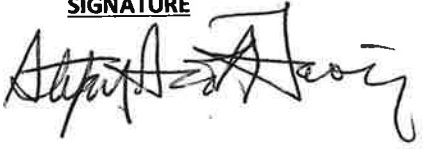
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<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE</u>	<u>SIGNATURE</u>
Scott Saddler Lisa Saddler	21 Charleston Dr.	812-350-1844	

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<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE</u>	<u>SIGNATURE</u>
STEAN S. DAVIS	71 CHARLESTON OXFORD 4506	317-287 4076	

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NAME	ADDRESS	PHONE	SIGNATURE
DAVID WESPISER TRI CO.	21 LYNN ST. STE 107-D	513-524-9500	

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NAME	ADDRESS	PHONE	SIGNATURE
Cleason Properties II - Jim Cleason	125 West Spring Street Oxford, Ohio 45056	513 383 2112	James M. Cleason



The City of Oxford
(513) 524-5200
15 S. College Ave.
Oxford, OH 45056

October 23, 2023

VIA CERTIFIED MAIL NO. 9489 0090 0027 6517 4648 74
RETURN RECEIPT REQUESTED

City of Oxford Planning Commission
Mr. Corey Watt, Ms. Shana Rosenberg, Ms. Ann Kaufman Webster, Mr. Michael Smith, Mr. Matt Arbuckle, Mr. Jason Bracken, Mr. David Prytherch
15 South College Avenue
Oxford, Ohio 45056

Dear City of Oxford Planning Commission:

Subject: Letter of Intent
Proposed Solar Facility Project
Closed City of Oxford Sanitary Landfill
The City of Oxford
Butler County, Ohio

In accordance with Ohio Administrative Code (OAC) 3745-513-300 (A)(12), the City of Oxford and CleanCapital Holdings LLC (CleanCapital) are notifying you that CleanCapital intends to develop an approximately 1.75 MW AC solar energy facility on the closed City of Oxford Sanitary Landfill. The location of the closed City of Oxford Sanitary Landfill is shown on the enclosed Figure 1. A Rule 513 Application will be submitted to Ohio EPA Southwest District Office requesting authorization for this project.

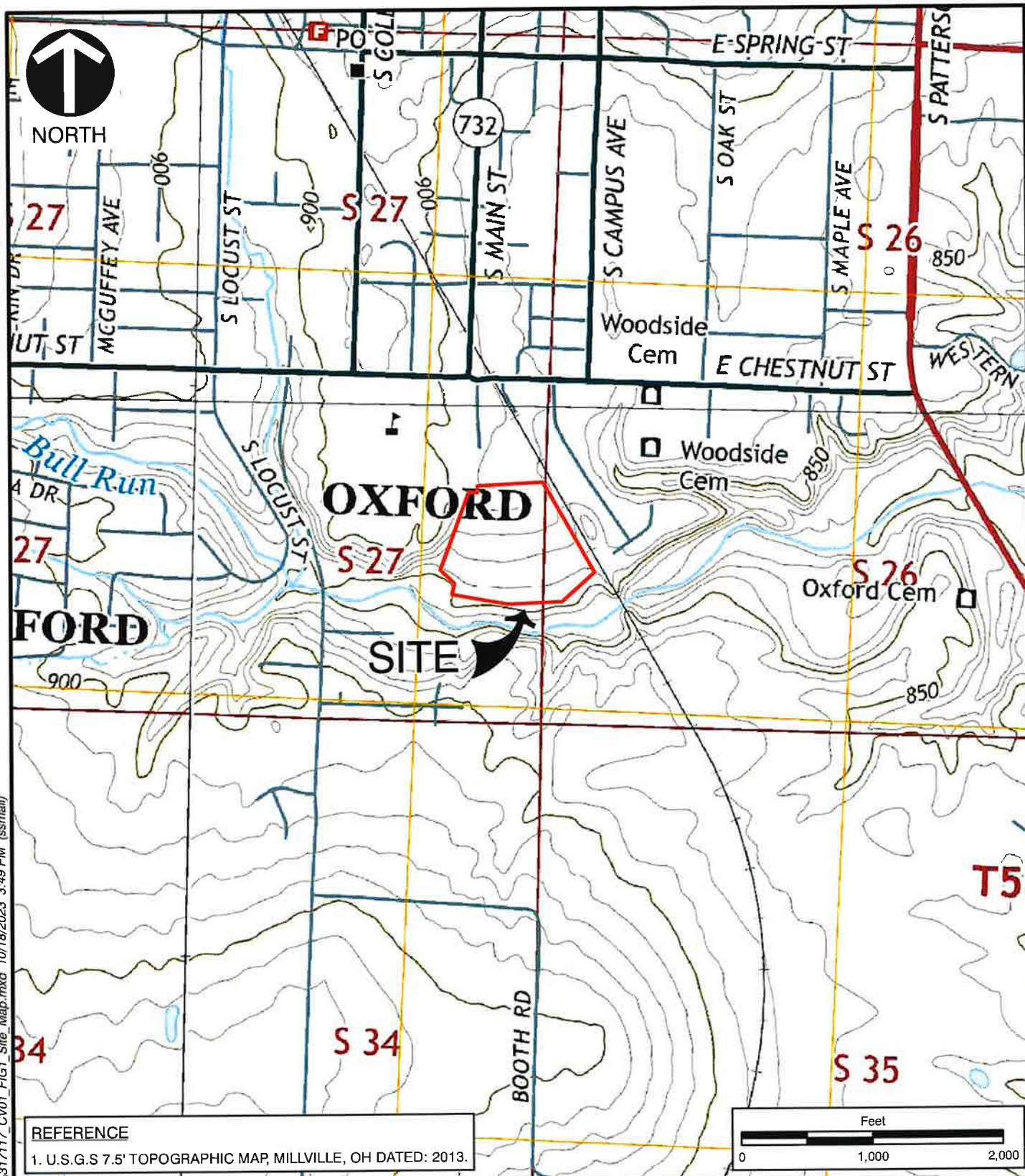
Sincerely,

Douglas R. Elliott
City Manager

Enclosure

cc: Michael McNulty, CleanCapital Holdings LLC (w/ enclosure)
Timothy Kanengiser, Civil & Environmental Consultants, Inc. (w/ enclosure)

P:\310-000\317-117-GIS\Maps\CV01\317117 CV01 FIG1 Site Map.mxd 10/18/2023 3:49 PM (small)



REFERENCE

1. U.S.G.S 7.5' TOPOGRAPHIC MAP, MILLVILLE, OH DATED: 2013.



Civil & Environmental Consultants, Inc.

700 Cherrington Parkway - Moon Township, PA 15108
412-429-2324 · 800-365-2324
www.cecinc.com

CLEANCAPITAL HOLDINGS, LLC
RULE 513 PERMIT APPLICATION
PROPOSED SOLAR PROJECT
CLOSED CITY OF OXFORD LANDFILL
BUTLER COUNTY, OHIO

SITE LOCATION MAP

DRAWN BY:	SRS	CHECKED BY:	TJK	APPROVED BY:	RJB*	FIGURE NO:	1
DATE:	10/18/2023	SCALE:	1" = 1,000'	PROJECT NO:	317-117.0003		