



Agenda

Oxford City Council

Court House

TUESDAY, JANUARY 19, 2016

EXECUTIVE SESSION

7:00 P.M.

1. Roll call. Kate Rousmaniere, Mayor; Mike Smith, Vice-Mayor; Glenn Ellerbe; Bob Blackburn; Kevin McKeehan; Steve Dana; Edna Southard

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, and Consent Agenda items, will be heard under Public Comments – and (2) Comments on all Resolutions and Ordinances will be heard during Council consideration of said item. Please wait until you are recognized by the Mayor, proceed to the podium, state your name and address so that your comments may be properly recorded and limit your remarks to a period of five minutes or less.

REGULAR MEETING

7:30 P.M.

PLEDGE OF ALLEGIANCE

2. Approval of Agenda.

This facility is wheelchair accessible. If you plan to attend this meeting and you have a disability that requires special arrangements, please notify the City Manager's office 48 hours in advance so that reasonable accommodations can be made.

3. Public Participation.

- A. Recognition - Gail Brahier, Parks and Recreation Director.
- B. Presentation - Oxford Visitors Bureau - Jessica Greene.
- C. Appointments to Boards and Commissions.
- D. Public Comments.

The purpose of the Public Comments Section is for members of the Public to speak to the City Council on any subject not scheduled on the Agenda, except Consent Agenda items. City Council values your comments, and Council rules limit public comments to five minutes for each person. Presentations are not to be in the form of public debate, personal attacks on Council, City staff or other members of the public and Council shall not act except to direct the City Manager to take action or schedule the matter for discussion at a later date.

4. Consent Agenda.

- A. Minutes of the January 5, 2016 City Council Meeting. (Mary Ann Eaton, Clerk of Council)



Minutes

- B. Report regarding the January 6, 2016 Environmental Commission Meeting. (Mike Dreisbach, Service Director)



Report

- C. A Resolution authorizing the City Manager to waive the fees adopted in the Fee Ordinance for the street closures for the Visitors Bureau for the 2016 Annual Summer Music Festival. (Doug Elliott, City Manager)



Staff Report/Resolution

- D. A Resolution authorizing the sale of salvage, junk and/or abandoned motor vehicles. (John Jones, Acting Police Chief)



Staff Report/Resolution

- E. A Resolution authorizing the Oxford Division of Fire to purchase one (1) Ferno iNX Intellegent Transport Loading System (EMS Cot) utilizing funds from the Bureau of Workers Compensation Safety Grant and local funds for a total cost not to exceed \$25,200.00. (John Detherage, Fire Chief)



Staff Report/Resolution

5. Resolutions.

- 1. A Resolution authorizing the School Resource Officer Program Agreement between the Talawanda City School District and the City of Oxford and authorizing the City Manager to sign the agreement on behalf of the City. (John Jones, Acting Police Chief).



Staff Report/Resolution

2. A Resolution authorizing the City Manager and the Finance Director to contract with Redtree Investment Group Services for the management of the City's investable funds. (Joe Newlin, Finance Director).



Staff Report/Resolution

6. Ordinances.

- A. First Reading - None.
- B. Second Reading.

1. An Ordinance Accepting The Planning Commission's Recommendation And Granting A Zoning Map Amendment To Establish A Neighborhood Conservation Overlay District In A R-1A (Single Family Low Density Residential) District For 45 Parcels Located On Hidden Creek Drive, Deer Trail Circle, And Fox Run Circle, In The City Of Oxford, Ohio. (Jung-Han Chen, Community Development Director)



Staff Report/Ordinance

2. An Ordinance Approving A Conditional Use Permit To Allow For Alcohol Service At A Nano Brewery At The Property Located At 5958 Fairfield Road In The General Business District With Conditions And Waiving The Fifty (50) Foot Setback Requirement. (Jung-Han Chen, Community Development Director)



Staff Report/Ordinance

3. An Ordinance Amending Ordinance No. 3335 And Declaring It An Emergency. Supplemental Budget Ordinance Number 1 To Make Supplemental Appropriations For Fiscal Year 2016. (Joe Newlin, Finance Director)



Staff Report/Ordinance

7. A. Announcements & Communications. The comments expressed by individual members of Council or City staff during this portion of a City Council meeting do not necessarily reflect the views of the City of Oxford, The Oxford City Council, or the City staff.

1. Remarks from City Council and City Staff.

B. Future Meetings.

WED - Jan 20 Board of Zoning Appeals Work Session 6:30 p.m.

WED - Jan 20 Board of Zoning Appeals Meeting 7:30 p.m.

WED - Jan 27 Civil Service Commission Meeting 5:30 p.m. Municipal Building

THUR -Jan 28 Community Relations Commission Meeting 3:30 p.m. Municipal Building

TUES - Feb 2 Joint Planning Commission and City Council Work Session 6:30 p.m.

TUES - Feb 2 City Council Meeting 7:30 p.m.

WED - Feb 3 Historic and Architectural Preservation Commission Meeting 6:00 p.m.

WED - Feb 3 Environmental Commission Meeting 7:00 p.m. Municipal Building

TUES - Feb 9 Planning Commission Meeting 7:30 p.m.

MON - Feb 15 Holiday - City Offices Closed

MON - Feb 15 Housing Advisory Commission Meeting Cancelled

TUES - Feb 16 City Council Meeting 7:30 p.m.

WED - Feb 17 Board of Zoning Appeals Meeting 7:30 p.m.

WED - Feb 24 Civil Service Commission Meeting 5:30 p.m.

8. Adjourn.

A Regular meeting of the Oxford City Council was called to order by Mayor Kate Rousmaniere on Tuesday, January 5, 2016 at 7:00 p.m. Those members present were Bob Blackburn, Steve Dana, Kevin McKeehan, Mike Smith and Edna Southard. Glenn Ellerbe arrived at 7:07 p.m.

Staff members present: Mr. Doug Elliott, City Manager; Mr. Mike Dreisbach, Service Director; Mr. John Jones, Acting Police Chief; Mr. Joe Newlin, Finance Director; Mr. John Detherage, Fire Chief; Mr. Jung-Han Chen, Community Development Director; Mr. Alan Kyger, Economic Development Director; Mr. Steve McHugh, Law Director and Ms. Mary Ann Eaton, Clerk of Council.

ADJOURN TO EXECUTIVE SESSION

Mr. Dana moved to adjourn to Executive Session immediately in accordance with Ohio Revised Code Section 121.22 (G)(1) and (4) for the purpose of discussing personnel actions, appointments to boards and commissions, and to review collective bargaining strategy. Ms. Southard seconded. The motion passed by the following roll call:

AYE: Mr. Dana, Mr. McKeehan, Mr. Smith, Ms. Southard, Mr. Blackburn
Mayor Rousmaniere (6)

NAY: None (0)

ABS: None (0)

ADJOURN FROM EXECUTIVE SESSION

Mr. Dana moved to adjourn from Executive Session at 7:30 p.m. Mr. McKeehan seconded. The motion passed 7-0-0.

PLEDGE OF ALLEGIANCE

Mayor Rousmaniere requested the Pledge of Allegiance.

APPROVAL OF AGENDA

Mr. Dana moved to approve the agenda. Mr. Smith seconded. The motion passed 7-0-0.

PUBLIC PARTICIPATION

PROCLAMATION

“REV. DR. MARTIN LUTHER KING, JR.”

Mayor Rousmaniere read the Proclamation and presented it to Mrs. Fran Jackson.

Ms. Fran Jackson, thanked Mayor Rousmaniere and Council members for the Proclamation in recognition of Dr. Martin Luther King, Jr. noting he was one of the greatest inspirational leaders and made a difference in the lives of many people.

Ms. Jackson read the following (in part) into the record: ‘ Dr. King was the chief motivator in the African American civil rights movement to end segregation and discrimination in the United States. These were troubling times for African Americans who faced racial persecution in education, housing employment and an unfair justice system. Dr. King worked hard to change policies that were unjust through peaceful non-violent ways. The historic 1963 march in Washington where he delivered his famous speech raised public consciousness of the civil rights movement. Dr. King was the youngest person to receive a Nobel Peace Prize for his efforts to end segregation and racial discrimination through civil disobedience in non violent ways. We celebrate him and remember his dream of love, peace and compassion for all people regardless of their color or social status. Because of what he did for our country we can live and work side by side without regard to color or race. Because of him I can stand here as an African American and accept this wonderful Proclamation. Also, because of him, I can stand here because I survived as an African American who was the first African American teacher hired in a number of school districts. Dr. King was a drum major for justice and equal rights’.

Ms. Jackson invited everyone to attend the Rev. Dr. Martin Luther King commemoration program on Monday, January 18, 2016 at the Oxford Community Arts Center from 11:00 a.m. to noon. Ms. Jackson advised the event would include a wonderful art and literary exhibit of the works of elementary, junior and senior high school students in Oxford.

Mayor Rousmaniere reiterated the commemoration program was Monday, January 18th from 11:00 a.m. to noon at the Oxford Community Arts Center. Mayor Rousmaniere advised the speaker would be Dr. Yvette Harris from Miami University and the event was co-sponsored by Miami University Office of Diversity Affairs, the Oxford NAACP, the Oxford Community Arts Center and the Talawanda School District.

APPOINTMENT TO THE ENVIRONMENTAL COMMISSION

Mr. Smith moved to nominate Madeline Maurer to the Environmental Commission for a term ending June 30, 2020. Mr. Dana seconded. The nomination passed 7-0-0.

PUBLIC COMMENTS

There were no public comments.

CONSENT AGENDA

MINUTES

Minutes of the December 15, 2015 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

REPORTS

Report regarding the December 16, 2015 Civil Service Commission Meeting. (Candi Turpin, Human Resources Director)

Report regarding the December 16, 2015 Board of Zoning Appeals Meeting. (Jung-Han Chen, Community Development Director)

Mr. McKeehan moved to approve the consent agenda. Mr. Dana seconded. The motion passed 7-0-0.

RESOLUTION
LABOR AGREEMENT

A Resolution No. 4959 approving the contract between the City of Oxford, Ohio, and the Oxford Police Employees Association and authorizing the City Manager and the City Law Director to sign the contract on behalf of the City. (Doug Elliott, City Manager)

Mr. Elliott advised an agreement was reached with the Oxford Police Employees Association and the group included public safety assistants, public records specialists, and dispatcher/clerks (formerly public safety communication officers). Mr. Elliott noted it was a three year contract which included a 2% pay increase for 2016 and a re-opener on wages for 2017 and 2018. Mr. Elliott reminded everyone that the City moved to county dispatching and this group was reduced by several employees. Mr. Elliott recommended Council's approval of the proposed agreement with the Oxford Police Employees Association.

Mayor Rousmaniere inquired if there were any comments from the public and there were none.

Mr. McKeehan noted he felt it was a fair contract and after shifting dispatch services to Butler County it was a positive measure. Mr. Dana Agreed.

Ms. Southard moved to adopt Resolution No. 4959. Mr. Smith seconded. The motion passed 7-0-0.

ORDINANCES
FIRST READING

ORDINANCE
OVERLAY DISTRICT

An Ordinance Accepting The Planning Commission's Recommendation And Granting A Zoning Map Amendment To Establish A Neighborhood Conservation Overlay District In A R-1A (Single Family Low Density Residential) District For 45 Parcels Located On Hidden Creek Drive, Deer Trail Circle, And Fox Run Circle, In The City Of Oxford, Ohio. (Jung-Han Chen, Community Development Director)

Mr. Chen advised the Neighborhood Conservation Overlay District process was created in 2012 to encourage neighbors to initiate a grass roots petition to place additional restrictions over the existing underlying zoning district. Mr. Chen noted the purpose of the overlay district was to restrict high volumes of rental properties in specific neighborhoods, excessive noise, traffic and congestion to maintain desirability of the community. Mr. Chen advised Council accepted the proposed petition in October of 2015 and forwarded it to the Planning Commission for consideration.

Mr. Chen noted the Planning Commission met on December 8, 2015 and made a positive recommendation for Council to approve the overlay district for the neighborhood of Hidden Creek Drive, Deer Trail Circle and Fox Run Circle. Mr. Chen advised the petition met the requirements for signatures and boundaries as outlined in the zoning code.

Mayor Rousmaniere inquired if there were any comments from the petitioners or from the public and there were none.

Mayor Rousmaniere inquired how many overlay districts had been established and Mr. Chen advised this would be the 12th. Mayor Rousmaniere noted this was the first reading of the proposed Ordinance and it would be on the next agenda for second reading.

ORDINANCE
CONDITIONAL USE PERMIT

An Ordinance Approving A Conditional Use Permit To Allow For Alcohol Service At A Nano Brewery At The Property Located At 5958 Fairfield Road In The General Business District With Conditions And Waiving The Fifty (50) Foot Setback Requirement. (Jung-Han Chen, Community Development Director)

Mr. Chen advised Conditional Uses are land uses that are potentially appropriate in many zoning districts but are likely to have characteristics that could be detrimental to the public health, safety, or general welfare if not located appropriately, operated appropriately, or mitigated with good design. Mr. Chen noted conditional use permit applications go before the Planning Commission and the Planning Commission makes a recommendation to Council for legislative action based on the decision standards. Mr. Chen advised the property in question was located at the northwest corner of Lynn Avenue and Fairfield Road and was zoned General Business which allowed establishments serving alcohol as a conditional use. Mr. Chen noted the building was most recently a computer repair store and the applicant wished to convert it to a Nano brewery. Mr. Chen advised staff identified areas of concern including traffic, noise, and the requirement of a 50 foot setback from a residential district. Mr. Chen noted the Planning Commission identified additional concerns including hours of operation, parking, proximity to neighboring homes, outdoor seating, sound system, signage and lighting. Mr. Chen advised the Planning Commission discussed the proposal at length and recommended approval subject to nine conditions as listed on page 85 of Council's Packet. Mr. Chen read some of the conditions as follows:

1. Close of business shall be 10:30 p.m. weekdays and midnight on weekends and holidays.
3. The design of a fence along the western lot line shall be mutually agreed upon by the applicant and adjacent property owner and it shall be compliant with the regulations of the Oxford Zoning Code.
4. Every six months, the applicant shall provide updated operator information to the three closest residential lot owners of record to facilitate efficient correction of any noise, litter, odor or other negative impacts.
5. The conditional use shall be void if current owner discontinues being the owner and manager of the establishment.

Mr. Chen offered to answer any questions.

Mr. Dean Scales, Applicant, introduced his wife Emily Savage and advised they were looking to open a small Nano brewery in Oxford. Mr. Scales noted they had been brewing and home brewing for 10 years and had worked with some of the top breweries in the nation. Mr. Scales advised he and his wife spent countless hours on the road visiting breweries that met their standards to see where they failed and where they did well and they spent countless hours on the road looking for a location for their brewery. Mr. Scales noted they fell in love with Oxford and Oxford was where they wanted to be. Mr. Scales advised they wanted to stay small and would be comparable to a high end scotch bar or a high end cigar bar where people could try and experience new things. Mr. Scales indicated their crowd would be an adult crowd who would visit the brewery for a while and then move on to other venues in Oxford. Mr. Scales noted they planned to be good neighbors in terms of noise, lighting and other aspects that could affect the immediate community. Mr. Scales asked Council to let them set their own hours noting they were already limited by the liquor permit to stop selling at 1:00 a.m. Mr. Scales advised it had been stated that the average closing time was 10:30 p.m. for businesses surrounding their proposed location. Mr. Scales noted when looking at all businesses in the area the 2 largest volume businesses were Kroger and Taco Bell and they were open much later than 10:30 p.m. Mr. Scales advised other businesses might stay open later if it benefitted them. Mr. Scales asked to be open Monday through Thursday from 4:00 p.m. to 11:00 p.m., Friday from 4:00 p.m. to 1:00 a.m., Saturday from 11:00 a.m. to 1:00 a.m., and Sunday from 11:00 a.m. to 10:30 p.m. Mr. Scales advised they were looking for signage so people knew to keep the noise down, decibel readers that would report back to the brewery if there was any noise outside, sound deafening fences and better windows for the brewery and taproom all to make sure noise was not a problem any time of the day. Mr. Scales noted a Nano brewery was a beer brewer's taste testing lab and the seating and tap area would be small so they could interact with the customers. Mr. Scales advised they had worked with the neighbors as best they could and had spoken to some neighbors who had concerns. Mr. Scales noted most of the neighbors seemed relatively supportive. Mr. Scales thanked Council for their time and consideration and noted they were open to any suggestions Council may have for them to become a business in Oxford.

Mr. Blackburn advised the closing hours of the proposed business listed on the Conditional Use Application were 10:30 p.m. during the week and midnight on weekends which was different than what Mr. Scales stated. Mr. Scales noted that was a suggestion from the Planning Commission and he would like the hours extended if possible.

Ms. Irene Friedman, Vereker Drive, noted she did not understand the 50 foot requirement and asked how it affected her property. Mr. Chen advised the zoning code stipulated an establishment serving alcohol shall be 50 feet away from residential property which was why the Planning Commission recommended waiving the requirement. Ms. Friedman noted she had mixed feelings about the Nano brewery and advised she had seen two photography studios and a tattoo parlor in the proposed location that never seemed to get off of the ground. Ms. Friedman noted the tattoo parlor had spot lights that shone into her kitchen and bedroom and she now understood that violated the zoning code. Ms. Friedman advised she was open to new ideas although people had told her she didn't want a brewery near her property as it would decrease the property value and patrons might damage her property and surrounding sidewalks. Ms. Friedman noted Mr. Scales indicated he was welcomed by everyone and advised she was a property owner with a lot of rental properties around her and the tenants didn't have a lot at stake.

Ms. Friedman noted a flyer was left with neighbors introducing Mr. Scales and what he and his wife wanted to do and if they didn't get a lot of feedback from residents on Vereker Dr. it might be because there were many rental properties on Vereker Dr. Ms. Friedman advised her concern would be with lighting and possibly with noise. Ms. Friedman inquired where the outdoor seating would be and Mr. Scales displayed a slide showing the area in question.

Mr. Blackburn advised property owners within 200 feet of the location were notified by the City and the absence of taking any action meant they didn't have any complaints about the proposed Nano brewery.

Mr. Dana referred to condition number 6 on page 83 of Council's packet 'The applicant shall enter into discussion and attempt a formal agreement with adjacent properties to share their parking lots and assure their cleanliness during use' and inquired if the applicant had initiated the discussion. Mr. Scales advised he spoke to the owner of the insurance business across the street who was open to the idea but wanted to wait until the Nano brewery was up and running before he signed a formal agreement.

Mayor Rousmaniere noted the discussion during the Planning Commission meeting was long and a lot of compromises were made. Ms. Rousmaniere referred to condition number 6 on page 83 of Council's packet and inquired how Council could legislate an 'attempt'. Mr. Chen advised once the business was up and running Mr. Scales could discuss the matter with the property owner across the street. Mr. Ellerbe suggested using the word 'initiate' instead of the word 'attempt'. Mr. McHugh suggested amending the sentence to read in part 'The applicant shall initiate discussion for a formal agreement with the adjacent properties'. Mayor Rousmaniere referred to condition number 2 on page 83 of Council's packet 'Traffic shall be limited to 15 vehicle trips per peak hour' and inquired how to measure and enforce 15 vehicle trips per peak hour. Mayor Rousmaniere noted she didn't know what a peak hour was. Mr. Chen advised the applicant stated in his narrative that he anticipated 10-15 customers per hour. Mr. McKeehan noted it was unenforceable and should be stricken. Mr. McHugh advised the intent was to establish a limit and if there were 100 vehicles per hour it would give the City some basis to tell the owner this was unacceptable. Mr. Scales advised peak hours would be from 5-7 p.m. noting people usually stopped for one beer after work and took a growler home with them. Mr. Chen advised if need be staff would count traffic at the site. Mayor Rousmaniere referred to condition number 1. on page 83 of Council's packet 'The close of business shall be 10:30 p.m. weekdays and midnight weekends and holidays' and inquired if weekends included Friday and Mr. Scales advised yes. Mr. Blackburn suggested amending the closing times as requested by Mr. Scales. Mr. Dana noted the applicant would meet with neighbors at least every 6 months and get feedback and inquired if the applicant would share that data with anyone interested and Mr. Scales advised yes. Ms. Southard advised if Council approved the conditional use permit application they wanted the business to be a success and it made sense to extend the hours.

Mr. Blackburn moved to amend the close of business from 10:30 p.m. on weekdays to 11:00 p.m. and from midnight to 1:00 a.m. on weekends. Mr. Ellerbe seconded. The motion passed 7-0-0.

Mayor Rousmaniere advised the proposed Ordinance would be on the next agenda for second reading.

ORDINANCE
SUPPLEMENTAL BUDGET

An Ordinance Amending Ordinance No. 3335. Supplemental Budget Ordinance Number 1 To Make Supplemental Appropriations For Fiscal Year 2016. (Joe Newlin, Finance Director)

Mr. Newlin discussed his staff report as presented on pages 117 and 118 of Council's packet.

Mr. Dana inquired what the time frame was between the advance from the General Fund and when it would get reimbursed by the OVI Task Force Grant and Mr. Newlin advised the grant expired in September.

Mayor Rousmaniere inquired if there were any comments from the public and there were none.

ORDINANCES
SECOND READING

ORDINANCE
CURB, GUTTER & SIDEWALK
ASSESSMENTS

An Ordinance No. 3341 Levying Upon The Lots And Lands Enumerated In The List Of Estimated Assessments (Exhibit A) The Amounts Set Forth On Such List And Setting Forth Terms For Payment Of Assessment. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised this was the final action needed by Council so the cost for curb, gutter and sidewalk repair on private properties could be assessed to those lots . Mr. Dreisbach noted once the Ordinance was approved the costs would be certified to the county and the City would begin to recover the money expended for the repairs.

Mayor Rousmaniere inquired if there were any comments from the public and there were none.

Mr. Dana referred to page 123 of Council's packet and noted in all but 2 incidents the actual costs were less than the estimated costs which was laudatory.

Mr. McKeehan moved to adopt Ordinance No. 3341. Mr. Dana seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Ellerbe, Mr. McKeehan, Mr. Smith, Mr. Blackburn, Ms. Southard, Mr. Dana
Mayor Rousmaniere (7)

NAY: None (0)

ABS: None (0)

ORDINANCE
EASEMENT AGREEMENT

An Ordinance No. 3342 Authorizing The City Manager To Enter Into An Easement Agreement Between The City Of Oxford And Duke Energy Ohio, Inc. For A Permanent Easement Over Portions Of Real Property Commonly Known As Leonard Howell Park To Allow The Relocation Of Electric Infrastructure In Advance Of Construction To Replace The Bonham Road Bridge. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised he had no new information since the first reading of the proposed Ordinance.

Mayor Rousmaniere inquired when the project would be complete and Mr. Dreisbach advised in the fall of 2016 at no cost to the City.

Mayor Rousmaniere inquired if there were any comments from the public and there were none.

Mr. McKeehan moved to adopt Ordinance No. 3342. Mr. Smith seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. McKeehan, Mr. Smith, Ms. Southard, Mr. Blackburn, Mr. Dana, Mr. Ellerbe
Mayor Rousmaniere (7)

NAY: None (0)

ABS: None (0)

ANNOUNCEMENTS

Mr. Elliott thanked Mrs. Fran Jackson for her kind comments regarding the Rev. Dr. Martin Luther King Proclamation noting the Mayor had issued such a Proclamation several times in the past.

Mr. Elliott advised 4 applications had been received for the Police Community Relations & Review Commission for appointment by City Council. Mr. Elliott encouraged those interested to apply noting the City was anxious to get the new commission underway. Mr. Elliott advised the commission would have 7 members appointed by City Council and the members were to be reflective of the community's diversity.

Mr. Elliott advised the Safety Dispatch contract with the Butler County Sheriff's Office was underway last Tuesday with Police 911 dispatching and Fire dispatching began today. Mr. Elliott noted the transition was going well.

Mr. Elliott advised Mike Gmoser, the Butler County Prosecutor, was looking to abolish the three Butler County Area Court part-time judges and establish an Oxford Municipal Court and 2 Butler County Municipal Courts for a total of 3 full-times judges. Mr. Elliott noted he and Mr. McHugh were meeting with Mr. Moser next week to discuss the matter.

Mr. Elliott advised his initial analysis of this proposal indicated a cost of \$300,000 to the City of Oxford annually if the City established an Oxford Municipal Court. Mr. Elliott noted if the City did not establish its own court, the Oxford court cases would be held in the City of Hamilton. Mr. Elliott advised a City Council Work Session might be scheduled regarding this proposal.

Acting Chief Jones advised the Police Department had been busy during the winter break doing vacant house checks and investigating burglaries. Acting Chief Jones noted 21 burglaries had been reported since the Thanksgiving break and OPD arrested 5 people associated with 4 of the burglaries with more arrests pending. Acting Chief Jones advised OPD had also been busy with the 911 and Fire dispatching being transitioned to the Butler County Sheriff's Office. Acting Chief Jones referred to a tragedy which occurred in Oxford on Sunday noting OPD was still very involved and were working tirelessly on the case.

Mayor Rousmaniere advised this portion of the meeting was for remarks from City Council and City staff. Mayor Rousmaniere noted this time was usually used to make announcements that were important for the public and Council would continue to do that. Mayor Rousmaniere suggested this time could be used to raise issues and questions for possible discussion and exploration by Council members. Mayor Rousmaniere noted this was not a time for deliberation or for policy making, it was for discussing items Council was interested in or for discussing items constituents brought forward.

Mayor Rousmaniere advised a Joint Work Session with the Planning Commission was tentatively scheduled for February 2nd. Mayor Rousmaniere noted one item on the Planning Commission's agenda for 2016 had to do with streets and particularly Locust Street. Mayor Rousmaniere advised Locust was an increasingly busy street with a lot going on and asked Council members to think about what could be done there and if it was something Council could support the Planning Commission on.

Mayor Rousmaniere reiterated the MLK celebration would take place January 18, 2016 from 11:00 a.m. to noon at the Oxford Community Arts Center.

Mr. Blackburn welcomed everyone back and wished them a Happy New Year.

Ms. Southard advised she had been working with the Institute for Learning in Retirement through Miami University and in cooperation with City staff she was organizing a course that addresses Local Government and how it operates. Ms. Southard noted last year she organized a course that covered who does what in the City, and this year they would look at some of the issues facing the City. Ms. Southard advised next year it may be town/gown relations. Ms. Southard noted this was a 5 week class from the end of March to the end of April. Ms. Southard advised she felt it was important for people to know what happens in local government, who does what, what some of the concerns were, and how we tried to solve problems together.

Mr. Smith noted the new sidewalk on Foxfire Drive looked great and it had been needed for a long time.

Mr. Dana announced on Saturday, January 9th at 706 Carter Court in Oxford a construction kick-off for the Oxford Habitat for Humanity site would take place at 9:00 a.m. Mr. Dana noted two families applied and had been selected for 706 and 711 Carter Court and all were welcome to attend the kick-off.

Mr. Ellerbe wished everyone a Happy New Year.

Mr. McKeehan wished everyone a Happy New Year.

ADJOURN

Mr. Dana moved to adjourn at 8:54 p.m. Ms. Southard seconded. The motion passed 7-0-0.

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting of: January 19, 2016

Service Department
Originating Department

Account Code #: N/A

David Treleven
Prepared By

Budgeted Amount: N/A

January 11, 2016
Date Prepared

Agenda Title: Environmental Commission Meeting of January 6, 2016

Recommendation: For Review and Consideration

Discussion:

Environmental Commission members present at the Wednesday, January 6, 2016 meeting were: Chair, Mr. Wright Gwyn; Vice-Chair, Mr. Vince Hand; City Council Representative, Mayor Kate Rousmaniere; Planning Commission Representative, Mr. Robert Bell; Mr. Ted Wong, and Ms. Madeline Maurer. A quorum was present. Mr. Kevin Armitage had previously informed the Commission that he would be unable to attend this meeting. Also in attendance was Oxford resident Mr. Steven Snyder.

The minutes from the December 2, 2015 Environmental Commission meeting were unanimously approved as presented.

Mr. Steve Snyder asked the Commission to consider a resolution to City Council in opposition to seismic testing and off shore drilling activities along the Atlantic seaboard. Mr. Snyder's youngest daughter, Lora, is the Campaign Director for Oceana, a non-governmental organization focused solely on ocean conservation. The U.S. Bureau of Ocean Energy Management is considering allowing exploration and development of offshore oil and gas fields in the Mid- and South Atlantic Ocean. Oceana has obtained approximately 100 eastern coastal communities to support resolutions opposing the offshore exploration and/or development, as well as the support from numerous Chambers of Commerce, tourism boards, fishing groups, and restaurant associations. Oceana is now looking to expand its campaign inland, and Lora thought it appropriate to start with her home town. A non-binding poll of the Commissioners indicated the majority were undecided about supporting the resolution, specifically its applicability and the appropriateness of the City of Oxford's involvement. Commissioners reviewed an example resolution prepared by Oceana. The conclusion was it was too heavily focused on tourism, and not particularly relevant and/or applicable to inland communities. Chair Gwyn offered to revise the prepared resolution with additional emphasis on more universal aspects that could be more applicable to non-coastal communities. The resolution of support will be re-visited during the February 2016 Commission meeting.

Mr. Robert Bell had received comments from several Commissioners regarding their review of Planned Unit Development (PUD) codes and regulations from Oxford Codified Ordinance Chapter 1145 and from Yellow Springs, Ohio. Mr. Bell indicated the belief that the Environmental Commission should focus its

(Continued)

Approved By:

Department Head:
City Manager:

Initial

Date

DRB

1/12/16

DRB

1/15/16

suggestions and recommendations for the revision of Oxford's PUD codes and regulations to the purpose, design, and intent, while allowing the Planning Commission to focus on the procedural and application aspect of any revised PUD codes. Mr. Bell is to continue with the incorporation of Commissioner's comments into a draft revision of Chapter 1145 and present it at the February 2016 Commission meeting.

Staff informed Commissioners of a discussion with the local Ohio Department of Natural Resources (ODNR) Urban Forester, Ms. Wendi Van Buren. Staff had been instructed by the Commission to investigate requiring only native tree species be considered for the approved street tree listings. Ms. Van Buren indicated the ODNR is not in favor of this approach, noting that the street lawn is not a natural environment for native trees, and due to the potential exclusion of highly viable street tree species that are not native. Commissioners instructed Staff to review the existing approved street tree list to determine the relative numbers of native and non-native species included in the approved listings.

Staff provided Commissioners with the proposed tree planting list from The Fields at Southpointe development. Some 357 individual street and private trees are proposed, with a total of 46 different Species and 35 different Genus. Staff's review of the proposed planting list found that it complied with the pending Chapter 935 revision requiring diversity in street tree plantings.

Chair Gwyn provided a copy of a letter the City of Forest Park had sent to several Ohio State government representatives regarding Ohio's decision to suspend expansion of the renewable and energy efficiency standards. Chair Gwyn asked that Commissioners review the letter, and that he would like the Commission to consider requesting the City of Oxford to follow suit. Chair Gwyn requested this consideration be included in the February 2016 meeting.

The Commissioners concluded discussion at 8:40 p.m. The next scheduled meeting of the Environmental Commission is on Wednesday, February 3, 2016 at 7:00 p.m., in the Municipal Building's Second Floor Conference Room.

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Manager

Originating Department

Council Meeting Of: January 19, 2016

Mary Ann Eaton

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

January 5, 2016

Date Prepared

Agenda Title: Resolution authorizing the City Manager to waive the fees adopted in the Fee Ordinance for the street closures for the Visitors Bureau for the 2016 annual Summer Music Festival.

Recommendation: n/a

Discussion:

Council has approved this request every year since 2005. The fee for each street closure is \$135.00.

Approved By:

Department Head:

Initial Date

City Manager:

DRE

1/15/16

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO WAIVE THE FEES ADOPTED IN THE FEE ORDINANCE FOR THE STREET CLOSURES FOR THE VISITORS BUREAU FOR THE 2016 ANNUAL SUMMER MUSIC FESTIVAL.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OXFORD, BUTLER COUNTY, STATE OF OHIO, THAT:

SECTION 1: The Visitors Bureau hereby requests Council's consideration of their request for waiver of the street closure fees for the 2016 Annual Summer Music Festival.

SECTION 2: Council having considered the request determined that the Summer Music Festival is a benefit to the entire community and that waiving the fees for the street closures is in the best interest of the community, hereby authorizes the City Manager to waive the fees for the street closures for the 2016 Annual Summer Music Festival.

SECTION 3: This resolution shall take effect at the earliest date allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager: Douglas Elliott

Police

Originating Department

Council Meeting Of: January 19, 2016

John A. Jones

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

January 11, 2016

Date Prepared

Agenda Title: Resolution to sell junk/abandoned motor vehicles to the highest bidder.

Recommendation: Adopt the resolution

Discussion: Pursuant to Oxford City Code and in accordance with ORC 4513.62, the Division of Police requests that City Council approves the sale of salvage/junk/abandoned motor vehicles described in the attached Exhibit A to the highest bidder and that the proceeds from such sale be placed in the General Fund.

Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

[Signature] \ 1-11-16
[Signature] \ 1-15-16

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE SALE OF SALVAGED, JUNK AND/OR ABANDONED MOTOR VEHICLES.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OXFORD, BUTLER COUNTY, STATE OF OHIO, THAT:

SECTION 1: The Acting Police Chief recommends that unclaimed motor vehicles ordered into storage pursuant to Section 4513.62 of the Ohio Revised Code be sold to a motor vehicle salvage dealer or scrap metal processing facility at the highest obtainable salvage price. The motor vehicles to be sold are listed on Exhibit "A" attached hereto and incorporated herein by reference.

SECTION 2: City Council hereby accepts the recommendation of the Acting Police Chief and authorizes the sale of the salvaged, junk and/or abandoned motor vehicles listed on Exhibit "A" to a motor vehicle salvage dealer or scrap metal processing facility at the highest obtainable salvage price. The proceeds thereof shall be placed in the General Fund.

SECTION 3: This resolution shall take effect at the earliest date allowed by law.

MAYOR

ADOPTED:

ATTEST

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

Exhibit A

The following vehicles are currently stored at the OPD impound lot and are unclaimed by the owner after due notice. OPD has obtained salvage titles for the below vehicles and we are requesting they be sold to a salvage dealer.



Impound 149

1994 Honda Civic

VIN: 1HGEJ1225RL019891

Reason for tow: No drivers license

Comments: Used for Fire Department training



Impound 152

1999 Jeep Grand Cherokee

VIN: 1J4GW58S4XC746678

Reason for tow: Unlawful licenses plates

Exhibit A



Impound 156

1999 Chevy Blazer

VIN: 1GNDT13W4X2186548

Reason for tow: Death investigation

Comments: Used for Fire Department training



Impound 179

2000 Ford Focus

VIN: 1FAFP3436YW383386

Reason for tow: Driving Under Suspension

Comments: Used for Fire Department training

Exhibit A



Impound 187

2006 Dodge Stratus

VIN: 1B3EL46R56N201092

Reason for tow: Abandoned on Private Property

Comments: Used for Fire Department training



Impound 189

2002 BMW 325i

VIN: WBAEU33412PF69122

Reason for tow: Abandoned on private property

Exhibit A



Impound 203

1994 Nissan Sentra

VIN: JN1HJ01F3RT238989

Reason for tow: Driving under suspension

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager: Douglas Elliott, Jr.

Fire
Originating Department

Council Meeting Of: January 19, 2016

Account Code No. #: 210.151.52520

John Detherage
Prepared By

Budgeted Amount: \$25,200.00

January 13, 2016
Date Prepared

Agenda Title: A Resolution authorizing the Oxford Division of Fire to purchase one (1) Ferno iNX Intelligent Transport Loading System (EMS Cot) with the Bureau of Workers Compensation Safety Grant and local funds.

Recommendation: Adopt the Resolution.

Discussion: The fire division applied for and received a grant from the BWC for equipment designed to reduce firefighter injuries. The item described below will assist with patient movement, traditionally in areas that produce a significant amount of injuries.

This powered cot will replace an older design that only lifted and lowered the patient. The powered unit removes the stress placed on the operator by not only lifting and lowering the patient, it also maintains the weight of the cot and patient during the loading and unloading process. The operator carries none of the weight while moving the unit in and out of the ambulance.

This project will use the remaining \$16,622.50 left in this BWC grant cycle from our powered stair chair/powerd hose roller project in 2014. The remaining \$8,577.50 will be paid from the Life Squad Gift Fund for a total of \$25,200.00. This also includes a trade-in credit of \$3,500.00 on the unit to be removed from service.

Approved By:

Department Head:

City Manager:

Initial Date

JPD 1-14-16/*MAE*

MAE 1-15-16

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE OXFORD DIVISION OF FIRE TO PURCHASE ONE (1) FERNO INX INTELLEAGENT TRANSPORT LOADING SYSTEM (EMS COT) UTILIZING FUNDS FROM THE BUREAU OF WORKERS COMPENSATION SAFETY GRANT AND LOCAL FUNDS FOR A TOTAL COST NOT TO EXCEED \$25,200.00.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OXFORD, BUTLER COUNTY, STATE OF OHIO, THAT:

SECTION 1: The City Manager and the Fire Chief recommend the Oxford Division of Fire be authorized to purchase one (1) Ferno iNX Intellegent Transport Loading System (EMS Cot) utilizing funds from the Bureau of Workers Compensation Safety Grant in the amount of \$16,622.50 and funds from the Life Squad Gift Fund in the amount of \$8,577.50 for a total cost not to exceed \$25,200.00.

SECTION 2: Council hereby accepts the recommendation of the City Manager and the Fire Chief and finds the equipment is designed to reduce injuries to firefighters and emergency medical technicians.

SECTION 3: The Oxford Division of Fire is hereby authorized to purchase one (1) Ferno iNX Intellegent Transport Loading System (EMS Cot) utilizing funds from the Bureau of Workers Compensation Safety Grant in the amount of \$16,622.50 and funds from the Life Squad Gift Fund in the amount of \$8,577.50 for a total cost not to exceed \$25,200.00.

SECTION 4: This resolution shall take effect at the earliest date allowed by law.

MAYOR

ADOPTED:

ATTEST:

ACTING CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW(STAFF)

CITY OF OXFORD STAFF SUMMARY REPORT

Report to the City Manager: Douglas Elliott

Police

Originating Department

Council Meeting Of: January 19, 2016

John A. Jones

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

January 12, 2016

Date Prepared

Agenda Title: Resolution authorizing the City Manager to enter into an agreement with the Talawanda City School District to provide a School Resource Officer at the Talawanda Middle School for the Spring Semester

Recommendation: Approve

Discussion: The Talawanda City School District and the Oxford Police Department have agreed to place a police officer at the Talawanda Middle School in the position of School Resource Officer (SRO). The SRO would work four (4) days a week, ten (10) hours a day and would be assigned to the school for a majority of those hours, but at minimum twenty-four (24) hours per week. The Talawanda School District agrees to reimburse the City of Oxford for twenty-four (24) of the forty hours worked by the officer at a rate of \$24.00 per hour.

The SRO will be primarily assigned to the Talawanda Middle School and Kramer Elementary. The SRO will split duties at the Talawanda High School with the Butler County Deputy SRO. The SRO will work with the Talawanda Staff to create positive interactions with students, to implement programming, and to promote a safe haven for teaching and learning. The SRO will work to deter incidents of crime and violence to protect students, staff, and visitors at the Talawanda Schools located within the City of Oxford. This is a trial program for the Spring semester of the 2015-2016 School Year with a goal of developing a long term partnership with the Talawanda School District.

The agreement was approved by the Talawanda City School Board at the January 11, 2016 meeting.

Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

JAE \ 1/12/16

DRE \ 1-15-16

RESOLUTION NO. 4963

A RESOLUTION AUTHORIZING THE SCHOOL RESOURCE OFFICER PROGRAM AGREEMENT BETWEEN THE TALAWANDA CITY SCHOOL DISTRICT AND THE CITY OF OXFORD AND AUTHORIZING THE CITY MANAGER TO SIGN THE AGREEMENT ON BEHALF OF THE CITY.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OXFORD, BUTLER COUNTY, STATE OF OHIO, THAT:

SECTION 1: The City Manager and the Acting Police Chief recommend Council authorize the City Manager to sign on behalf of the City, the proposed Agreement attached hereto as Exhibit "A" with the Talawanda City School District for the services of a "School Resource Officer". The School Resource Officer's salary will be split between the School District and the City with the School District assuming 24 hours per week of the cost and any overtime worked by the School Resource Officer at the request of the School District.

SECTION 2: Council hereby accepts the recommendation of the City Manager and the Acting Police Chief and finds that the Agreement to provide a School Resource Officer in the Talawanda City School District will benefit the community and authorizes the City Manager to sign the agreement on behalf of the City.

SECTION 3: This resolution shall take effect at the earliest date allowed by law.

MAYOR

ADOPTED: January 19, 2016

ATTEST:

ACTING CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

Talawanda School Resource Officer Contract

This contract is made by and between the City of Oxford, Butler County, Ohio, hereinafter referred to as "the City," and the Talawanda City School District, Butler County, Ohio, hereinafter referred to as "Talawanda Schools."

WITNESSETH:

WHEREAS, the City and Talawanda Schools desire to provide, under the management and supervision of the City, a School Resource Officer for the duration of the 2015-2016 school year;

NOW THEREFORE, be it agreed by and between the City of Oxford, Butler County, Ohio and the Talawanda Schools, Butler County, Ohio, as follows:

1. The City will provide a School Resource Officer ("SRO") for a minimum of eight (8) hours per day, three (3) days a week, when school is in session, for the remainder of the 2015-2016 school year. These hours and the SRO's days off might change as the need dictates. The SRO will patrol exclusively at the Talawanda High School, Talawanda Middle School, Kramer Elementary School, and any other school owned property located in the City of Oxford to keep the peace, protect the property and perform other necessary police functions at Talawanda Schools.
2. The City agrees to provide and pay the SRO's salary and employment benefits in accordance with the applicable labor agreements, salary schedules and employment practices of the City. The SRO shall be subject to all other personnel policies and practices of the City except as such policies or practices may have to be modified to comply with terms and conditions of this Agreement.
3. The City, in its sole discretion, shall have the power and authority to hire, assign, discharge and discipline the SRO.
4. The City shall be responsible for providing Workers Compensation, Unemployment Compensation and Police Professional Liability insurance for the SRO.
5. In the event the SRO is absent from work, the SRO shall notify both his/her supervisor with the City and the principal of the school to which the SRO is assigned. In the event the SRO is absent due to illness, injury or disability for a period in excess of ten (10) consecutive work days, the City agrees to meet with Talawanda Schools to discuss a change in this Agreement and/or assign a substitute SRO to assume and perform the duties of the SRO who is absent from work.
6. The City will provide a suitable patrol vehicle for use by the SRO and the parties agree that the assignment of any patrol vehicle will be at the sole discretion of the City.
7. Expenses of the SRO shall be borne between the agreeing parties as follows:

- a. Talawanda Schools agrees to reimburse the City for 24 hours each week at a rate of \$24.00 per hour for each week the SRO works for the 2015-2016 school year, not to exceed 16 weeks. The current costs for this service are estimated at \$9,216 and shall be billed monthly beginning February 1, 2016 through May 25, 2016. Said parties invoiced shall make checks payable to the City of Oxford, and shall be mailed to the City of Oxford Finance Department, 101 E. High Street, Oxford, OH 45056. The City agrees to provide officer time sheets for hours worked at Talawanda Schools as part of the monthly invoicing process.
 - b. Any and all overtime worked by the SRO at Talawanda Schools at the request of the Talawanda Schools shall be paid by Talawanda Schools to the City in the following month. The rate shall remain \$24.00 for hours during the normal school day and \$35.00 per hour outside of the normal school day. The invoice for overtime will be prepared by the City and listed separately on the monthly invoice.
8. The City will, from the annual appropriation of the City, pay all expenses necessary for the operation of the SRO's contract herein, other than those expenses listed and contained in this contract, which are to be paid by Talawanda Schools.
9. The SRO and his/her equipment will at all times be under the direct supervision of the City and subject to the rules, regulations and policies of the City, the State of Ohio and the United States Government.
10. It is mutually agreed upon between the City and Talawanda Schools that the assigned SRO will be used to cope with the needs of Talawanda Schools regarding criminal activity and to help foster education increasing student's knowledge and respect for the law and the function of law enforcement agencies. The SRO assigned by the City and Police shall have full authority to carry out the duties as a sworn police officer at any school facility within the school district.
11. It is mutually agreed upon between the City and Talawanda Schools that the SRO will not work full-time at Talawanda schools and will be available to respond to non-school related calls at any time as needed by City.
12. This agreement may be terminated by either party by the service of written notice of cancellation upon the other party at least thirty (30) days prior to the termination date of the contract period.

CITY:

TALAWANDA SCHOOLS:

Douglas R. Elliott, Jr.
City Manager

Mark Butterfield District
President, Talawanda Board of Education

Kelly Spivey
Superintendent, Talawanda City School District

Mike Davis
Treasurer, Talawanda City School District

CITY OF OXFORD STAFF SUMMARY REPORT

Report to the City Manager

Finance Department
Originating Department

Council Meeting Of: January 19, 2016

Joe Newlin

Account Code No. #: _____

Prepared By

Budgeted Amount: _____ January 6, 2016

Date Prepared

Agenda Title: 2016 Investment Management Contract

Recommendation: Approve

Discussion:

RedTree Investment Group has provided investment management services for the City of Oxford for the last three years and has proven to be an asset to the City in regards to active asset management. Current contract expires April 24, 2016, however, allows for two (1) year contract extensions. At this time, staff would like to extend the contract for the additional 1 year term.

RedTree Investment Group monthly fee is computed based on 8 basis points. They will continue to pay our custodial fee to US bank which is a savings of approximately \$4,000.00 annually.

Approved By:

Department Head:
City Attorney:
City Manager:

Initial Date
JK 1/16/16
DRK 1-15-16

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER AND THE FINANCE DIRECTOR TO CONTRACT WITH REDTREE INVESTMENT GROUP SERVICES FOR THE MANAGEMENT OF THE CITY'S INVESTABLE FUNDS.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OXFORD, BUTLER COUNTY, STATE OF OHIO, THAT:

SECTION 1: Council hereby finds that the Investment Committee solicited Requests for Qualifications (RFQs) for the management of City investable funds in 2013 for an initial period of three years. The contract included two 1 year contract extensions.

SECTION 2: Council hereby accepts the Investment Committee's recommendation that the City utilize the services of RedTree Investment Group for the management of the City's investable funds for an additional one year extension.

SECTION 3: The City Manager and the Finance Director are hereby authorized to contract with RedTree Investment Group for the management of the City's investable funds for a period of one year.

SECTION 4: This resolution shall take effect at the earliest date allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: January 5, 2016

Jung-Han Chen
Prepared By:

Account Code No. #:

Budgeted Amount:

December 23, 2015
Date Prepared:

PC-2015-28 ZONING MAP AMENDMENT to establish a Neighborhood Conservation Overlay District in the area of Hidden Creek Drive, Deer Trail Circle and Fox Run Circle in the proposed overlay district. **City of Oxford, Applicant**

Recommendation: Approval

Discussion:

The proposed map amendment is to establish a Neighborhood Conservation Overlay District in an R1-A (Single-Family Low Density Residential) District in the neighborhood of Hidden Creek Drive, Deer Trail Circle and Fox Run Circle. A total of 45 parcels were included in the petition and a total of 43 property owners' signatures were obtained, representing 96% of property owners' provided signatures. Legislation allows a neighborhood to generate a petition to create an overlay district subject to meeting certain standards and public hearing process.

The petition to establish a neighborhood conservation overlay district was filed on October 6, 2015 with the Clerk of City Council. A resolution was adopted by the City Council accepting the petition and forwarding this request to the Planning Commission on October 20, 2015. The Planning Commission reviewed the request on December 8, 2015. The Planning Commission recommended approval of this amendment and is forwarding this request to City Council for legislative action.

The intent is to be a grass-roots effort which only alters one aspect of the permitted land uses (residential occupancy). Therefore the base zoning district regulations are retained. Without the overlay, a single dwelling unit can have up to four unrelated persons. With the overlay, a single dwelling unit may still be rental property, but is limited to no more than two unrelated persons. Existing dwellings with more than two unrelated persons would be allowed to continue as legal nonconforming.

Approved By:

Department Head:
City Attorney:
City Manager:

JHC / 12/23/15
DRE / 12/31/15

ORDINANCE NO.

AN ORDINANCE ACCEPTING THE PLANNING COMMISSION'S RECOMMENDATION AND GRANTING A ZONING MAP AMENDMENT TO ESTABLISH A NEIGHBORHOOD CONSERVATION OVERLAY DISTRICT IN A R-1A (SINGLE FAMILY LOW DENSITY RESIDENTIAL) DISTRICT FOR 45 PARCELS LOCATED ON HIDDEN CREEK DRIVE, DEER TRAIL CIRCLE, AND FOX RUN CIRCLE, IN THE CITY OF OXFORD, OHIO.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OXFORD, BUTLER COUNTY, STATE OF OHIO, THAT:

SECTION 1: Council finds in accordance with Section 1146.03 of the Codified Ordinances of the City of Oxford, the Oxford Planning Commission held a public hearing on December 8, 2015 on the City of Oxford's application for a Zoning Map Amendment to establish a Neighborhood Conservation Overlay District in a R-1A (Single Family Low Density Residential) District for 45 parcels located on Hidden Creek Drive, Deer Trail Circle, and Fox Run Circle, in the City of Oxford, Ohio, a map of which is attached hereto and incorporated herein as Exhibit "A".

SECTION 2: The Oxford Planning Commission, after public hearing and deliberation, recommended granting the Zoning Map Amendment to establish a Neighborhood Conservation Overlay District, and found that the proposed request was in keeping with the intended characteristics of the neighborhood and was an appropriate classification for the properties in question.

SECTION 3: Council hereby accepts the recommendation of the Oxford Planning Commission, and after deliberation, finds for the granting of the Zoning Map Amendment, to establish a Neighborhood Conservation Overlay District in a R-1A (Single Family Low Density Residential) District for 45 parcels located on Hidden Creek Drive, Deer Trail Circle, and Fox Run Circle, in the City of Oxford, Ohio, a map of which is attached hereto and incorporated herein as Exhibit "A".

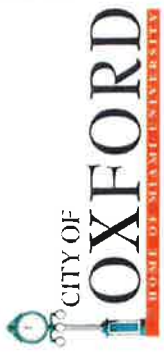
SECTION 4: Council hereby grants the Zoning Map Amendment as requested, incorporating the application and documents submitted with the application as a term and condition of the granting of this Zoning Map Amendment and orders that the official zoning map be amended.

SECTION 5: This Ordinance shall take effect at the earliest time allowed by law.

MAYOR

ADOPTED:
ATTEST:

CLERK OF OXFORD CITY COUNCIL
INTRODUCED BY: KATE ROUSMANIERE
PREPARED BY: LAW (STAFF)



**Hidden Creek
Deer Trail Fox Run
Neighborhood
Conservation
Overlay District
Petition Boundaries**

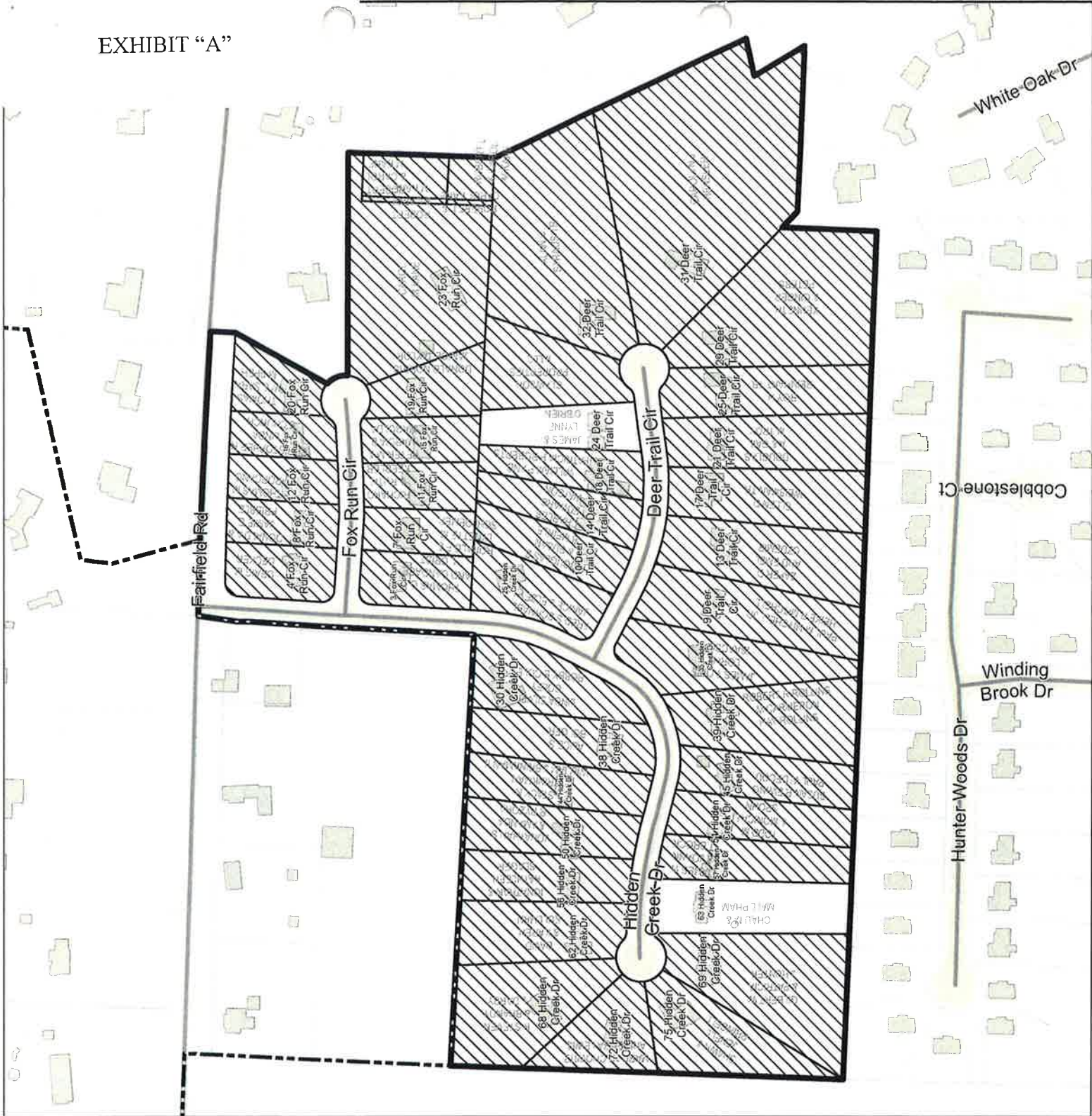
Legend

-  Petition Area
-  Petition Parcel: Signed
-  Petition Parcel: Not Signed
-  Oxford Corporation Limit
-  Address Point
-  Parcel
-  Building Footprint
-  Paved Roadway



1 inch = 275 feet

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.



**Certification of Action
Oxford Planning Commission
Recommendation to City Council**

<u>Report Date</u>	January 5, 2016
<u>Case Number</u>	PC-2015-28
<u>Applicant Information</u>	City of Oxford
<u>Requested Action</u>	Zoning Map Amendment
<u>Summary of Request</u>	ZONING MAP AMENDMENT To establish a Neighborhood Conservation Overlay District in an R-1A (Single-Family Low Density Residential) District, in the Neighborhood of Hidden Creek Drive, Deer Trail Circle and Fox Run Circle
<u>Public Hearing Information</u>	On December 8, 2015 a Public Hearing took place at 118 W. High Street. A Public Hearing notice was published in the Oxford Press on November 8, 2015. Public Hearing notices were mailed out to surrounding properties on November 20, 2015.
<u>Commission Action</u>	The Planning Commission voted 7-0-0 recommending approval to City Council.
<u>Commission Findings and Conclusions</u>	The Planning Commission recommended this Zoning Map Amendment having met the Decision Standards of Chapter 1146, and at least one Decision Standard of Chapter 1135
<u>Exhibits Submitted to the Commission</u>	1. Staff Report Dated November 25, 2015 2. Interoffice Reviews 3. Surrounding Property Notifications 4. Zoning Map Amendment Application Dated October 23, 2015 5. Resolution 4938 City Council Acceptance of Petition 6. Petition Boundary Map 7. Petition for Residential Conservation Overlay District

City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2015-28

Date – December 8, 2015

APPLICATION

Applicant:	City of Oxford
Action Request:	ZONING MAP AMENDMENT to establish a Neighborhood Conservation Overlay District in an R-1A (Single-Family Low Density Residential) District, in the Neighborhood of Hidden Creek Drive, Deer Trail Circle and Fox Run Circle. City of Oxford, Applicant

DESCRIPTION

The proposed map amendment is to establish a Neighborhood Conservation Overlay District in an R-1A (Single-Family Low Density Residential) District in the neighborhood of Hidden Creek Drive, Deer Trail Circle and Fox Run Circle.

A petition to establish a neighborhood conservation overlay district was filed on October 6, 2015 to the Clerk of City Council. A resolution was adopted by the City Council accepting the petition and forwarding this request to the Planning Commission on October 20, 2015.

ZONING CODE

The Oxford Zoning Ordinance Chapter 1146 governs the establishment of the Neighborhood Conservation Overlay District.

COMPREHENSIVE PLAN

In the Overview Section of Chapter 7, Housing, in the Comprehensive Plan residents echoed the same sentiments that Oxford has a unique housing market involving a large rental population that limits opportunities for family housing options and changes the community character, specifically within the Mile Square. The public input sessions also pointed out the lack of housing opportunities for families and the hope to encourage owner-occupied housing and promote the return of full-time residents to the area. Even the Comprehensive Plan does not implicitly point to the establishment of an overlay district to encourage owner-occupied neighborhoods, but several objectives and strategies are relevant to this idea of maintaining traditional neighborhoods and owner-occupied residential dwellings.

Objective Expand Housing options

- H2.1 Update development regulations to allow for a variety of housing types in new developments.*
- H2.4 Provide financial assistance to increase homeownership opportunities for low and moderate income residents.*

Objective: Expand homeownership opportunities

- H5.1 Encourage local employers to provide homeownership incentives.*
- H5.2 Encourage rehabilitation of owner-occupied structures within the Mile Square.*
- H5.3 Create an urban homeownership incentive program such as homeownership grants to help offset the cost of housing.*
- H5.4 Develop a revolving loan fund.*
- H5.5 Establish an Oxford Homeownership Office in partnership with Miami University.*
- H5.6 Support the University loan program to increase homeownership opportunities within the Mile Square.*

AGENCY REVIEWS

Requests for review were made to the Police, Fire, Engineering and Economic Development Departments. The following comments have been received:

Police:	No comments received
Fire:	Received with no comments
Engineering:	Received with no comments
Econ. Dev.	Received with no comments

DECISION CRITERIA

A copy of the Decision Criteria for Overlay District is attached.

ANALYSIS

The idea of the neighborhood conservation overlay district was to preserve neighborhoods from being turned into rental properties and to maintain the traditional neighborhood owner-occupied character. The Planning Commission went through extensive discussion about this overlay district in 2012. It was designed to provide mechanisms to the neighborhoods to initiate a grass roots movement to get all the neighbors together and to petition City Council for the consideration of placing more restrictions on the underlying district.

The overlay district is not uncommon in the land use arena to put in place a specific set of regulations that are more stringent than the underlying district in order to accomplish specific objectives. The most commonly used overlay district is for the historic area. Others are used for specific design standards to promote some uniformity in certain specific subset areas.

Many neighborhoods have gone through this process since the adoption of this enabling legislation in 2013. As of today, there have been 12 different neighborhoods throughout the City that have obtained the overlay district designation. These neighborhoods are typically located outside of the Mile Square.

A petition was filed by a group of neighbors in Hidden Creek Drive, Deer Trail Circle and Fox Run Circle for a total of 45 parcels of tracts of land, to be considered a Neighborhood Conservation Overlay District on October 6, 2015 with the Clerk of the Oxford City Council. The petition also showed that there were 43 signatures obtained that represent 43 parcels. The signatures supporting this petition exceed the two-third requirements of the parcels of this petitioned area. The signatures represent 96% of the parcels within the boundary. A map of the proposed district is attached illustrating the area for consideration.

Based on the Neighborhood Conversation Overlay District requirements, the City Council accepted the petition on October 20, 2015 and forwarded this petition to the Planning Commission for Zoning Map Amendment consideration.

There are specific decision standards that the Planning Commission shall reference and the decision standards are also attached for reference. The Planning Commission also shall consider the purpose and objectives of such overlay district are to achieve the privacy of residents and to minimum noise, congestion and nuisance impact by excessive renters and to maintain an attractive community appearance and provide a desirable living environment and finally to prevent excessive traffic and parking problems in the neighborhood.

The petition met the boundary requirements as stipulated in the Chapter 1146.03(h). The petition also met the minimum two-thirds requirements of owner signatures within the proposed boundary. Additionally, the dates of those signatures were also within six months prior to the time the petition was filed with the City Clerk.

Please note that this process is a neighborhood driven process beginning with a petition to the City Council and followed with a public hearing before the Planning Commission for a Map Amendment recommendation. The City Council may waive certain requirements after a positive recommendation

from the Planning Commission. This process is far lengthier than normal map amendment process and has additional decision standard thresholds to meet. It is a process that the neighborhood had taken seriously and the neighbors have demonstrated their commitment to preserve their neighborhood and to maintain their neighborhood characters by going through an extra step to initiate.

Given that there will be a total of 12 neighborhoods having the overlay district designation, it might be the time to look at the overall City's zoning map to create different zoning districts to reflect those changes.

RECOMMENDATION

Staff recommends that the Planning Commission approval of this amendment and forward this request to City Council for legislative action.

SUBMITTED

BY:



Jung-Han Chen

Community Development Director

DATE: November 25, 2015

ATTACHMENT

Chapter 1135 Zoning Map Amendment procedures and decision standards

(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.

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.

Planning Commission must utilize the Chapter 1146 Specific Decision Standards to consider the Neighborhood Conservation Overlay District and they are as follows:

1146.03(2) b Decision Standards for Considering Overlay District:

1. The proposed Overlay District meets the boundary criteria.
2. The proposed Overlay District will preserve and enhance the neighborhood character.
3. The proposed Overlay District will promote the public health, safety and general welfare of the people of the neighborhood.
4. The proposed Overlay District will promote and implement the intent of the Comprehensive Plan.
5. The proposed Overlay District will satisfy a legitimate need.

City of Oxford
Inter-Office Review Transmittal Sheet

Date: November 19, 2015

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2015-28 ZONING MAP AMENDMENT to establish a Neighborhood Conservation Overlay District for the area of Hidden Creek Drive, Deer Trail Circle and Fox Run Circle for a total of 45 parcels in a proposed overlay district, **City of Oxford, Applicant**

 X Review Revisions Other

Please return no later than: **12/4/2015** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments without/comments

Drawings reviewed by:


John Detherage

PRINTED NAME

Date:

12-1-15

City of Oxford
Inter-Office Review Transmittal Sheet

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PC-2015-28 ZONING MAP AMENDMENT to establish a Neighborhood Conservation Overlay District for the area of Hidden Creek Drive, Deer Trail Circle and Fox Run Circle for a total of 45 parcels in a proposed overlay district, **City of Oxford, Applicant**

 X Review Revisions Other

Please return no later than: **12/4/2015** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by: _____

H. Popescu

Date: _____

11-20-15

VICTOR POPESCU

PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: November 19, 2015

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2015-28 ZONING MAP AMENDMENT to establish a Neighborhood Conservation Overlay District for the area of Hidden Creek Drive, Deer Trail Circle and Fox Run Circle for a total of 45 parcels in a proposed overlay district, **City of Oxford, Applicant**

 X Review Revisions Other

Please return no later than: **12/4/2015** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by: _____

Date: 11-23-15

G. Allen Kuylen
PRINTED NAME



PC-2015-28 Surrounding Property Owners Map

Notifications

Legend

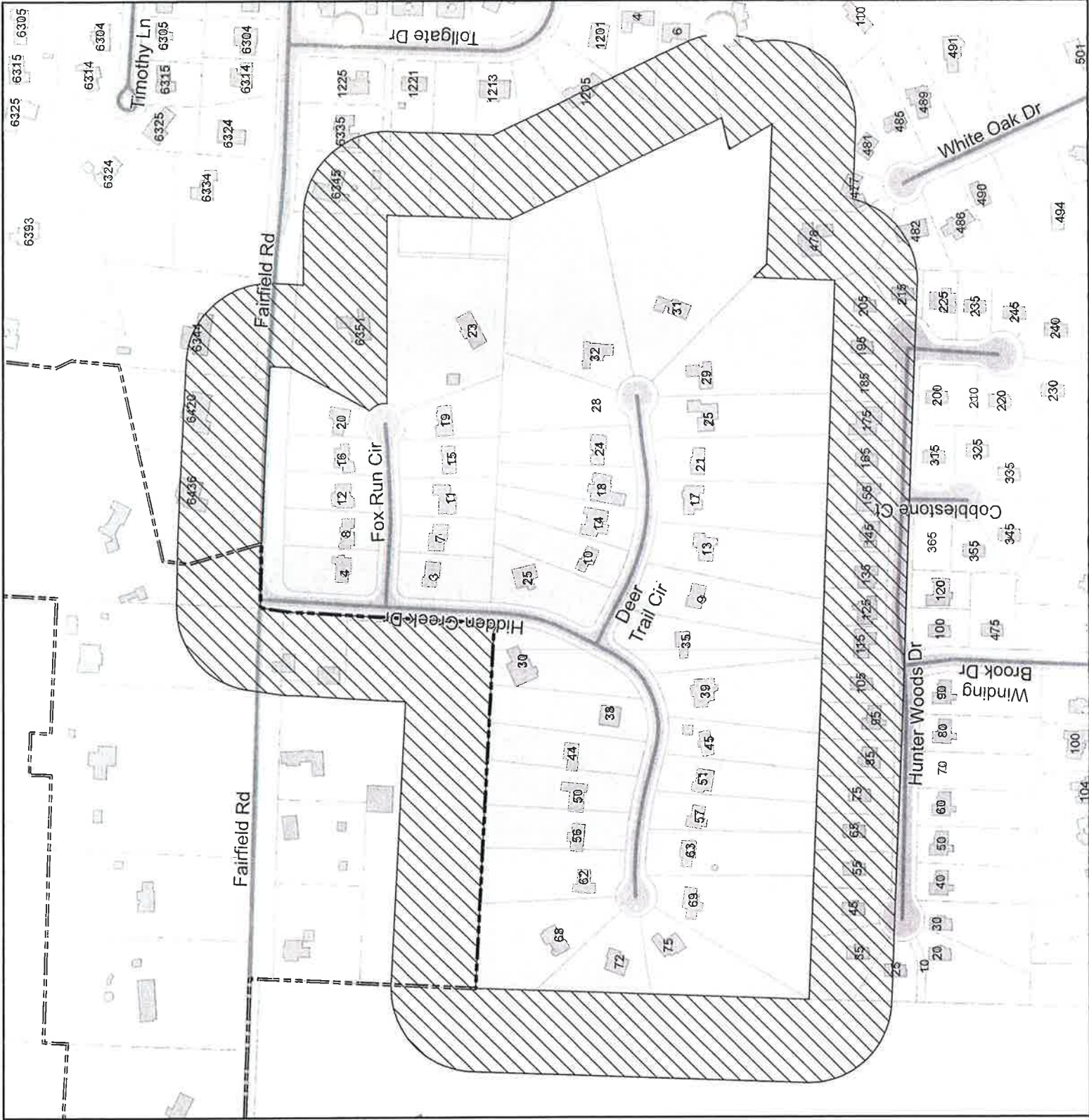
- Subject Area
- 200 Ft. Buffer
- Oxford Corp. Limit
- Address Point
- Parcel
- Building Footprint
- Paved Roadway



1 inch = 325 feet

Prepared on Friday, November 20, 2015

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.





**CITY OF OXFORD
PLANNING COMMISSION
REVIEW AND COMMENT FORM**

CASE NO.: PC-2015-28

DATE OF HEARING: December 8, 2015

ZONING MAP AMENDMENT to establish a Neighborhood Conservation Overlay District for the area of Hidden Creek Drive, Deer Trail Circle and Fox Run Circle for a total of 45 parcels in a proposed overlay district, **City of Oxford, Applicant**

If you cannot attend this public hearing being held before the City of Oxford Planning Commission, but would like to comment on this matter, please complete this form and return it at your earliest convenience before the hearing date to Lynn Taylor, 101 East High Street, Oxford, OH 45056.

Name:

Ellen Weisman

Address:

17 Deer Trail Circle

Oxford, OH 45056

Telephone:

Home: 513-523-1070

Work:

COMMENTS:

I am unable to attend the meeting/hearing on December 8, but I am in support of the amendment to establish a conservation overlay district in our neighborhood.

Thank you.

Ellen Weisman
Signature

11/30/15
Date



**CITY OF OXFORD
PLANNING COMMISSION
REVIEW AND COMMENT FORM**

CASE NO.: PC-2015-28

DATE OF HEARING: December 8, 2015

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If you cannot attend this public hearing being held before the City of Oxford Planning Commission, but would like to comment on this matter, please complete this form and return it at your earliest convenience before the hearing date to Lynn Taylor, 101 East High Street, Oxford, OH 45056.

Name: Ron and Lynn Schloemer

Address: 7 FOX RUN CIRCLE

OXFORD, OH 45056

Telephone: Home: 523-8210 Work: 523-9355

COMMENTS:

We built our home on Fox Run Circle in 1987 and wholeheartedly support this amendment. This is a stable neighborhood and one of the most desirable in Oxford. We'd like it to stay that way.

Lynn Schloemer
Signature

11-29-15
Date



**CITY OF OXFORD
PLANNING COMMISSION
REVIEW AND COMMENT FORM**

CASE NO.: PC-2015-28

DATE OF HEARING: December 8, 2015

ZONING MAP AMENDMENT to establish a Neighborhood Conservation Overlay District for the area of Hidden Creek Drive, Deer Trail Circle and Fox Run Circle for a total of 45 parcels in a proposed overlay district, **City of Oxford, Applicant**

If you cannot attend this public hearing being held before the City of Oxford Planning Commission, but would like to comment on this matter, please complete this form and return it at your earliest convenience before the hearing date to Lynn Taylor, 101 East High Street, Oxford, OH 45056.

Name: JAMES BROCK

Address: 57 HIDDEN CREEK DR.

Telephone: Home: 523-3241 Work: 529-2846

COMMENTS:

I ~~am~~ very strongly support this 100%

J Brock
Signature

11/23/15
Date



**CITY OF OXFORD
PLANNING COMMISSION
REVIEW AND COMMENT FORM**

CASE NO.: PC-2015-28

DATE OF HEARING: December 8, 2015

ZONING MAP AMENDMENT to establish a Neighborhood Conservation Overlay District for the area of Hidden Creek Drive, Deer Trail Circle and Fox Run Circle for a total of 45 parcels in a proposed overlay district, **City of Oxford, Applicant**

If you cannot attend this public hearing being held before the City of Oxford Planning Commission, but would like to comment on this matter, please complete this form and return it at your earliest convenience before the hearing date to Lynn Taylor, 101 East High Street, Oxford, OH 45056.

Name: Thomas M. Porcano

Address: 12 Fox Run Circle

OXFORD, OH 45056

Telephone: Home: 513 255 7583 Work:

COMMENTS:

I fully support the proposed amendment!

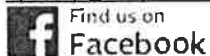
Thomas M. Porcano
Signature

11/30/15
Date

Lynn Taylor

From: Sam Perry
Sent: Thursday, December 03, 2015 1:35 PM
To: Lynn Taylor
Subject: FW: Support for overlay district

Sam Perry, AICP
Planner
City of Oxford
Community Development Department
101 East High Street | Oxford, Ohio 45056
p. (513) 524-5204 | f. (513) 524-5266
sperry@cityofoxford.org | <http://www.cityofoxford.org>



From: Douglas Troy [<mailto:douglas.troy@gmail.com>]
Sent: Thursday, December 03, 2015 1:22 PM
To: Sam Perry; chchen@cityofoxford.org
Subject: Support for overlay district

I am writing to express support for the overlay district that includes my property, 21 Deer Trail Circle. I am unable to attend the hearing in person. Please contact me if needed, 523-6989.

Sincerely,
Douglas Troy

Jung-Han Chen

From: Kullman, David <kullmade@miamioh.edu>
Sent: Thursday, December 03, 2015 3:12 PM
To: Sam Perry; Jung-Han Chen
Subject: Support for Zoning Map Amendment

To Whom It May Concern:

I am writing to express my strong support for the Zoning Map Amendment (Case No. PC-2015-28) that will be heard by the Planning commission on December 8. I was one of the persons who collected signatures for the petition, and only one household out of the 17 on Hidden Creek Drive failed to sign it. Similar results were obtained on Deer Trail Circle and Fox Run Circle. It is safe to conclude that the neighborhood is wholeheartedly behind this proposed zoning change.

David E. Kullman
62 Hidden Creek Drive
Oxford, Ohio 45056
513-523-3887

Jung-Han Chen

From: Zafer D. Ozdemir <zaferdozdemir@gmail.com>
Sent: Thursday, December 03, 2015 11:18 AM
To: Jung-Han Chen; Sam Perry
Subject: Fwd: E-Mail Option to Support Neighborhood Overlay (DEADLINE TODAY)

Hi,

We support this amendment.

Thanks,

Zafer & Emel Ozdemir
13 Deer Trail Circle

----- Forwarded message -----

From: Crist, Candace <cristcl@miamioh.edu>
Date: Thu, Dec 3, 2015 at 11:06 AM
Subject: E-Mail Option to Support Neighborhood Overlay (DEADLINE TODAY)
To:

Greetings Neighbors,

For those of you who may not have had time to mail back the form with your comments of support, there is still time to help! You can e-mail your support, but please do so by the end of today. Please e-mail these two people:

- JHChen@cityofoxford.org
- SPerry@cityofoxford.org

Thank you again!

Candace Crist

----- Forwarded message -----

From: Jung-Han Chen <JHChen@cityofoxford.org>
Date: Thu, Dec 3, 2015 at 9:44 AM
Subject: RE: email address needed
To: "Kullman, David" <kullmade@miamioh.edu>
Cc: Sam Perry <sperry@cityofoxford.org>

Sam Perry

From: Marcia Baxter Magolda <baxtermb@me.com>
Sent: Thursday, December 03, 2015 10:56 PM
To: Sam Perry; Jung-Han Chen
Subject: Support for Hidden Creek overlay

Please accept this email in support of the overlay being requested for the Hidden Creek neighborhood. My spouse and I own a home at 15 Fox Run Circle. We believe that the overlay is important to maintain the nature of the neighborhood.

Thank you for your consideration.
Marcia Baxter Magolda

Sent from my iPhone

Sam Perry

From: jaimie pribble <jaimiepribble@yahoo.com>
Sent: Thursday, December 03, 2015 5:29 PM
To: Sam Perry
Subject: Zoning Map Amendment

To The Oxford Planning Commission

My husband and I (Don & Jaimie Pribble) are writing to express support for the zoning map amendment(Case # PC-2015-28) to create a Neighborhood Conservation Overlay District for our neighborhood including Hidden Creek, Fox Run and Deer Trail.

We have lived in this neighborhood since 1986. We strongly believe this is a positive plan for our neighborhood and we encourage you to approve it.

Thank you for your consideration. Jaimie & Don Pribble, 8 Fox Run Circle



Internal Use Only:	PC-2015-28
Case No.	
Date Filed	10/23/15

Zoning Map Amendment Application

Applicant Information

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

Name *	Jung-Han Chen
Mailing Address *	101 E. High St.
City, State & Zip Code *	Oxford, OH 45056
Telephone Number(s) *	513-524-5237
Email Address	jhchen@cityofoxford.org

Location and Lot Information

Location *	Fox Run Circle, Deer Trail Circle and Hidden Creek Drive
General Description of Proposed Amendment *	Neighborhood Conservation Overlay District
Current Zoning *	R-1A
Proposed Zone(s) *	Overlay District

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.

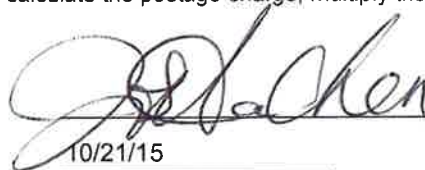
Fees & Receipt

The required fee is \$150.00, plus postage charge. Write a check payable to **City of Oxford**. You may also pay in-person using Visa, MasterCard, and Discover. To calculate the postage charge, multiply the number of adjoining properties by current postage rate³.

Sign and Date

Applicant Signature *

Date *


10/21/15

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 charges made payable to **City of Oxford**, to Community Development Director, 101 East High Street, 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).**

For Staff Use Only

Fee Paid Date *

NA

Receipt Number *

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/>

³ The United States Postal Service: <http://www.usps.com/>

RESOLUTION NO. 4938

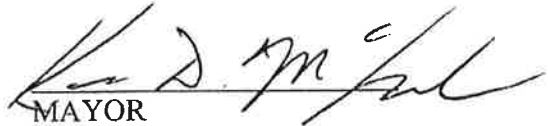
RESOLUTION OF COUNCIL ACCEPTING THE PETITION AS REQUIRED BY OXFORD CODIFIED ORDINANCE §1146.03 TO ESTABLISH A NEIGHBORHOOD CONSERVATION OVERLAY DISTRICT FOR THAT AREA OF HIDDEN CREEK DRIVE, DEER TRAIL CIRCLE, AND FOX RUN CIRCLE AS SET FORTH ON EXHIBIT "A" ATTACHED HERETO AND REFERRING THE PETITION TO THE OXFORD PLANNING COMMISSION FOR RECOMMENDATIONS TO CITY COUNCIL.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OXFORD, BUTLER COUNTY, STATE OF OHIO, THAT:

SECTION 1: The Clerk of Council and the Community Development Director having determined pursuant to Oxford Codified Ordinance §1146.03(b) that the Petition to establish a Neighborhood Conservation Overlay District as set forth on Exhibit "A" attached hereto conforms to the petition requirements of Oxford Codified Ordinance §1146.03 and recommends that the petition be referred to the Oxford Planning Commission to make recommendations to City Council.

SECTION 2: City Council accepts the recommendation of the Clerk of Council and the Community Development Director and further refers the petition to establish a Neighborhood Conservation Overlay District as set forth on Exhibit "A" attached hereto to the Oxford Planning Commission to make recommendations to City Council.

SECTION 3: This resolution shall take effect at the earliest date allowed by law.


MAYOR

ADOPTED: October 20, 2015

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW (STAFF)

(Statement of Petition)

**OXFORD ZONING PETITION FOR
RESIDENTIAL CONSERVATION OVERLAY DISTRICT**

This petition is submitted, pursuant to Oxford zoning code chapter 1146, to request City Council to introduce an ordinance accepting a petition which would allow the initiation of a zoning map amendment to create a district within the described boundaries, which would restrict the ability of property owners to rent their property to more than two unrelated individuals.

This petition, if accepted, would allow the petitioner to initiate a zoning map amendment to restrict any property within the district to be rented to no more than two unrelated individuals. This petition will not affect properties already licensed.

Boundary description:

The proposed boundary of this neighborhood overlay includes all the homes and lots accessed from Hidden Creek drive, Deer Trail Circle, and Fox Run Circle. The exterior boundary follows the rear lot lines of those homes.

Circulators:

Christopher Church
16 Fox Run Circle
(513) 523-4356
churchcr@MiamiOH.edu

Christopher R Church

Candace Crist
3 Fox Run Circle
(513) 524-3040
cristcl@MiamiOH.edu

Candace L. Crist 9-25-2015

David Kullman
62 Hidden Creek Drive
(513) 523-3887
kullmade@MiamiOH.edu

David E. Kullman

Douglas Meikle
10 Deer Trail Circle
(513) 524-9190
meikled@MiamiOH.edu

Douglas Meikle

Deer Trail 113

Petition for Hidden Creek Deer Trail Fox Run Neighborhood Conservation Overlay District, Oxford, Ohio

Petition Initiator: David Kullman, 62 Hidden Creek Drive

I, the undersigned, do hereby state that I am an owner of a property within the boundaries designated by the petition and that my residence is truly stated in opposite by the signature below.

This petition, if adopted, would allow the petitioners to initiate a zoning map amendment pursuant to Chapter 1146 of the city's zoning code to restrict any property within the district to be rented to no more than two unrelated individuals. This petition will not affect properties already licensed.

Please see attached map for boundaries.

Date	Address	Name(s)	Signature	Notes
10/2/15	DEER TRAIL CIR	CLAWSON PROPERTIES II LLC	Barbara Clawson	
10/4/15	9 DEER TRAIL CIR	PAUL M MITCHELL JR HEIKE R MITCHELL	Paul M Mitchell	
10/3/15	10 DEER TRAIL CIR	DOUGLAS B & SUSAN B MEIKLE	Douglas Meikle	
10/3/15	13 DEER TRAIL CIR	ZAFER D AND EMEL OZDEMIR	[Signature]	
10/5/15	14 DEER TRAIL CIR	CHARLES EDWARD WATSON	Charles Watson	
10/4/15	17 DEER TRAIL CIR	ELLEN D WEISMAN TR	Ellen D. Weisman, trustee	
10/30/15	18 DEER TRAIL CIR	WILLIAM P AND PATRICIA P ROBERTS	William P. Roberts	
10/3/15	21 DEER TRAIL CIR	DOUGLAS A & GAIL M TROY	Douglas A. Troy Gail M. Troy	
10/3/15	24 DEER TRAIL CIR	JAMES & LYNNE O'BRIEN		Deline
10/3/15	25 DEER TRAIL CIR	ROY H REINHART TR	Betty J. Reinhart	
10/3/15	29 DEER TRAIL CIR	KENNETH & GINGER PETERS	Kenneth Peters	

Petition for Hidden Creek Deer Trail Fox Run Neighborhood Conservation Overlay District, Oxford, Ohio

Petition Initiator: David Kullman, 62 Hidden Creek Drive

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Please see attached map for boundaries.

Date	Address	Name(s)	Signature	Notes
10/5/15	31 DEER TRAIL CIR	CAROLYN J HENSLEY	<i>Carolyn J. Hensley</i>	
10/3/15	32 DEER TRAIL CIR	ALAN C STRAUS TR	<i>Alan C. Straus</i>	
	FOX RUN CIR	ROBERT & CAROL M KANE		
	FOX RUN CIR	ROBERT L & CAROL KANE		
	FOX RUN CIR	ROBERT & CAROL M KANE		
	FOX RUN CIR	ROBERT L & CAROL M KANE		
	3 FOX RUN CIR	THOMAS O AND CANDACE L CRIST		
	4 FOX RUN CIR	CRAIG M DECKER		
	7 FOX RUN CIR	RONALD F & LYNETTE M SCHLOEMER		
	8 FOX RUN CIR	DONALD A & JAMIE E PRIBBLE		
	11 FOX RUN CIR	RICHARD & RUTH KEEBLER		

FOX RUN 115
(1) Approved

Petition for Hidden Creek Deer Trail Fox Run Neighborhood Conservation Overlay District, Oxford, Ohio

Petition Initiator: David Kullman, 62 Hidden Creek Drive

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Please see attached map for boundaries.

Date	Address	Name(s)	Signature	Notes
	31 DEER TRAIL CIR	CAROLYN J HENSLEY		
	32 DEER TRAIL CIR	ALAN C STRAUS TR		
10/5/15	FOX RUN CIR	ROBERT & CAROL M KANE	Carol M. Kane	
10/5/15	FOX RUN CIR	ROBERT L & CAROL KANE	Carol M. Kane	
10/5/15	FOX RUN CIR	ROBERT & CAROL M KANE	Carol M. Kane	
10/5/15	FOX RUN CIR	ROBERT L & CAROL M KANE	Carol M. Kane	
9-24-15 9-24-2015	3 FOX RUN CIR	THOMAS O AND CANDACE L CRIST	Thomas O. Crist Candace L. Crist	
9/30/15	4 FOX RUN CIR	CRAIG M DECKER	Craig M Decker	
9/25/15	7 FOX RUN CIR	RONALD F & LYNETTE M SCHLOEMER	Ronald F. Schloemer Lynette M. Schloemer	
10/3/15	8 FOX RUN CIR	DONALD A & JAMIE E PRIBBLE	Donald A. Pribble Jamie E. Pribble	
10/3/15	11 FOX RUN CIR	RICHARD & RUTH KEEBLER	Richard Keebler Ruth Keebler	

Petition for Hidden Creek Deer Trail Fox Run Neighborhood Conservation Overlay District, Oxford, Ohio

Petition Initiator: David Kullman, 62 Hidden Creek Drive

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Please see attached map for boundaries.

Date	Address	Name(s)	Signature	Notes
10/5/15	12 FOX RUN CIR	THOMAS M PORCANO		
9-24-15	15 FOX RUN CIR	PETER M & MARCIA B MAGOLDA	 	
10-1-15	16 FOX RUN CIR	CHRISTOPHER R & LINDA S CHURCH	 	
9-24-15	19 FOX RUN CIR	DONALD NORRIS JANICE TAYLOR	 	
10-3-15	20 FOX RUN CIR	THOMAS W & SARA M SPEH	 	
10-3-15	23 FOX RUN CIR	CAROL M KANE		
	25 HIDDEN CREEK DR	FRED S SCHNABL JANICE L ELZEY		
	30 HIDDEN CREEK DR	LINDA SILVER COLEY BOBBY E COLEY		
	35 HIDDEN CREEK DR	JAMES T ORIS LORI G ISAACSON		
	38 HIDDEN CREEK DR	ALICE S BOLGER		
	39 HIDDEN CREEK DR	ROBERT R ROLLINS M CARMERON HAY ROLLINS		

Petition for Hidden Creek Deer Trail Fox Run Neighborhood Conservation Overlay District, Oxford, Ohio

Petition Initiator: David Kullman, 62 Hidden Creek Drive

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Please see attached map for boundaries.

Date	Address	Name(s)	Signature	Notes
	12 FOX RUN CIR	THOMAS M PORCANO		
	15 FOX RUN CIR	PETER M & MARCIA B MAGOLDA		
	16 FOX RUN CIR	CHRISTOPHER R & LINDA S CHURCH		
	19 FOX RUN CIR	DONALD NORRIS JANICE TAYLOR		
	20 FOX RUN CIR	THOMAS W & SARA M SPEH		
	23 FOX RUN CIR	CAROL M KANE		
9/26/15	25 HIDDEN CREEK DR	FRED S SCHNABL JANICE L ELZEY	<i>Jan Elzey</i>	
9/26/15	30 HIDDEN CREEK DR	LINDA SILVER COLEY BOBBY E COLEY	<i>Bobby E. Coley</i>	
9/26/15	35 HIDDEN CREEK DR	JAMES T ORIS LORI G ISAACSON	<i>James T. Oris</i>	
9/25/15	38 HIDDEN CREEK DR	ALICE S BOLGER	<i>Alice S. Bolger</i>	
9/25/15	39 HIDDEN CREEK DR	ROBERT R ROLLINS M CARMERON HAY ROLLINS	<i>Robert R. Rollins</i>	

HIDDEN CREEK (17)

SEPT 06 2015

Petition for Hidden Creek Deer Trail Fox Run Neighborhood Conservation Overlay District, Oxford, Ohio

Petition Initiator: David Kullman, 62 Hidden Creek Drive

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Please see attached map for boundaries.

Date	Address	Name(s)	Signature	Notes
10/4/15	44 HIDDEN CREEK DR	STACY N BRINKMAN WILLIAM J BRINKMAN II		
9/28/15	45 HIDDEN CREEK DR	SUSAN R EWING PAUL W DECOU		
9/25/15	50 HIDDEN CREEK DR	JONATHAN S & AMANDA R PYZOKA		
	51 HIDDEN CREEK DR	TODD M & MONICA L SPOHN		See Next Page
9/25/15	56 HIDDEN CREEK DR	JONATHAN & KATHLEEN SLAGER		
9/25/15	57 HIDDEN CREEK DR	JAMES W & JOANN T BROCK		
9/25/15	62 HIDDEN CREEK DR	DAVID & KAREN KULLMAN		
9/25/15	63 HIDDEN CREEK DR	CHAU M & MAI L PHAM		DECLINED
9/25/15	68 HIDDEN CREEK DR	R STEVEN & BRANDY L DARBY		
9/25/15	69 HIDDEN CREEK DR	GILBERT W & PATRICIA J HUNTER		
	72 HIDDEN CREEK DR	MARC NACHOWITZ ANN-ELIZA LEWIS		
				

Petition for Hidden Creek Deer Trail Fox Run Neighborhood Conservation Overlay District, Oxford, Ohio

Petition Initiator: David Kullman, 62 Hidden Creek Drive

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Please see attached map for boundaries.

Date	Address	Name(s)	Signature	Notes
	44 HIDDEN CREEK DR	STACY N BRINKMAN WILLIAM J BRINKMAN II		
	45 HIDDEN CREEK DR	SUSAN R EWING PAUL W DECOU		
	50 HIDDEN CREEK DR	JONATHAN S & AMANDA R PYZOHA		
9/28/15	51 HIDDEN CREEK DR	TODD M & MONICA L SPOHN	Todd M. Spohn Monica Spohn	
	56 HIDDEN CREEK DR	JONATHAN & KATHLEEN SLAGER		
	57 HIDDEN CREEK DR	JAMES W & JOANN T BROCK		
	62 HIDDEN CREEK DR	DAVID & KAREN KULLMAN		
	63 HIDDEN CREEK DR	CHAU M & MAI L PHAM		
	68 HIDDEN CREEK DR	R STEVEN & BRANDY L DARBY		
	69 HIDDEN CREEK DR	GILBERT W & PATRICIA J HUNTER		
	72 HIDDEN CREEK DR	MARC NACHOWITZ ANN-ELIZA LEWIS		

Petition for Hidden Creek Deer Trail Fox Run Neighborhood Conservation Overlay District, Oxford, Ohio

Petition Initiator: David Kullman, 62 Hidden Creek Drive

I, the undersigned, do hereby state that I am an owner of a property within the boundaries designated by the petition and that my residence is truly stated in opposite by the signature below.

This petition, if adopted, would allow the petitioners to initiate a zoning map amendment pursuant to Chapter 1146 of the city's zoning code to restrict any property within the district to be rented to no more than two unrelated individuals. This petition will not affect properties already licensed.

Please see attached map for boundaries.

Date	Address	Name(s)	Signature	Notes
9/28/15	75 HIDDEN CREEK DR	SHAWN & JENELL PRINCELL		

OCT 06 2015
CITY OF OXFORD

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: January 5, 2016

Sam Perry

Account Code No. #:

Prepared By:

Budgeted Amount:

December 28, 2015

Date Prepared:

PC-2015-27 CONDITIONAL USE 5958 Fairfield Road to allow for alcohol service at a nano brewery, **Dean Scales, Applicant/Agent**

Recommendation: Approval

Discussion:

The applicant seeks approval of a conditional use to allow a small brewery alcohol service inside an existing building located at 5958 Fairfield Road. This property is located on the northwest corner of the intersection of Lynn Avenue and Fairfield Road. The property is zoned General Business, which allows establishments serving alcohol as a conditional use per Oxford Zoning Code Section 1143.12(b)2. The property is currently being used as a computer service store. In addition to the general decision standards, the conditional use requires the following to be addressed: **1) Traffic, 2) Noise and 3) 50 foot setback requirement.** At the Planning Commission hearing, concerns were expressed regarding hours of operation, parking, proximity to neighboring residential homes, outdoor seating and sound systems, signage and lighting. After reviewing the proposal with the code requirements the Planning Commission recommended waiving the 50 foot setback requirement and approving the conditional use request with nine conditions:

1. That, close of business will be 10:30 p.m. weekdays and midnight weekends and holidays;
2. That, traffic will be limited to 15 vehicle trips per peak hour;
3. That, the design of a fence along the western lot line be mutually agreed upon by the applicant and adjacent property owner; however compliant with the regulations of the Oxford Zoning Code;
4. That, the applicant shall provide updated operator contact information, every six months, to the three closest residential lot owners of record in order to facilitate efficient correction of any noise, trash, odor or other negative impacts;
5. That, the conditional use shall be void if current owner discontinues being the owner and manager of the establishment;
6. That, the applicant shall enter into discussion and attempt a formal agreement with adjacent properties to share their parking lots and assure their cleanliness during use;
7. That, any future outdoor patio to be constructed shall only be located on the Lynn Avenue side of the property, as presented in applicant's plans;
8. That, there will be no outside sound system;
9. That, exterior lighting will be cut-off-type fixtures

Approved By:

Department Head:

JHC 1/12/28/15

City Manager:

DRE 1/12/31/15

ORDINANCE NO.

AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT TO ALLOW FOR ALCOHOL SERVICE AT A NANO BREWERY AT THE PROPERTY LOCATED AT 5958 FAIRFIELD ROAD IN THE GENERAL BUSINESS DISTRICT WITH CONDITIONS AND WAIVING THE FIFTY (50) FOOT SETBACK REQUIREMENT.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OXFORD, BUTLER COUNTY, STATE OF OHIO, THAT:

SECTION 1: The Planning Commission met pursuant to Oxford Codified Ordinance Section 1147.02 on December 8, 2015, for the purpose of considering the request of Dean Scales, Applicant, Agent for a conditional use permit to allow for alcohol service at a Nano Brewery at the property located at 5958 Fairfield Road in the General Business District.

SECTION 2: The Planning Commission, after public hearing and discussion, voted and approved a motion recommending the fifty (50) foot setback requirement be waived in accordance with Oxford Codified Ordinance Section 1147.02(d)(2) and recommended approval of the conditional use application to allow for alcohol service at a Nano Brewery at the property located at 5958 Fairfield Road in the General Business District with the following conditions:

1. Close of business shall be 11:00 p.m. weekdays and 1:00 a.m. on weekends and holidays.
2. Traffic shall be limited to 15 vehicle trips per peak hour.
3. The design of a fence along the western lot line shall be mutually agreed upon by the applicant and adjacent property owner and it shall be compliant with the regulations of the Oxford Zoning Code.
4. Every six months, the applicant shall provide updated operator information to the three closest residential lot owners of record to facilitate efficient correction of any noise, litter, odor or other negative impacts.
5. The conditional use shall be void if current owner discontinues being the owner and manager of the establishment.
6. The applicant shall enter into discussion and attempt a formal agreement with adjacent properties to share their parking lots and shall assure their cleanliness during use.
7. Any future outdoor patio to be constructed shall only be located on the Lynn Avenue side of the property, as presented in the applicant's plans.
8. There shall be no outside sound system.
9. Exterior lighting shall be cut-off-type fixtures.

SECTION 3: Council hereby accepts the recommendation of the Planning Commission and incorporates the same herein and further waives the fifty (50) foot setback requirement and grants the conditional use permit application to allow for alcohol service at a Nano Brewery at the property located at 5958 Fairfield Road in the General Business District pursuant to the conditions set forth above.

SECTION 4: This Ordinance shall take effect at the earliest time allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW(STAFF)

Certification of Action Oxford Planning Commission Recommendation to City Council

<u>Report Date</u>	January 5, 2016
<u>Case Number</u>	PC-2015-27
<u>Applicant Information</u>	Dean Scales AFT Properties, LLC
<u>Requested Action</u>	Conditional Use
<u>Summary of Request</u>	To allow for alcohol service at a nano brewery located at 5958 Fairfield Road, Oxford, Ohio
<u>Public Hearing Information</u>	A Public Hearing took place at 118 W. High Street on December 8, 2015. A Public Hearing notice was published in the Journal News on October 30, 2015 and courtesy notices were mailed to adjacent property owners on November 5, 2015. Signage was posted at the site on December 1, 2015.
<u>Commission Action</u>	The Planning Commission voted 7-0-0 with conditions, recommending approval of the Conditional Use.
<u>Commission Findings and Conclusions</u>	Much discussion took place regarding this application. Concerns were expressed regarding hours of operation, parking, proximity to neighboring residential homes, outdoor seating and sound systems, signage and lighting. A neighboring property owner was present and expressed his concerns. After review the Planning Commission approved the conditional use request with nine conditions: 1. That, close of business will be 10:30 p.m. weekdays and midnight weekends and holidays; 2. That, travel will be limited to 15 vehicle trips per peak hour; 3. That, the design of a fence along the western lot line be mutually agreed upon by the applicant and adjacent property owner; however compliant with the regulations of the Oxford Zoning Code; 4. That, the applicant shall provide updated operator contract information to the three closest residential lot owners of record in order to facilitate efficient correction of any noise, trash, odor or other negative impacts occurring every six months; 5. That, the conditional use shall be void if current owner discontinues being the owner and manager of the establishment; 6. That, the applicant shall enter into discussion and attempt a formal agreement with adjacent properties to share their parking lots and assure their cleanliness during use; 7. That, any future outdoor patio to be constructed shall only be located on the Lynn Avenue side of the property, as presented in applicant's plans; 8. That, there will be no outside sound system; 9. That, exterior lighting will follow light spillage and down lighting

regulations of the Oxford Zoning Code.

**Exhibits Submitted to the
Commission**

1. Staff Report Dated December 2, 2015
2. Interoffice Review Transmittal Sheets
3. Property Notification Map
4. Review and Comment Form Response
5. Letter of Agency
6. Conditional Use Permit Application October 23, 2015
7. Supporting Documents from Applicant

City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2015-27

Date – December 8, 2015

APPLICATION

Applicant:	Dean Scales
Location:	5958 Fairfield Road
Owner:	AFT Properties LLC (c/o Ken Thacker)
Action Request:	Conditional Use Permit Application for Alcohol Service
Current Use:	Computer Service Store
Zoning:	GB (General Business) District
Surrounding Existing Land Uses:	Single Family Residences, Professional Office, Retail

GENERAL DESCRIPTION

The applicant is seeking approval of a conditional use to allow a small brewery alcohol service inside an existing building located at 5958 Fairfield Road. This property is located on the northwest corner of the intersection of Lynn Avenue and Fairfield Road. This same applicant previously attended a Planning Commission meeting and notified the Commission of the forthcoming conditional use submittal. The property is zoned GB, which allows establishments serving alcohol as a conditional use per Oxford Zoning Code Section 1143.12(b)2. The property is currently being used as a computer service store.

PUBLIC COMMENTS

Public notices were mailed to surrounding property owners and a notice sign was placed on the property. One written comment letter (attached) was received from the significant other of the adjacent property owner to the west (5966 Fairfield Road).

AGENCY REVIEWS

Requests for review were made to the Police, Fire, Engineering and Economic Development Departments. The following comments have been received:

Police:	No comments received
Fire:	Received with no comments
Engineering:	Comments returned via email attached.
Econ. Dev.:	Comments attached

ZONING CODE REVIEW

Below is an excerpt of Oxford Zoning Code Section 1143.12(b)2 – Conditional Uses in GB District:

- (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 recreation facilities.
 4. Bed and breakfast homes.
 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

Conditional Use Concerns and Regulations for Specifically Bars and Taverns— Section 1147.03(b)(11):

(11) Bars and Taverns.

A. Potential Concerns.

1. Evening traffic.

The applicant is expecting peak trips during a 2-3 hour time block after 5:00 p.m.

2. Noise from operations (music).

The applicanat is not planning to operate the sit-down portion as a bar with music/entertainment, nor plans to have any outdoor entertainment or an outdoor consumption area.

3. Location and adequacy of dumpsters.

N/A: The applicant is not expecting to need a dumpster.

B. Regulations.

1. Site shall be a minimum of 500 feet from a church, school, or similar institution, except in a commercial zoning district

N/A: The parcel is in a commercial district.

2. Structure shall be setback a minimum of 50 feet from a residential zoning district

The structure is 9 feet from the adjacent residential district at its closest point. The applicant is requesting a waiver of the 50 foot requirement.

General Decision Standards for Conditional Uses — Section 1147.02(c)(2)

(2) General Decision Standards. All Conditional Uses shall satisfy these General Decision Standards.

A. The proposed use is in fact a Conditional Use appropriate for the zoning district in which it is proposed.

Yes, the use can be allowed as a conditional use.

B. The use and site will satisfy the general intent of this Zoning Code.

Yes, the proposed use can satisfy the intent as long as any potential concerns and regulations are appropriately handled from an operational standpoint.

C. The use and site will be compatible with the general intent of the Comprehensive Plan.

The Land Use Chapter dealing with prioritizing infill development supports the re-use of this existing small commercial lot.

D. The size and shape of the site are sufficient for the proposed use.

The lot size is just over 10,000 square feet. According to the above regulations, the size of the site is insufficient due to the requirement that the structure be set back a minimum of 50 feet from the adjacent residential district. This may be mitigated depending upon an appropriate operational plan and management for the business.

E. The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district.

Based upon the applicant's description, the brewing function will be subtle and the patronage will be interior; therefore the use may not disturb neighboring uses. Limiting the evening hours to match surrounding businesses on the Lynn Avenue corridor may be appropriate to maintain the character of this transitional corridor between residential and commercial.

F. The use will not involve activities, processes, materials, equipment, or conditions of operation that will be detrimental to any person, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare, odors, or other emissions.

Based upon the applicant description, the electric-powered brewing will be quiet and the smell will be subtle.

G. The only accessory uses will be directly related to the operation of the principal use and will not be operated independent of the principal use.

There is no separate accessory use expected.

H. The use and site will be adequately served by public facilities and services such as streets, water and sewer, drainage structures, police and fire protection, and refuse disposal, or adequate provisions will be made to provide the same services privately.

All municipal services are available to this property including a public street with curb cut to the rear parking area.

I. Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services.

None is expected.

J. The site will be designed, constructed, and maintained in a character harmonious in appearance and general character with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area. Structures to be constructed, reconstructed, or altered in a residential zoning district shall have the appearance of residential buildings permitted in the zoning district.

The applicant's plan is to use the existing building with some changes to the doors, windows and siding as well as additional walkways and a seating area for smokers that are not permitted inside. A hand sketched elevation and hand sketched plot plan have been provided.

K. The site is designed so that on-site traffic and traffic accessing the site will not inappropriately impact the movement of traffic on adjacent public streets.

The applicant is expecting a total 10-20 trips per hour during peaks. Some delivery trucks are expected by the applicant. It is unknown the size of the trucks or times of day they would access the site. No traffic study information was available for the adjacent signalized intersection.

L. Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.

The site is not listed as being historic or having a historic building.

M. All necessary permits and licenses for the Conditional Use and its operation have been or can be obtained for the use at the proposed location.

Yes, as stated by applicant. Additionally a permit from the Ohio Department of Commerce will be required.

ANALYSIS

This parcel has been commercially zoned for many years, most recently a computer service store. Changing the use to a brewery that serves alcohol on site requires a conditional use approval. The conditional use hearing gives an opportunity to the public to hear and discuss any concerns raised and how those might be handled if the use were to be approved. Based upon the available information, the only clear zoning code conflict is the distance that the building is set back from the residential district. Fifty (50) feet is required, and only nine (9) feet is provided.

Given the written comments of concern from the adjacent property, the operation and management of the drink service aspect, is the key concern. It is unpredictable as to how patrons would conduct themselves after leaving the establishment. The business owner should either consider eliminating the on-site consumption or conduct it in a fashion that minimizes potential impacts to the adjacent residents.

Staff conducted research on the hours of operation of the businesses on the Lynn Avenue corridor and slightly beyond. Staff found that the average closing time of the four restaurants accessed from Lynn Avenue is 10:30 p.m. Limiting the brewery drink service to this same closing time may bring some consistency to the corridor to consider the needs of the adjacent residents. Attached is a map of the businesses depicting the total number of evening hours per week that they are open.

Vehicle trip generation is an additional area of concern for this proposal. The applicant anticipates an early evening peak of 10-15 unique trips per hour. This is likely an increase over the previous two businesses at this location. Additionally there is no information as to the size of the delivery vehicle and any impact it may have on the right of way during peak travel.

Based upon the submitted narrative from Mr. Scales, a concerted effort is being made to maintain a subtle yet successful brewery and drink service. Mr. Scales intends to operate the business in a way that does not disrupt the adjacent neighborhood. For this reason, conditions can be written into an approval that are unique to Mr. Scales's management technique. If he were to no longer be part of this business at this location, the conditional use approval could be voided. This would also have to be a condition.

It is a goal of the City of Oxford to promote economic development through business starts. The City can encourage this business by permitting it in this location but also establish thresholds that are appropriate. If those thresholds are exceeded it will be time to find a new location in Oxford.

RECOMMENDATION

Staff finds that based upon the available information the proposed brewery with drink service meets the general and specific requirements of the Oxford Zoning Code, with the waiver of the 50' requirement upon compliance with the following conditions:

- Close of business by 10:30 p.m.
- Limited to 15 unique vehicle trips per peak hour
- The installation of a 6 foot tall privacy fence along the entire western lot line, with 4 feet height limit along the shared front yard
- Applicant shall provide at least annually an updated operator contact information to the three closest residential lot owners of record in order to facilitate efficient correction of any noise, trash, odor or other negative impact occurring
- Conditional use shall be void if current applicant is not the owner and manager of the establishment

The Commission can agree with staff's recommendation of approval with conditions or find otherwise based upon new evidence presented and discussion. If the Commission has sufficient information it will need to forward a recommendation to City Council of approval, approval with conditions or denial with reasons based upon referenced Oxford Zoning Code.

SUBMITTED BY:



Sam Perry, AICP
Planner

DATE: December 2, 2015

ATTACHMENT

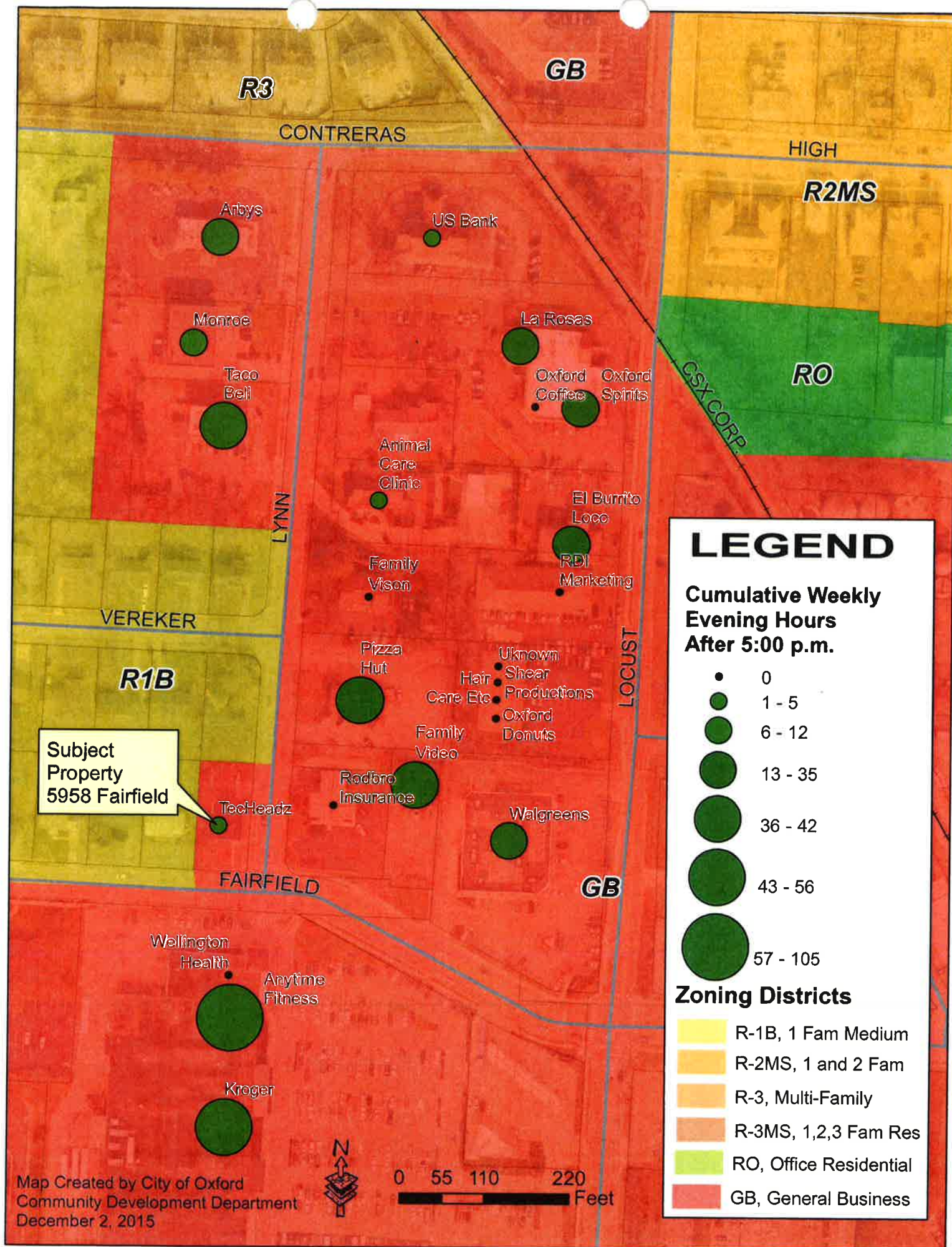
(c) Planning Commission Review. The Planning Commission shall base its review of a proposed Conditional Use upon the complete application, upon any staff report, and upon any relevant and credible public comment presented during the public hearing. If the Planning Commission finds that the information provided is insufficient to make a determination, it may suspend its review until sufficient information has been provided.

(1) Burden of proof.

- A. Planning Commission has no obligation to recommend approval and City Council has no obligation to approve a Conditional Use. This Zoning Code assumes that the uses listed in this section are not appropriate unless an Applicant proves that the use will not be detrimental to the public health, safety, or general welfare of the City or the neighborhood in which it is proposed.
- B. Applicants shall prove that potential negative impacts of elements such as location, size and extent of facilities and operations, site design, traffic generation, site access, and potential impact upon public facilities will be adequately mitigated.

(2) General decision standards. All Conditional Uses shall satisfy these General Decision Standards:

- A. The proposed use is in fact a Conditional Use in the zoning district in which it is proposed.
- B. The use and site will satisfy the general intent of this Zoning Code.
- C. The use and site will be compatible with the general intent of the Comprehensive Plan.
- D. The size and shape of the site are sufficient for the proposed use.
- E. The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district.
- F. The use will not involve activities, processes, materials, equipment, or conditions of operation that will be detrimental to any person, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare, odors, or other emissions.
- G. The only accessory uses will be directly related to the operation of the principal use and will not be operated independent of the principal use.
- H. The use and site will be adequately served by public facilities and services such as streets, water and sewer, drainage structures, police and fire protection, and refuse disposal, or adequate provisions will be made to provide the same services privately.
- I. Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services.
- J. The site will be designed, constructed, and maintained in a character harmonious in appearance and general character with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area. Structures to be constructed, reconstructed, or altered in a residential zoning district shall have the appearance of residential buildings permitted in the zoning district.
- K. The site is designed so that on-site traffic and traffic accessing the site will not inappropriately impact the movement of traffic on adjacent public streets.
- L. Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.
- M. All necessary permits and licenses for the Conditional Use and its operation have been or can be obtained for the use at the proposed location.



City of Oxford
Inter-Office Review Transmittal Sheet

Date: November 19, 2015

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2015-27 **CONDITIONAL USE** 5958 Fairfield Road to allow for alcohol service at a nano brewery, Dean Scales, Applicant/Agent

 X Review Revisions Other

Please return no later than: **12/4/2015** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments without/comments

Drawings reviewed by:



Date: 12-1-15

John Dethelage

PRINTED NAME

Sam Perry

Engineering

From: Victor Popescu
Sent: Monday, November 30, 2015 11:43 AM
To: Sam Perry
Cc: Jung-Han Chen; Mike Dreisbach
Subject: RE: Fairfield/Lynn

Sam:

We do not have traffic counts or a traffic study for that intersection. It is important to note that over time, changes have occurred in that area (I.E. K-Mart was replaced by Kroger, Kroger remodeled and expanded, 5/3 Bank was replaced by Rodbro Insurance, Walgreen was built, etc.).

Also, I am not aware of any complaints registered, related to the signal timing.

I cannot visualize what a traffic study will accomplish for the proposed project. The lot is too small to draw a large crowd, and parking is not allowed on Lynn Street.

Victor Popescu, P.E.
City Engineer
City of Oxford
1-513-524-5208

CONFIDENTIALITY NOTICE:

This information transmitted is intended only for the person or entity to which it is addressed and may contain personal information which is privileged and confidential. If you receive this material/information in error, please contact the sender and delete or destroy the material/information immediately.

From: Sam Perry
Sent: Monday, November 30, 2015 11:18 AM
To: Victor Popescu
Cc: Jung-Han Chen; Mike Dreisbach
Subject: Fairfield/Lynn

Victor,

Are you aware of any traffic studies or counts done for the signalized intersection of Lynn and Fairfield? The question may come up as part of Planning's review of the proposed brewery, so just checking your files.

Thanks,
Sam

Sam Perry, AICP
Planner
City of Oxford
Community Development Department
101 East High Street | Oxford, Ohio 45056

City of Oxford
Inter-Office Review Transmittal Sheet

Date: November 19, 2015

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2015-27 CONDITIONAL USE 5958 Fairfield Road to allow for alcohol service at a nano brewery, **Dean Scales, Applicant/Agent**

 X Review Revisions Other

Please return no later than: **12/4/2015** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments without/comments

I have met several times with the applicant. I feel their business plan, as it has been presented, could be a good addition to the Locust Street Business District. I say this with two additional thoughts.

One: Because it abuts a residential area, having the approval of the adjoining neighbors is important.

Two: To guarantee the business plan of a small neighborhood friendly Nano-brewery is (and will continue to be) a small neighborhood friendly establishment, I would suggest either creating a Good Neighbor Agreement or incorporating this type of concept into the Conditional Use.

Drawings reviewed by: [Signature] Date: 12-4-15

G. Alan Brown
PRINTED NAME



PC-2015-27 Surrounding Property Owners Map

5958 77 Rd.

Legend

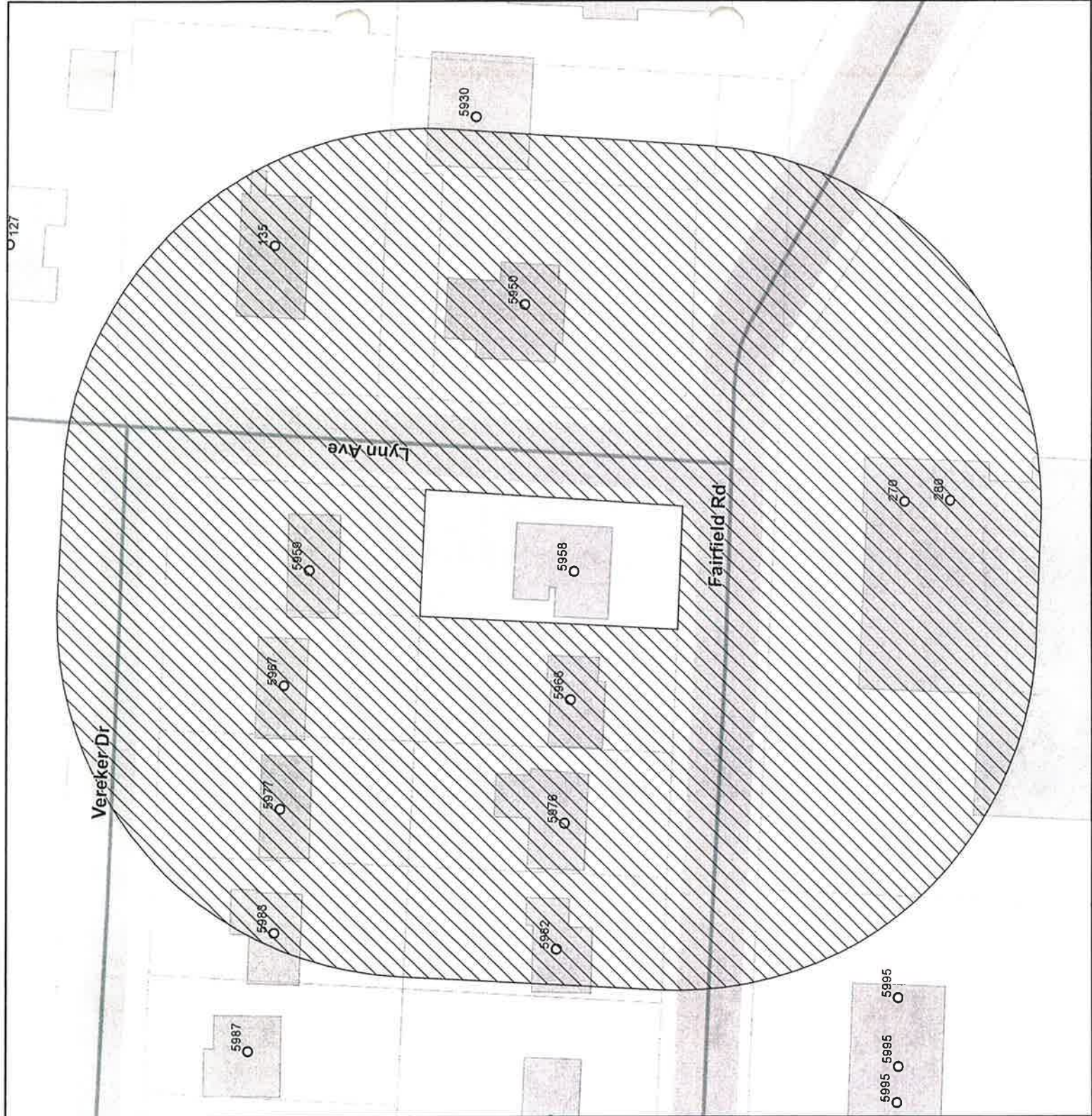
- Subject Property
- 200 Ft. Buffer
- Oxford Corp. Limit
- Address Point
- Parcel
- Building Footprint
- Paved Roadway



1 inch = 75 feet

Prepared on Wednesday, November 04, 2015

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.





**CITY OF OXFORD
PLANNING COMMISSION
REVIEW AND COMMENT FORM**

- My fiancé Kyle Murr will be
Attending the hearing in
December.

CASE NO.: PC-2015-27

DATE OF HEARING: December 8, 2015

CONDITIONAL USE, 5958 Fairfield Road, to allow for alcohol service at a nano brewery,
Dean Scales, Applicant/Agent

If you cannot attend this public hearing being held before the City of Oxford Planning Commission, but would like to comment on this matter, please complete this form and return it at your earliest convenience before the hearing date to Lynn Taylor, 101 East High Street, Oxford, OH 45056.

Name:

Bryanna M. Marcum.

Address:

5966 Fairfield RD.

Oxford, OH 45056.

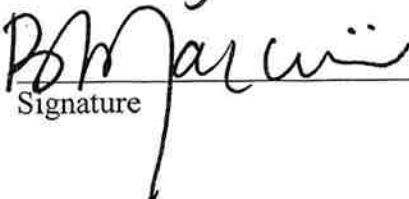
Telephone:

Home: (513) 510-3418

Work:

COMMENTS:

I would like to start by saying that I love the idea of having a brewery in Oxford, but what I don't like is it being right next door to my home. We recently purchased our house, and if we ever go to sell our home, believe it would depreciate the value of the house we worked hard to obtain. Matter #2 that bothers me, is that we have 2 children ages 2 & 4. They should not have to grow up around a brewery, and I feel as though it would be a major headache with even more activity throughout the night. We also have two large dogs, if there were happen to be an incident with drunken idiots trying to pester my dogs, that will keep them up & barking all night long. & having a child in school, I would like to say, that


Signature

11.11.2015
Date

this is just not
a good place for
the brewery. Please
take what I've said into
consideration.

Subject: 5958 Fairfield Rd Oxford Oh 45056

From: kenthacker@century21.com (kenthacker@century21.com)

To: brewwithde@yahoo.com;

Date: Tuesday, October 20, 2015 9:42 AM

Letter of Agency

To Whom it may Concern,

Dean Scales is entitled to apply for a Conditional Use permit on my behalf at 5958 Fairfield Rd Oxford OH 45056.

AFT Properties, LLC - President.

Thanks,

Ken Thacker

Broker

CENTURY 21 Thacker & Associates, Inc.

513.524.2221 | Office

513.615.8970 | Mobile

513.524.0941 | Fax

The sender believes that this E-mail and any attachments were free of any virus, worm, Trojan horse, and/or malicious code when sent. This message and its attachments could have been infected during transmission. By reading the message and opening any attachments, the recipient accepts full responsibility for taking protective and remedial action about viruses and other defects. The sender's employer is not liable for any loss or damage arising in any way from this message or its attachments



Internal Use Only:	
Case No.	PC-2015-27
Date Filed	10/23/15

Conditional Use Permit Application

for Dec 8

Applicant Information

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

Name * Dean Scales

Mailing Address * 4423 Taft Rd

City, State & Zip Code * Kenosha, WI 53142

Telephone Number(s) * 262-220-9425

Email Address BREWWITHDE@yahoo.com

Owner Information

Name * Ken Thacker

Mailing Address * 3741 Darrcity Rd

City, State & Zip Code * Oxford, OH 45056

Telephone Number(s) * 513-615-8970

Email Address ken-thacker@century21.com

Location and Lot Information 5958

Location of Property * ~~5859~~ Fairfield Rd; Oxford, OH 45056

Legal Description * Lot 968

Zoning District * General Business

Total Area * 4302 sq ft → Check One * Acres ☐ Square Feet ☒

Existing Use Description * computer repair store

Proposed Use Description * nano brewery

Submission Requirements and Documentation

From Section 1147.02(a)¹.

- (1) Contents of application for conditional use permit. Thirteen complete sets of all information shall be submitted with an application. The Zoning Administrator may modify this requirement based upon the type of materials included. Please contact the Zoning Administrator prior to submitting an application to discuss the submission requirement. If any information is submitted in color or on non-standard paper, more copies may be required.

A. Application Fee.

B. Description of Use and Site.

A written, detailed description shall include the following information. A separate response is required for each subsection.

1. The name, mailing address, and telephone number of the applicant and the property owner.
2. If the applicant is not the owner, a statement from the owner that the applicant is entitled to apply on his or her behalf.
3. A legal description of the site, including all separate lots.

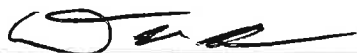
- A. The proposed use is in fact a Conditional Use appropriate for the zoning district in which it is proposed.
- B. The use and site will satisfy the general intent of this Zoning Code.
- C. The use and site will be compatible with the general intent of the Comprehensive Plan.
- D. The size and shape of the site are sufficient for the proposed use.
- E. The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district.
- F. The use will not involve activities, processes, materials, equipment, or conditions of operation that will be detrimental to any person, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare, odors, or other emissions.
- G. The only accessory uses will be directly related to the operation of the principal use and will not be operated independent of the principal use.
- H. The use and site will be adequately served by public facilities and services such as streets, water and sewer, drainage structures, police and fire protection, and refuse disposal, or adequate provisions will be made to provide the same services privately.
- I. Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services.
- J. The site will be designed, constructed, and maintained in a character harmonious in appearance and general character with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area. Structures to be constructed, reconstructed, or altered in a residential zoning district shall have the appearance of residential buildings permitted in the zoning district.
- K. The site is designed so that on-site traffic and traffic accessing the site will not inappropriately impact the movement of traffic on adjacent public streets.
- L. Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.
- M. All necessary permits and licenses for the Conditional Use and its operation have been or can be obtained for the use at the proposed location.

Fees & Receipt

The required fee is \$400.00, plus postage charge. Write a check payable to **City of Oxford**. You may also pay in-person using Visa, MasterCard, and Discover. To calculate the postage charge, multiply the number of adjoining properties by current postage rate³.

Sign and Date

Applicant Signature *



Date *

10/23/15

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 plans and documentation as attachments and a check for fee and postage charges made payable to **City of Oxford**, to Community Development Director, 101 East High Street, 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 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).**

For Staff Use Only

Fee Paid Date *

10/23/15

Receipt Number *

67786

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/>

³ The United States Postal Service: <http://www.usps.com/>

6.

A. We are opening a nano brewery to sell craft beer. There will be two main points of our operations: brewing beer, as labeled "The Brewery" and selling beer, as labeled "The Tap Room."

The Brewery:

We intend to be a 100% fully electric brewery. Starting out, we will only brew in the morning, a few days a week. As time moves on, we will brew 4-7 days a week throughout the full work day. While we are brewing, we will let 2-8 people at a time come by and learn about brewing/take a tour. This will likely be few and far between because it will not be part of our posted hours. Brewing is a quiet process; the sound of a small pump running is the loudest it can get. In a craft brewery, the smell of brewing beer is similar to putting Grape Nuts cereal in a microwave. It is not strong enough, even when vented out of the roof, to make an odor outside of the brewery. Delivery for the brewery should be approximately two days a week, around 12:00 -3:00 pm. As we get larger, we could have two days a week during which kegs are being picked up to be sold at bars inside and outside of Oxford.

The Tap Room

We will sell craft beer by the flight, pint, and growler. We will also sell wine by the glass, T-shirts, and glassware. We expect to see a higher volume of people in the first few weeks, but then will settle into normal nano brewery flow of business. Estimated peak for growler service is Monday - Friday, 5:30- 7:00 pm, about 10-15 people an hour. We expect to cater to professionals after work so that they can take home craft beer for their evenings and weekends. The rest of our business hours will be people coming in to sit down and try a beer or two and socialize, with an average flow of 10 people per hour.

Craft beer drinkers are more of a laid back group. They are NOT looking for drinking games, \$1 drafts, or to get drunk as fast as they can. Visiting a nano brewery is about trying new beers, discovering what you enjoy, and talking with the people around you. As a nano brewery, we will be able to have a revolving selection of unique beers. This will entice people to visit this Oxford business more often. Though we will have a small outside sitting area, we will not allow our customers to take their beverages outside. Ohio law does not permit glass to be used in outside service, and we do not want our fine beer served in plastic cups. Because of the craft brew clientele and the absence of outside service, this would minimize outside noise. Delivery for the tap room side should also be about 1-2 days a week around 12:00- 3:00 pm. We will not serve food, but will keep menus of local Oxford businesses that deliver. If customers want to have dinner and our beer, they can have it delivered to the brewery. Our hope is that this will help support local businesses and allow us to concentrate on making great beer.

B. Brewery

Monday- Sunday 8:00 am-8:00 pm

Tap Room

Monday- Friday 4:00 pm-1:00 am

Saturday and Sunday 12:00 pm-1:00 am

7.

A. The view looking out from this location is mostly businesses. Though this location is adjacent to residential property, the neighborhood is largely a business/food district, with most of Oxford's fast food restaurants and businesses operating primarily as a restaurant, not a bar, within 1- 3 blocks of us. Our style of business operates with later hours, but it is not be inconsistent with neighboring businesses:

Anytime Fitness: open 24 hours a day, Monday through Sunday

Kroger: open until 1:00 am, Monday through Sunday

Pizza Hut: open until 11:00 pm, Sunday through Thursday; 12:00 am, Friday and Saturday

Taco Bell drive through open until 1:00 am, Sunday through Thursday; 3:00 am, Friday and Saturday

There are a number of other business with 1-3 blocks open until 10:00 pm, Sunday through Thursday; 11:00 pm, Friday and Saturday

Most of these businesses would be open later if they could bring in the customers, but they have chosen hours for what work best for their businesses. Our type of business requires extended hours. We do understand that our immediate neighbors are not trying to run a businesses, but rather to relax at the end of a long day. A nano brewery has a quiet, laid back atmosphere. Our presence should not change how our neighbors end their day. We should blend in nicely.

B. The appearance of the existing structure works well in its location. We will relocate the front door a few feet west to fit our needs, and we will add an extra exit door on the back of the building. The entrance/exit updates will not significantly change the current aesthetic. Additional enhancements would improve curb appeal (new paint, bike racks, landscaping, new walkways, and a small sitting area on the Lynn St. side).

C. In our opinion, there should be no potential nuisances with our operation. We realize there are stereotypes associated with serving alcohol, and these potential concerns are addressed in other sections of this document.

D. We took the time to talk to each of the neighbors to personally address potential concerns with them. We found that noise and odor are their only concerns. We do not foresee any issues with noise because of the relaxed nano brewery environment and because service only takes place indoors. Pertaining to odors, brewing beer smells similar to putting Grape Nuts cereal in a microwave. It is not strong enough, even when vented out of the roof, to be noticed outside of the brewery.

8. We struggled to find any locations that meet our size needs and are available in Oxford better than the proposed location. The other commercial properties are difficult to access, lack parking, do not meet our size requirements, and rent was disproportionate to the traffic. With the Kroger across the street and with many of Oxford's fast food restaurants and businesses operating primarily as a restaurant, not a bar, within 1-3 blocks, the proposed location should be great for reminding people we are here.

9. Craft breweries entice people to visit new cities, and we think this would be great for Oxford. Looking around Oxford for a location for the brewery, we do not think we could find a better spot for ourselves and the community. Craft beers generally cost \$6 or more per pint; craft brew drinkers are generally individuals who have more disposable income. They are not going to drive to Oxford exclusively to buy a single pint. Beyond consuming our wares, they are going to want to get a meal, check out a show, rent a hotel room-- simply put, support the rest of Oxford.

10. Bars and Taverns

A. Potential Concerns

1. *Evening traffic.* Though we will be adding additional business to the area, we do not feel this will have a significant impact to the evening traffic that already exists. Considering the hours of operation of the businesses in a 1-3 block radius of us, we think we will blend right in.

2. *Noise from operations (music).* With a nano brewery, noise is not normally a problem. We do not see it being a issue in our establishment. We will NOT have live music, drinking games, or prices that contribute to binge drinking.

3. *Location and adequacy of dumpsters.* Because we are a keg to glass, we will not produce trash like a bar would. 95% of our operation will not make any garbage. We will even share our spent grains from brewing to a local farmer.

B. Regulations

1. *Site shall be a minimum of 500 feet from church school, or similar institution, except in a commercial zoning district.* This is a commercially zoned property.

2. *Structure shall be setback a minimum of 50 feet from a residential zoning district.* We request an exception for this item. As previously noted, the potential concerns pertaining to a bar/tavern are not applicable to nano breweries.

11. See attached list.

12. Although there are two houses within 50 feet of our location, we have spoken to our neighbors, including the two lining the property, and all have welcomed us. We are committed to being good neighbors, and we want to make this relationship work for us and Oxford. This city feels like home to us, which is why we are moving to this area from Wisconsin to become a part of the Oxford community.

Plat of Survey

Plot Plan, Lot #906 Sunvale Subdivision,
Section A, Plat Book 16, Page 43,
City of Oxford #968
Butler County, Ohio

For: Dean Scales

Date: 10/21/2015

Scale: 1"=20'



Lot Coverage	2090
House	
Concrete Driveway	
Concrete Private Walk	
Concrete Parking Lot	2212 Total
Total	4302 Sq. Ft.
4302	
10.031	X 100 = 42.88%
Building Coverage	
House	2090
2090	
10.031	X 100 = 20.83%
Front yard Coverage (based on 35' setback)	
Front Yard	6120 Sq. Ft.
Parking lot & Drive way	1022
House	1156
Side Walk	304
Total	2482 Sq. Ft.
2482	
6120	X 100 = 40.55%

By: Brosey Land Surveyors

513-863-0237-

I certify that the hereon platted property was measured to acceptable Survey Standards only.

NOTES

() Source documents are as shown hereon.

2) Occupation in general fits Survey except as shown.

33) Monumentation found is in good condition.

4) -o- Indicates 5/8" Iron rod with I.D. cap unless otherwise noted.

5) It appears that additional right of way has been conveyed to the City of Oxford, due to the fact that city utilities are in and near the Southeast corner of Lot #968. No record of said additional right of way found.



1. Dean Scales; 4423 Taft Rd; Kenosha, WI 53142; 262-220-9425
Ken Thacker; 3741 Darrcity Rd; Oxford, OH 45056; 513-615-8970

2. See attached email

3. 5859 Fairfield Rd; Oxford Ohio, 45056; _____ 968 ENT

4. The site is currently being used as a tech computer repair store with people coming and going looking for computer help and repairs. Tec Headz is open Monday-Friday 9:00 am - 6:00 pm, Thursday and Friday from 9:00 am - 5:30 pm, and Saturday and Sunday by appointment.

5. Zoning district is GB = General Business

Site Plan:

1. See attached survey
2. See attached survey
3. See attached Google map
4. See attached survey
5. See attached survey
6. Not changing from what it is today: 18' at highest point
7. See attached survey
8. See attached live drawings of property for new front of building sign. Size to still be decided but will not be any larger than 6x6. Also, the sign that is currently on the front yard will stay.
9. See attached hand scale drawing, live drawing, and attached survey; these illustrate our proposed enhancements. The sitting area along Lynn St. (will be 8x28), the back door landing area, and the walkways will be cobblestone and will be ground level.
10. See attached survey
11. See attached Google Maps

House

Fence

Driveway

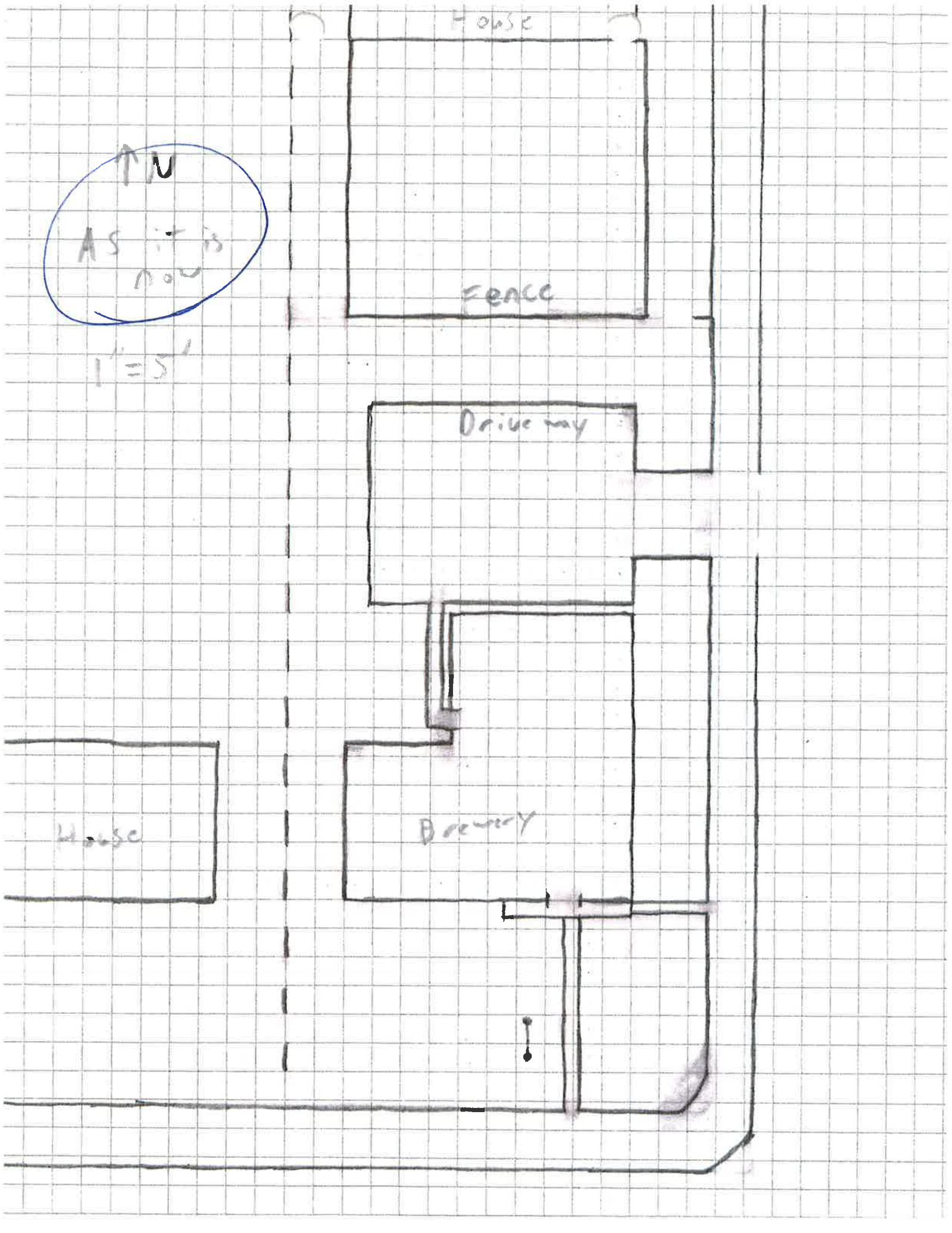
Brewery

House

↑ N

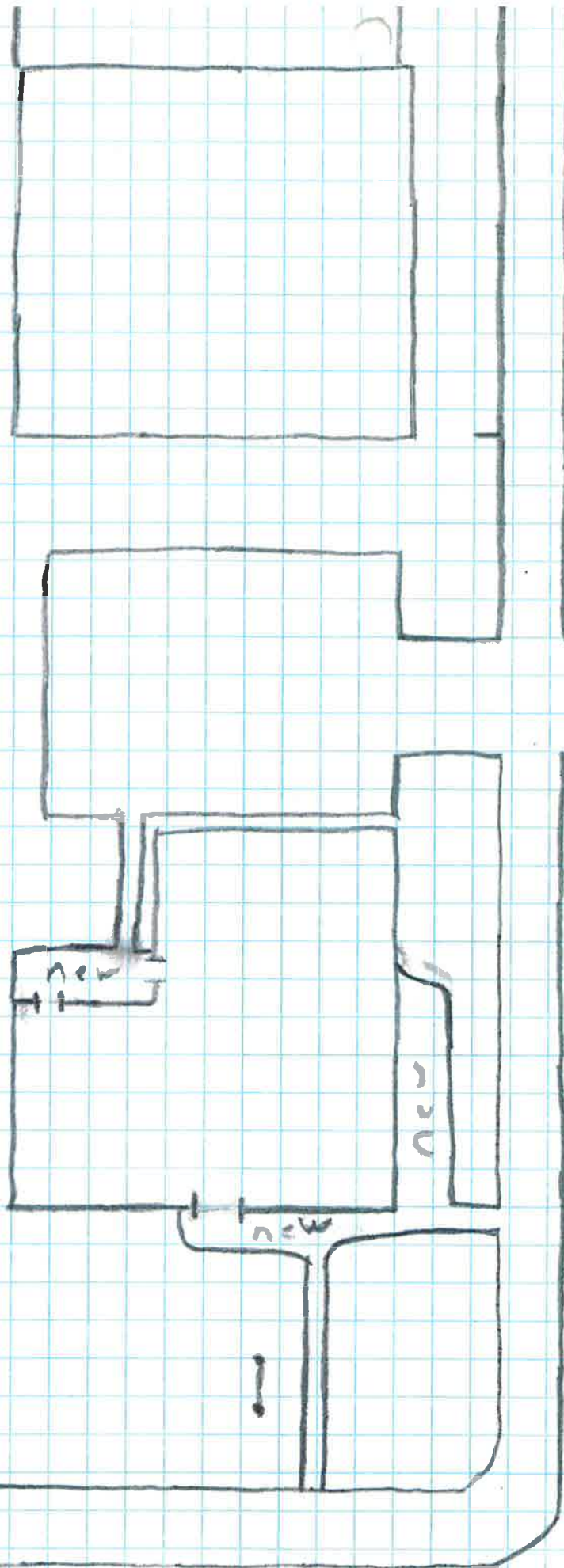
AS it is
now

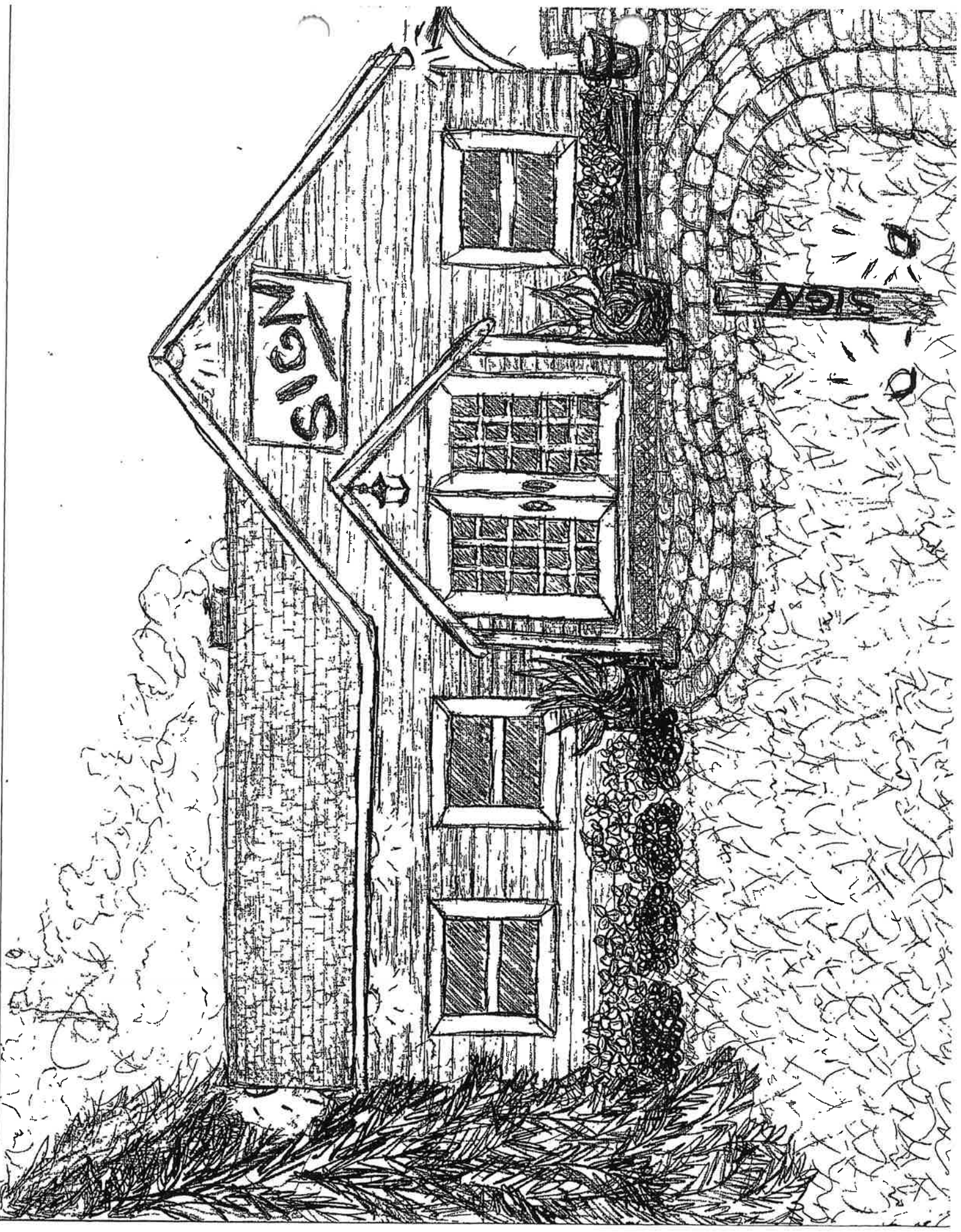
1" = 5'

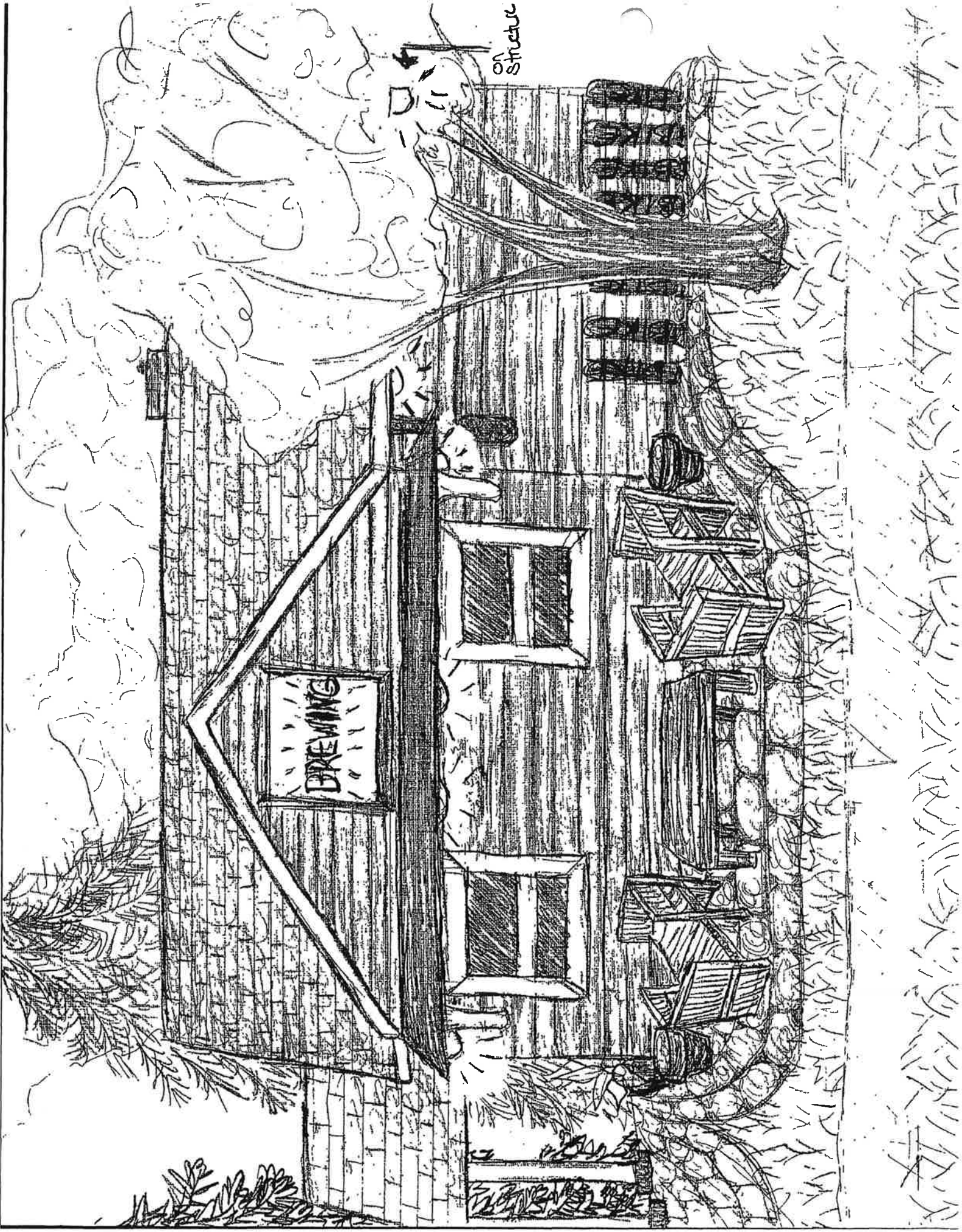


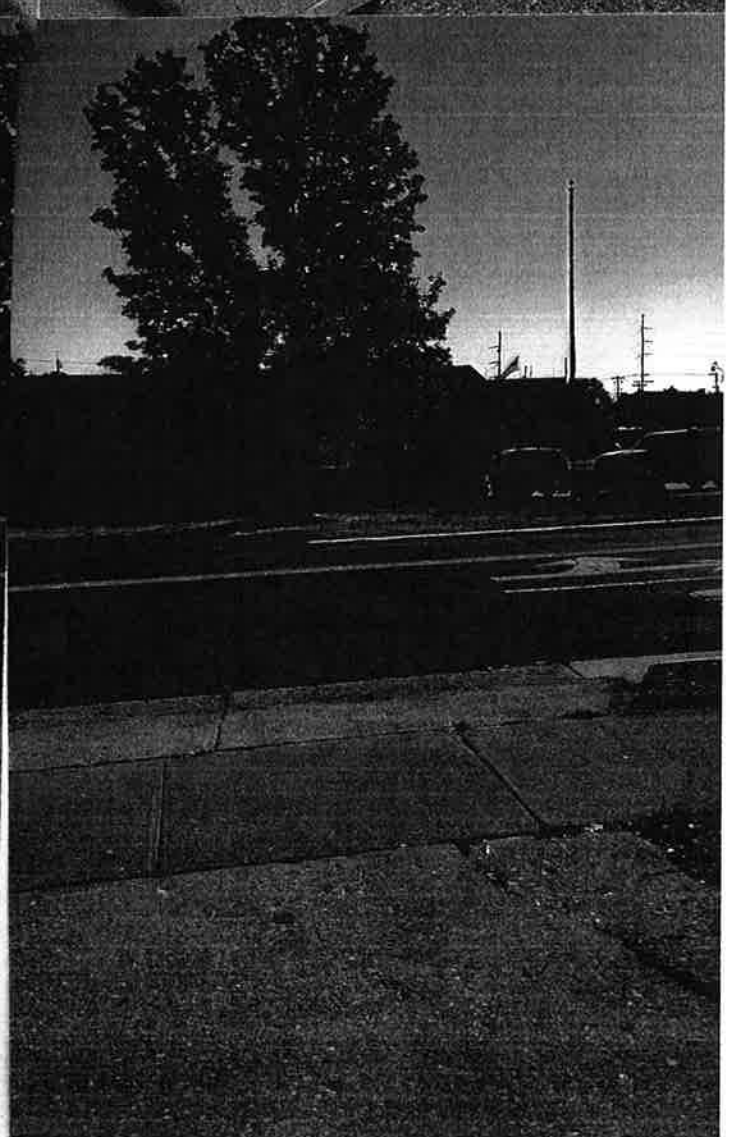
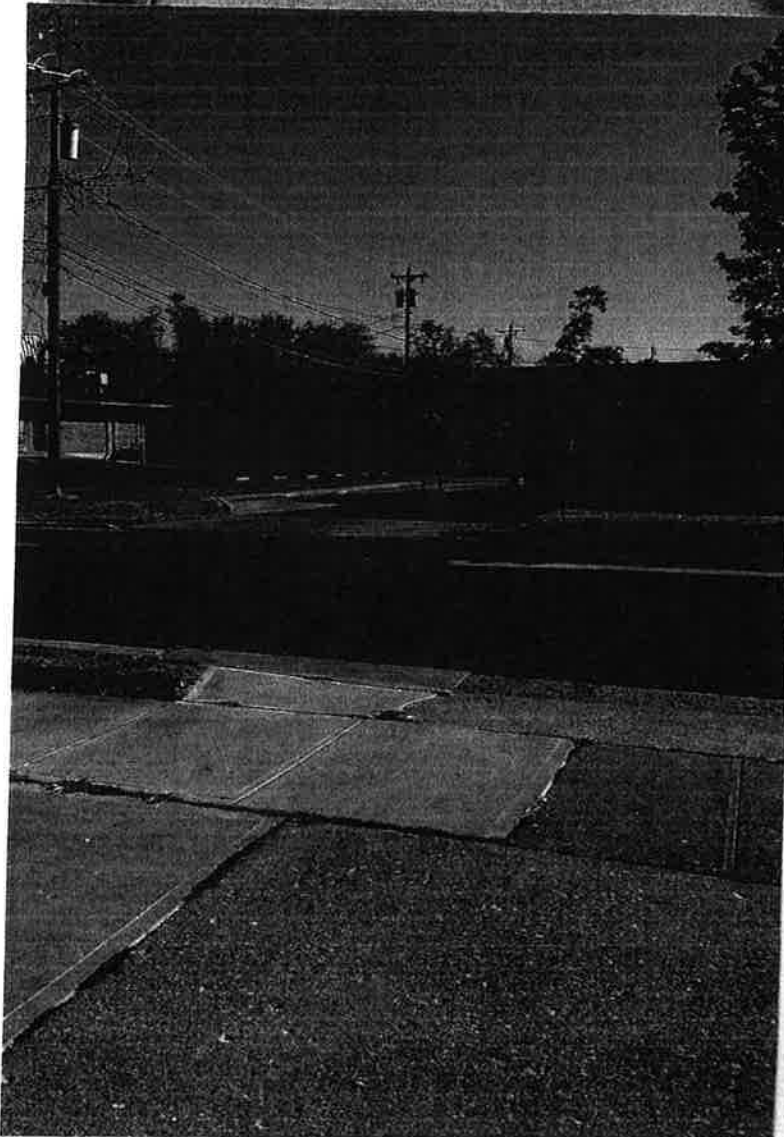
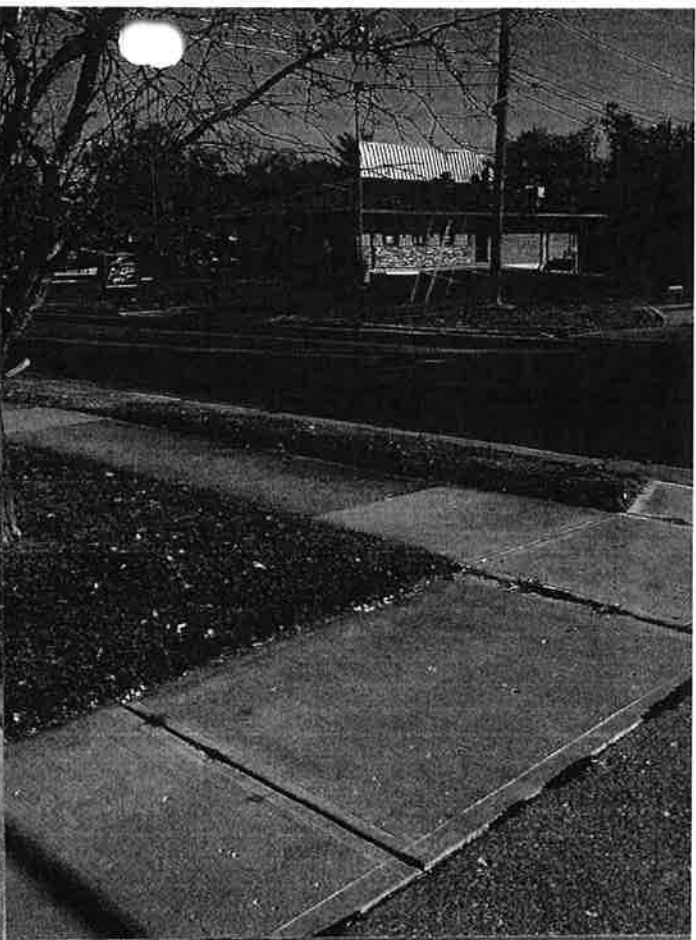
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Added
walkway/
Door move

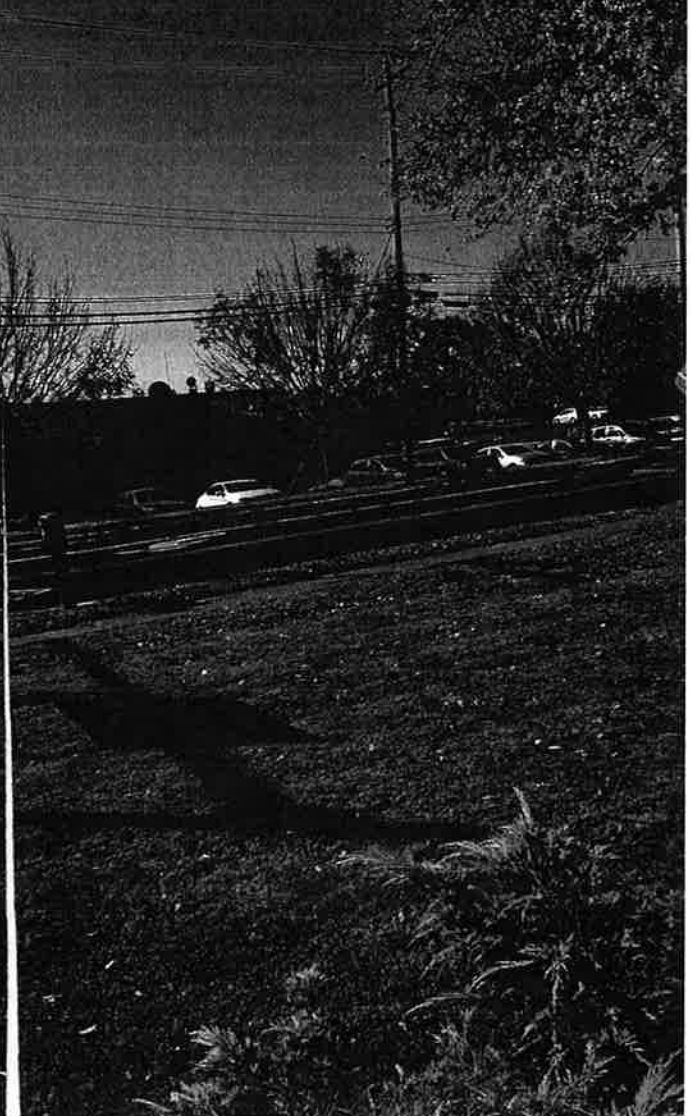
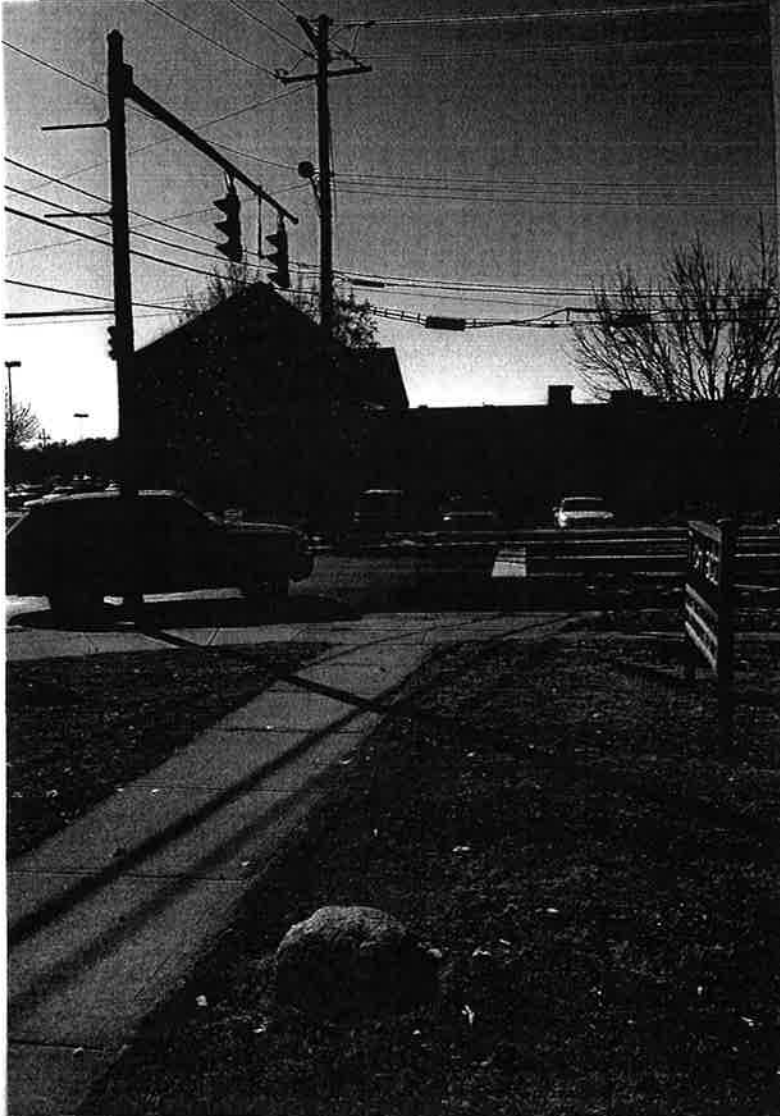
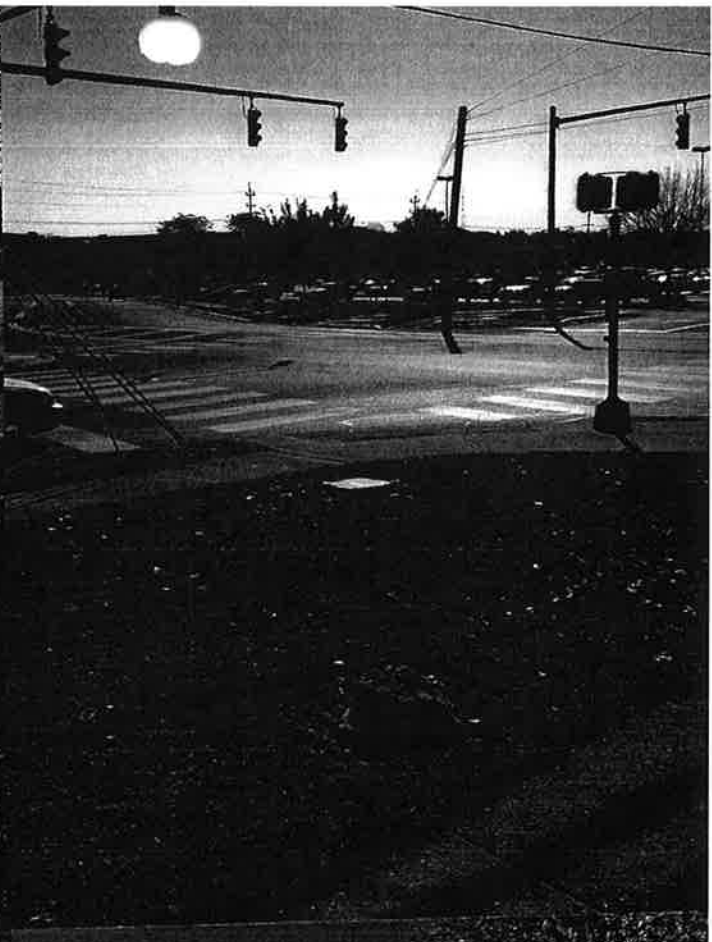
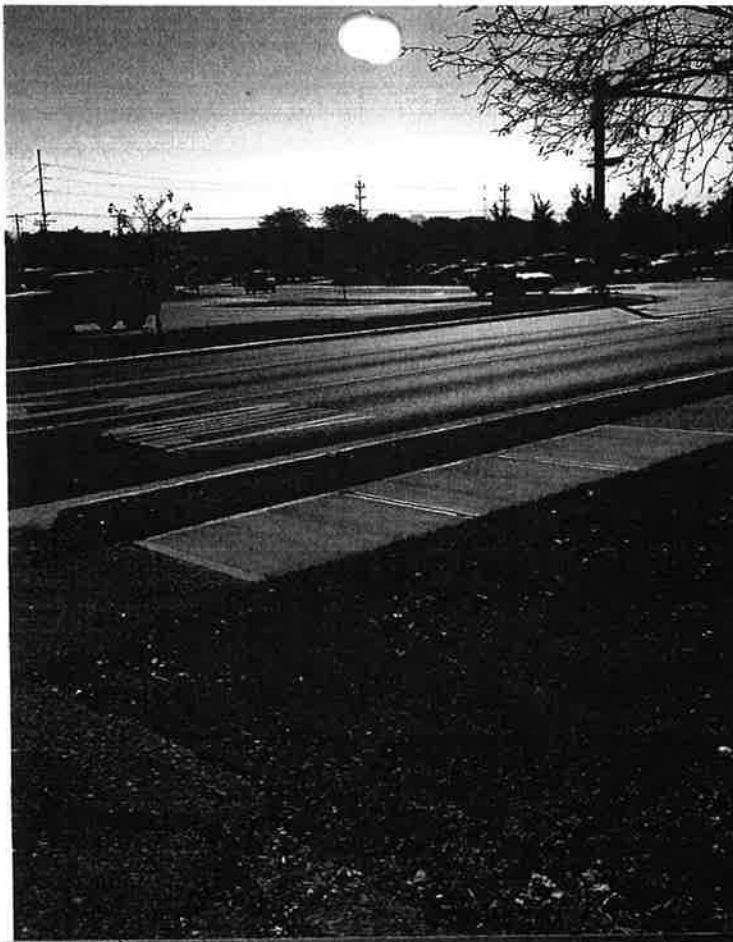
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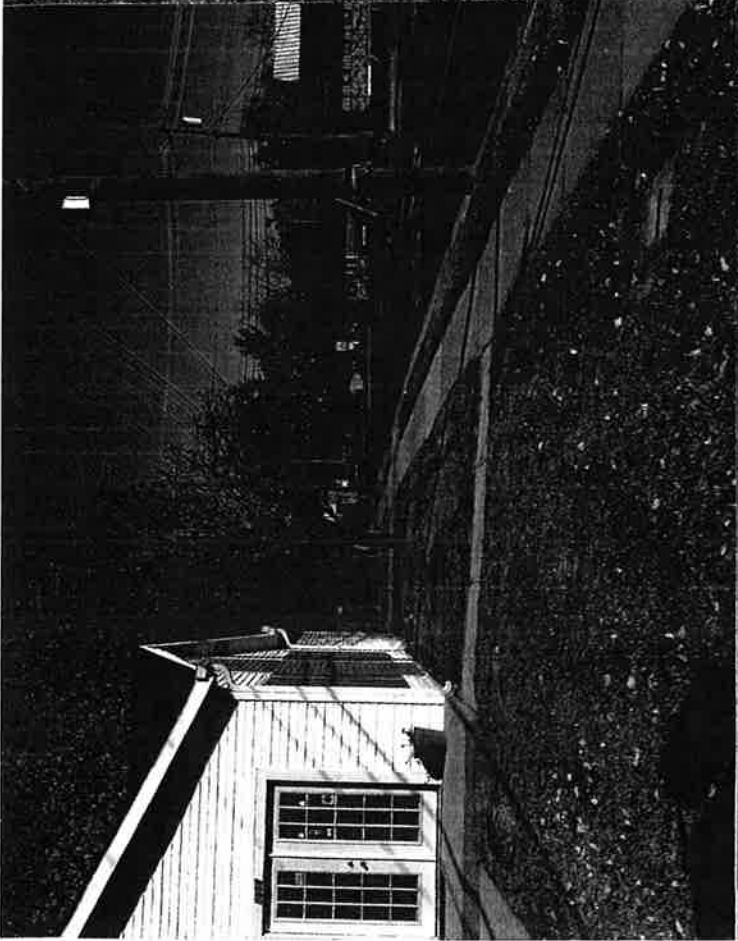
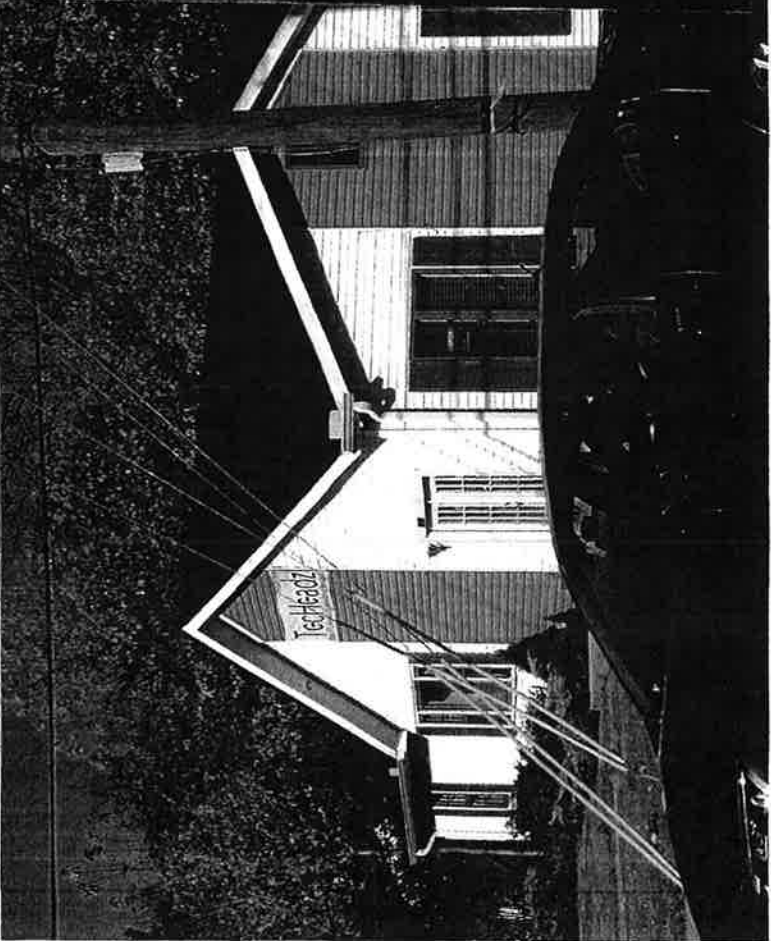
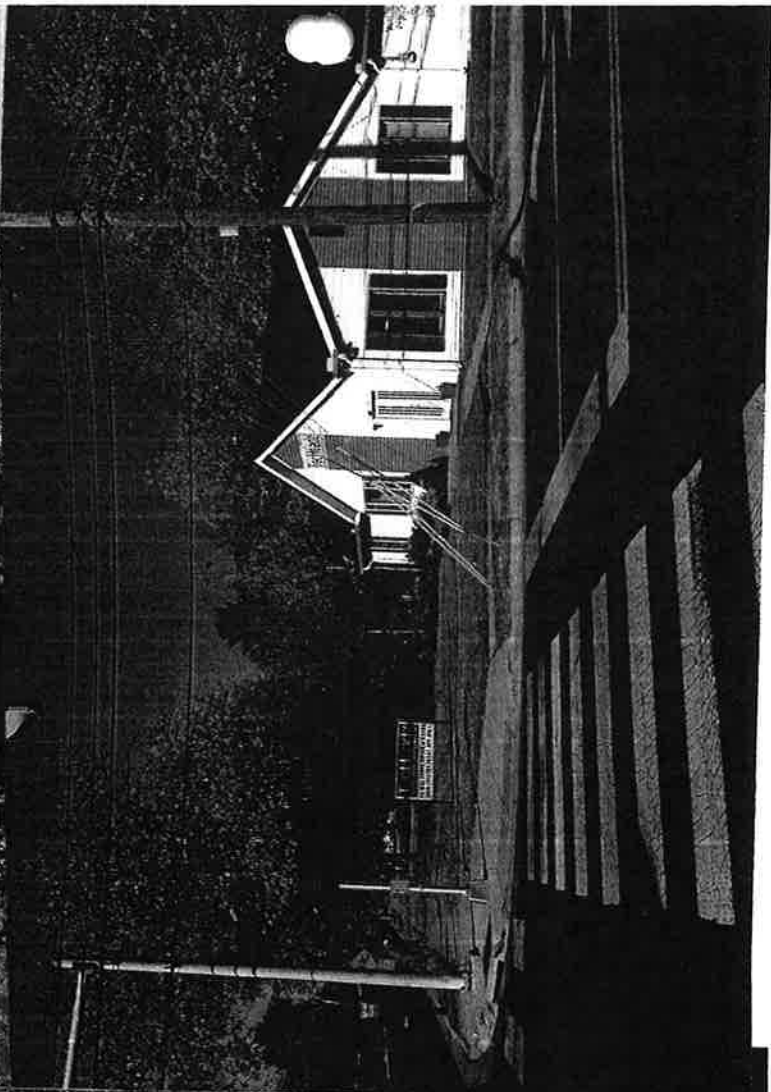


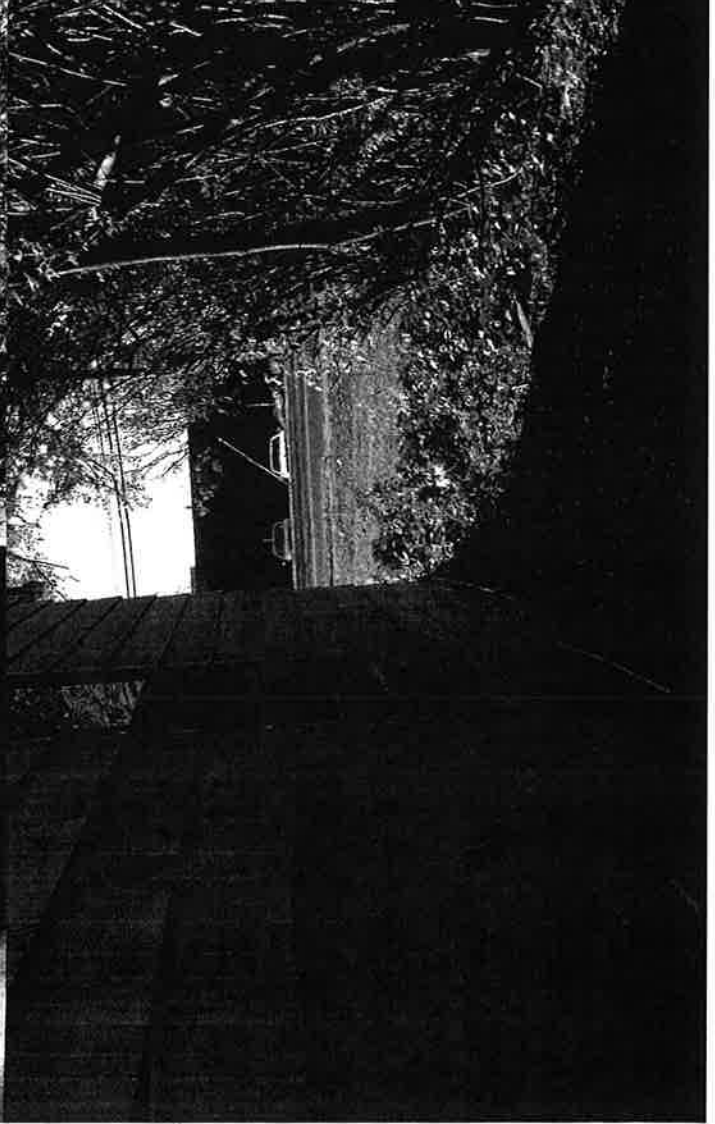
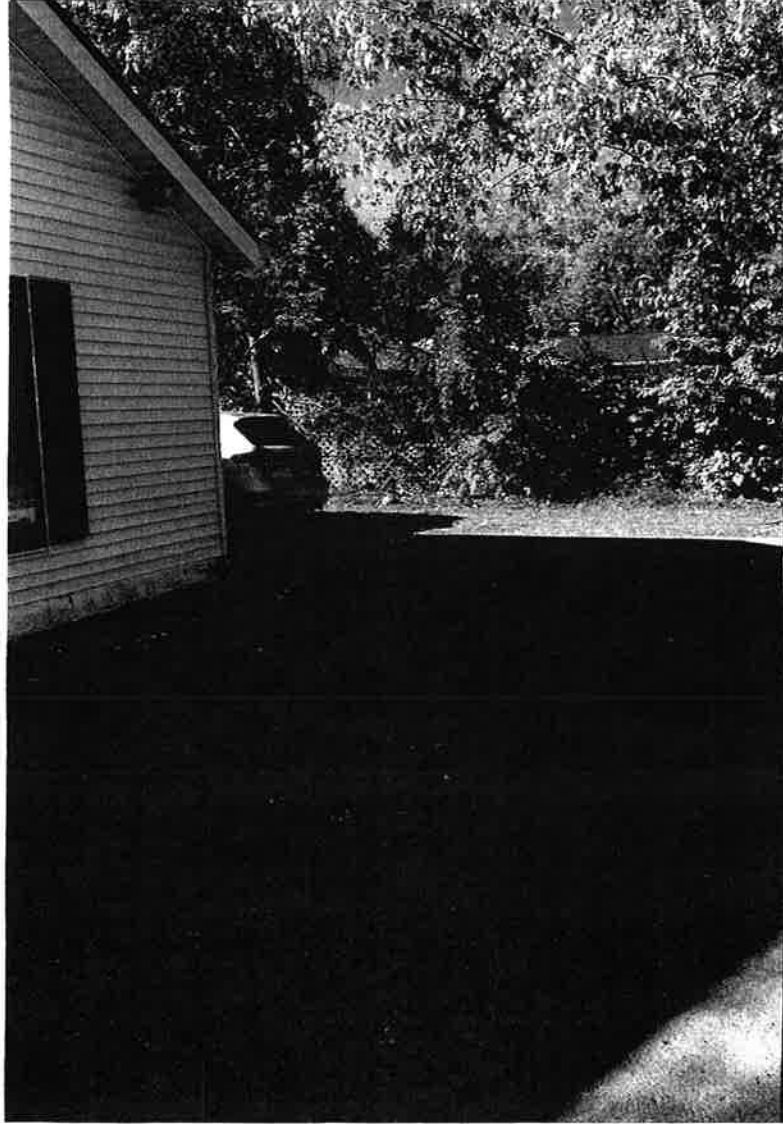












CITY OF OXFORD STAFF SUMMARY REPORT

Report to City Manager

Finance
Originating Department

Council Meeting Of : 1/5/2016

Account Code No. : see below

Joe Newlin
Prepared By

Budgeted Amount : _____

1/14/2016
Date Prepared

Agenda Title:	2016 Supplemental Budget #1
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Recommendation:	Approve
------------------------	----------------

Issue 1

To reflect advance needed for OVI Task Force Grant expenses must be paid prior to requesting drawing the funds for the grant

Action Needed:

Revenue Side

OVI Task Force Grant (419)	224,409.00	Advance from General Fund
General (110)	224,409.00	Repayment from OVI Task Force Grant Fund

Expense Side

General (110)	224,409.00	Advance to OVI Task Force Grant Fund from unencumbered balance
OVI Task Force Grant (419)	224,409.00	Repayment of advance to General Fund from unencumbered balance

Net Effect on Fund Balance/(s)
Increase/(Decrease)

-

Issue 2

To adjust budget to match Capital Improvement plan presented to Council in August 2015 necessary to complete projects as presented at the August 20, 2015 Workshop

Action Needed:

Revenue Side

N/A

Expense Side

Water Capital Equipment (320)	1,800.00	Computer Hardware
Water Capital Equipment (320)	2,200.00	Infrastructure Updates
Wastewater Capital Equipment (330)	2,200.00	Infrastructure Updates
Enforcement & Education (412)	(4,273.00)	Cruiser Replacement

Net Effect on Fund Balance/(s)
Increase/(Decrease)

(1,927.00)

Issue 3

To make adjustments to budget to match expected cost associated with moving dispatch service to Butler County Sheriff cost approximate expected shift in expenditures

Action Needed:

Revenue Side

N/A

Expense Side

General (110)	(281,472.00)	Saleries & Benefits
General (110)	(54,528.00)	Overtime
General (110)	336,000.00	Butler County Sheriff Contract

Net Effect on Fund Balance/(s)
Increase/(Decrease)

-

Total Net Effect on Fund Balance/(s) (1,927.00)
Increase/(Decrease)

Issue 4

To make adjustments to budget to reflect BWC grant funds received and the purchase of an additional power cot

Action Needed:

Revenue Side

Fire & EMS (418) 16,622.50 Buerue of Workers Compensation Grant

Expense Side

Fire & EMS (418)	16,622.50	Appropriation from unencumbered balance for power cot purchase
Life Squad Gift (210)	8,577.50	Appropriation from unencumbered balance for power cot purchase

Net Effect on Fund Balance/(s) (8,577.50)
Increase/(Decrease)

Total Net Effect on Fund Balance/(s) (10,504.50)
Increase/(Decrease)

Breakdown by Fund

General (110)	-
Life Squad Gift (210)	(8,577.50)
Fire & EMS (418)	-
OVI Task Force Grant (419)	-
Water Capital Equipment (320)	(4,000.00)
Wastewater Capital Equipment (330)	(2,200.00)
Enforcement & Education (412)	4,273.00

Net Effect on Fund Balance/(s) (10,504.50)
Increase/(Decrease)

Approved By:

Department Head:

City Manager:

Initials

Date

ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO. 3335 AND DECLARING IT AN EMERGENCY. SUPPLEMENTAL BUDGET ORDINANCE NUMBER 1 TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2016.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OXFORD, BUTLER COUNTY, STATE OF OHIO, THAT:

SECTION 1: Additional appropriations are needed for the current fiscal year and monies are available for appropriation in those funds, and changes to estimated revenues;

SECTION 2: The following increase/(decrease) in appropriations from unencumbered balances be made:

General Fund 110	224,409.00
OVI Task Force Fund 419	224,409.00
Water Capital Equipment Fund 320	1,800.00
Water Capital Equipment Fund 320	2,200.00
Wastewater Capital Equipment Fund 330	2,200.00
Enforcement & Education Fund 412	(4,273.00)
General Fund 110	(281,472.00)
General Fund 110	(54,528.00)
General Fund 110	336,000.00
Fire & EMS Fund 418	16,622.50
Life Squad Gift Fund 210	8,577.50

SECTION 3: The following advances(s) be executed:

Advance from:	
General Fund 110	224,409.00
OVI Task Force Fund 419	224,409.00
Advance to:	
OVI Task Force Fund 419	224,409.00
General Fund 110	224,409.00

SECTION 4: The following increase/(decrease) in revenues be made:

OVI Task Force Fund 419	224,409.00
General Fund 110	224,409.00
Fire & EMS Fund 418	16,622.50

SECTION 5: In all other respects, Ordinance No. 3335 shall remain in full force and effect.

SECTION 6: This ordinance shall take effect immediately upon its adoption.

MAYOR

ADOPTED:

ATTEST:

ACTING CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)