



Agenda

Oxford City Council

Court House

TUESDAY, JANUARY 20, 2015

EXECUTIVE SESSION

7:15 P.M.

1. Roll call. Kevin McKeehan, Mayor; Kate Rousmaniere, Vice-Mayor; Mike Smith; Bob Blackburn; Steve Snyder; Richard Keebler; 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. Presentation - Oxford Visitors Bureau - Jessica Greene.

B. 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 6, 2015 City Council Meeting. (Mary Ann Eaton, Clerk of Council)



Minutes

B. Report regarding the January 7, 2015 Historic and Architectural Preservation Commission Meeting. (Jung-Han Chen, Community Development Director)



Report

C. Report regarding the January 7, 2015 Environmental Commission Meeting. (Mike Dreisbach, Service Director)



Report

D. A Resolution authorizing the City Manager to enter into an agreement with Ricoh USA, Inc. for a 60-month lease of a Ricoh MPC5503 color copier. (Gail Brahier, Parks and Recreation Director)



Staff Report/Resolution

E. A Resolution authorizing the City Manager to waive the fees in the Fee Ordinance for the street closures for the Visitors Bureau for the 2015 annual Summer Music Festival. (Doug Elliott, City Manager)



Staff Report/Resolution

5. Resolutions.

1. A Resolution authorizing the City Manager to enter into a contract with Horton Emergency Vehicles for the purchase of a 2015 Dodge/Horton Ambulance and specified options at state contract pricing at a cost not to exceed \$185,997.94. (John Detherage, Fire Chief)



Staff Report/Resolution

6. Ordinances.

A. First Reading.

1. An Ordinance Granting The Request Of Christopher Owens, Agent For Milton And Phyllis Cox, To Connect To An Existing City Water Line And Sanitary Line For A New Single-Family Residence To Be Located At 5280 Hillcrest Drive Outside The Oxford Corporate Limits. (Mike Dreisbach, Service Director).



Staff Report/Ordinance

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 And A R-1B (Single Family Medium Density Residential) District For 72 Parcels Located On Hilltop Road, Contreras Road, Panda Lane And Pin Oak Drive, In The City Of Oxford, Ohio. (Jung-Han Chen, Community Development Director)



Staff Report/Ordinance

2. 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 91 Parcels Located On Country Club Drive, Olde Farm Road And Part Of Contreras Road, In The City Of Oxford, Ohio. (Jung-Han Chen, Community Development Director)



Staff Report/Ordinance

3. An Ordinance Accepting The Planning Commission's Recommendation And Granting A Zoning Map Amendment To Establish A Neighborhood Conservation Overlay District In A R-1B (Single Family Medium Density Residential) District For 57 Parcels Located On Emerald Woods Drive, Glos Drive, Brigid Circle, Stone Hedge Circle And French Drive, In The City Of Oxford, Ohio. (Jung-Han Chen, Community Development Director)



Staff Report/Ordinance

4. An Ordinance Accepting The Planning Commission's Recommendation And Granting A Zoning Map Amendment To Establish A Neighborhood Conservation Overlay District In A R-1B (Single Family Medium Density Residential) District For 56 Parcels Located On Fieldcrest Avenue, Devonshire Drive, Patrick Drive, Timothy Lane And Contreras Road, In The City Of Oxford, Ohio. (Jung-Han Chen, Community Development 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 21 Board of Zoning Appeals Meeting 7:30 p.m.

WED - Jan 28 Community Relations Commission Meeting 4:00 p.m. Municipal Building

WED - Jan 28 Civil Service Commission Meeting 6:00 p.m.

TUES - Feb 3 City Council Meeting 7:30 p.m.

WED - Feb 4 Historic and Architectural Preservation Commission Meeting 6:00 p.m.

WED - Feb 4 Environmental Commission Meeting 7:00 p.m. Municipal Building

TUES - Feb 10 Planning Commission Meeting 7:30 p.m.

MON - Feb 16 Holiday - City Offices Closed

TUES - Feb 17 City Council Meeting 7:30 p.m.

WED - Feb 18 Board of Zoning Appeals Meeting 7:30 p.m.

WED - Feb 25 Civil Service Commission Meeting 6:00 p.m.

8. Adjourn.

Council Minutes

January 6, 2015

Page 1

A Regular meeting of the Oxford City Council was called to order by Mayor Kevin McKeehan on Tuesday, January 6, 2015 at 7:15 p.m. Those members present were Bob Blackburn, Richard Keebler, Kate Rousmaniere, Mike Smith, Steve Snyder and Edna Southard.

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

ADJOURN TO EXECUTIVE SESSION

Mr. Keebler moved to adjourn to Executive Session immediately in accordance with Ohio Revised Code Section 121.22 (G) (3) for the purpose of discussing the settlement of a court case. Mr. Smith seconded. The motion passed by the following roll call:

AYE: Mr. Keebler, Ms. Rousmaniere, Mr. Smith, Mr. Snyder, Ms. Southard, Mr. Blackburn, Mayor McKeehan (7)

NAY: None (0)

ABS: None (0)

ADJOURN FROM EXECUTIVE SESSION

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

PLEDGE OF ALLEGIANCE

Mayor McKeehan requested the Pledge of Allegiance.

APPROVAL OF AGENDA

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

PUBLIC PARTICIPATION

NOTICE TO LEGISLATIVE AUTHORITY

New permit for Walgreen Co DBA Walgreens 09906 200 S. Locust Street Oxford, Ohio 45056.

Mr. Kyger advised the City received a Notice to Legislative Authority regarding Walgreens Co. applying for a new C2 permit (wine and mixed drinks for carry-out only). Mr. Kyger noted Walgreens already had a C2 permit but they were going to TREX theirs out of town and apply for a new one. Mr. Kyger advised there was one C2 permit available in Oxford and one application on file for a C2 permit (Walgreens). Mr. Kyger noted TREX was an economic development tool for use when a community had no permits available.

Mr. Kyger, Mr. Elliot and Mr. McHugh answered various questions from Council and after discussion Council made the following motion:

Mr. Keebler moved to accept the Notice to Legislative Authority. Mr. Snyder seconded. The motion passed 7-0-0.

PUBLIC COMMENTS

There were no comments from the public.

CONSENT AGENDA

MINUTES

Minutes of the December 16, 2014 Electric Aggregation Public Hearing. (Mary Ann Eaton, Clerk of Council)

Minutes of the December 16, 2014 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

REPORTS

Report regarding the December 9, 2014 Planning Commission Meeting. (Jung-Han Chen, Community Development Director)

RESOLUTION

CONTRACT WITH

KEY CHRYSLER, JEEP & DODGE

A Resolution No. 4882 authorizing the City Manager to enter into a contract with Key Chrysler, Jeep & Dodge, Inc. for the purchase of a 2015 Dodge Durango and specified options at State Contract pricing at a cost not to exceed \$28,245.50. (Mike Dreisbach, Service Director)

Mr. Snyder moved to approve the consent agenda. Mr. Blackburn seconded. The motion passed 7-0-0.

RESOLUTIONS

RESOLUTION

OVERLAY DISTRICT

A Resolution No. 4883 of Council accepting the petition as required by Oxford Codified Ordinance Section 1146.03 to establish a Neighborhood Conservation Overlay District for that area of Dana Drive, David Drive, Marcia Drive and Glenwood Drive as set forth on Exhibit "A" attached hereto and referring the petition to the Oxford Planning Commission for recommendations to City Council. (Jung-Han Chen, Community Development Director)

Mr. Chen advised the petition would create a residential conservation overlay district and it was the ninth petition to be submitted since this process was established in the zoning code.

Mr. Chen noted the map in question was on page 30 of Council's packet and contained a total of 66 parcels with 54 signatures being obtained. Mr. Chen advised the signatures exceeded the 2/3 requirement and the boundaries conformed to Chapter 1146 of the zoning code. Mr. Chen noted with Council's acceptance the petition would be forwarded to the Planning Commission for zoning map amendment consideration.

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

Mr. Snyder noted a correction to the title of the Resolution and Council agreed that Glenview not Glenwood Drive was correct.

Ms. Rousmaniere inquired what percentage of the neighbors signed the petition and Mr. Chen advised 82%. Ms. Rousmaniere inquired if everyone in the neighborhood was notified of the petition and Mr. Chen stated the petitioners visited almost everyone in the neighborhood.

Mayor McKeehan noted the proposed district was a concise area that joined a previously approved overlay district and it contained all single-family homes.

Ms. Rousmaniere moved to adopt Resolution No. 4883 as corrected. Ms. Southard seconded. The motion passed 7-0-0.

RESOLUTION
REAL ESTATE PURCHASE
& SALE AGREEMENT

A Resolution No. 4884 approving and authorizing a Real Estate Purchase and Sale Agreement, a copy of which is attached hereto as Exhibit "A", between the City of Oxford, Ohio, and the Trustees of Lane Public Library for the purchase of real property located at 15 S. College Avenue Oxford, Ohio 45056 to utilize the existing Lane Library facility to meet the City's present and future space needs at a cost of one million four hundred thousand dollars (\$1,400,000.00). (Doug Elliott, City Manager)

Mr. Elliott advised the Lane Library Board of Trustees and the City reached an agreement to sell the present Lane Library at 15 S. College Avenue for \$1.4 million. Mr. Elliott noted the proposed Resolution would authorize the City Manager to sign the proposed Purchase and Sales Agreement if adopted by Council this evening. Mr. Elliott advised he expected the Lane Library Board of Trustees to vote on this matter at their January 13, 2015 meeting and the closing should occur on or around October 2015.

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

Mr. Keebler noted Council was aware of the reversionary clause on the land owned by Miami University and inquired if that was covered in the proposed agreement and Mr. McHugh advised yes. Mr. Keebler noted he felt this was a win-win for the community and advised when he came on Council 7 years ago they were trying to solve space needs at that time and he found out quickly there wasn't money to do what Council and staff desired to do so they backed off. Mr. Keebler noted he felt the price for the Lane Library was fair and it was a great building.

Mr. Keebler encouraged Council and staff to be open and to have a study done to see if it was best to use the property as a potential City Building or if it was best to use it as a Police Department and other combined facilities. Mr. Keebler noted the property was still in the Uptown area and the price was fair given the amount of land with it. Mr. Keebler advised he was happy to support the proposed Resolution. Mr. Snyder commended previous Council's and administration for their persistence in getting this project where it needed to be. Mr. Snyder echoed Councilor Keebler's comments and noted he felt this was the right thing to do. Mayor McKeehan noted patience had paid off in the end and he felt this was a good project. Mr. Keebler advised the cooperation of Miami University and the Lane Library Board had to be appreciated noting the community working together was able to solve a real need.

Mr. Elliott referred to the reversionary clause and advised Miami University and the Trustees of the Lane Library reached an agreement whereby the proceed of the sale would go into an endowment managed by the university. Mr. Elliott noted the annual distribution from the endowment would be paid to the Lane Public Library as long as a Lane Public Library branch was located in Oxford. Mr. Elliott advised otherwise Miami University would become the sole owner and beneficiary of the endowed funds. Mr. Elliott noted Miami University agreed to eliminate the reversionary clause under those conditions so the sale of the property could move forward.

Mr. Snyder moved to adopt Resolution No.4884. Mr. Keebler seconded. The motion passed 7-0-0.

RESOLUTION **SETTLEMENT AGREEMENT**

A Resolution No. 4885 authorizing the City Manager to enter into an agreement to settle Butler County Common Pleas Case No. CV2013-12-3365, and to make an additional payment in the amount of \$ _____ in connection with that settlement. (Mike Dreisbach, Service Director)

Mr. Keebler referred to page 64 of the agenda and moved to amend the caption of the Resolution by changing the blank amount to read \$89,767.00, changing the blank amount in Section 2 to read \$89,767.00, changing the first blank amount in Section 5 to read \$89,767.00 and the second blank amount in Section 5 to read \$199,500.00. Mr. Snyder seconded. The motion passed 7-0-0.

Mr. Dreisbach advised in order to proceed with the construction on South 27 it was the City's obligation to acquire the necessary right-of-way for the project. Mr. Dreisbach noted out of the 32 parcels initially involved in the project there were 6 left to settle and with Council's approval of the proposed Resolution there would be 5 left to settle. Mr. Dreisbach advised the City deposited with the County Clerk of Courts the fair market value for the parcel and proceeded with the construction of the project. Mr. Dreisbach noted on December 16th a 5.5 hour mediation hearing was held at the Butler County Court with members of the Oxford Cemetery Board and their attorney and after several hours of negotiation Council was aware of the proposed settlement that was reached. Mr. Dreisbach advised staff was asking Council's approval for the additional funds in the amount of \$89,767 to settle this case. Mr. Dreisbach offered to answer any questions.

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

Mr. Keebler noted the City initially deposited what the State's appraiser felt was the fair market value for the property and obviously some people disagreed with that amount.

Mr. Snyder moved to adopt Resolution No. 4885 as amended. Mr. Blackburn seconded. The motion passed 7-0-0.

ORDINANCES
FIRST READING

ORDINANCE
ZONING MAP AMENDMENT

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 And A R-1B (Single Family Medium Density Residential) District for 72 Parcels Located On Hilltop Road, Contreras Road, Panda Lane And Pin Oak Drive, In The City Of Oxford, Ohio. (Jung-Han Chen, Community Development Director)

Mr. Chen advised a map of the proposed district was located on page 68 of Council's packet. Mr. Chen noted the area consisted of 72 parcels and 55 signatures from property owners were obtained. Mr. Chen advised the petition was before Council in October and it was before the Planning Commission in December where it received a 5-1-0 vote in favor of recommending the map amendment. Mr. Chen noted this was a grass roots effort to limit the number of unrelated occupants to two (2) and existing rentals would become non-conforming. Mr. Chen advised the idea was to preserve the traditional neighborhood characteristics. Mr. Chen offered to answer any questions.

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

Mr. Keebler noted signatures were obtained from 72% of the affected property owners.

ORDINANCE
ZONING MAP AMENDMENT

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 91 Parcels Located On Country Club Drive, Olde Farm Road And Part Of Contreras Road, In The City Of Oxford, Ohio. (Jung-Han Chen, Community Development Director)

Mayor McKeehan noted Councilor Smith recused himself from the discussion as a resident of the proposed area.

Mr. Chen noted of the 91 parcels in the proposed district 70 signatures were obtained equaling 77% of the residents. Mr. Chen reiterated that the idea was to limit the occupants per household to no more than 2 unrelated persons and existing rentals could continue as a non-conforming use.

Ms. Sue Jones, 118 Country Club Road, advised she initiated this petition in an effort to keep most of Heritage Subdivision as single family dwellings with single families living in them. Ms. Jones noted the process started in August by putting an informational flyer on the door of every house in Heritage Subdivision as well as those on Contreras Road. Ms. Jones advised in September she and 4 neighbors started the petition drive and worked very hard at it. Ms. Jones noted there were a number of non resident owners who were sent a letter with the opportunity to respond to the petitioners and they received some responses. Ms. Jones advised the residents appreciated the opportunity to keep their neighborhood as a neighborhood. Ms. Jones noted on her block alone there were 12 under school age children whose families moved there during the past two years and this continued to be an area where families were moving to. Ms. Jones advised there were retirees like herself and her husband as well as people with infants living in the neighborhood and they wanted to keep it a family neighborhood. Ms. Jones noted she would appreciate Council's approval of the proposed Ordinance at the next meeting.

Ms. Rousmaniere thanked the citizens for doing the hard work of getting petitions signed noting it was good community work and that was the spirit of the Ordinance.

Mr. Keebler noted signatures were obtained from 77% of the affected property owners.

ORDINANCE **ZONING MAP AMENDMENT**

An Ordinance Accepting The Planning Commission's Recommendation And Granting A Zoning Map Amendment To Establish A Neighborhood Conservation Overlay District In A R-1B (Single Family Medium Density Residential) District for 57 Parcels Located On Emerald Woods Drive, Glos Drive, Brigid Circle, Stone Hedge Circle And French Drive, In The City Of Oxford. (Jung-Han Chen, Community Development Director)

Mr. Chen noted a map of the proposed district was located on page 129 of Council's packet. Mr. Chen advised this petition was before the Planning Commission in December and they recommended approval of the zoning map amendment.

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

Mr. Keebler noted signatures were obtained from 82% of the affected property owners noting 2/3 of the property owners signatures were required and all of the petitions so far were well over that. Mr. Keebler advised one person spoke at the Planning Commission meeting about a potential hardship for him renting a property but he understood why this was being done and he appreciated the fact that citizens could pursue it.

ORDINANCE
ZONING MAP AMENDMENT

An Ordinance Accepting The Planning Commission's Recommendation And Granting A Zoning Map Amendment To Establish A Neighborhood Conservation Overlay District In A R-1B (Single Family Medium Density Residential) District For 56 Parcels Located On Fieldcrest Avenue, Devonshire Drive, Patrick Drive, Timothy Lane And Contreras Road, In The City Of Oxford, Ohio. (Jung-Han Chen, Community Development Director)

Mr. Chen noted a map of the proposed district was located on page 154 of Council's packet. Mr. Chen advised this petition was before the Planning Commission in December and they recommended approval of the zoning map amendment.

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

Mayor McKeehan noted it was invigorating to see so many people get involved with the overlay district petitions and the next Council race may be interesting if more people get involved to run for public office after doing some 'fieldwork'. Mayor McKeehan thanked everyone for all of their hard work on the overlay petitions.

ORDINANCE
SECOND READING

ORDINANCE
NATURAL GAS RATE INCREASE

An Ordinance No. 3298 To Regulate The Rates And Charges To Be Charged And Collected And The Services To Be Rendered By Glenwood Energy Of Oxford, Inc., Its Successors And Assigns, For Gas And Gas Service Furnished To All Of Its Customers Within The Corporate Limits Of The City Of Oxford During The Period Ending February 4, 2018, And Repealing And Superseding Ordinance Nos. 3147, 3157, And 3267, Which Together, Previously Regulated Such Rates, Charges, And Services. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised he had not received any questions on the proposed Ordinance and he had nothing new to add since the first reading.

Mr. Snyder noted the proposed rate increase had been well vetted by staff and by the City's utility counsel.

Mr. Elliott advised the increase would be approximately \$16 annually for an average consumer.

Mr. Snyder moved to adopt Ordinance No. 3298. Mr. Blackburn seconded. The Ordinance was adopted by the following roll call:

AYE: Ms. Rousmaniere, Mr. Smith, Mr. Snyder, Ms. Southard, Mr. Blackburn, Mr. Keebler
Mayor McKeehan (7)

NAY: None (0)

ABS: None (0)

ANNOUNCEMENTS

Mr. Elliott advised the City's application for electric aggregation certification had been sent to the PUCO noting the application included the Plan of Operation and Governance. Mr. Elliott advised he expected to receive approval of that by the end of January. Mr. Elliott noted he also expected the draft RFP from Eagle Energy this week for review. Mr. Elliott advised the electric aggregation process was proceeding as planned.

Mr. Elliott thanked Council for voting to approve the settlement related to the South 27 project noting there were 5 more to settle. Mr. Elliott noted staff would do their best to resolve the remaining 5 cases.

Mr. Keebler advised there was a train problem Sunday morning and it was his understanding that roads were blocked from 5:30 a.m. until 1:00 p.m. Mr. Keebler asked Mr. Elliott if he knew what the problem was and why it took so long to clear the tracks. Mr. Elliott advised there was an operational problem and there was the ability to get to the other side of town using Chestnut Street or Central Avenue. Mr. Elliott noted the City failed to send a Nixle alert regarding the issue and advised staff would make sure that would happen in the future. Mr. Keebler noted more pressure should have been on the railroad and directed staff to have a discussion with the railroad letting them know this was not good for Oxford and we expected something better in the future. Mr. Elliott advised there was an 800 number to call and staff would work on a better means of communication with the railroad.

Mr. Kyger noted the HAPC would have a busy meeting tomorrow night as they would review the redevelopment of the Princess Theatre, a new building at the old Township House site and signage for a new Graeter's restaurant. Mr. Kyger noted Fiesta Charra changed ownership effective January 1st and Morning Sun Café closed effective January 1st but moved their breakfast menu to Stella's. Mr. Kyger advised a new restaurant would open soon on W. Park Place.

Ms. Rousmaniere advised the Martin Luther King, Jr. celebration would take place Monday, January 19, 2015 at the Oxford Community Arts Center at 11:00 a.m. Ms. Rousmaniere noted former Mayor Jerome Conley would be the guest speaker and musical selections would be performed by Tammy Kernodle and Alexis Thompson. Ms. Rousmaniere advised there would be a NAACP sponsored creative art and literary competition by Talawanda elementary and secondary students. Ms. Rousmaniere noted this was a nice event sponsored in collaboration with the Miami University Office of Diversity Affairs, Oxford NAACP, Talawanda School District, Oxford Citizens for Peace and Justice, Lane Public Library, Smith Library of Regional History and McGuffey Montessori School.

Mr. Blackburn thanked Mr. Dreisbach and his staff for doing a good job of maintaining the roads after the snowfall last night and this morning.

Mayor McKeehan thanked the Service Department as well noting the City had an awesome crew that kept the City in good shape.

ADJOURN

Mr. Snyder moved to adjourn at 8:14 p.m. Ms. Rousmaniere seconded. The motion passed 7-0-0.

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: January 20, 2015

Sam Perry
Prepared By

Account Code No. #:

Budgeted Amount:

January 15, 2015
Date Prepared

HAPC MEETING REPORT – JANUARY 7, 2015
--

Pre-applications

HAPC-2015-01 – 10 N. Beech Street, Princess Theater, Platte Design

The design firm presented a potential design for a renovation and addition to the former Princess Theater. The potential design included complete renovation of the theater with an attempt to re-create a historic entry area that was currently covered. The stucco would be removed to expose original brick. The one-story concrete block addition to the north would be removed and replaced with a masonry multi-story mixed use structure. The front wall of the addition would be in line with the theater to maintain continuity of the street wall. Two design constraints are working between the original theater and the overhead power lines along the alley. The HAPC offered feedback and suggestions for the architect to consider; one of which was adding a third floor addition to the theater building rather than having a four-story addition next to a two-story. The architect's intent was to work with the owners and submit an official application at an upcoming meeting.

HAPC-2015-02 – 115 W. High Street, Platte Design

The design firm presented a potential design for a new multi-story masonry building on the vacant site of the former Oxford Township House. The building would be L-shaped and wrap around the freestanding two-story house with a courtyard in between. There would be a restaurant space on the top floor. The top floor would be recessed from the primary façade. The HAPC provided feedback and suggestions for the designer to consider prior to an official application.

The Commission and applicants felt that both pre-application discussions were productive. The pre-application process allows collaboration before considerable expense is made on fully developed construction drawings. A final decision is not made.

Administrative Approvals

HAPC 2014-19-ADM 29 W. High Street, Graeter's, Architects Plus, Applicant; installation of a new wall sign and gooseneck lighting; approved administratively prior to meeting.

HAPC-2014-18-ADM 114 E. Church Street, window replacement, Stan Miller, Applicant, replacement of non-original windows with non-historic windows; approved administratively prior to meeting.

New Business

Staff reminded HAPC of the annual marker workshop time frame coming up. It was decided to schedule it for later in the spring and move the marker application deadline back a month later, if needed, to be March/June rather than February/May.

The Commission elected Kim Peterka as Chair and Robert Benson as Vice-Chair.

Department Head:

City Attorney:

City Manager:

JHC / 1/15/15

DRE / 1/16/15

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting of: January 20, 2015

Service Department
Originating Department

Account Code #: N/A

David Treleven
Prepared By

Budgeted Amount: N/A

January 13, 2015
Date Prepared

Agenda Title: Environmental Commission Meeting of January 7, 2015

Recommendation: For Review and Consideration

Discussion:

Environmental Commission members present at the Wednesday, January 7, 2015 meeting were: Chair, Mr. Wright Gwyn; Vice-Chair, Mr. Vince Hand; City Council Representative, Ms. Kate Rousmaniere; Planning Commission Representative, Mr. Robert Bell, and Mr. Ted Wong. A quorum was present. Mr. Kevin Armitage had previously notified the Commission that he would be unable to attend the January 2015 meeting.

The minutes from the December 3, 2014 Environmental Commission meeting were unanimously accepted as presented.

Ms. Rousmaniere informed Commissioners that additional residential areas in Oxford were applying to the Planning Commission and City Council for consideration as Neighborhood Conservation Overlay District (NCOD) status. Currently, there are four approved NCODs and four additional areas with petitions pending City Council review. A NCOD limits the maximum number of un-related tenants permitted in a rental residence to two individuals.

Mr. Bell informed Commissioners that re-development of the Princess Theater building was pending, with a hearing scheduled with Oxford's Historic and Architectural Preservation Commission (HAPC). The re-development reportedly has the Theater becoming a single showing room (there were four showing rooms when the Theater was last in operation) and multi-story apartment structure being added to the existing building.

The two public meetings regarding the community's electrical aggregation have been held. Reportedly, the majority of comments offered by the public requested that electricity include renewable energy components. The intended pricing options for customers that are to be included in the bid requests reported are to include three options for the customer to choose from: a) electricity from 100% renewable sources; b) electricity with 50% renewable sources; and c) the lowest cost. Mr. Bell informed Commissioners that he had been contacted by a citizen who asked that Oxford include clauses permitting the customer to sell self-generated electricity back to the utility, and not to have a fixed lowest cost, but require the utility to reduce its charge if the going, standard/average regional rate drops below the rate being charged to Oxford's customers under the electrical aggregation contract.

(Continued)

Approved By:

Department Head:
City Manager:

Initial Date

MB 1/15/15
DRE 1/13/15

A draft of the Storm Water Management Design Manual was provided for the Commissioners' review. It was requested that the table of content be revised to reflect the headings included in Chapter 4 (entitled "Storm Water Best Management Practices" and previously prepared by the Commissioners). Distribution of an electronic copy of the draft Storm Water Management Design Manual for the Commissioners detailed review was also requested.

Development of language for tiered level(s) of refuse service intended to be included in the next solid waste contract request was discussed. Chair Gwyn stated he would contact the Hamilton County Recycling and Solid Waste District to request example bid requests including tiered or "Pay-as-You-Throw" service and pricing options. Copies are to be provided to the Commissioners for their detailed review.

Staff updated the Commissioners on status of the Emerald Ash Borer (EAB), Asian Longhorn Beetle (ALB), the Walnut Thousand Canker Disease, and a recently reported infestation of the Spotted Lanternfly. Discussion with Ohio Department of Natural Resources, Division of Forestry (ODNR) personnel indicated that the belief is the EAB has spread to the point where containment and/or eradication of the invasive pest are unlikely. The EAB is now at least a regional issue, and has quarantines on the transport or movement of woody materials extending west beyond the Mississippi River. ODNR indicated that the on-going efforts to contain and eradicate the invasive ALB pest in Clermont County, Ohio continue. The first round of woodlot inspections in the affected Townships (started in 2011) were completed in 2014. The repeated inspections of initial woodlots are finding additional trees displaying evidence of ALB infestation, which are being removed. These inspections are to continue until no evidence of the ALB is found during three successive inspections. The Walnut Thousand Canker disease was detected in an isolated grove of Black Walnut trees in the City of Fairfield, Ohio during 2013. ODNR set out traps in the surrounding communities and Counties in 2014; the contents of these traps are currently being evaluated. It is considered a good sign that no results have yet been announced, suggesting the traps yielded no/little evidence of a widespread infestation of the beetle transporting the fungus causing the Thousand Canker Disease (a naturally occurring disease in the United States and not the result of an invasive pest). The invasive Spotted Lanternfly has been reported in eastern Pennsylvania, and reportedly targets hardwood and fruit trees, along with grape vines.

The Commission adjourned at 8:20 p.m. The next scheduled meeting of the Environmental Commission is on Wednesday, February 4, 2015 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

Parks and Recreation

Originating Department

Council Meeting Of: 1/20/2105

Gail S. Brahier

Account Code No. #: 110.620.52320

Prepared By

Budgeted Amount: \$3,400 fiscal year

1/14/15

Date Prepared

Agenda Title: Lease Agreement for Ricoh color copier MPC5503

Recommendation: Approve

Discussion:

The Ricoh MPC5503 copier will replace the current black and white MP5000, adding color and wireless printing capabilities. Parks and Recreation has used a Ricoh copier for several years and are pleased with the quality of copies, number of pages run per minute(ppm), minimal maintenance, and quick repair when needed.

While a slight increase than the previous monthly rate of \$196 for *BW copies only*, work efficiency will increase as staff will not need to leave the work premises for color copies, or pay outside vendors for color event fliers.

Comparison for 60 month lease:

Ricoh \$218.18 per mo.

55 ppm 10,000 B&W per month includes parts, labor, and toner.
Overages BW .0094, Color.0849

Xerox -\$239.32 per mo.

35 ppm 10,000 B&W per month includes parts, labor, and toner.
Overages BW .0296, Color.09

Peter Paul Office - \$247.70 per mo.

45 ppm, 9,300 B&W per month includes parts, labor, and toner.
Overages BW .0098, Color .075

Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

GB \ 1/15/15

DRE \ 1-15-15

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH RICOH USA, INC. FOR A 60-MONTH LEASE OF A RICOH MPC5503 COLOR COPIER.

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

SECTION 1: The City Manager has reviewed information submitted for the replacement of the existing copier equipment and has recommended that the current copier equipment be replaced with the Ricoh MPC5503 color copier.

SECTION 2: The City Manager has recommended that the City enter into a 60-month lease with Ricoh USA, Inc. for the Ricoh MPC5503 color copier at an estimated monthly cost of \$218.63 plus \$0.0094 per black and white copy in excess of 10,000 copies and \$0.0849 per color copy.

SECTION 3: Council having reviewed the City Manager's recommendation, hereby authorizes the City Manager to enter into an agreement, in a form acceptable to the City Law Director, with Ricoh USA, Inc. for a 60-month lease of the Ricoh MPC5503 color copier.

SECTION 4: Funds have been appropriated in an amount in excess of the annual cost authorized.

SECTION 5: This resolution shall take effect at the earliest date allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW (STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Manager

Originating Department

Council Meeting Of: January 20, 2015

Mary Ann Eaton

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

December 16, 2014

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 2015 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:

MSE

1/15/15

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO WAIVE THE FEES ADOPTED IN THE FEE ORDINANCE FOR THE STREET CLOSINGS FOR THE VISITORS BUREAU FOR THE 2015 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 2015 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 closings is in the best interest of the community, hereby authorizes the City Manager to waive the fees for the street closings for the 2015 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: KEVIN MCKEEHAN

PREPARED BY: LAW(STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager: Douglas Elliott, Jr.

Fire
Originating Department

Council Meeting Of: January 6, 2015

Account Code No. #: 418.152.73106
418.152.52420

John Detherage
Prepared By

Budgeted Amount: \$185,000.00

December 30, 2014
Date Prepared

Agenda Title: A Resolution authorizing the purchase of a 2015 Dodge/Horton ambulance

Recommendation: Adopt the Resolution.

Discussion:

The 2015 capital equipment budget includes \$185,000.00 for the purchase of a replacement ambulance for the fire department. The vehicle to be replaced is a 1996 Ford that is beyond its planned 15 year replacement schedule. This new vehicle will be nearly identical to the 2010 ambulance and will become the primary EMS transport unit.

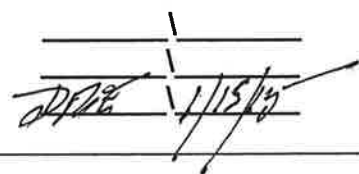
The Ohio State Term Schedule includes the 2015 Dodge chassis fitted with a Horton body meeting the OFD specification for a total amount of \$185,997.94. Due to chassis pricing not being finalized prior to our budget process this total is \$997.94 over the budgeted amount. The balance will be paid from the fire department operating supplies budget. The vehicle will be purchased from Horton Emergency Vehicles in Grove City Ohio.

This resolution will authorize the City Manager to enter into an agreement with Horton Emergency Vehicles for the purchase of a 2015 ambulance and specified options at a cost not to exceed \$185,997.94.

Approved By:

Department Head:
City Attorney:
City Manager:

Initial Date



RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH HORTON EMERGENCY VEHICLES FOR THE PURCHASE OF A 2015 DODGE/HORTON AMBULANCE AND SPECIFIED OPTIONS AT STATE CONTRACT PRICING AT A COST NOT TO EXCEED \$185,997.94.

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

SECTION 1: Ambulance #13 used by the Fire Division of the Public Safety Department, a 1996 model, has exceeded the planned replacement cycle of fifteen years.

SECTION 2: The 2015 capital budget includes \$185,000.00 for the purchase of a replacement ambulance.

SECTION 3: Council hereby authorizes the City Manager to purchase from Horton Emergency Vehicles a 2015 Dodge/Horton ambulance and specified options at State Contract pricing at a cost not to exceed \$185,997.94.

SECTION 4: Funds in the amount of \$185,000.00 have been appropriated for the purchase with the additional \$997.94 to be paid from the Fire Department's operating supplies budget.

SECTION 5: This resolution shall take effect at the earliest date allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW (STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Council Meeting of: January 20, 2015

Account Code # NA

Budgeted Amount: NA

Service Department
Originating Department

Michael Dreisbach, Service Director
Prepared By

January 14, 2015
Date Prepared

Agenda Title: Request for Water and Sanitary Utility Services Outside the Corporate Limits of Oxford at 5280 Hillcrest Drive.

Recommendation: Approval with the following conditions: 1). Owner must sign an annexation agreement; 2) All City standards and fees for utility construction must be met.

Discussion: Staff received a request from Milton & Phyllis Cox to connect to and/or extend the City water and sanitary utilities to serve a single family residence at 5280 Hillcrest Drive. The request for service includes a maximum of one domestic water tap and a maximum of one tap into the City's sanitary sewer system. The City's water and wastewater utilities serve this area, and the proposed demand will not have a noticeable effect on the City's utilities for reliability, acceptable flow, pressure and volume.

The City Council has previously approved water service for this address, but specifically to another individual. No action was taken by the previous applicant following approval.

In reviewing the request, staff considered the following issues: 1) Extension Policy; 2) Location; 3) Owner's Obligation.

Extension Policy – Any extension of utility lines or service outside the City limits is reserved to the exclusive control and jurisdiction of City Council. City Council may also require the request for utility extension outside the City limits be referred to the Planning Commission for its recommendation to City Council. The Planning Commission has 90 days in which to consider the matter. The City may also grant such a request provided the City has a supply of surplus capacity sufficient to grant the request and that such a request be beneficial and in the interest of the City. City Council amended the policy for extension of water service outside the corporate limits in December 2013. This policy permitted the extension of water and sewer with a condition of the owner agreeing to annexation into the City.

Location – Connections to the City's utilities shall be conditional upon final approval by the Service Department assuring that all technical aspects of the services meet City standards and specifications.

Owner's Obligation – The owner must pay for the total cost of any required utility extensions, all necessary water and sanitary taps, water and wastewater capacity benefit charges, and any surcharges for the use of the City utilities outside the corporate limits. The owner must also meet City of Oxford standards for utility construction and sign an Annexation Agreement with the City. Permits from Butler County and the Ohio Environmental Protection Agency may also be required.

Approved By:

Department Head:

Initial MD Date 1/14/15

City Manager:

DRE 1/15/15

ORDINANCE NO.

AN ORDINANCE GRANTING THE REQUEST OF CHRISTOPHER OWENS, AGENT FOR MILTON AND PHYLLIS COX, TO CONNECT TO AN EXISTING CITY WATER LINE AND SANITARY LINE FOR A NEW SINGLE-FAMILY RESIDENCE TO BE LOCATED AT 5280 HILLCREST DRIVE OUTSIDE THE OXFORD CORPORATE LIMITS.

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

SECTION 1: Christopher Owens, Agent for Milton and Phyllis Cox has requested connection to water and sanitary sewer services for property located at 5280 Hillcrest Drive more particularly described in Exhibit "A" attached hereto.

SECTION 2: Council has determined that the City has surplus water and that the grant of this request will not be detrimental to the City's water supply or its residents. Further the granting of such request will be beneficial to the City and is in the best interest of the City.

SECTION 3: Council has determined that the City has surplus capacity at the wastewater treatment plant and that the grant of this request will not be detrimental to the City's wastewater treatment plant or its residents. Further the granting of such request will be beneficial to the City and is in the best interest of the City.

SECTION 4: The applicant shall pay for the total cost of the connections, all necessary water and sanitary taps, water and wastewater capacity benefit charges, and any surcharges for the use of the City utilities outside the corporate limits. The owner shall also meet the Oxford standards for utility construction.

SECTION 5: The costs associated with any necessary permits and the acquisition of any easements shall be the sole responsibility of the applicant.

SECTION 6: No additional water taps into this water line shall be allowed without prior approval of Council.

SECTION 7: No additional sewer taps into this sanitary sewer line shall be allowed without prior approval of Council.

SECTION 8: This grant is further conditioned upon the applicants, Milton and Phyllis Cox, signing an annexation agreement requiring the owners, successors and assigns, to annex the property into the City of Oxford at the City's sole request.

SECTION 9: This Ordinance shall take effect at the earliest time allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW (STAFF)



COLLEGE REAL
ESTATE, L.L.C.

5020 COLLEGE CORNER PIKE
OXFORD, OHIO 45056

BUS (513) 523-2181
FAX (513) 523-0575
coldwellbankeroxford@woh.rr.com
www.coldwellbankercollege.com

January 9, 2015

To the Members of City Counsel,

Please accept this letter as the formal request from Milton and Phyllis Cox for the vacant property at 5280 Hillcrest Drive, Oxford Township, to tap into the City of Oxford's utilities that service the Coulter Subdivision of Coulter Lane and Hillcrest Drive off Bonham Road, Oxford Township. The property is adjacent to the southern portion of Hillcrest Drive very near the city water supply and sanitary sewer main.

Presently 5280 Hillcrest Drive has water tap in privileges from a prior request and approval but sanitary sewer was not asked for at that time. Because the city sanitary sewer line is across Hillcrest Drive from lot 25 it has been brought to our attention that the county's board of health will not grant approval for a private septic system, thus necessitating the need for access to the sewer system providing service to this neighborhood.

Currently, there are no site plans submitted for construction on this lot but the land is receiving attention from various parties as a potential building site and the desire to have the utility approval in place for a timely transfer and build prompt us to submit for this approval.

Included with this letter is the survey of this property, legal description and the deed showing the location of the property in relationship with Hillcrest Drive and ownership by Milton and Phyllis Cox.

Thank you for your consideration to this request,

A handwritten signature in blue ink that reads "Christopher Owens". The signature is fluid and cursive, with the first name "Christopher" and last name "Owens" clearly legible.

Christopher Owens, Agent for Milton and Phyllis Cox

RECEIVED

JAN - 9 2015

**City of Oxford
Service Department**

- 1) Source documents are as shown hereon.
- 2) Occupation in general fits Survey except as shown.
- 3) Monumentation found is in good condition.
- 4) —O— Indicates 5/8" iron rod with 1" D. cap [set] unless otherwise noted.

PLAT OF SURVEY

Section 24,
Town 5, Range 1
Oxford Township,
Butler County, Ohio

For: *Milton D. & Phyllis L. Cox*
Date: *Oct. 16, 2014*
Scale: *1" = 100*

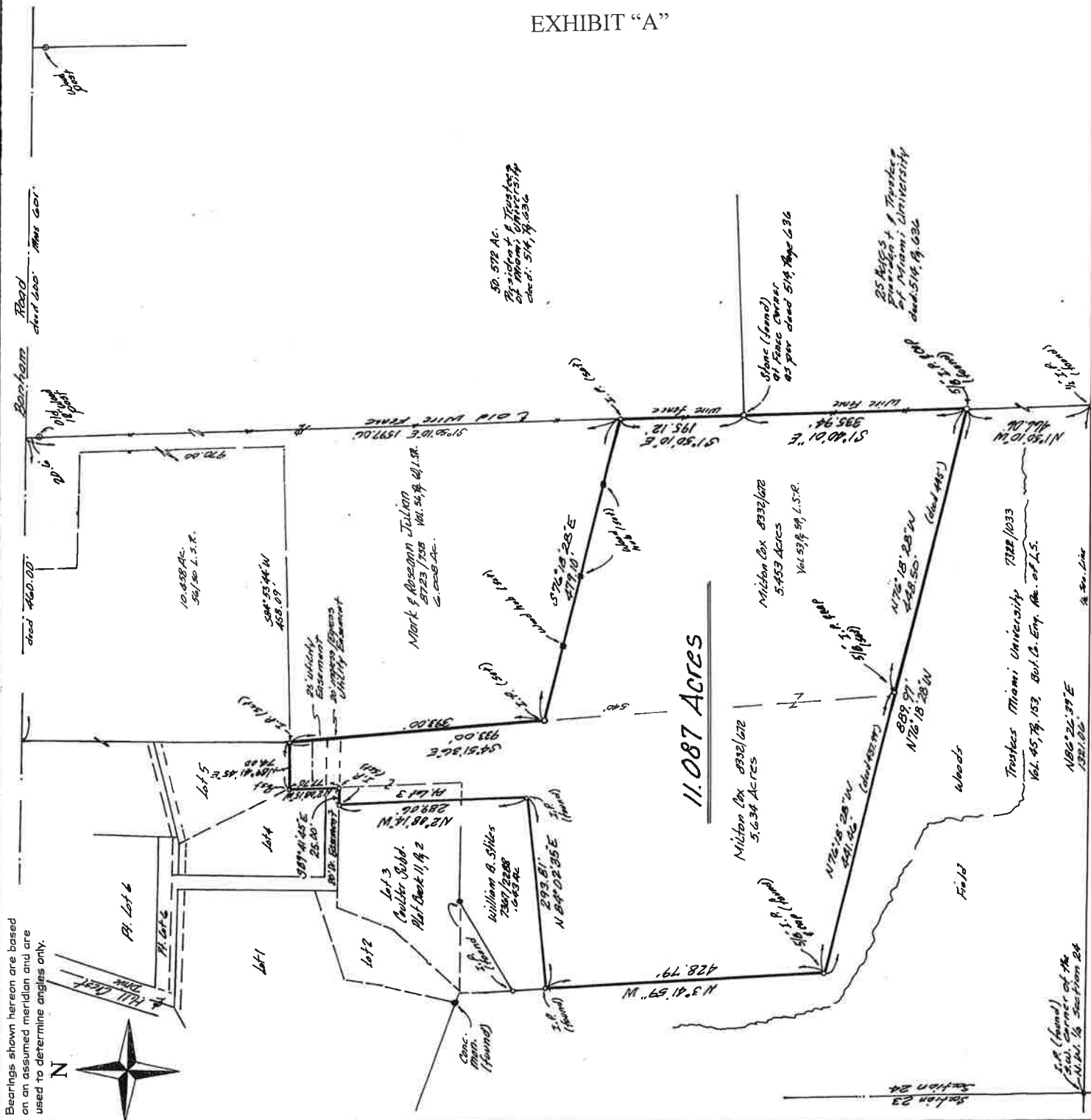
By: **Daniel R. Brosey P.S.**
 --- Land Surveyor ---
 phone: 513-8630237

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

Daniel R. Brown
Registered Surveyor, 6492 In Ohio



EXHIBIT "A"



TRANSFER NOT RECORDED
ROGER REYNOLDS CPA
BY 1117114 (19) DEPT.
AUDITOR, BUTLER CO. OHIO

ma 11 11-14
Image ID: 000008990832 Type: OFF
Recorded: 11/17/2014 at 11:19:52 AM
Fee Amt: \$28.00 Page 1 of 2
Workflow# 0000232860-0005
Butler County, Ohio
Dan Crank COUNTY RECORDER
File# 2014-00044349
BK 8746 PG 608

GENERAL WARRANTY DEED

MILTON D. COX and PHYLLIS L. COX, husband and wife, of Butler County, Ohio ("Grantors"), for valuable consideration paid, grant, with general warranty covenants, to MILTON D. COX and PHYLLIS L. COX, husband and wife ("Grantees"), for their joint lives, remainder to the survivor of them, whose tax mailing address is 6070 Stillwell Beckett Road, Oxford, Ohio 45056, the following real property:

SEE EXHIBIT "A" ATTACHED
HERETO AND MADE A PART HEREOF

Prior Instrument Reference: Volume 8332, Page 672 and Book 925, Page 140 of the Butler County, Ohio Official Records.

Executed this Deed this 12 day of November, 2014.

GRANTORS:

Milton D. Cox

Milton D. Cox

Phyllis L. Cox

Phyllis L. Cox

STATE OF OHIO)

) SS

COUNTY OF BUTLER)

The foregoing instrument was acknowledged before me this 12 day of November, 2014 by Milton D. Cox and Phyllis L. Cox, husband and wife.

Matthew A. Troy

Notary Public



MATTHEW A. TROY
ATTORNEY AT LAW
NOTARY PUBLIC
STATE OF OHIO

My Comm. Has No
Expiration Date

This instrument was prepared by Robert Bolin, Esq., 29 N. Beech Street, Oxford, Ohio 45056
Section 147.03 R. C.



Image ID: 000008990833 Type: OFF

Page 2 of 2

File# 2014-00044349

BK 8746 PG 609

October 15, 2014

09-01E.doc

ML
11-3-14

Legal Description

11.087 acres

Situated in and being the east 25 feet of lot #3, Coulter Subdivision (Plat 216 C) with the remainder being in Section 24, Town 5, Range 1, Oxford Township, Butler County, Ohio, and being more particularly bounded and described as follows;

*Beginning at an iron pin (found) at the grantors' southeast corner, found by measuring from an iron pin (found) at the southwest corner of the northwest quarter of said section 24, North 86° 26' 39" East along the half section line 1321.06 feet to an iron pin (found);
Thence North 1° 50' 10" West 466.06 feet to the true point of beginning;
THENCE FROM THE BEGINNING POINT THUS FOUND
North 76° 18' 28" West (passing an iron pin (set) at 448.50 feet) a distance of 889.97 feet to an iron pin (found);
Thence North 3° 41' 59" West 428.79 feet to an iron pin (found) at the southwest corner of a 0.643 Acre tract of land (deed Book 7367, Page 2288,);
Thence North 84° 02' 35" East along the south line of a 0.643 acre tract owned by William B Stiles (Deed Book 7367, Page 2288) a distance of 293.81 feet to an iron pin (found);
Thence North 2° 08' 14" West along the west line of said tract and though Lot #3, Coulter Subdivision (Parallel to and 25' west of the east line of said lot) 289.06 feet to an iron pin (set);
Thence South 89° 41' 45" East along the north line of lot #3 of Coulter Subdivision (Plat 216 c) a distance of 25.00 feet to an iron pin (set) at the northeast Corner of Lot #3;
Thence North 2° 08' 15" West along the east line of lot #4 of Coulter Subdivision a distance of 77.70 feet to a post (found) at the southeast corner of Lot #5 of said subdivision;
Thence North 89° 41' 45" East along the south line of lot #5 of Coulter Subdivision a distance of 74.00 feet to an iron pin (set);
Thence South 4° 51' 36" East along the west line of a 6.008 acre tract owned by Mark & Rosanne Julian (Deed Book 8723, Page 758) a distance of 933.00 feet to an iron pin (set) at the southwest corner of said 6.008 Acre tract;
Thence South 76° 18' 28" East along the south line of said tract 479.10 feet to an iron pin (set) in the grantors east line;
Thence South 1° 50' 10" East 195.12 feet to a stone (found);
Thence South 1° 40' 01" East along the grantors east line 335.94 feet to the point of beginning containing 11.087 acres of land and being subject to all easements and restrictions of record;
Together with an Ingress Egress, utility easement 20 feet in width from Hill Crest Drive to the above described property;*

*Bearing shown herein are based on an assumed meridian and are used to denote angles only.
Prior (Deed Book:8332 , Page 672) of the Butler County, Ohio Deed Records.
A Plat of Survey of the herein described property is recorded in Volume 56, Page 191, of the
Butler County Engineers Record of Land Surveys.
All iron pins set are 5/8" iron rods with an orange cap bearing the surveyors name and number.*

This description was prepared by Daniel R. Brosey Registered Surveyor 6492 in Ohio.

Daniel R. Brosey

10/22/2014

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: January 6, 2015

Jung-Han Chen
Prepared By:

Account Code No. #:

Budgeted Amount:

December 16, 2014
Date Prepared:

PC-2014-16 ZONING MAP AMENDMENT, to establish a Neighborhood Conservation Overlay District in the area of Hilltop Road, part of Contreras Road, Panda Lane and Pin Oak Drive, for a total of 72 parcels contained in the overlay district boundary, **City of Oxford, Applicant**

Recommendation: Approval

Discussion:

The proposed map amendment is to establish a Neighborhood Conservation Overlay District in an R1A (Single Family Low Density Residential) District and R1B (single Family Medium Density Residential) District enabling legislation for this was adopted by City Council in 2012. A total of 72 parcels were included in the petition and a total of 55 property owners' signatures were obtained, for a total of 57 parcels. The 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 September 24, 2014 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 7, 2014. The Planning Commission reviewed the request on December 9, 2014 with many property owners in attendance at the hearing. The Planning Commission recommended approval of this amendment and 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 is limited to no more than two unrelated persons. Existing dwellings with more than two unrelated persons would be allowed to continue as legal conforming.

Approved By:

Department Head:
City Attorney:
City Manager:

JHC / 12/17/14
JRE / 1/2/15

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 AND A R1-B (SINGLE FAMILY MEDIUM DENSITY RESIDENTIAL) DISTRICT FOR 72 PARCELS LOCATED ON HILLTOP ROAD, CONTRERAS ROAD, PANDA LANE AND PIN OAK DRIVE, 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 1125.01 of the Codified Ordinances of the City of Oxford, the Oxford Planning Commission held a public hearing on December 9, 2014 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 and a R1-B (Single Family Medium Density Residential) District for 72 parcels located on Hilltop Road, Contreras Road, Panda Lane and Pin Oak Drive, 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 and a R-1B (Single Family Medium Density Residential) District for 72 parcels located on Hilltop Road, Contreras Road, Panda Lane and Pin Oak Drive, 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: KEVIN MCKEEHAN
PREPARED BY: LAW (STAFF)

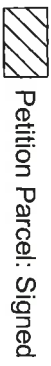


Hilltop Contreras Panda Pin Oak Neighborhood Conservation Overlay District *Petition Boundaries*

Legend



Petition Area



Petition Parcel: Signed



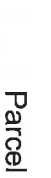
Petition Parcel: Not Signed



Oxford Corporation Limit



Address Point



Parcel



Building Footprint



Paved Roadway



1 inch = 300 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.

EXHIBIT "A"



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

<u>Report Date</u>	January 6, 2014
<u>Case Number</u>	PC-2014-16
<u>Applicant Information</u>	City of Oxford
<u>Requested Action</u>	Zoning Map Amendment
<u>Summary of Request</u>	PC-2014-16 ZONING MAP AMENDMENT , to establish a Neighborhood Conservation Overlay District in the area of Hilltop Road, part of Contreras Road, Panda Lane and Pin Oak Drive, for a total of 72 parcels contained in the proposed overlay district boundary, City of Oxford, Applicant
<u>Public Hearing Information</u>	On December 9, 2014 a Public Hearing took place at 118 W. High Street. A Public Hearing notice was published in the Oxford Press on November 9, 2014. Public Hearing notices were mailed out to surrounding properties on November 18, 2014.
<u>Commission Action</u>	The Planning Commission voted 2-1-3 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 20, 2014 2. Proposed Boundary Map 3. Interoffice Reviews 4. Surrounding Property Notifications 5. Review and Comment Form Responses 6. Zoning Map Amendment Application Dated October 24, 2014 7. Resolution 4859 City Council Acceptance of Petition 8. Staff Summary to City Council Dated September 30, 2014 9. Petition for Residential Conservation Overlay District

City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2014-16

Date – December 9, 2014

APPLICATION

Applicant:	City of Oxford
Action Request:	ZONING MAP AMENDMENT to establish a Neighborhood Conservation Overlay District in a R-1A/R1B Single Family Low and Medium Density Residential Districts in and around the Hills and Hollows Subdivision, specifically Hilltop, Pin Oak, Panda Drive, and Contreras Road City of Oxford, Applicant

DESCRIPTION

The proposed map amendment is to establish a Neighborhood Conservation Overlay District in a R1A (Single Family Low Density Residential) District and R1B (Single Family Medium Density Residential) District.

A petition to establish a neighborhood conservation overlay district was filed on September 24, 2014 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 7, 2014.

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 comment received
Fire:	No comment received
Engineering:	Received with no comment
Econ. Dev.	No comment received

PUBLIC REVIEW AND COMMENTS

Three reviews were received. All were in favor of the Overlay District.

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.

The conversion of a single family residential dwelling from owner-occupied to rental property in a neighborhood creates a negative impact to the neighborhood in a variety of forms, including property deterioration, congestion, noise and traffic. It also set the pace for more properties in the neighborhood to be more susceptible to turning into rental properties.

A petition was filed by a group of neighbors in and around the Hills and Hollow Subdivision neighborhood, specifically Hilltop, Pin Oak, Panda Drive and Contreras Road for a total of 72 parcels of tracts of land, to be considered a Neighborhood Conservation Overlay District on September 24, 2014 with the Clerk of the Oxford City Council. The petition also showed that there were 55 signatures obtained. A map of the proposed district was attached illustrating the area for consideration.

Based on the Neighborhood Conversation Overlay District requirements, the City Council accepted the petition on October 7, 2014 and forwarded this petition to the Planning Commission for Zoning Map Amendment consideration.

This petition includes those properties on the south side of Contreras that was not part of parties covered in the overlay district of Dick, James and Joseph Drive. This inclusion eliminates any potential issues of creating islands that are specific contrary to the boundary criterial.

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 rental properties 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.

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
Jung-Han Chen
Community Development Director

DATE: November 20, 2014

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: December 2, 2014

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development Department

PC-2014-16 ZONING MAP AMENDMENT, to establish a Neighborhood Conservation Overlay District in the area of Hilltop Road, part of Contreras Road, Panda Lane and Pin Oak Drive, for a total of 72 parcels contained in the proposed overlay district boundary, **City of Oxford, Applicant**

PC-2014-17 ZONING MAP AMENDMENT, to establish a Neighborhood Conservation Overlay District in the area of Country Club Drive, Olde Farm Road, and part of Contreras Road for a total of 91 parcels contained in the proposed overlay district boundary, **City of Oxford, Applicant**

PC-2014-18 ZONING MAP AMENDMENT, to establish a Neighborhood Conservation Overlay District in the area of Emerald Woods Drive, Glos Drive, Brigid Circle, Stone Hedge Circle and French Drive for a total of 57 parcels contained in the proposed overlay district boundary, **City of Oxford, Applicant**

PC-2014-19 ZONING MAP AMENDMENT, to establish a Neighborhood Conservation Overlay District in the area of Fieldcrest Avenue, Devonshire Drive, Patrick Drive, Timothy Lane and Contreras Road for a total of 56 parcels contained in the proposed overlay district boundary, **City of Oxford, Applicant**

☒ Review ☐ Revisions ☐ Other



Comments or status update requested by: Lynn Taylor

Please return no later than: **12/05/2014** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

PC-2014-16

X

PC-2014-17

X

PC-2014-18

X

PC-2014-19

X

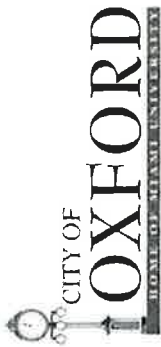
Drawings reviewed by:



Date: 12.2-14

VICTOR POPESCU

PRINTED NAME



PC-2014-16 Surrounding Property Owners Map

Notifications

Legend



Subject Area



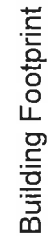
200 Ft. Buffer



Address Point



Parcel



Building Footprint

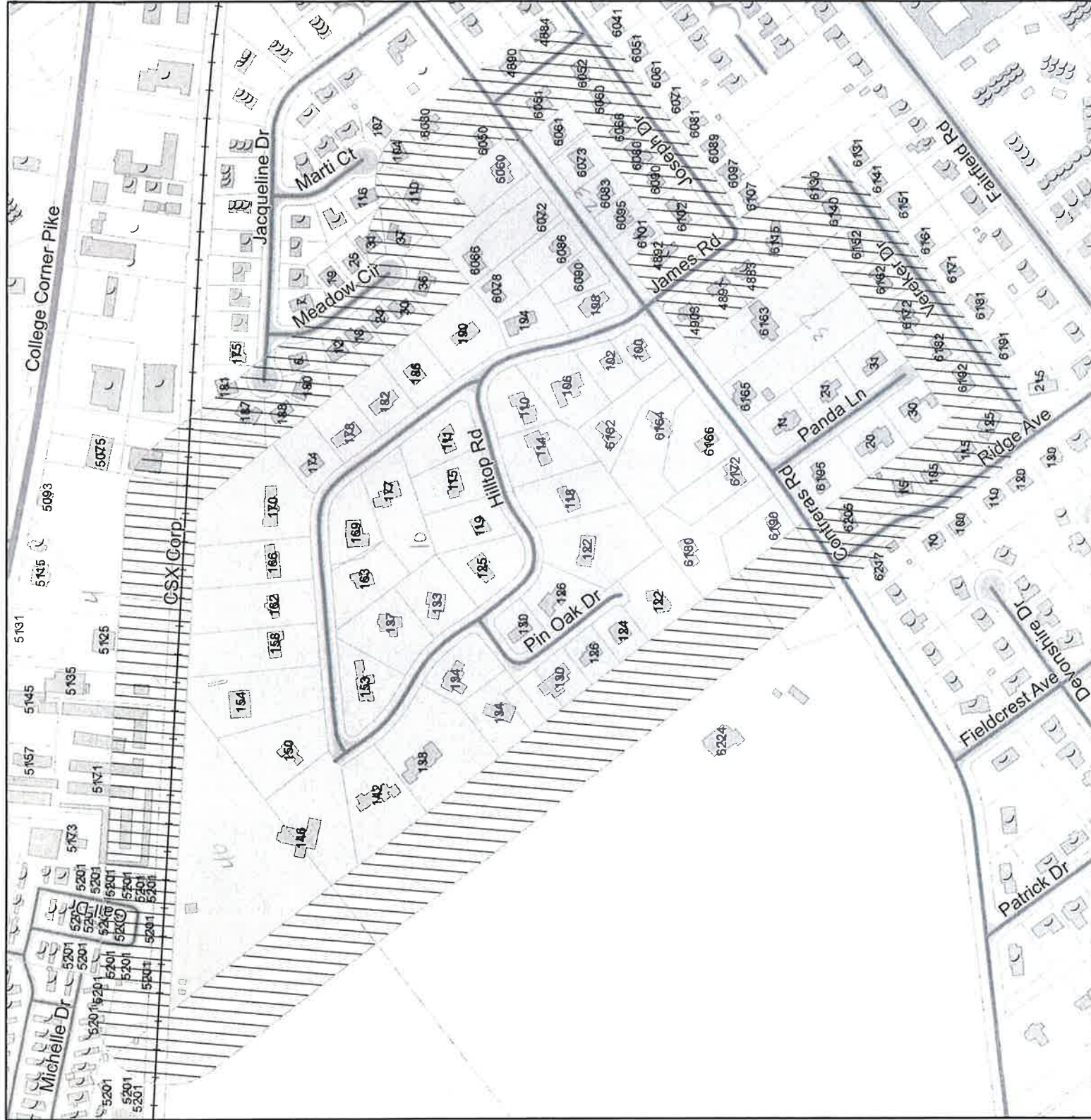


Paved Roadway



1 inch = 375 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.





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

CASE NO: PC-2014-16

DATE OF HEARING: December 9, 2014

ZONING MAP AMENDMENT, to establish a Neighborhood Conservation Overlay District in the area of Hilltop Road, part of Contreras Road, Panda Lane and Pin Oak Drive, for a total of 72 parcels contained in the proposed overlay district boundary, 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 least ten (10) days before the hearing date to Lynn Taylor, 101 East High Street, Oxford, OH 45056

Name: Michael T. Barickman

Address: 6060 Joseph Dr., Oxford, OH 45056

Telephone: Home: _____ Work: _____

COMMENTS:

We support this measure as it will help preserve the family nature of our surrounding neighborhood and maintain the character that we desire.

Any efforts by citizens to continue single-family, owner-occupied homes in and out of the Mile Square to prevent student sprawl and deterioration of properties should be supported and endorsed by city staff, Council, boards and commissions.

We are appreciative that a dedicated group of our neighbors spearheaded the effort for Dick, James and Joseph Drives and that overlay district was approved. Perhaps ours was the case that encouraged other single-family, owner-occupied, residences to maintain and enjoy their properties of many years, for many years to come, in hopes of deterring city-wide, student rental sprawl.

Michael T. Barickman
Signature
Michael T. Barickman

Nov 26, 2014
Date



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

CASE NO.: PC-2014-16

DATE OF HEARING: December 9, 2014

ZONING MAP AMENDMENT, to establish a Neighborhood Conservation Overlay District in the area of Hilltop Road, part of Contreras Road, Panda Lane and Pin Oak Drive, for a total of 72 parcels contained in the proposed overlay district boundary, **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 least ten days before the hearing date to Lynn Taylor, 101 East High Street, Oxford, OH 45056.

Name: Ronald C Stevens

Address: 6086 Contreras
Oxford, OH 45056

Telephone: Home: 513-255-0402 Work: 513 529 7396

COMMENTS:

We are in agreement of overlay area.

Ronald Stevens
Signature

11/24/14
Date



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

CASE NO.: PC-2014-16

DATE OF HEARING:

December 9, 2014

ZONING MAP AMENDMENT, to establish a Neighborhood Conservation Overlay District in the area of Hilltop Road, part of Contreras Road, Panda Lane and Pin Oak Drive, for a total of 72 parcels contained in the proposed overlay district boundary, **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 least ten days before the hearing date to Lynn Taylor, 101 East High Street, Oxford, OH 45056.

Name: Bill Fisher

Address: 4883 James Rd.

Oxford

Telephone: Home: 524-4504 Work: _____

COMMENTS:

I am in full favor of the above district, contiguous with the Wespiser Place Overlay District, becoming a Conservation overlay district. Clearly from the three other Amendments up for Council consideration, this is a movement the community is strongly in favor of.

Signature

Date

Nov. 21, 2014



Internal Use Only:

Case No.

PC-2014-16

Date Filed

10/24/14

Zoning Map Amendment Application

Applicant Information

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

Name *

Jung-Nan Chen

Mailing Address *

101 E High St.

City, State & Zip Code *

Oxford OH 45056

Telephone Number(s) *

513-524-5204

Email Address

jhchen@cityofoxford.org

Location and Lot Information

Location *

Hills + Hollows Subdivision - Hilltop, Pin Oak, Panda, Contreras

General Description
of Proposed Amendment *

Zoning Map Amendment - establish

Current Zoning *

R-1A, R-1B neighborhood conservation overlay district

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.

- A. Application Fee.
- B. The name, mailing address, and telephone number of the applicant.
- C. A general description of the proposed amendment.
- D. A narrative statement that describes how the proposed amendment relates to the Comprehensive Plan.
- E. A statement that identifies potential negative consequences of the proposed amendment.
- F. Such other information regarding the proposed amendment as may be pertinent to the application or required by Planning Commission or Council.
- G. A legal description of the area to be rezoned.
- H. The proposed zoning of the area.
- I. The current zoning of the area.
- J. A description of existing uses in the area.

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

Surrounding Property Owners

On a separate sheet, provide the parcel numbers, names, and mailing addresses of all property owners within 200 feet of all boundaries of the property in question. The Butler County Auditor Real Estate Search² 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 *

Jung Han Chen
10/24/14

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. 4859

PC - 2014-16

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 HILLTOP ROAD, PART OF CONTRERAS ROAD, PANDA LANE AND PIN OAK DRIVE 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.


VICE MAYOR

ADOPTED: October 7, 2014

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: October 7, 2014

Account Code No. #:

Jung-Han Chen
Prepared By

Budgeted Amount:

September 30, 2014
Date Prepared

Agenda Title:	Resolution Accepting a Petition to Establish a Neighborhood Conservation Overlay District and Referring the Petition to the Planning Commission for Recommendation
----------------------	---

Recommendation: <u>Approval</u>
--

Discussion:

The Residential Conservation Overlay District legislation was adopted by the City Council in 2012 to protect residential neighborhoods, maintain an attractive community appearance, and to provide a desirable living environment by restricting residential properties to be rented to no more than two unrelated individuals. The process to establish an overlay district begins with a petition with signatures of more than two-thirds of property owners within the proposed district. This petition goes before City Council for acceptance and the petition is then referred to the Planning Commission for review. There have been four (4) petitions to come before the City Council previously.

This petition for acceptance was filed by residents in the neighborhood of Hilltop, Panda Lane, and Pin Oak Drive., on September 24, 2014. There are a total of 72 parcels contained in the proposed overlay district boundary. The petition shows 53 valid signatures obtained, a total of 57 parcels, and the date when the owners signed the petition. A map of the proposed area is attached illustrating the area for consideration.

The signatures in this petition exceed the two-thirds requirement of the parcel owners of this petitioned area. The signatures represent 57 parcels within the boundary, which is 79%. Additionally, the boundary of the proposed overlay district also satisfies the general boundary requirements of Section 1146 of the Codified Ordinances.

This is the first step in creating a neighborhood conservation overlay district and requires City Council to formally accept the petition and forward this petition to the Planning Commission for review. Staff recommends approval of this resolution.

Approved by:

	Initial	Date
Department Head:	<u>JHC</u>	<u>9/30/14</u>
City Attorney:	<u> </u>	<u> </u>
City Manager:	<u> </u>	<u> </u>

**PETITION FOR RESIDENTIAL CONSERVATION OVERLAY DISTRICT
FOR HILLTOP RD., PANDA LN., AND ADJACENT CONTRERAS RD. CORRIDOR**

This petition, if adopted, would allow the petitioners to initiate a zoning map amendment pursuant to Chapter 1146 "Neighborhood Conservation Overlay District" of the City of Oxford Zoning Code to preserve the attractiveness, desirability and privacy of residential neighborhoods by controlling occupancy by unrelated persons. Establishment of the overlay district will have the effect of limiting occupancy and rental of single-family homes to not more than two unrelated persons throughout the overlay district. Existing rental permits are allowed to continue until such license has been let to expire for more than one year. Addition or removal of properties from the overlay district is subject to the same petitioning and approval process. A copy of Chapter 1146 is provided to advise homeowners of the restrictions imposed.

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 on the line opposite my signature. I support establishment of a neighborhood conservation overlay district within the boundaries described below (see attached map):

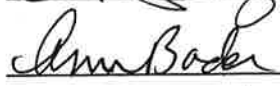
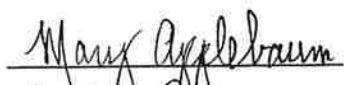
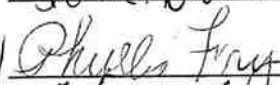
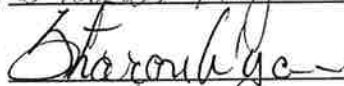
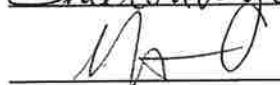
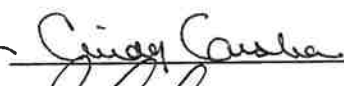
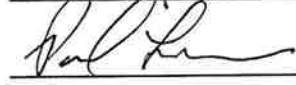
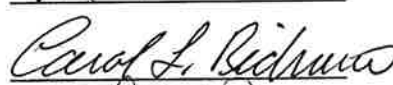
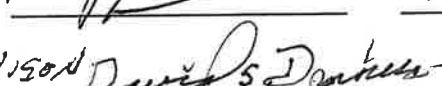
- Properties with frontage upon Contreras Road between Dick Drive and Panda Lane, including 6060 to 6195 Contreras Road
- All properties with frontage upon Hilltop Road
- All properties with frontage upon Pin Oak Drive
- All properties with frontage upon Panda Lane

PETITION CIRCULATOR/PROPERTY OWNER

<u>ROBERT A. BENSON</u>	<u>Robert A. Benson</u>	<u>6090 CONTRERAS RD.</u>	<u>7/21/14</u>
(name)	(signature)	(address)	(date)

PROPERTY OWNERS

NAME	SIGNATURE	ADDRESS	DATE
<u>Barbara S. Hamilton</u>	<u>Barbara S. Hamilton</u>	<u>102 Hilltop Rd</u>	<u>7/21/14</u>
<u>Mary Bausano</u>	<u>Mary Bausano</u>	<u>114 Hilltop Rd</u>	<u>7.21.14</u>
<u>Karen Burnard</u>	<u>Karen Burnard</u>	<u>6013 Contreras</u>	<u>7/22/14</u>
<u>Jim Davis</u>	<u>J. L. Davis</u>	<u>194 Hilltop Rd</u>	<u>7-24-14</u>
<u>Cheryl C. Vajda</u>	<u>Cheryl C. Vajda</u>	<u>6086 Contreras Rd</u>	<u>8-4-14</u>

NAME	SIGNATURE	ADDRESS	DATE
Amy Clay		6061 Contreras	8-4-14
Ann Bader		106 Hilltop Dr.	8-5-14
Mary Applebaum		125 Hilltop Road	8-5-14
Julie Gurinskas		119 Hilltop Rd	8-5-14
Mark Adams		110 Hilltop Rd	8-6-14
Phyllis Fry		6078 Contreras Rd	8-6-14
SHARON WYANT		6069 Contreras	8-7-14
M.A. STEINBERG		6072 CONTRERAS	8-8-14
CINDY GRESHAM		6095 CONTRERAS	8-10-14
Paul Larson		115 Hilltop Road	8-12-14
Carol L. Richmond		111 Hilltop Rd	8-21-14
Catherine Wagner		163 Hilltop Rd	8-21-14
BENJAMIN SUTCLIFF		6083 CONTRERAS	8-21-14
DAVID S. DENNISON		198 Hilltop	8-25-14

**PETITION FOR RESIDENTIAL CONSERVATION OVERLAY DISTRICT
FOR HILLTOP RD., PANDA LN., AND ADJACENT CONTRERAS RD. CORRIDOR**

This petition, if adopted, would allow the petitioners to initiate a zoning map amendment pursuant to Chapter 1146 "Neighborhood Conservation Overlay District" of the City of Oxford Zoning Code to preserve the attractiveness, desirability and privacy of residential neighborhoods by controlling occupancy by unrelated persons. Establishment of the overlay district will have the effect of limiting occupancy and rental of single-family homes to not more than two unrelated persons throughout the overlay district. Existing rental permits are allowed to continue until such license has been let to expire for more than one year. Addition or removal of properties from the overlay district is subject to the same petitioning and approval process. A copy of Chapter 1146 is provided to advise homeowners of the restrictions imposed.

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 on the line opposite my signature. I support establishment of a neighborhood conservation overlay district within the boundaries described below (see attached map):

- Properties with frontage upon Contreras Road between Dick Drive and Panda Lane, including 6060 to 6195 Contreras Road
- All properties with frontage upon Hilltop Road
- All properties with frontage upon Pin Oak Drive
- All properties with frontage upon Panda Lane

PETITION CIRCULATOR/PROPERTY OWNER

DAN HAIZMAN [Signature] 190 Hilltop Rd 7/23/14
(name) (signature) (address) (date)

PROPERTY OWNERS

NAME	SIGNATURE	ADDRESS	DATE
<u>Lara Fenning Moore</u>	<u>[Signature]</u>	<u>177 Hilltop Rd</u>	<u>7/24/14</u>
<u>D. R. FULTON</u>	<u>D.R. Fulton</u>	<u>162 HILLTOP RD.</u>	<u>7/24/14</u>
<u>Jodi Clemens</u>	<u>[Signature]</u>	<u>174 Hilltop</u>	<u>7/26/14</u>
<u>John Beaton</u>	<u>JOHN BEATON</u>	<u>182 Hilltop</u>	<u>7-26-14</u>
<u>Clyde F. Shannon</u>	<u>CLYDE F. SHANNON</u>	<u>169 HILLTOP</u>	<u>7/27/14</u>

[illegible]

**PETITION FOR RESIDENTIAL CONSERVATION OVERLAY DISTRICT
FOR HILLTOP RD., PANDA LN., AND ADJACENT CONTRERAS RD. CORRIDOR**

This petition, if adopted, would allow the petitioners to initiate a zoning map amendment pursuant to Chapter 1146 "Neighborhood Conservation Overlay District" of the City of Oxford Zoning Code to preserve the attractiveness, desirability and privacy of residential neighborhoods by controlling occupancy by unrelated persons. Establishment of the overlay district will have the effect of limiting occupancy and rental of single-family homes to not more than two unrelated persons throughout the overlay district. Existing rental permits are allowed to continue until such license has been let to expire for more than one year. Addition or removal of properties from the overlay district is subject to the same petitioning and approval process. A copy of Chapter 1146 is provided to advise homeowners of the restrictions imposed.

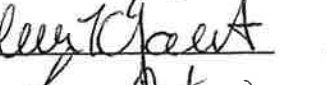
I, the undersigned, do hereby state that I am an owner of a property within the boundaries designated by the petition and that my residence is truly stated on the line opposite my signature. I support establishment of a neighborhood conservation overlay district within the boundaries described below (see attached map):

- Properties with frontage upon Contreras Road between Dick Drive and Panda Lane, including 6060 to 6195 Contreras Road
- All properties with frontage upon Hilltop Road
- All properties with frontage upon Pin Oak Drive
- All properties with frontage upon Panda Lane

PETITION CIRCULATOR/PROPERTY OWNER

<u>DAVID PRYTHERCH</u>	<u></u>	<u>6195 CONTRERAS RD</u>	<u>8/6/14</u>
(name)	(signature)	(address)	(date)

PROPERTY OWNERS

NAME	SIGNATURE	ADDRESS	DATE
<u>Kristy Small</u>	<u></u>	<u>21 S. Panda Lane</u>	<u>8-6-14</u>
<u>RONALD REAGH</u>	<u></u>	<u>20 S. PANDA LANE</u>	<u>8-6-14</u>
<u>Elena Albarrán</u>	<u></u>	<u>30 S. Panda Lane</u>	<u>8-6-14</u>
<u>Tom & Melissa Caton</u>	<u></u>	<u>6172 Contreras Rd</u>	<u>8/7/14</u>
<u>Pepper Stetler</u>	<u></u>	<u>1666 Contreras Rd</u>	<u>8/7/14</u>

**PETITION FOR RESIDENTIAL CONSERVATION OVERLAY DISTRICT
FOR HILLTOP RD., PANDA LN., AND ADJACENT CONTRERAS RD. CORRIDOR**

This petition, if adopted, would allow the petitioners to initiate a zoning map amendment pursuant to Chapter 1146 "Neighborhood Conservation Overlay District" of the City of Oxford Zoning Code to preserve the attractiveness, desirability and privacy of residential neighborhoods by controlling occupancy by unrelated persons. Establishment of the overlay district will have the effect of limiting occupancy and rental of single-family homes to not more than two unrelated persons throughout the overlay district. Existing rental permits are allowed to continue until such license has been let to expire for more than one year. Addition or removal of properties from the overlay district is subject to the same petitioning and approval process. A copy of Chapter 1146 is provided to advise homeowners of the restrictions imposed.

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 on the line opposite my signature. I support establishment of a neighborhood conservation overlay district within the boundaries described below (see attached map):

- Properties with frontage upon Contreras Road between Dick Drive and Panda Lane, including 6060 to 6195 Contreras Road
- All properties with frontage upon Hilltop Road
- All properties with frontage upon Pin Oak Drive
- All properties with frontage upon Panda Lane

PETITION CIRCULATOR/PROPERTY OWNER

Janet Ziegler Janet Ziegler 126 Pin Oak Drive 7/26/2014
(name) (signature) (address) (date)

PROPERTY OWNERS

NAME	SIGNATURE	ADDRESS	DATE
Joycelyn Wilhelm	Joycelyn Wilhelm	124 Pin Oak Dr.	7/26/2014
Vernice A. Traxel	Vernice A. Traxel	126 Hilltop Rd	7-28-14
Ann B. Kirby	Ann B. Kirby	130 Pin Oak Dr.	7/29/14
Robert M. Bogan	Robert M. Bogan	134 Hilltop	7-29-14
SANDRA RICHARDSON	Sandra Richardson	130 Hilltop	7-29-14

DATE _____

[illegible]

Property Owners Who Declined to Sign the Petition

6066 Contreras Road – Levenderis (Benson contacted 8/22)

6190 Contreras Road – Corso (Prytherch contacted 8/27)

118 Hilltop Road – Friede (Prytherch e-mail communication 8/26)

142 Hilltop Road – Harris – (Ziegler contacted 8/22)

146 Hilltop Road – Hautau – (Ziegler contacted 8/8)

170 Hilltop Road – Rodbro – (Haizman contacted 7/26)

122 Pin Oak Drive – Stephenson – (Ziegler contacted 8/9)

Property Owners Who Were Unavailable to Sign or Decline

100 Hilltop Road - Volz – unavailable – (Benson sent letter 8/22- postal receipt attached)

11 Panda Lane – Hollingsworth – unavailable – (Prytherch deposited material 8/27)

Properties Held in Trust by a Bank

138 Hilltop Road – PNC Bank Trust Division in Arlington TX – (Benson contacted Trust officer 8/19 by letter with Return Receipt Requested)

134 Pin Oak Drive – First Financial Bank – (Ziegler contacted Trust officer 8/22)

OXFORD ZONING PETITION FOR RESIDENTIAL CONSERVATION OVERLAY DISTRICT

THE PETITION IS SUBMITTED PURSUANT TO OXFORD ZONING CODE CHAPTER 1146 TO INITIATE A ZONING MAP AMENDMENT TO CREATE A DISTRICT WITHIN THE DESCRIBED BOUNDARIES THAT WOULD RESTRICT THE ABILITY OF PROPERTY OWNERS TO RENT THEIR PROPERTY TO MORE THAN TWO UNRELATED INDIVIDUALS.

THIS PETITION, IF ADOPTED, WOULD ALLOW THE PETITIONERS 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.

PLEASE SEE THE ATTACHED MAP FOR EXACT BOUNDARIES:

PROPERTIES WITH FRONTAGE UPON CONTRERAS ROAD BETWEEN DICK DRIVE AND PANDA LANE INCLUDING 6060 TO 6195 CONTRERAS ROAD
ALL PROPERTIES WITH FRONTAGE UPON HILLTOP ROAD
ALL PROPERTIES WITH FRONTAGE UPON PIN OAK DRIVE
ALL PROPERTIES WITH FRONTAGE UPON PANDA LANE

CIRCULATORS' FULL NAMES AND ADDRESSES:

ROBERT BENSON	DANIEL HAIZMAN	DAVID PRYTHERCH	JANET ZIEGLER
6090 CONTRERAS ROAD	190 HILLTOP ROAD	6195 CONTRERAS ROAD	126 PIN OAK DRIVE

DATE SUBMITTED:

THE PETITION MUST CONTAIN THE SIGNATURES OF AN OWNER OF RECORD OF AT LEAST TWO-THIRDS OF THE PARCELS WITHIN THE PROPOSED DISTRICT. SIGNATURES OVER SIX MONTHS OLD ARE VOID.

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: January 6, 2015

Jung-Han Chen

Account Code No. #:

Prepared By:

Budgeted Amount:

December 16, 2014

Date Prepared:

PC-2014-17 ZONING MAP AMENDMENT, to establish a Neighborhood Conservation Overlay District in the area of Country Club Drive and Olde Farm Road, and part of Contreras Road for a total of 91 parcels contained in the proposed overlay district boundary, **City of Oxford, Applicant**

Recommendation: Approval

Discussion:

The proposed map amendment is to establish a Neighborhood Conservation Overlay District in an R1A (Single Family Low Density Residential) District. A total of 91 parcels were included in the petition and a total of 70 property owners' signatures were obtained, for a total of 71 parcels. The 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 September 16, 2014 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 21, 2014. The Planning Commission reviewed the request on December 9, 2014 with many property owners in attendance at the hearing. The Planning Commission recommended approval of this amendment and 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 conforming.

Approved By:

Department Head:
City Attorney:
City Manager:

JHC 12/17/14
DRE 1/2/15

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 91 PARCELS LOCATED ON COUNTRY CLUB DRIVE, OLDE FARM ROAD AND PART OF CONTRERAS ROAD, 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 1125.01 of the Codified Ordinances of the City of Oxford, the Oxford Planning Commission held a public hearing on December 9, 2014 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 91 parcels located on Country Club Drive, Olde Farm Road and part of Contreras Road, 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 91 parcels located on Country Club Drive, Olde Farm Road and part of Contreras Road, 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: KEVIN MCKEEHAN
PREPARED BY: LAW (STAFF)



**Country Club
Olde Farm
Contreras
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 = 350 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.

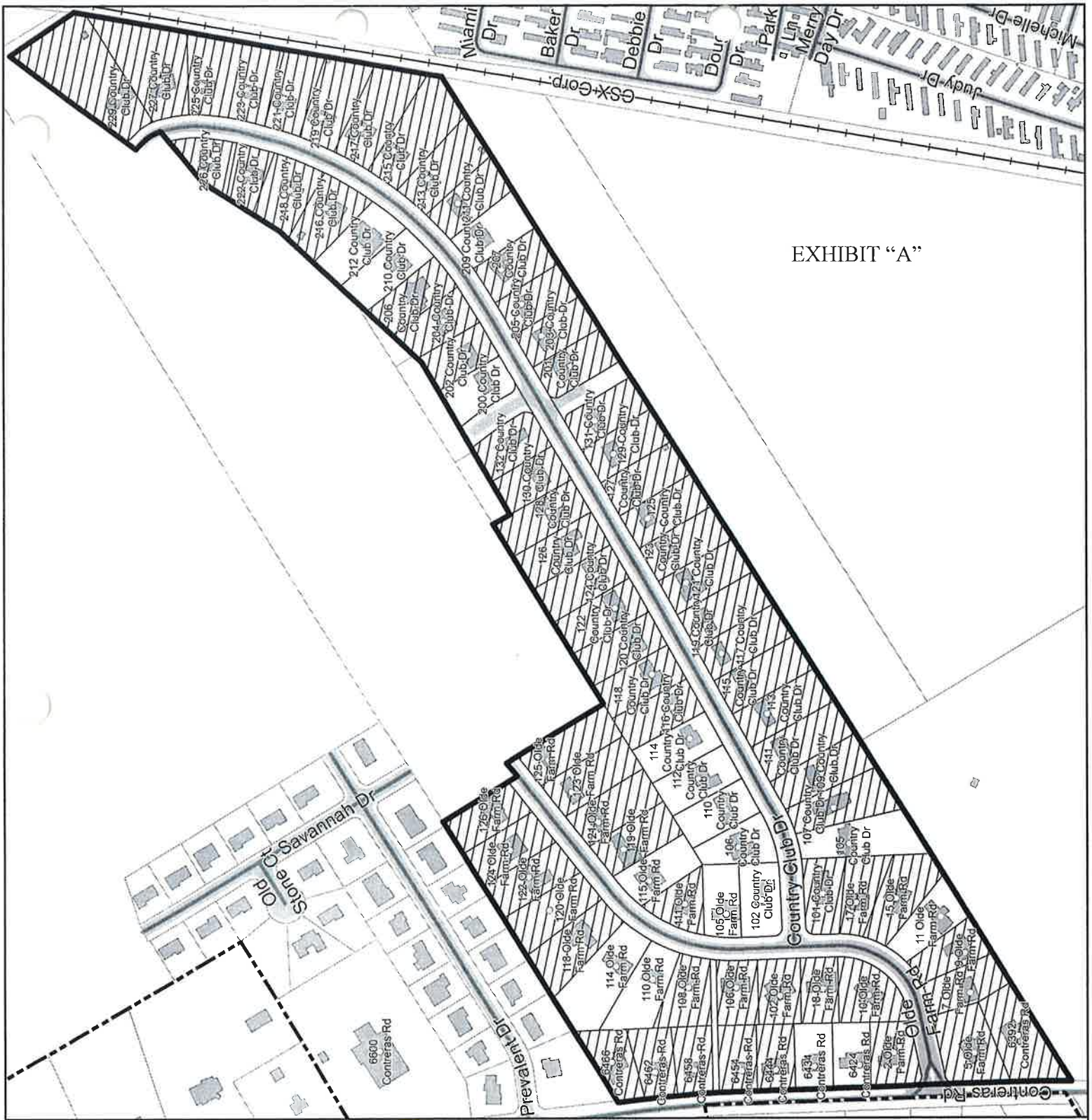


EXHIBIT "A"

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

<u>Report Date</u>	January 6, 2014
<u>Case Number</u>	PC-2014-17
<u>Applicant Information</u>	City of Oxford
<u>Requested Action</u>	Zoning Map Amendment
<u>Summary of Request</u>	PC-2014-17 ZONING MAP AMENDMENT , to establish a Neighborhood Conservation Overlay District in the area of Country Club Drive, Olde Farm Road, and part of Contreras Road for a total of 91 parcels contained in the proposed overlay district boundary, City of Oxford, Applicant
<u>Public Hearing Information</u>	On December 9, 2014 a Public Hearing took place at 118 W. High Street. A Public Hearing notice was published in the Oxford Press on November 9, 2014. Public Hearing notices were mailed out to surrounding properties on November 18, 2014.
<u>Commission Action</u>	The Planning Commission voted 5-1-0 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, 2014 2. Proposed Boundary Map 3. Interoffice Reviews 4. Surrounding Property Notifications 5. Review and Comment Form Responses 6. Zoning Map Amendment Application Dated October 24, 2014 7. Resolution 4867 City Council Acceptance of Petition 8. Staff Summary to City Council Dated October 13, 2014 9. Petition for Residential Conservation Overlay District

City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2014-17

Date – December 9, 2014

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 Country Club Drive, Olde Farm Road and part of Contreras Road City of Oxford, Applicant

DESCRIPTION

The proposed map amendment is to establish a Neighborhood Conservation Overlay District in an R1A (Single Family Low Density Residential) District in the neighborhood of Country Club Drive, Olde Farm Road and part of Contreras Road.

A petition to establish a neighborhood conservation overlay district was filed on September 16, 2014 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 21, 2014.

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 comment received
Fire:	No comment received
Engineering:	Received with no comment
Econ. Dev.	No comment received

PUBLIC REVIEW AND COMMENTS

Two reviews were received. Zero opposed the amendment, two were in favor.

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.

The conversion of a single family residential dwelling from owner-occupied to rental property in a neighborhood creates a negative impact to the neighborhood in a variety of forms, including property deterioration, congestion, noise and traffic. It also set the pace for more properties in the neighborhood to be more susceptible to turning into rental properties.

A petition was filed by a group of neighbors in Country Club Drive, Olde Farm Road and part of Contreras Road for a total of 91 parcels of tracts of land, to be considered a Neighborhood Conservation Overlay District on September 16, 2014 with the Clerk of the Oxford City Council. The petition also showed that there were 70 signatures obtained. A map of the proposed district was attached illustrating the area for consideration.

Based on the Neighborhood Conversation Overlay District requirements, the City Council accepted the petition on October 21, 2014 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 rental properties 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.

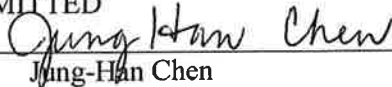
Please note that this process is a neighborhood driven process beginning with a petition to the City Council and followed with a public hearing before the Planning Commission for a Map Amendment recommendation. The City Council may waive certain requirements after a positive recommendation from the Planning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

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, 2014

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: December 2, 2014

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development Department

PC-2014-16 ZONING MAP AMENDMENT, to establish a Neighborhood Conservation Overlay District in the area of Hilltop Road, part of Contreras Road, Panda Lane and Pin Oak Drive, for a total of 72 parcels contained in the proposed overlay district boundary, **City of Oxford, Applicant**

PC-2014-17 ZONING MAP AMENDMENT, to establish a Neighborhood Conservation Overlay District in the area of Country Club Drive, Olde Farm Road, and part of Contreras Road for a total of 91 parcels contained in the proposed overlay district boundary, **City of Oxford, Applicant**

PC-2014-18 ZONING MAP AMENDMENT, to establish a Neighborhood Conservation Overlay District in the area of Emerald Woods Drive, Glos Drive, Brigid Circle, Stone Hedge Circle and French Drive for a total of 57 parcels contained in the proposed overlay district boundary, **City of Oxford, Applicant**

PC-2014-19 ZONING MAP AMENDMENT, to establish a Neighborhood Conservation Overlay District in the area of Fieldcrest Avenue, Devonshire Drive, Patrick Drive, Timothy Lane and Contreras Road for a total of 56 parcels contained in the proposed overlay district boundary, **City of Oxford, Applicant**

 X Review

 Revisions

 Other

City of Oxford
Inter-Office Review Transmittal Sheet

Date: December 2, 2014

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development Department

PC-2014-16 ZONING MAP AMENDMENT, to establish a Neighborhood Conservation Overlay District in the area of Hilltop Road, part of Contreras Road, Panda Lane and Pin Oak Drive, for a total of 72 parcels contained in the proposed overlay district boundary, **City of Oxford, Applicant**

PC-2014-17 ZONING MAP AMENDMENT, to establish a Neighborhood Conservation Overlay District in the area of Country Club Drive, Olde Farm Road, and part of Contreras Road for a total of 91 parcels contained in the proposed overlay district boundary, **City of Oxford, Applicant**

PC-2014-18 ZONING MAP AMENDMENT, to establish a Neighborhood Conservation Overlay District in the area of Emerald Woods Drive, Glos Drive, Brigid Circle, Stone Hedge Circle and French Drive for a total of 57 parcels contained in the proposed overlay district boundary, **City of Oxford, Applicant**

PC-2014-19 ZONING MAP AMENDMENT, to establish a Neighborhood Conservation Overlay District in the area of Fieldcrest Avenue, Devonshire Drive, Patrick Drive, Timothy Lane and Contreras Road for a total of 56 parcels contained in the proposed overlay district boundary, **City of Oxford, Applicant**

☒ Review

☐ Revisions

☐ Other



Comments or status update requested by: Lynn Taylor

Please return no later than: **12/05/2014** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

PC-2014-16

X

PC-2014-17

X

PC-2014-18

X

PC-2014-19

X

Drawings reviewed by:

V. Popescu

Date: 12-2-14

VICTOR POPESCU

PRINTED NAME



PC-2014-17

Surrounding Property Owners Map

Notifications

Legend

 Subject Area

 200 Ft. Buffer

(Address Point

 Parcel

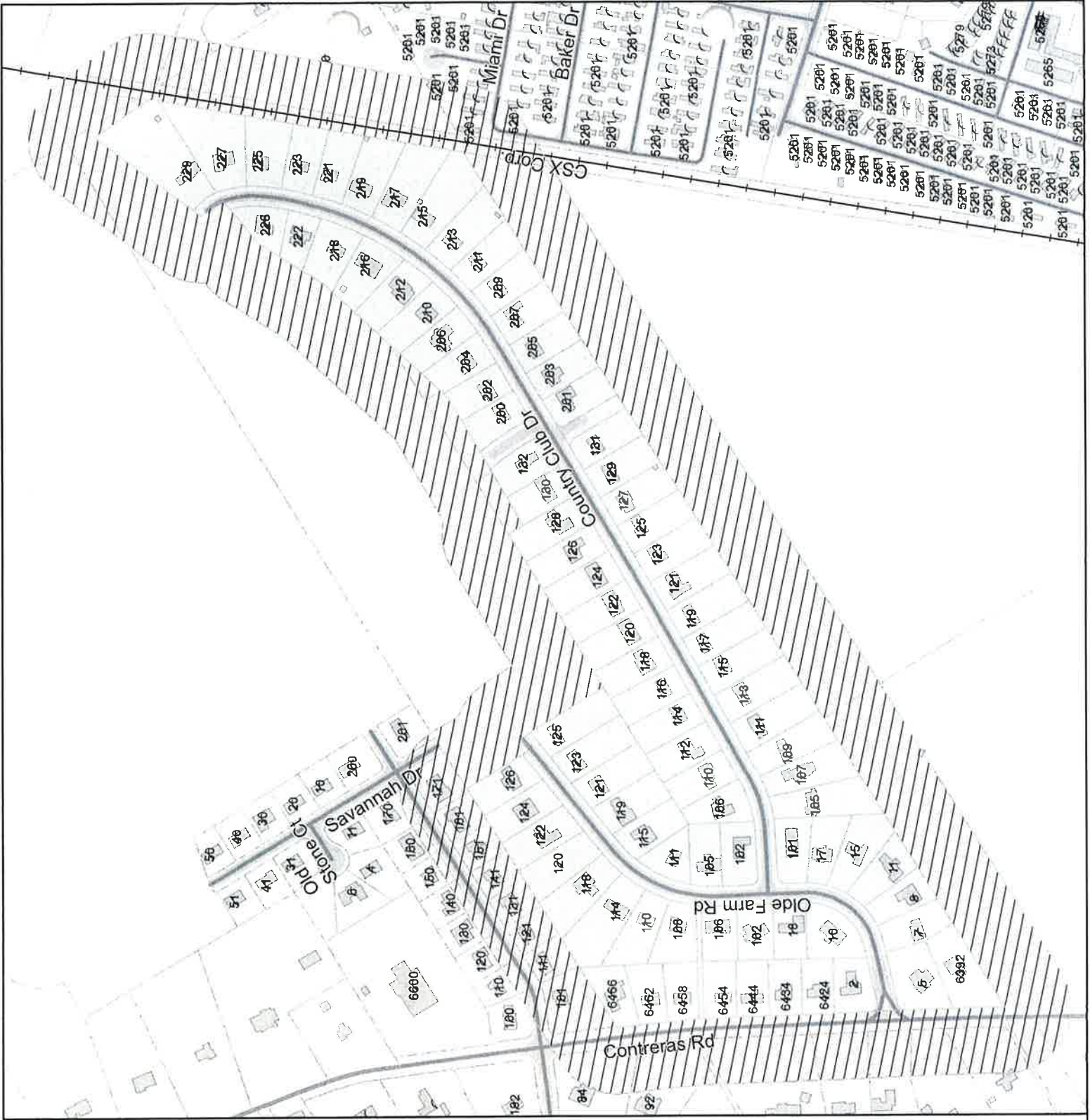
 Building Footprint

 Paved Roadway



1 inch = 410 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.





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

CASE NO.: PC-2014-17

DATE OF HEARING:

December 9, 2014

ZONING MAP AMENDMENT, to establish a Neighborhood Conservation Overlay District in the area of Country Club Drive, Olde Farm Road, and part of Contreras Road for a total of 91 parcels contained in the proposed overlay district boundary, **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 least ten days before the hearing date to Lynn Taylor, 101 East High Street, Oxford, OH 45056.

Name:

Karen & DONALD Lipps

Address:

130 COUNTRY CLUB DR.
OXFORD, OH 45056

Telephone:

Home: (513) 255-1363

Work:

COMMENTS:

Regarding PC-2014-17

As an owner of a parcel in Country Club Dr.,
I am completely in agreement w/ the
proposed overlay.

Signature

Karen Lipps

Date

Nov 26, 2014

Lynn Taylor

From: Dr. J. Scott Brown <sbrow@miamioh.edu>
Sent: Tuesday, December 09, 2014 3:48 PM
To: Lynn Taylor
Subject: Comments on Case No: PC-2014-17

Dear Ms. Taylor,

Thank you for accepting my comments via e-mail.

I am writing to you to voice my opposition to the proposed Neighborhood Conservation Overlay District that would affect my property. My address is 100 Prevalent Drive, Oxford. As a homeowner and citizen of Oxford I am strongly opposed to the proposed district for the following reasons:

- 1) The current zoning ordinances in Oxford adequately protect my property and property values. The proposed district is unnecessary and reduces my property rights without good justification.
- 2) The property adjacent to mine has been continuously rented since I purchased my home, including a period in which multiple unrelated adults rented that home (These were three men in their mid-twenties who were not university students). Not only has there never been an issue with these renters, indeed, far more noise and traffic/parked vehicles have been associated with various owned homes where large families with 2 or 3 teenagers reside. Again, the proposed district would protect my property against something that has not been an issue for the decade that I have lived here.
- 3) The majority of unrelated renters toward which such overlay districts are targeted (i.e., college students) have no desire to reside anywhere near my neighborhood. That is, the areas included in case no: PC-2014-17 are generally too far from Miami University and the Upton Oxford area to be of interest to such renters. Once again, there is no need for the overlay.
- 4) Most importantly, the proposed overlay uses a definition of family that is discriminatory towards same-sex couples. Currently, Oxford ordinances define families as related individuals by blood, marriage, or adoption. While the overlay would not prevent home ownership or renting by a same-sex couple, it is nevertheless written in such a way as to take property rights away from same-sex home owners that would not be removed from married couples. For example, under the proposed overlay, a married couple might rent a portion of their home to a single adult. A same-sex couple, however, would be in violation of the overlay given that such an action would result in more than two unrelated adults being in residence. Until the city of Oxford rewrites how it defines families to include same-sex couples, I will remain vehemently opposed to such provisions.

In conclusion, there is no evidence that there is any need to protect my neighborhood through the addition of a conservation district overlay. This proposed ordinance unnecessarily removes my rights as a property owner. Furthermore, it risks exposing the city to violating the rights of same-sex home owners. In other words, it is a very bad idea.



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

CASE NO.: PC-2014-17

DATE OF HEARING:

December 9, 2014

ZONING MAP AMENDMENT, to establish a Neighborhood Conservation Overlay District in the area of Country Club Drive, Olde Farm Road, and part of Contreras Road for a total of 91 parcels contained in the proposed overlay district boundary, **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 least ten days before the hearing date to Lynn Taylor, 101 East High Street, Oxford, OH 45056.

Name:

Cynthia Wynn / Dwight Wynn

Address:

126 Olde Farm Rd

Oxford, OH 45056-9003

Telephone:

Home: (513) 523-1247

Work:

COMMENTS:

single
signal family Homes, No Building to rent
or buy property already exsiting & renting out.
This neighbor hood should remain to be signal family
homes, No du-plex or Apartment type building.

Signature

Cynthia Wynn

Date

Nov. 30, 2014



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

CASE NO.: PC-2014-17

DATE OF HEARING: December 9, 2014

ZONING MAP AMENDMENT, to establish a Neighborhood Conservation Overlay District in the area of Country Club Drive, Olde Farm Road, and part of Contreras Road for a total of 91 parcels contained in the proposed overlay district boundary, **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 least ten days before the hearing date to Lynn Taylor, 101 East High Street, Oxford, OH 45056.

Name:

Martha S. Brown

Address:

107 Country Club Dr.
Oxford, Ohio 45056

Telephone:

Home: 513-523-2218

Work: _____

COMMENTS:

Martha S. Brown

Signature

11-29-14

Date



Internal Use Only:

Case No.

PC-2014-17

Date Filed

10/24/14

Zoning Map Amendment Application

Applicant Information

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

Name *

Jung-Nan Chen

Mailing Address *

101 E High St.

City, State & Zip Code *

Oxford OH 43056

Telephone Number(s) *

513-524-5204

Email Address

jhchen@cityofoxford.org

Location and Lot Information

Location *

Country Club Dr, Olde Farm Rd, part of Contreras

General Description
of Proposed Amendment *

Zoning Map Amendment - establish
R-1A neighborhood conservation
overlay district

Current Zoning *

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.

- A. Application Fee.
- B. The name, mailing address, and telephone number of the applicant.
- C. A general description of the proposed amendment.
- D. A narrative statement that describes how the proposed amendment relates to the Comprehensive Plan.
- E. A statement that identifies potential negative consequences of the proposed amendment.
- F. Such other information regarding the proposed amendment as may be pertinent to the application or required by Planning Commission or Council.
- G. A legal description of the area to be rezoned.
- H. The proposed zoning of the area.
- I. The current zoning of the area.
- J. A description of existing uses in the area.

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

Surrounding Property Owners

On a separate sheet, provide the parcel numbers, names, and mailing addresses of all property owners within 200 feet of all boundaries of the property in question. The Butler County Auditor Real Estate Search² 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 *

Jung Han Chen
10/24/14

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/>

PC-2014-17

RESOLUTION NO. 4867

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 COUNTRY CLUB DRIVE, OLDE FARM ROAD, AND PART OF CONTRERAS ROAD 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 21, 2014

ATTEST: 
CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW (STAFF)

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: October 21, 2014

Account Code No. #:

Jung-Han CHen
Prepared By

Budgeted Amount:

October 13, 2014
Date Prepared

Agenda Title:	Resolution Accepting a Petition to Establish a Neighborhood Conservation Overlay District and Referring the Petition to the Planning Commission for Recommendation
----------------------	---

Recommendation: Approval
--

Discussion:

The Residential Conservation Overlay District legislation was adopted by the City Council in 2012 to protect residential neighborhoods, maintain an attractive community appearance, and to provide a desirable living environment by restricting residential properties to be rented to no more than two unrelated individuals. The process to establish an overlay district begins with a petition with signatures of more than two-thirds of property owners within the proposed district. This petition goes before City Council for acceptance and the petition is then referred to the Planning Commission for review. There have been two petitions to come before the City Council previously.

This petition for acceptance was filed by residents in the neighborhood of Country Club Drive, Olde Farm Road, and part of Contreras Road on September 16, 2014. There are a total of 91 parcels contained in the proposed overlay district boundary. The petition shows 70 signatures obtained and the date when the owners signed the petition. A map of the proposed area is attached illustrating the area for consideration.

The signatures in this petition exceed the two-thirds requirement of the parcel owners of this petitioned area. The signatures represent 70 parcels within the boundary, which is 77%. Additionally, the boundary of the proposed overlay district also satisfies the general boundary requirements of Section 1146 of the Codified Ordinances.

This is the first step in creating a neighborhood conservation overlay district and requires City Council to formally accept the petition and forward this petition to the Planning Commission for review. Staff recommends approval of this resolution

Approved by:

	Initial	Date
Department Head:	<u>JHC</u>	<u>10/14/14</u>
City Attorney:	<u> </u>	<u> </u>
City Manager:	<u> </u>	<u> </u>

PETITION FOR RESIDENTIAL CONSERVATION OVERLAY FOR HERITAGE I, II, III, AND IV
SUBDIVISION, AND 6392 CONTRERAS ROAD, OXFORD, OH.

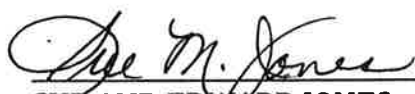
OXFORD ZONING PETITION FOR RESIDENTIAL CONSERVATION OVERLAY DISTRICT

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 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.

PLEASE SEE THE ATTACHED MAP FOR EXACT BOUNDARIES:
INCLUDES ALL PLATTED PROPERTIES IN HERITAGE I, II, III AND IV AND 6392 CONTRERAS ROAD.

PETITION INITIATORS:


SUE AND EDWARD JONES,
118 COUNTRY DRIVE

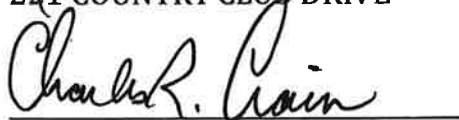



DOUGLAS BROOKS,
227 COUNTRY CLUB DRIVE


GERALD SCHINDLER
121 COUNTRY CLUB DRIVE


ANDOR KISS,
221 COUNTRY CLUB DRIVE


BRIAN REVALEE
113 COUNTRY CLUB DRIVE


CHARLES AND ROBERTA CRAIN
115 COUNTRY CLUB DRIVE



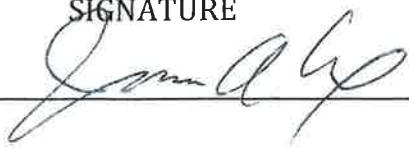
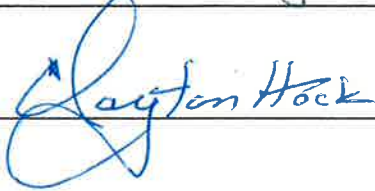
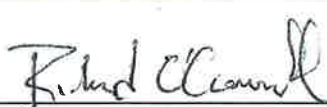
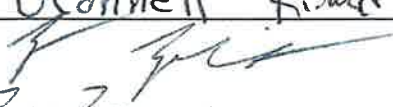
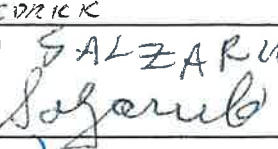
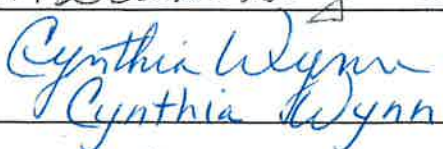
PETITION FOR RESIDENTIAL CONSERVATION OVERLAY FOR HERITAGE I, II, III, AND IV
SUBDIVISION, AND 6392 CONTRERAS ROAD, OXFORD, OH.

DATE	NAME	SIGNATURE	ADDRESS
9-6-14	Claudia Pavloff	Claudia Pavloff	6392 CONTRERAS
9/6/14	MaryAnn Fox	MaryAnn Fox	5 OLDE FARM ROAD
9/5/14	ELAINE D. WEBER	Elaine D. Weber	2 OLDE FARM ROAD
	Kathryn A. Cook	Declined	6424 CONTRERAS
	Patricia Reynaud	no response letter sent	6434 CONTRERAS
9/5/14	David W Smetana	David W Smetana	6444 CONTRERAS
9/5/14	Shelley D. Stearns	Shelley D. Stearns	6454 CONTRERAS
9/5/14	MICHAEL SMITH	Michael L Smith	6458 CONTRERAS
9/5/14	Amy Ansorg	Amy D. Ansorg	6462 CONTRERAS
9/5/14	ERROL GUNDLER	Errol Gundler	6466 CONTRERAS

PETITION FOR RESIDENTIAL CONSERVATION OVERLAY FOR HERITAGE I, II, III, AND IV
SUBDIVISION, AND 6392 CONTRERAS ROAD, OXFORD, OH.

DATE	NAME	SIGNATURE	ADDRESS
9-15-14	ROSEMARY KILDAY	MIKE KILDAY	7 OLDE FARM ROAD
9/9/14	Denís Mullally	KIMBERLY R. Caudill Mullally	9 OLDE FARM ROAD
9/9/14	JAMES CLARK	James R. Clark	10 OLDE FARM ROAD
	Terry Dudley	letter sent, no response	11 OLDE FARM ROAD
9/10/14	J. MARCUS JOBE	J. Marcus Jobe	15 OLDE FARM ROAD
	EVALOU MIDDLEAUGH		17 OLDE FARM ROAD
9/9/14	JAMES SCOTT	James R. Scott	18 OLDE FARM ROAD
9/14/14	Valerie L. Schmitt	Valerie L. Schmitt (Karagos)	102 OLDE FARM ROAD
9/9/14	CHAD REYNOLDS	Chad Reynolds	106 OLDE FARM ROAD
	Christopher Seanti	No Response to letter	PARCEL H4000022000006

PETITION FOR RESIDENTIAL CONSERVATION OVERLAY FOR HERITAGE I, II, III, AND IV
SUBDIVISION, AND 6392 CONTRERAS ROAD, OXFORD, OH.

DATE	NAME	SIGNATURE	ADDRESS
9/9/14	James Cox		108 OLDE FARM ROAD
	Michael D. Beck	Declined	110 OLDE FARM ROAD
9/6	Daniel J Rimb		111 OLDE FARM ROAD
9/5	Judith Bolenbaugh		114 OLDE FARM ROAD
9/6/14	RICHARD W. MOORE		115 OLDE FARM ROAD
9/5	Lisak. Lorigan		118 OLDE FARM ROAD
9/6	CLAYTON HOCK		119 OLDE FARM ROAD
	Nancy Wedleigh	See attached form	120 OLDE FARM ROAD
9/6	Zevi Miller, Ruth Miller - Declined		121 OLDE FARM ROAD
09/16	Takuto Takagi		122 OLDE FARM ROAD
9/9	Richard O'Connell		123 OLDE FARM ROAD
9/8	ZAC ZEDRICK		124 OLDE FARM ROAD
9/15/14	MIRIAM SALZARULO		125 OLDE FARM ROAD
9-6-14	Cynthia Wynn		126 OLDE FARM ROAD

PETITION FOR RESIDENTIAL CONSERVATION OVERLAY FOR HERITAGE I, II, III, AND IV
SUBDIVISION, AND 6392 CONTRERAS ROAD, OXFORD, OH.

DATE	NAME	SIGNATURE	ADDRESS
9/10/14	Judith TRENT	Judith Trent	101 COUNTRY CLUB DR
	Equity Trust	letter sent	
	Denny R. Bourne	No response	102 COUNTRY CLUB DR
9/10/14	William and Jonilea Mottola	Declined	105 COUNTRY CLUB DR
	Amit Shukla	Letter Sent	
		No Response	106 COUNTRY CLUB DR
9/10/14	Martha Brown	Martha Brown	107 COUNTRY CLUB DR
9/10/14	Lorothy Brady		109 COUNTRY CLUB DR
	Zafer Ozdemir	Letter Sent	
		no response	110 COUNTRY CLUB DR
9/9/14	ALLAN PANTLE	Allan J. Pantle	111 COUNTRY CLUB DR
	Larry Ezsol	declined	112 COUNTRY CLUB DR
9/5/14	Brian Devakee	B. R. L.	113 COUNTRY CLUB DR
	W. Sherman Jackson	Declined	114 COUNTRY CLUB DR
9/9/14	Roberta M. Cain	Charles R. Cain	115 COUNTRY CLUB DR
9/8/14	Alice Phillips	Alice Phillips	116 COUNTRY CLUB DR
	Douglas J. Havelka	(see attached approval)	117 COUNTRY CLUB DR

PETITION FOR RESIDENTIAL CONSERVATION OVERLAY FOR HERITAGE I, II, III, AND IV
SUBDIVISION, AND 6392 CONTRERAS ROAD, OXFORD, OH.

DATE	NAME	SIGNATURE	ADDRESS
9/5/14	Sue M. Jones	<i>Sue M. Jones</i>	118 COUNTRY CLUB DR
9/7/14	CHARLES TECKMAN	<i>Charles Teckman</i>	119 COUNTRY CLUB DR
9/8/14	George J. McCabe	<i>George J. McCabe</i>	120 COUNTRY CLUB DR
9/7/14	Gerald J. Schindler	<i>Gerald J. Schindler</i>	121 COUNTRY CLUB DR
9/10/14	Mary K. Allen	<i>Mary K. Allen</i>	122 COUNTRY CLUB DR
9/7/14	Anna Holzworth	<i>Anna Holzworth</i>	123 COUNTRY CLUB DR
9-7-14	TIMOTHY A. WHITE	<i>Timothy A. White</i>	124 COUNTRY CLUB DR
9-8-14	Barbara K. Arlinghaus	<i>Barbara K. Arlinghaus</i>	125 COUNTRY CLUB DR
9/7/14	Lara Freidline	<i>Lara Freidline</i>	126 COUNTRY CLUB DR
9/6/14	Vasant B. Waikar	<i>Vasant B. Waikar</i>	127 COUNTRY CLUB DR
9/8/14	LAURA J. Kelly	<i>Laura J. Kelly</i>	128 COUNTRY CLUB DR
9/6/14	William Rauckhorst	<i>William Rauckhorst</i>	129 COUNTRY CLUB DR
9/7/14	Don Lipps	<i>Don Lipps</i>	130 COUNTRY CLUB DR
9/7/14	Scott Johnston	<i>Scott Johnston</i>	131 COUNTRY CLUB DR

PETITION FOR RESIDENTIAL CONSERVATION OVERLAY FOR HERITAGE I, II, III, AND IV
SUBDIVISION, AND 6392 CONTRERAS ROAD, OXFORD, OH.

9/8/14 WILLIAM CONDUCT William Condict 132 COUNTRY CLUB DR

DATE NAME SIGNATURE ADDRESS

Janet Cox Personal Contact No Response 201 COUNTRY CLUB DR

9/6/14 Thomas Garcia 202 COUNTRY CLUB DR

9/12/14 Constance J. Biggs Constance J. Biggs 203 COUNTRY CLUB DR

9/12/14 Rodger Cromer Rodger Cromer 204 COUNTRY CLUB DR

9/4/14 Ernest Cantrell White Ernest Cantrell White 205 COUNTRY CLUB DR

9/6/14 Ivonne J. Ortiz Ivonne J. Ortiz 206 COUNTRY CLUB DR

9/6/14 Michelle Hendricks Michelle Hendricks 207 COUNTRY CLUB DR

Li Yi
letter sent, no response 209 COUNTRY CLUB DR

9/7 Joyce Morison Joyce Morison 211 COUNTRY CLUB DR

Gary Antonius Declined
PAMALA A SITZLER Pamala A. Sitzler 212 COUNTRY CLUB DR

9/5/14 DOUGLAS SITZLER Douglas A. Sitzler 213 COUNTRY CLUB DR

9/6/14 Gary Hetterich Gary Hetterich 215 COUNTRY CLUB DR

9/6/14 Teresa L. Davis Teresa L. Davis 216 COUNTRY CLUB DR

9-6-14 Douglas A. Day Douglas A. Day 217 COUNTRY CLUB DR

PETITION FOR RESIDENTIAL CONSERVATION OVERLAY FOR HERITAGE I, II, III, AND IV
SUBDIVISION, AND 6392 CONTRERAS ROAD, OXFORD, OH.

DATE	NAME	SIGNATURE	ADDRESS
9-6-14	Thomson & Thompson	Thomson & Thompson	219
9-6-14	Dev Thompson	Dev Thompson	218 COUNTRY CLUB DR
9-7-14	Timothy E Jones	Timothy E Jones	218
9-7-14	Carol Jones	Carol Jones	219 COUNTRY CLUB DR
9-9-14	Rachael Kiss	Rachael Kiss	
9-10-14	Andor Kiss	Andor Kiss	221 COUNTRY CLUB DR
9-7-14	Robert McCarrick	Robert McCarrick	
9-9-14	Katy McCarrick	Katy McCarrick	222 COUNTRY CLUB DR ✓
9-9-14	Anita Wilson	Anita Wilson	
			223 COUNTRY CLUB DR
9/9/14	Julie Campbell-Puggaard	Julie Campbell-Puggaard	225 COUNTRY CLUB DR ✓
6 SEP 2014	PETER LINDSAY	Peter Lindsay	226 COUNTRY CLUB DR
9/6/14	DOUGLAS A. BROOKS	Douglas A. Brooks	227 COUNTRY CLUB DR
9/6/14	William Henzichs	William Henzichs	
9/6/14	April Henzichs	April Henzichs	229 COUNTRY CLUB DR
	Ella Mae Lawson	Letter Sent No Response	PARCEL A COUNTRY CLUB DR
	Oxford Country Club Square D Company	Letter Sent No Response	PARCEL B COUNTRY CLUB DR

OXFORD ZONING PETITION FOR RESIDENTIAL CONSERVATION OVERLAY
DISTRICT FOR HERITAGE I, II, III, AND IV AND 6392 CONTRERAS ROAD, OXFORD
OHIO

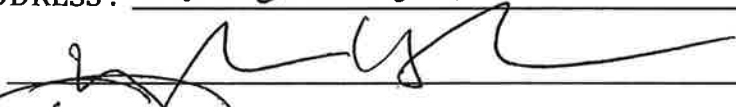
I, the undersigned, do hereby state that I am an owner of a property within the boundaries designated by the petition and that my residence is truly stated in opposite by the signature below.

THIS PETITION, IF ADOPTED, WOULD ALLOW THE 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.

PROPERTY OWNED: 117 COUNTRY CLUB DRIVE

NAME DOUGLAS HAVELKA

MAILING ADDRESS: 881 EAGLEKNOLL COURT, FORESTVILLE,
OH 45255

SIGNATURE 

☒ APPROVE ☐ DISAPPROVE

OXFORD ZONING PETITION FOR RESIDENTIAL CONSERVATION OVERLAY
DISTRICT FOR HERITAGE I, II, III, AND IV AND 6392 CONTRERAS ROAD, OXFORD
OHIO

I, the undersigned, do hereby state that I am an owner of a property within the
boundaries designated by the petition.

THIS PETITION, IF ADOPTED, 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.

PROPERTY OWNED : 120 Olde Farm

NAME Nancy Wadleigh
MAILING ADDRESS PO Box 101, OXFORD, OH 45056

SIGNATURE Nancy Wadleigh
☒ APPROVED ☐ DISAPPROVED

OXFORD ZONING PETITION FOR RESIDENTIAL CONSERVATION OVERLAY
DISTRICT FOR HERITAGE I, II, III, AND IV AND 6392 CONTRERAS ROAD, OXFORD
OHIO

I, the undersigned, do hereby state that I am an owner of a property within the
boundaries designated by the petition.

THIS PETITION, IF ADOPTED, 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.

PROPERTY OWNED : 17 OLDE FARM ROAD

NAME: EVALOU MIDDAUGH
MAILING ADDRESS 6470 POST ROAD, DUBLIN, OH 43016

SIGNATURE Evalou Middaugh Date September 14, 2017

PETITION FOR RESIDENTIAL CONSERVATION OVERLAY FOR HERITAGE I, II, III, AND IV
SUBDIVISION, AND 6392 CONTRERAS ROAD, OXFORD, OH.

DATE NAME

SIGNATURE

ADDRESS

9/28 Christy Whalen *Personal Contact Declined to Sign* 105 OLDE FARM ROAD

PETITION FOR RESIDENTIAL CONSERVATION OVERLAY FOR HEKI PAGE I, II, III, AND IV
SUBDIVISION, AND 6392 CONTRERAS ROAD, OXFORD, OH.

DATE

NAME

SIGNATURE

ADDRESS

Gerald Sanders

declined

200 COUNTRY CLUB DR

Michael Matix

declined

210 COUNTRY CLUB DR

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: January 6, 2015

Jung-Han Chen

Account Code No. #:

Prepared By:

Budgeted Amount:

December 14, 2014

Date Prepared:

PC-2014-18 ZONING MAP AMENDMENT, to establish a Neighborhood Conservation Overlay District in the area of Emerald Woods Drive, Glos Drive, Brigid Circle, Stone Hedge Circle and French Drive for a total of 57 parcels contained in the proposed overlay district boundary, **City of Oxford, Applicant**

Recommendation: Approval

Discussion:

The proposed map amendment is to establish a Neighborhood Conservation Overlay District in an R1B (Single Family Medium Density Residential) District. A total of 57 parcels were included in the petition and a total of 44 property owners' signatures were obtained, for a total of 47 parcels. The 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 September 15, 2014 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 21, 2014. The Planning Commission reviewed the request on December 9, 2014 with many property owners in attendance at the hearing. The Planning Commission recommended approval of this amendment and 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 conforming.

Approved By:

Department Head:
City Attorney:
City Manager:

JHC 12/12/14
DRE 1/2/15

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-1B (SINGLE FAMILY MEDIUM DENSITY RESIDENTIAL) DISTRICT FOR 57 PARCELS LOCATED ON EMERALD WOODS DRIVE, GLOS DRIVE, BRIGID CIRCLE, STONE HEDGE CIRCLE AND FRENCH DRIVE, 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 1125.01 of the Codified Ordinances of the City of Oxford, the Oxford Planning Commission held a public hearing on December 9, 2014 on the City of Oxford's application for a Zoning Map Amendment to establish a Neighborhood Conservation Overlay District in a R-1B (Single Family Medium Density Residential) District for 57 parcels located on Emerald Woods Drive, Glos Drive, Brigid Circle, Stone Hedge Circle and French Drive, 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-1B (Single Family Medium Density Residential) District for 57 parcels located on Emerald Woods Drive, Glos Drive, Brigid Circle, Stone Hedge Circle and French Drive, in the City of Oxford, Ohio, a map of which is attached hereto and incorporated herein as Exhibit "A".

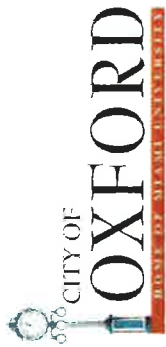
SECTION 4: Council hereby grants the Zoning Map Amendment as requested, incorporating the application and documents submitted with the application as a term and condition of the granting of this Zoning Map Amendment and orders that the official zoning map be amended.

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

MAYOR

ADOPTED:
ATTEST:

CLERK OF OXFORD CITY COUNCIL
INTRODUCED BY: KEVIN MCKEEHAN
PREPARED BY: LAW (STAFF)

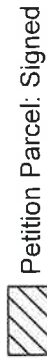


**Emerald Woods
French Glos
Brigid Stone Hedge
Neighborhood
Conservation
Overlay District
Petition Boundaries**

Legend



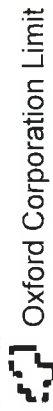
Petition Area



Petition Parcel: Signed



Petition Parcel: Not Signed



Oxford Corporation Limit

Address Point

Parcel

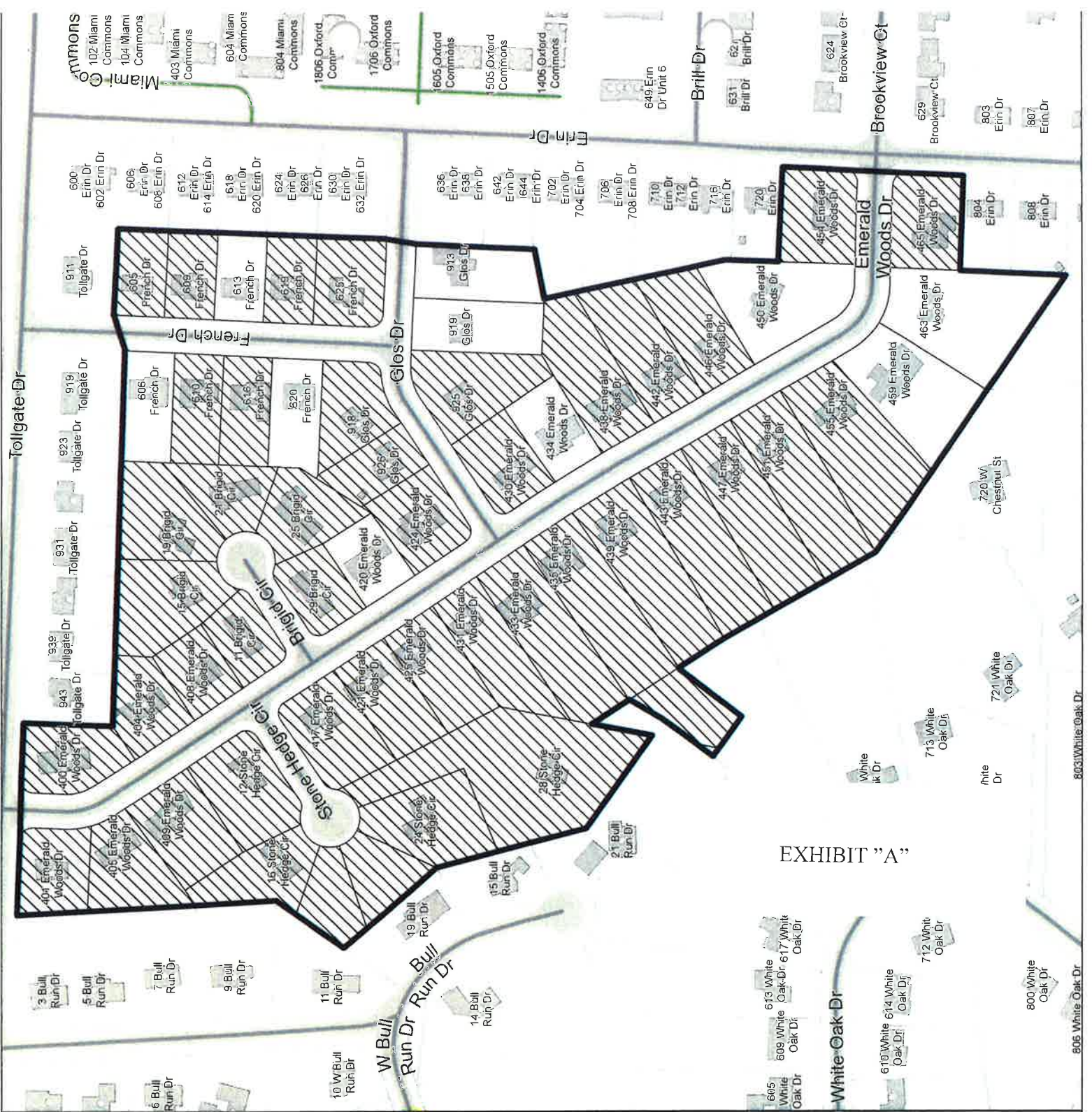
Building Footprint

Paved Roadway



1 inch = 230 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 6, 2014
<u>Case Number</u>	PC-2014-18
<u>Applicant Information</u>	City of Oxford
<u>Requested Action</u>	Zoning Map Amendment
<u>Summary of Request</u>	PC-2014-18 ZONING MAP AMENDMENT , to establish a Neighborhood Conservation Overlay District in the area of Emerald Woods Drive, Glos Drive, Brigid Circle, Stone Hedge Circle and French Drive for a total of 57 parcels contained in the proposed overlay district boundary, City of Oxford, Applicant
<u>Public Hearing Information</u>	On December 9, 2014 a Public Hearing took place at 118 W. High Street. A Public Hearing notice was published in the Oxford Press on November 9, 2014. Public Hearing notices were mailed out to surrounding properties on November 18, 2014.
<u>Commission Action</u>	The Planning Commission voted 4-1-1 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 24, 2014 2. Proposed Boundary Map 3. Interoffice Reviews 4. Surrounding Property Notifications 5. Review and Comment Form Responses 6. Zoning Map Amendment Application Dated October 24, 2014 7. Resolution 4869 City Council Acceptance of Petition 8. Staff Summary to City Council Dated October 7, 2014 9. Petition for Residential Conservation Overlay District

City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2014-18

Date – December 9, 2014

APPLICATION

Applicant:	City of Oxford
Action Request:	ZONING MAP AMENDMENT to establish a Neighborhood Conservation Overlay District in an R-1B Single Family Medium Density Residential District, in the neighborhood of Emerald Woods Drive, Glos Drive, Brigid Circle, Stone Hedge Circle and French Drive. City of Oxford, Applicant

DESCRIPTION

The proposed map amendment is to establish a Neighborhood Conservation Overlay District in an R1B (Single Family Medium Density Residential) District in the neighborhood of Emerald Woods Drive, Glos Drive, Brigid Circle, Stone Hedge Circle and French Drive.

A petition to establish a neighborhood conservation overlay district was filed on September 15, 2014 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 21, 2014.

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 comment received
Fire:	No comment received
Engineering:	Received with no comment
Econ. Dev.	No comment received

PUBLIC REVIEW AND COMMENTS

Two reviews were received. Zero opposed the amendment, two were in favor.

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.

The conversion of a single family residential dwelling from owner-occupied to rental property in a neighborhood creates a negative impact to the neighborhood in a variety of forms, including property deterioration, congestion, noise and traffic. It also set the pace for more properties in the neighborhood to be more susceptible to turning into rental properties.

A petition was filed by a group of neighbors in Emerald Woods Drive, Glos Drive, Brigid Circle, Stone Hedge Circle and French Drive for a total of 57 parcels of tracts of land, to be considered a Neighborhood Conservation Overlay District on September 15, 2014 with the Clerk of the Oxford City Council. The petition also showed that there were 44 signatures obtained that represent 47 parcels. A map of the proposed district was attached illustrating the area for consideration.

Based on the Neighborhood Conversation Overlay District requirements, the City Council accepted the petition on October 21, 2014 and forwarded this petition to the Planning Commission for Zoning Map Amendment consideration.

Please note that it is quite common in Oxford that one property owner owns multiple parcels around his/her residences. Therefore, often times there are fewer signatures than the number of parcels petitioned for overlay district.

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 rental properties 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.

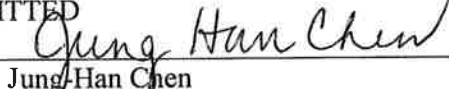
Please note that this process is a neighborhood driven process beginning with a petition to the City Council and followed with a public hearing before the Planning Commission for a Map Amendment recommendation. The City Council may waive certain requirements after a positive recommendation from the Planning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

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 24, 2014

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: December 2, 2014

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development Department

PC-2014-16 ZONING MAP AMENDMENT, to establish a Neighborhood Conservation Overlay District in the area of Hilltop Road, part of Contreras Road, Panda Lane and Pin Oak Drive, for a total of 72 parcels contained in the proposed overlay district boundary, **City of Oxford, Applicant**

PC-2014-17 ZONING MAP AMENDMENT, to establish a Neighborhood Conservation Overlay District in the area of Country Club Drive, Olde Farm Road, and part of Contreras Road for a total of 91 parcels contained in the proposed overlay district boundary, **City of Oxford, Applicant**

PC-2014-18 ZONING MAP AMENDMENT, to establish a Neighborhood Conservation Overlay District in the area of Emerald Woods Drive, Glos Drive, Brigid Circle, Stone Hedge Circle and French Drive for a total of 57 parcels contained in the proposed overlay district boundary, **City of Oxford, Applicant**

PC-2014-19 ZONING MAP AMENDMENT, to establish a Neighborhood Conservation Overlay District in the area of Fieldcrest Avenue, Devonshire Drive, Patrick Drive, Timothy Lane and Contreras Road for a total of 56 parcels contained in the proposed overlay district boundary, **City of Oxford, Applicant**

☒ Review ☐ Revisions ☐ Other



Comments or status update requested by: Lynn Taylor

Please return no later than: **12/05/2014** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

PC-2014-16

X

PC-2014-17

X

PC-2014-18

X

PC-2014-19

X

Drawings reviewed by:



Date: 12.2-14

VICTOR POPESCU

PRINTED NAME



PC-2014-18

Surrounding Property Owners Map

Notifications

Legend



Parcel

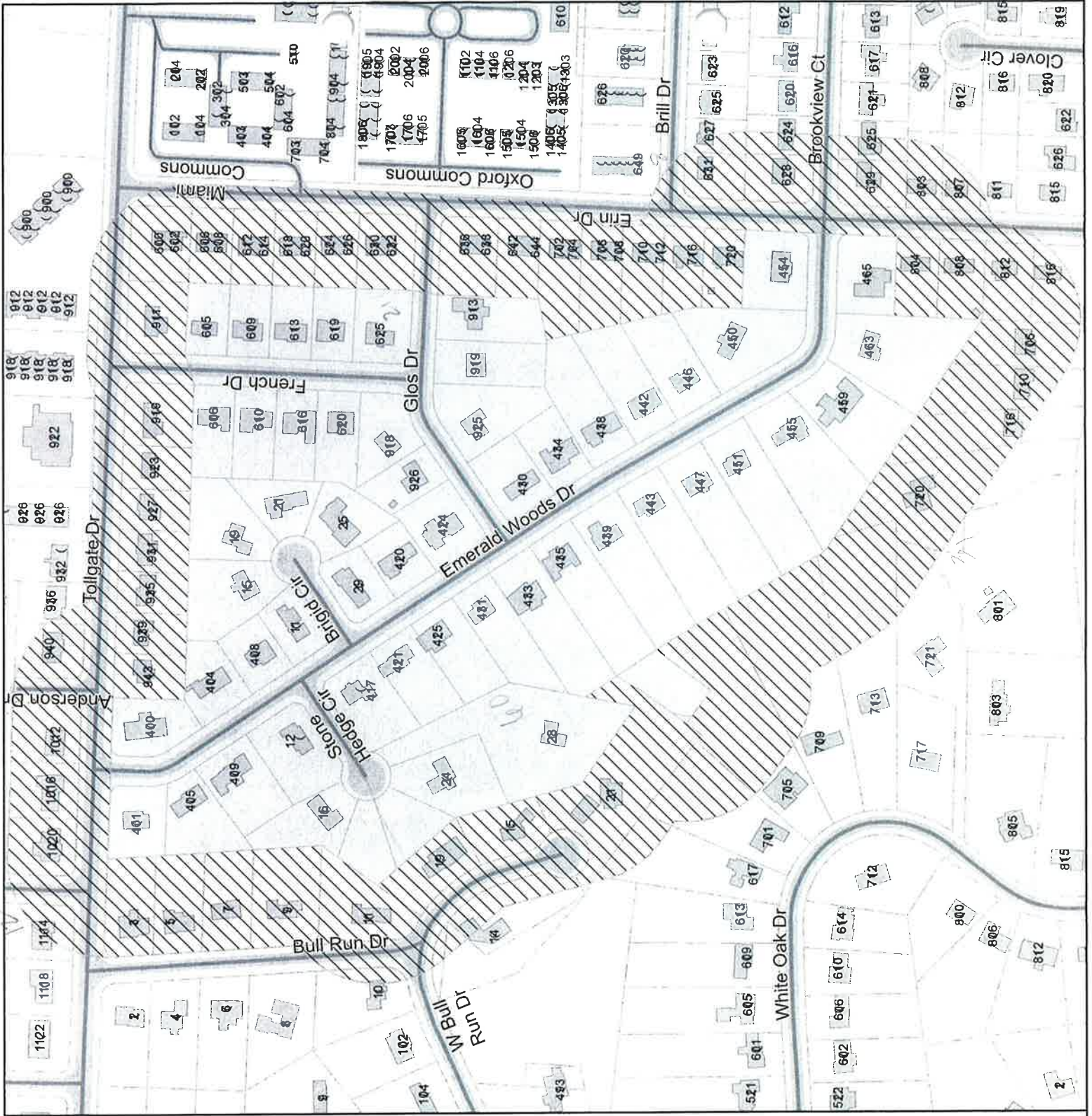
Building Footprint

Paved Roadway

K

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.





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

CASE NO.: PC-2014-18

DATE OF HEARING:

December 9, 2014

ZONING MAP AMENDMENT, to establish a Neighborhood Conservation Overlay District in the area of Emerald Woods Drive, Glos Drive, Brigid Circle, Stone Hedge Circle and French Drive for a total of 57 parcels contained in the proposed overlay district boundary, **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 least ten days before the hearing date to Lynn Taylor, 101 East High Street, Oxford, OH 45056.

Name: Tim Crawford + Cheryl Young

Address: 926 Glos Drive

Telephone: Home: (513) 461-2264 Work: (513) 529-8607

COMMENTS: We support this initiative to preserve and enhance the neighborhood where we have resided since 2004, and plan to reside for many years.

Signature Cheryl Young

+ Tim Crawford

Date 11/21/14



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

CASE NO.: PC-2014-18

DATE OF HEARING: December 9, 2014

ZONING MAP AMENDMENT, to establish a Neighborhood Conservation Overlay District in the area of Emerald Woods Drive, Glos Drive, Brigid Circle, Stone Hedge Circle and French Drive for a total of 57 parcels contained in the proposed overlay district boundary, **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 least ten days before the hearing date to Lynn Taylor, 101 East High Street, Oxford, OH 45056.

Name: _____

Address: _____

Dr. Randall W. Listerman
25 Brigid Circle
Oxford, OH 45056

Telephone: Home: _____ Work: _____

COMMENTS:

We support all of the zoning map amendments. We also vote for the Zoning Code Text Amendment.

Dr. Randall W. Listerman
Signature

11/27/14
Date



Internal Use Only:	PC-2014-18
Case No.	
Date Filed	10/24/14

Zoning Map Amendment Application

Applicant Information

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

Name * Jung-Nan Chen
 Mailing Address * 101 E High St.
 City, State & Zip Code * Oxford OH 43056
 Telephone Number(s) * 513-524-5204
 Email Address jhchen@cityofoxford.org

Location and Lot Information

Location *
 General Description of Proposed Amendment * Zoning Map Amendment - establish a neighborhood conservation overlay district
 Current Zoning *
 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.
 - A. Application Fee.
 - B. The name, mailing address, and telephone number of the applicant.
 - C. A general description of the proposed amendment.
 - D. A narrative statement that describes how the proposed amendment relates to the Comprehensive Plan.
 - E. A statement that identifies potential negative consequences of the proposed amendment.
 - F. Such other information regarding the proposed amendment as may be pertinent to the application or required by Planning Commission or Council.
 - G. A legal description of the area to be rezoned.
 - H. The proposed zoning of the area.
 - I. The current zoning of the area.
 - J. A description of existing uses in the area.

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

Surrounding Property Owners

On a separate sheet, provide the parcel numbers, names, and mailing addresses of all property owners within 200 feet of all boundaries of the property in question. The Butler County Auditor Real Estate Search² 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 *

Jung Han Chen
10/24/14

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/>

PC-2014-18

RESOLUTION NO. 4869

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 EMERALD WOODS DRIVE, GLOS DRIVE, BRIGID CIRCLE, STONE HEDGE CIRCLE AND FRENCH DRIVE 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 21, 2014

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW (STAFF)

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: October 21, 2014

Account Code No. #:

Jung-Han CHen
Prepared By

Budgeted Amount:

October 7, 2014
Date Prepared

Agenda Title:	Resolution Accepting a Petition to Establish a Neighborhood Conservation Overlay District and Referring the Petition to the Planning Commission for Recommendation
----------------------	---

Recommendation: Approval
--

Discussion:

The Residential Conservation Overlay District legislation was adopted by the City Council in 2012 to protect residential neighborhoods, maintain an attractive community appearance, and to provide a desirable living environment by restricting residential properties to be rented to no more than two unrelated individuals. The process to establish an overlay district begins with a petition with signatures of more than two-thirds of property owners within the proposed district. This petition goes before City Council for acceptance and the petition is then referred to the Planning Commission for review. There have been two petitions to come before the City Council previously.

This petition for acceptance was filed by residents in the neighborhood of Emerald Woods, Glos Drive, Brigid Circle, Stone Hedge Circle and French Drive on September 15, 2014. There are a total of 57 parcels contained in the proposed overlay district boundary. The petition shows 47 signatures obtained and the date when the owners signed the petition. A map of the proposed area is attached illustrating the area for consideration.

The signatures in this petition exceed the two-thirds requirement of the parcel owners of this petitioned area. The signatures represent 57 parcels within the boundary, which is 82%. Additionally, the boundary of the proposed overlay district also satisfies the general boundary requirements of Section 1146 of the Codified Ordinances.

This is the first step in creating a neighborhood conservation overlay district and requires City Council to formally accept the petition and forward this petition to the Planning Commission for review. Staff recommends approval of this resolution

Approved by:

	Initial	Date
Department Head:	<u>JHC</u>	<u>10/14/14</u>
City Attorney:	<u> </u>	<u> </u>
City Manager:	<u> </u>	<u> </u>

**PETITION FOR RESIDENTIAL CONSERVATION OVERLAY DISTRICT FOR
EMERALD WOODS DRIVE, STONE HEDGE CIRCLE, BRIGID CIRCLE, GLOS
DRIVE AND FRENCH DRIVE, OXFORD, OHIO**

Petitioners:

Mary Daniels 451 Emerald Woods Drive
Beth Swailes 443 Emerald Woods Drive
Bonnie Mason 421 Emerald Woods 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 along with my name and 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 THE ATTACHED MAP FOR EXACT BOUNDARIES:

East Boundary: The east property lines of the properties on the east side of French Dr. and Emerald Woods Dr.; the east property lines of 913 Glos Dr. and 465 Emerald Woods Dr.

North Boundary: The north property lines of the properties on 605 and 606 French Dr., 15 and 19 Brigid Cir. and 400, 401 and 404 Emerald Woods Dr.

West/South Boundaries: The west and south property lines of the properties on the west side of Emerald Woods Dr. and the properties and vacant lots on 16, 24 and 28 Stone Hedge Cir.

<u>DATE</u>	<u>PROPERTY ADDRESS</u>	<u>NAME</u>	<u>SIGNATURE</u>	<u>NOTES</u>
8/26/14	451 Emerald Wds.	Mary Daniels	Mary Daniels	
8/26/14	446 EMERALD WOODS	SAKE BOWERS	[Signature]	
8/26/14	442 Emerald Woods	Karen deSaintRat	Karen deSaintRat	
8/26/14	439 Emerald Woods	Robin Thomas	[Signature]	



**PETITION FOR RESIDENTIAL CONSERVATION OVERLAY DISTRICT FOR
EMERALD WOODS DRIVE, STONE HEDGE CIRCLE, BRIGID CIRCLE, GLOS
DRIVE AND FRENCH DRIVE, OXFORD, OHIO**

<u>DATE</u>	<u>PROPERTY ADDRESS</u>	<u>NAME</u>	<u>SIGNATURE</u>	<u>NOTES</u>
8/26/14	431 Emerald Woods Dr	Jackie Wooduff	Jackie Wooduff	
08/26/14	425 EMERALD WOOD DR	Corey Watt	Corey Watt	
08/26/14	421 Emerald Woods Dr	Bonnie Mason	BONNIE MASON	
8/26/14	417 Emerald Woods Dr	Warren Mandrell	Warren Mandrell	
8/26/14	447 Emerald Woods Dr	Keli Puzo	Keli Puzo	
8/26/14	465 EMERALD WOODS DR	MARILYN THORNE	Marilyn Thorne	
8/26/14	454 Emerald Woods Dr	Roxann Sommer	Roxann Sommer	
8/26/14	455 Emerald Woods Dr	Amelia Robinson	Amelia Robinson	
8/26/14	443 Emerald Woods Dr	Elizabeth Swailes	Elizabeth Swailes	
8/26/14	435 Emerald Woods Dr	Robin Parker	Robin Parker	
8/26/14	408 EMERALD WOODS DR	GRET ROBERTSON	G. Robertson	
8/26/14	401 Emerald Woods Dr	Bill & Julie Frode	Julie Frode	
8/26/14	400 Emerald Woods Dr	Mike's Eileen	Mike's Eileen	

**PETITION FOR RESIDENTIAL CONSERVATION OVERLAY DISTRICT FOR
EMERALD WOODS DRIVE, STONE HEDGE CIRCLE, BRIGID CIRCLE, GLOS
DRIVE AND FRENCH DRIVE, OXFORD, OHIO**

<u>DATE</u>	<u>PROPERTY ADDRESS</u>	<u>NAME</u>	<u>SIGNATURE</u>	<u>NOTES</u>
9/3/14	430 Emerald Woods	Emily Kuhn	<i>Emily Kuhn</i>	
9/7/14	424 Emerald Woods	Richard Vaughn	<i>Richard Vaughn</i>	
9/7/14	438 Emerald Woods	Mindy Stephens	<i>Mindy Stephens</i>	
9/8/14	405 Emerald Woods Dr.	^{Evelyn Mesler} Evelyn Mesler	<i>Evelyn A. Mesler</i>	
9/12/2014	404 EMERALD WOODS	KATHLEEN BRINKMAN	<i>Kathleen Brinkman</i>	

459 EMERALD WDS

OWNER IS TRUST
RESIDENT IN NURSING HOME

463

"

"

FAMILY GONE FOR 1 YR

450

"

"

OWNER IN CLEVELAND

434

"

"

OWNER IN DAYTON

420

"

"

NO

SIGNATURE
Barney D. Colman

[illegible]

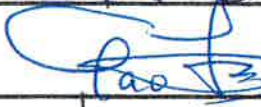
SIGNATURE

5

9-8-2014 489 Emerald Woods Dr. Dianne Hutchinson Deane C. Hutchinson

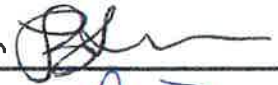
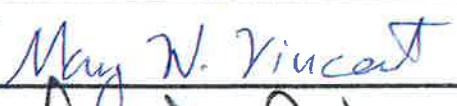
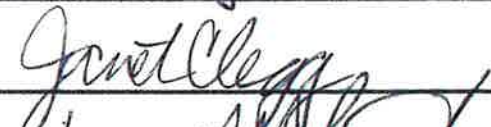
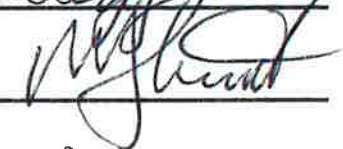
**PETITION FOR RESIDENTIAL CONSERVATION OVERLAY DISTRICT FOR
EMERALD WOODS DRIVE, STONE HEDGE CIRCLE, BRIGID CIRCLE, GLOS
DRIVE AND FRENCH DRIVE, OXFORD, OHIO**

6

<u>DATE</u>	<u>PROPERTY ADDRESS</u>	<u>NAME</u>	<u>SIGNATURE</u>	<u>NOTES</u>
8/21/14	11 Brigid Cir	NORMAN BUTT	NORMAN BUTT	
8/29/14	15 Brigid Cir	Tao Jiang		NO RESPONSE ENG VISA
8/29/14	19 Brigid Cir.	Lisa Raabe	Lisa Raabe	
8/29/14	21 Brigid Cir	Mary H. Johnson	Mary H Johnson	
8/29/14	25 Brigid Cir	Layne A Listerman	Layne A Listerman	
9/4/14	29 Brigid Cir [#]	Kathleen Killian	Kathleen Killian	
9/8/14	12 STONE HEDGE	Carol Shulman	Carol Shulman	
9/6/14	16 STONE HEDGE	(Edie Gintner) Kathleen Webb	KC Webb, POA / daughter	
9/6/14	24 STONE HEDGE	Anne Nielson	Anne Nielson	
9/6/14	(2 ⁴ 8) VACANT LOT	Anne Nielson	Anne Nielson	
9/6/14	28 STONE HEDGE	Tim Poff	Tim Poff	
9/6/14	Vacant LOT Stone Hedge	Mauveen Kelly	Mauveen Kelly	11 Bull Run - owner
10/9/14	11 Brigid Circle	Patti J. Butt	Patti J. Butt	

French
Glos

**PETITION FOR RESIDENTIAL CONSERVATION OVERLAY DISTRICT FOR
EMERALD WOODS DRIVE, STONE HEDGE CIRCLE, BRIGID CIRCLE, GLOS
DRIVE AND FRENCH DRIVE, OXFORD, OHIO**

<u>DATE</u>	<u>PROPERTY ADDRESS</u>	<u>NAME</u>	<u>SIGNATURE</u>	<u>NOTES</u>
8/26/14	925 Glos Dr. Oxford	Jennifer Timmerman		
8-26-14	619 FRENCH DR OXFORD	DONNA BAKER		
8/26/14	609 French Drive Oxford	Mary W. Vincent		
8/26/14	610 French Dr Oxford	Larry J. Renkin		
8-26-14	605 French	Janet Clegg		
8/26/14	616 French dr	Robert M. Schneider		
8/26/14	918 Glos Dr	Wan Xia Xia		
8/26/14	926 Glos Dr	Cheryl Young		
8/28/14	625 French	Serena		
	606 FRENCH			NO
	620 FRENCH			NO RESPONSE 5 VISITS
8/28/14	919 GLOS			NO
	913 GLOS			NO RESPONSE 5 VISITS
	613 FRENCH			VACANT - OWNED BY MORTGAGE COMPANY

**PETITION FOR RESIDENTIAL CONSERVATION OVERLAY DISTRICT FOR
EMERALD WOODS DRIVE, STONE HEDGE CIRCLE, BRIGID CIRCLE, GLOS
DRIVE AND FRENCH DRIVE, OXFORD, OHIO**

<u>DATE</u>	<u>PROPERTY ADDRESS</u>	<u>NAME</u>	<u>SIGNATURE</u>	<u>NOTES</u>
-------------	-------------------------	-------------	------------------	--------------

9/20/14	435 Emerald Woods	Robin Parker	[Signature]	
---------	-------------------	--------------	-------------	--

- undeveloped parcel

9/20/14	435 Emerald Woods	Robin Parker	[Signature]	
---------	-------------------	--------------	-------------	--

undeveloped parcel

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: January 6, 2015

Jung-Han Chen

Account Code No. #:

Prepared By:

Budgeted Amount:

December 14, 2014

Date Prepared:

PC-2014-19 ZONING MAP AMENDMENT, to establish a Neighborhood Conservation Overlay District in the area of Fieldcrest Avenue, Devonshire Drive, Patrick Drive, Timothy Lane and Contreras Road for a total of 56 parcels contained in the proposed overlay district boundary, **City of Oxford, Applicant**

Recommendation: Approval

Discussion:

The proposed map amendment is to establish a Neighborhood Conservation Overlay District in an R1B (Single Family Medium Density Residential) District. A total of 56 parcels were included in the petition and a total of 44 property owners' signatures were obtained, for a total of 46 parcels. The 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 September 26, 2014 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 21, 2014. The Planning Commission reviewed the request on December 9, 2014 with many property owners in attendance at the hearing. The Planning Commission recommended approval of this amendment and 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 conforming.

Approved By:

Department Head:
City Attorney:
City Manager:

JHC 12/17/14
DRE 1/2/15

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-1B (SINGLE FAMILY MEDIUM DENSITY RESIDENTIAL) DISTRICT FOR 56 PARCELS LOCATED ON FIELDCREST AVENUE, DEVONSHIRE DRIVE, PATRICK DRIVE, TIMOTHY LANE AND CONTRERAS ROAD, 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 1125.01 of the Codified Ordinances of the City of Oxford, the Oxford Planning Commission held a public hearing on December 9, 2014 on the City of Oxford's application for a Zoning Map Amendment to establish a Neighborhood Conservation Overlay District in a R-1B (Single Family Medium Density Residential) District for 56 parcels located on Fieldcrest Avenue, Devonshire Drive, Patrick Drive, Timothy Lane and Contreras Road, 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-1B (Single Family Medium Density Residential) District for 56 parcels located on Fieldcrest Avenue, Devonshire Drive, Patrick Drive, Timothy Lane And Contreras Road, in the City of Oxford, Ohio, a map of which is attached hereto and incorporated herein as Exhibit "A".

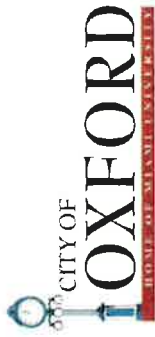
SECTION 4: Council hereby grants the Zoning Map Amendment as requested, incorporating the application and documents submitted with the application as a term and condition of the granting of this Zoning Map Amendment and orders that the official zoning map be amended.

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

MAYOR

ADOPTED:
ATTEST:

CLERK OF OXFORD CITY COUNCIL
INTRODUCED BY: KEVIN MCKEEHAN
PREPARED BY: LAW (STAFF)

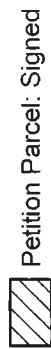


**Timothy Devonshire
Patrick Fieldcrest
Contreras
Neighborhood
Conservation
Overlay District
Petition Boundaries**

Legend



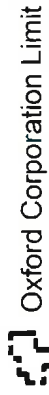
Petition Area



Petition Parcel: Signed



Petition Parcel: Not Signed



Oxford Corporation Limit

Address Point

Parcel



Building Footprint

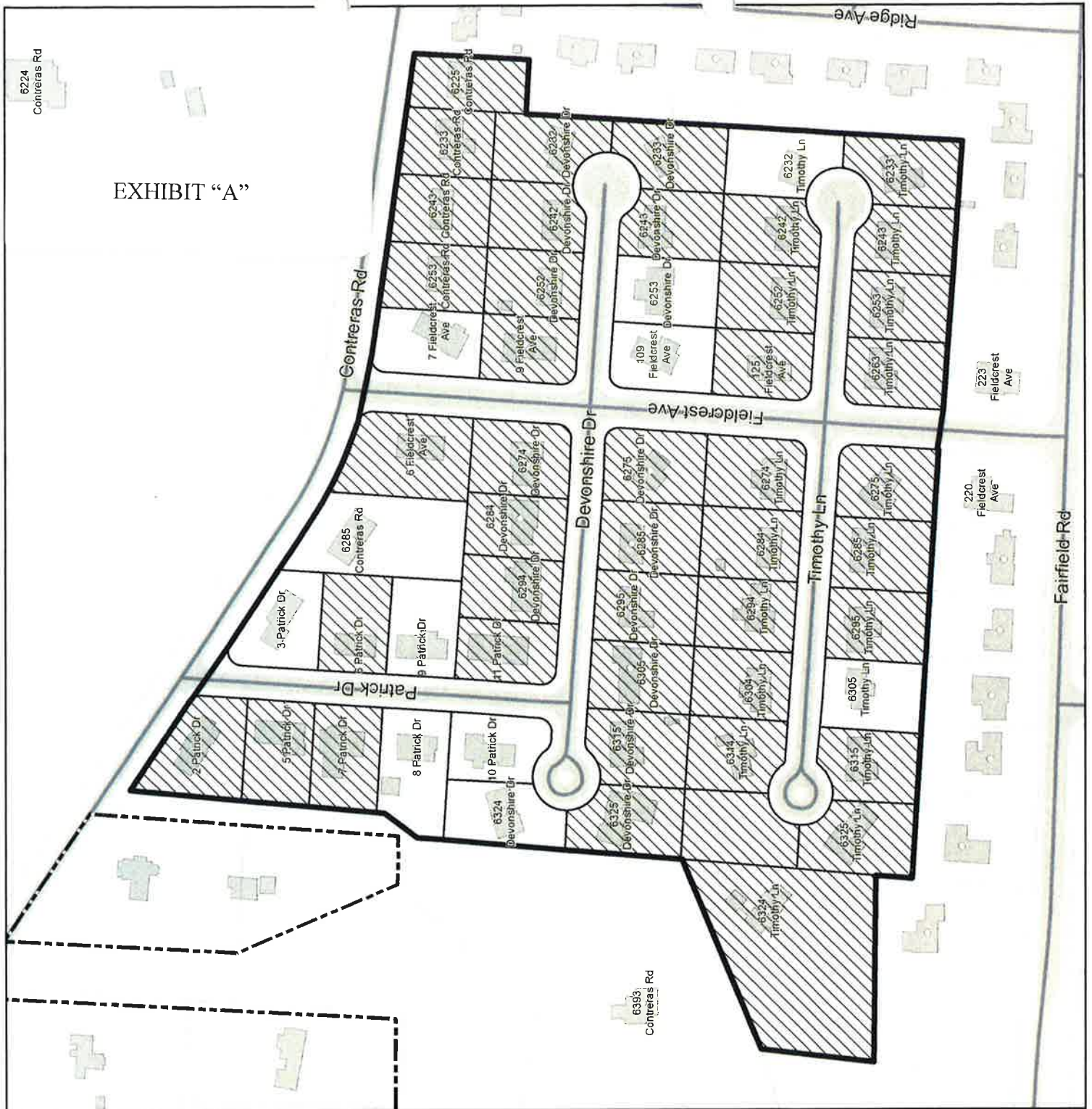
Paved Roadway



1 inch = 200 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.

EXHIBIT "A"



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

<u>Report Date</u>	January 6, 2014
<u>Case Number</u>	PC-2014-19
<u>Applicant Information</u>	City of Oxford
<u>Requested Action</u>	Zoning Map Amendment
<u>Summary of Request</u>	PC-2014-19 ZONING MAP AMENDMENT , to establish a Neighborhood Conservation Overlay District in the area of Fieldcrest Avenue, Devonshire Drive, Patrick Drive, Timothy Lane and Contreras Road for a total of 56 parcels contained in the proposed overlay district boundary, City of Oxford, Applicant
<u>Public Hearing Information</u>	On December 9, 2014 a Public Hearing took place at 118 W. High Street. A Public Hearing notice was published in the Oxford Press on November 9, 2014. Public Hearing notices were mailed out to surrounding properties on November 18, 2014.
<u>Commission Action</u>	The Planning Commission voted 5-1-0 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 24, 2014 2. Proposed Boundary Map 3. Interoffice Reviews 4. Surrounding Property Notifications 5. Review and Comment Form Responses 6. Zoning Map Amendment Application Dated October 24, 2014 7. Resolution 4868 City Council Acceptance of Petition 8. Staff Summary to City Council Dated October 7, 2014 9. Petition for Residential Conservation Overlay District

City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2014-19

Date – December 9, 2014

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 Fieldcrest Avenue, Devonshire Drive, Patrick Drive, Timothy Lane and Contreras Road. City of Oxford, Applicant

DESCRIPTION

The proposed map amendment is to establish a Neighborhood Conservation Overlay District in an R1A (Single Family Low Density Residential) District in the neighborhood of Fieldcrest Avenue, Devonshire Drive, Patrick Drive, Timothy Lane and Contreras Road.

A petition to establish a neighborhood conservation overlay district was filed on September 26, 2014 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 21, 2014.

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 comment received
Fire:	No comment received
Engineering:	Received with no comment
Econ. Dev.	No comment received

PUBLIC REVIEW AND COMMENTS

Four reviews were received. Zero opposed the amendment, four were in favor. One inquired about their street being included in the Overlay District.

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.

The conversion of a single family residential dwelling from owner-occupied to rental property in a neighborhood creates a negative impact to the neighborhood in a variety of forms, including property deterioration, congestion, noise and traffic. It also set the pace for more properties in the neighborhood to be more susceptible to turning into rental properties.

A petition was filed by a group of neighbors in Fieldcrest Avenue, Devonshire Drive, Patrick Drive, Timothy Lane and Contreras Road for a total of 56 parcels of tracts of land, to be considered a Neighborhood Conservation Overlay District on September 26, 2014 with the Clerk of the Oxford City Council. The petition also showed that there were 44 signatures obtained that represent 56 parcels. A map of the proposed district was attached illustrating the area for consideration.

Based on the Neighborhood Conversation Overlay District requirements, the City Council accepted the petition on October 21, 2014 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 rental properties 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.

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
Jung-Han Chen
Community Development Director

DATE: November 24, 2014

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: December 2, 2014

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development Department

PC-2014-16 ZONING MAP AMENDMENT, to establish a Neighborhood Conservation Overlay District in the area of Hilltop Road, part of Contreras Road, Panda Lane and Pin Oak Drive, for a total of 72 parcels contained in the proposed overlay district boundary, **City of Oxford, Applicant**

PC-2014-17 ZONING MAP AMENDMENT, to establish a Neighborhood Conservation Overlay District in the area of Country Club Drive, Olde Farm Road, and part of Contreras Road for a total of 91 parcels contained in the proposed overlay district boundary, **City of Oxford, Applicant**

PC-2014-18 ZONING MAP AMENDMENT, to establish a Neighborhood Conservation Overlay District in the area of Emerald Woods Drive, Glos Drive, Brigid Circle, Stone Hedge Circle and French Drive for a total of 57 parcels contained in the proposed overlay district boundary, **City of Oxford, Applicant**

PC-2014-19 ZONING MAP AMENDMENT, to establish a Neighborhood Conservation Overlay District in the area of Fieldcrest Avenue, Devonshire Drive, Patrick Drive, Timothy Lane and Contreras Road for a total of 56 parcels contained in the proposed overlay district boundary, **City of Oxford, Applicant**

☒ Review ☐ Revisions ☐ Other



Comments or status update requested by: Lynn Taylor

Please return no later than: **12/05/2014** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

PC-2014-16

X

PC-2014-17

X

PC-2014-18

X

PC-2014-19

X

Drawings reviewed by:



Date: 12-2-14

VICTOR POPESCU
PRINTED NAME



PC-2014-19

Surrounding Property Owners Map

Notifications

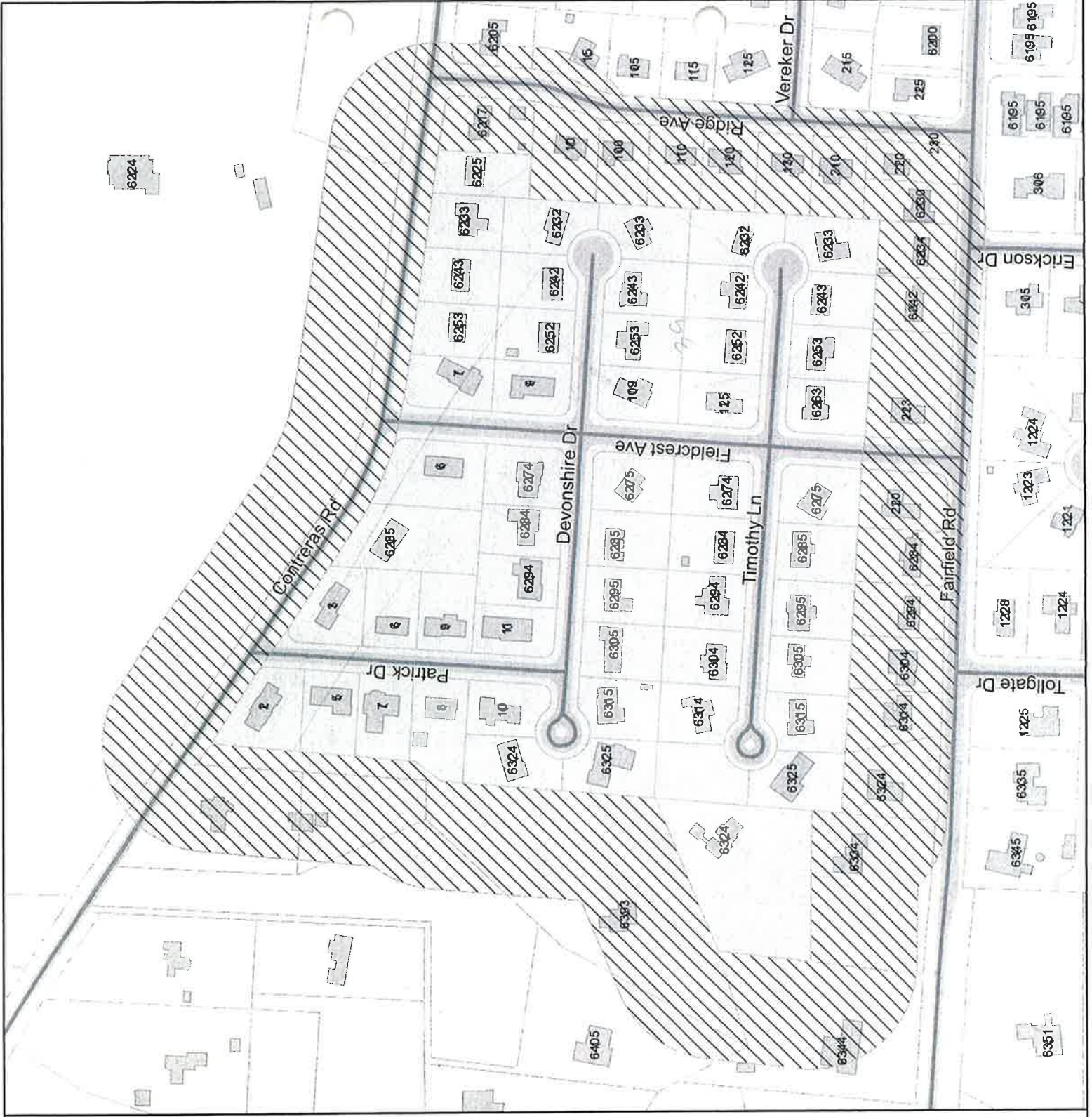
Legend

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

K

1 inch = 250 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.





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

CASE NO.: PC-2014-19

DATE OF HEARING:

December 9, 2014

ZONING MAP AMENDMENT, to establish a Neighborhood Conservation Overlay District in the area of Fieldcrest Avenue, Devonshire Drive, Patrick Drive, Timothy Lane and Contreras Road for a total of 56 parcels contained in the proposed overlay district boundary, **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 least ten days before the hearing date to Lynn Taylor, 101 East High Street, Oxford, OH 45056.

Name: Joe + Allison Kleibschneider

Address: 6285 Timothy Lane
Oxford, OH 45056

Telephone: Home: 419-656-7941 Work: _____

COMMENTS:

We just had a baby + cannot attend. Thank you for sending this! We are in favor of the redistricting/overlay district.

A. K.
Signature

11/29/14
Date



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

CASE NO.: PC-2014-19

DATE OF HEARING:

December 9, 2014

ZONING MAP AMENDMENT, to establish a Neighborhood Conservation Overlay District in the area of Fieldcrest Avenue, Devonshire Drive, Patrick Drive, Timothy Lane and Contreras Road for a total of 56 parcels contained in the proposed overlay district boundary, **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 least ten days before the hearing date to Lynn Taylor, 101 East High Street, Oxford, OH 45056.

Name: WILLIAM & DIXIE UTTER

Address: 6314 TIMOTHY LANE
OXFORD, OH 45056

Telephone: Home: 803 550 9356 Work: —

COMMENTS:

ALTHOUGH WE HAVE MOVED, WE STILL OWN THE ABOVE PROPERTY WHICH WE PURCHASED IN 1970. WE CERTAINLY AGREE THAT THE CHARACTER OF OUR NEIGHBORHOOD WILL BENEFIT FROM THE PROPOSED ACTION. WE URGE PASSAGE OF THIS ZONING AMENDMENT

Signature William & Dixie Utter
Dixie C. Utter

Date November 24, 2014
11/24/14



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

CASE NO.: PC-2014-19

DATE OF HEARING:

December 9, 2014

ZONING MAP AMENDMENT, to establish a Neighborhood Conservation Overlay District in the area of Fieldcrest Avenue, Devonshire Drive, Patrick Drive, Timothy Lane and Contreras Road for a total of 56 parcels contained in the proposed overlay district boundary, **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 least ten days before the hearing date to Lynn Taylor, 101 East High Street, Oxford, OH 45056.

Name: MARY and Bob Vogel

Address: 6324 Fairfield Rd.
Oxford, OH.

Telephone: Home: (513) 523-8340 # (Q) Work: 513-593-0093

COMMENTS: We were curious about why Fairfield Rd. was not included since we border on Fieldcrest and Timothy. Fairfield and Contreras are the outside boundaries of all these other streets; Contreras was included, but Fairfield was NOT. We aren't certain whom we should contact to get more information. It might only include a portion of Fairfield, but it appears that a lot of areas around us are moving in this direction. (Thank you)

Mary Vogel
Signature
Robert H Vogel

11-24-14
Date



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

CASE NO.: PC-2014-19

DATE OF HEARING: December 9, 2014

ZONING MAP AMENDMENT, to establish a Neighborhood Conservation Overlay District in the area of Fieldcrest Avenue, Devonshire Drive, Patrick Drive, Timothy Lane and Contreras Road for a total of 56 parcels contained in the proposed overlay district boundary, **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 least ten days before the hearing date to Lynn Taylor, 101 East High Street, Oxford, OH 45056.

Name: Prue & Steve Dana

Address: 6314 Fairfield Rd

Oxford, Ohio 45056

Telephone: Home: 513-~~523~~-6579 Cell: 513-461-3404

COMMENTS:

I am all for this !!

Prudence Dana
Signature

11-21-2014
Date



Internal Use Only:	PC-2014-19
Case No.	
Date Filed	10/24/14

Zoning Map Amendment Application

Applicant Information

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

Name *

Jung-Nan Chen

Mailing Address *

101 E High St.

City, State & Zip Code *

Oxford OH 45056

Telephone Number(s) *

513-524-5204

Email Address

jhchen@cityofoxford.org

Location and Lot Information

Location *

General Description
of Proposed Amendment *

Zoning Map Amendment - establish a
neighborhood conservation
overlay district

Current Zoning *

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.

- A. Application Fee.
- B. The name, mailing address, and telephone number of the applicant.
- C. A general description of the proposed amendment.
- D. A narrative statement that describes how the proposed amendment relates to the Comprehensive Plan.
- E. A statement that identifies potential negative consequences of the proposed amendment.
- F. Such other information regarding the proposed amendment as may be pertinent to the application or required by Planning Commission or Council.
- G. A legal description of the area to be rezoned.
- H. The proposed zoning of the area.
- I. The current zoning of the area.
- J. A description of existing uses in the area.

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

Surrounding Property Owners

On a separate sheet, provide the parcel numbers, names, and mailing addresses of all property owners within 200 feet of all boundaries of the property in question. The Butler County Auditor Real Estate Search² 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 *

Jung Han Chen
10/24/14

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. 4868

PC - 2014-19

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 FIELDCREST AVENUE, DEVONSHIRE DRIVE, PATRICK DRIVE, TIMOTHY LANE, AND CONTRERAS ROAD 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 21, 2014

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW (STAFF)

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: October 21, 2014

Account Code No. #:

Jung-Han CHen
Prepared By

Budgeted Amount:

October 7, 2014
Date Prepared

Agenda Title:	Resolution Accepting a Petition to Establish a Neighborhood Conservation Overlay District and Referring the Petition to the Planning Commission for Recommendation
----------------------	---

Recommendation: <u>Approval</u>
--

Discussion:

The Residential Conservation Overlay District legislation was adopted by the City Council in 2012 to protect residential neighborhoods, maintain an attractive community appearance, and to provide a desirable living environment by restricting residential properties to be rented to no more than two unrelated individuals. The process to establish an overlay district begins with a petition with signatures of more than two-thirds of property owners within the proposed district. This petition goes before City Council for acceptance and the petition is then referred to the Planning Commission for review. There have been two petitions to come before the City Council previously.

This petition for acceptance was filed by residents in the neighborhood of Fieldcrest, Devonshire, Patrick, Timothy and Contreras Roads on September 26, 2014. There are a total of 56 parcels contained in the proposed overlay district boundary. The petition shows 44 signatures obtained and the date when the owners signed the petition. A map of the proposed area is attached illustrating the area for consideration.

The signatures in this petition exceed the two-thirds requirement of the parcel owners of this petitioned area. The signatures represent 45 parcels within the boundary, which is 80%. Additionally, the boundary of the proposed overlay district also satisfies the general boundary requirements of Section 1146 of the Codified Ordinances.

This is the first step in creating a neighborhood conservation overlay district and requires City Council to formally accept the petition and forward this petition to the Planning Commission for review. Staff recommends approval of this resolution

Approved by:

	Initial	Date
Department Head:	<u>JHC</u>	<u>10/2/14</u>
City Attorney:	<u> </u>	<u> </u>
City Manager:	<u> </u>	<u> </u>

OXFORD ZONING PETITION FOR RESIDENTIAL CONSERVATION OVERLAY DISTRICT

THE 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 ADOPTED, 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.

PLEASE SEE THE ATTACHED MAP FOR EXACT BOUNDARIES:

EAST BOUNDARY:

West side of Ridge Properties

NORTH BOUNDARY:

Contreras Rd.

WEST BOUNDARY:

West side of Properties on Patrick & Cul-de-sacs on Timothy & Devenshire

SOUTH BOUNDARY:

South side of Properties on Timothy

CIRCULATOR'S FULL NAME:

Matthew A. Troy

CIRCULATOR'S ADDRESS:

6 Patrick Drive Oxford, CT 06056

CIRCULATOR'S SIGNATURE:

Matthew A. Troy

DATE SUBMITTED:

9/15/14

(THE PETITION MUST CONTAIN THE SIGNATURE OF AN OWNER OR RECORD OF AT LEAST TWO-THIRDS OF THE PARCELS WITHIN THE PROPOSED DISTRICT. SIGNATURES OVER SIX MONTHS OLD ARE VOID.)

Properties on Timothy, Devenshire, Patrick, Fieldcrest (Timothy to Contreras) and Contreras (Patrick to (and including) 6225 Contreras)

SEP 26 2014

CITY OF OXFORD

OXFORD ZONING PETITION FOR RESIDENTIAL CONSERVATION OVERLAY DISTRICT

THE 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 ADOPTED, 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.

PLEASE SEE THE ATTACHED MAP FOR EXACT BOUNDARIES:

EAST BOUNDARY:

West side of Ridge Properties

NORTH BOUNDARY:

Contreras Rd

WEST BOUNDARY:

West side of Properties on Patrick + c/w-de-sacs on Timothy + Devonshire

SOUTH BOUNDARY:

South side of Properties on Timothy

CIRCULATOR'S FULL NAME:

Anne Searle Koehler

CIRCULATOR'S ADDRESS:

9 Fieldcrest Ave, Oxford, OH

CIRCULATOR'S SIGNATURE:

Anne B. Koehler

DATE SUBMITTED: 9/22/14

(THE PETITION MUST CONTAIN THE SIGNATURE OF AN OWNER OR RECORD OF AT LEAST TWO-THIRDS OF THE PARCELS WITHIN THE PROPOSED DISTRICT. SIGNATURES OVER SIX MONTHS OLD ARE VOID.)

Properties on Timothy, Devonshire, Patrick, Fieldcrest (Timothy to Contreras and Contreras (Patrick to, and including, 6225 Contreras).

voicing
One owner

OXFORD ZONING PETITION FOR RESIDENTIAL CONSERVATION OVERLAY DISTRICT

THE 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 ADOPTED, 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.

PLEASE SEE THE ATTACHED MAP FOR EXACT BOUNDARIES:

EAST BOUNDARY:

West side of Ridge Properties

NORTH BOUNDARY:

Contreras Rd.

WEST BOUNDARY:

West side of Properties on Patrick & Cul-de-sac on Timothy + Devonshire

SOUTH BOUNDARY:

South side of Properties on Timothy

CIRCULATOR'S FULL NAME:

Shirley A. Younts

CIRCULATOR'S ADDRESS:

6294 Devonshire Dr.

CIRCULATOR'S SIGNATURE:

Shirley Younts

DATE SUBMITTED:

9/16/14

(THE PETITION MUST CONTAIN THE SIGNATURE OF AN OWNER OR RECORD OF AT LEAST TWO-THIRDS OF THE PARCELS WITHIN THE PROPOSED DISTRICT. SIGNATURES OVER SIX MONTHS OLD ARE VOID.)

Properties on Timothy, Devonshire, Patrick, Fieldcrest (Timothy to Contreras and Contreras (Patrick to, and including, 6225 Contreras)

Signature for Voting
Circulator

OXFORD ZONING PETITION FOR RESIDENTIAL CONSERVATION OVERLAY DISTRICT

THE 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 ADOPTED, 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.

PLEASE SEE THE ATTACHED MAP FOR EXACT BOUNDARIES:

EAST BOUNDARY:

West side of Ridge Properties

NORTH BOUNDARY:

Contreras Rd.

WEST BOUNDARY:

West side of Properties on Patrick & cul-de-sacs on Timothy + Devonshire

SOUTH BOUNDARY:

South side of Properties on Timothy

CIRCULATOR'S FULL NAME:

Jennifer A. Wade

CIRCULATOR'S ADDRESS:

6274 Timothy Lane

CIRCULATOR'S SIGNATURE:

[Signature]

DATE SUBMITTED: 9/13/14

(THE PETITION MUST CONTAIN THE SIGNATURE OF AN OWNER OR RECORD OF AT LEAST TWO-THIRDS OF THE PARCELS WITHIN THE PROPOSED DISTRICT. SIGNATURES OVER SIX MONTHS OLD ARE VOID.)

Properties on Timothy, Devonshire, Patrick, Fieldcrest (~~the~~ Timothy to Contreras)
and Contreras (Patrick to (and including) 6225 Contreras)

SEP 26 2014
CITY OF OXFORD

OXFORD ZONING PETITION FOR RESIDENTIAL CONSERVATION OVERLAY DISTRICT

PROPERTY ADDRESS	PROPERTY OWNER	SIGNATURE	DATES	NOTES
9 Fieldcrest Ave.	Anne Searle Koehler	Anne B. Koehler Anne Bramble Koehler	9/5/14	
6 Fieldcrest Ave.	Jennifer B. Morrison	Jennifer B. Morrison	9/5/14	
7 Fieldcrest Ave.	David Miller and Janet			9/8/14 gave info in morning (divided) Jehoruk's with needed
125 Fieldcrest Ave.	George Leinke Jr.	George Leinke Jr.	9/7/14	
6252 Devonshire Dr	Kelly L. Osborn	Kelly Osborn	9/7/14	
6243 Devonshire Dr	Laura M. Livingston	Laura Livingston	9/6/14	
6242 Devonshire Dr.	Roy H & Angela F Poston	Roy Poston Jr	9/6/14	
6233 Devonshire Dr.	Michael M. Cameron	Michael Cameron	9/6/14	
6232 Devonshire Dr.	Matt S. Smith & Sarah L. Smith	Matt S. Smith	9/6/14	
82 Fatrick	Koontz, Frank & Jan			Jan said she would sign but failed to see her. 9/16/14 sent letter info + petition

RECEIVED
SEP 26 2014

CITY OF OXFORD

OXFORD ZONING PETITION FOR RESIDENTIAL CONSERVATION OVERLAY DISTRICT

PROPERTY ADDRESS	PROPERTY OWNER	SIGNATURE	DATES	NOTES
109 Fieldcrest Ave Jonathan and Kathleen S.	Jonathan and Kathleen Slager			9/15/14 Sent letter info + petition to owners.
6253 Devonshire Dr	Nathaniel S & Emily R Lie			9/18/14 Sent letter info + petition to owners
2 Patrick Dr.	Foley, Charles T. TR et al.	Mary E. Foley	9/16/14	9/18/14 Sent letter info + petition to Liz Foley
5 Patrick Dr.	Reardon, John O TR of The Georgetown Second	Sed attached page		9/18/14 Sent letter info + petition to Jack & George Reardon
7 Patrick Dr.	Smith, Franklin L. II & Jill C.			9/18/14 Sent letter info + petition to Frank & Jill Smith
9 Patrick Dr.	Walenga, Gail A. & Schuhle, Steven K.			9/15/14 Sent letter info + petition to owners.
6285 6285 Devonshire Dr.	Velazco, David H. & Robelyn D.			9/18/14 Sent letter info + petition to David Velazco.
6325 Timothy Ln.	Miller, Sibyl A. TR w/A DTD 11-30-09			9/13/14 Sent letter info + petition to Sibyl Miller
6232 Timothy Ln.	Wax, Morrel J			9/15/14 Sent letter info + petition to owner.
6305 Timothy Ln.	Carrano, Ellen			9/15/14 Sent letter info + petition to owner

RECEIVED
SEP 20 2014

CITY OF OXFORD

OXFORD ZONING PETITION FOR RESIDENTIAL CONSERVATION OVERLAY DISTRICT

PROPERTY ADDRESS	PROPERTY OWNER	SIGNATURE	DATES	NOTES
6 Patrick Dr.	Troy, Matthew A & Elizabeth M	<i>Matthew A. Troy</i>	9/5/2014 9/5/14	
3 Patrick Dr.	Gung, Benjamin	See other form. Directing ASK		9/14/14 Given information in person
8 Patrick Dr.	Koontz, Frank & Jan	See other form.		
10 Patrick Dr.	Perkins, John A. & Kimberly W.			Spoke to John on 9/15. Declined to sign.
11 Patrick Dr.	Smith, Donald C. & Marcia B.	<i>Donald C. Smith</i>	9/13/14	

OXFORD ZONING PETITION FOR RESIDENTIAL CONSERVATION OVERLAY DISTRICT

PROPERTY ADDRESS	PROPERTY OWNER	SIGNATURE	DATES	NOTES
6225 Contreras Rd.	Schindler, Gerald J.	<i>Gerald Schindler</i>	9/8/2014	
6233 Contreras Rd.	Cole, Richard D. & Linda J.	<i>Richard Cole</i>	Sept 14	
6243 Contreras Rd.	Riegel, Carolyn K et. al.	See attached page		9/9/14 Sent letters info + petition to John Riegel
6253 Contreras Rd.	Stearns, Dale K. & Hong Le	<i>Dale K. Stearns</i>	9/7/2014	
6285 Contreras Rd.	Mitchell, Maureen			9/9/14 Sent letters info + petition to Maureen Mitchell
3 Patrick Dr.	Gung, Benjamin			9/15/14 Declined to sign.

RECEIVED
SEP 26 2014

CITY OF OXFORD

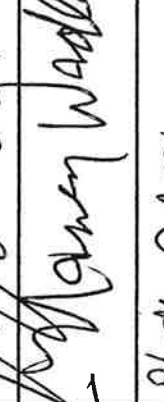
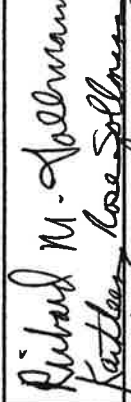
OXFORD ZONING PETITION FOR RESIDENTIAL CONSERVATION OVERLAY DISTRICT

PROPERTY ADDRESS	PROPERTY OWNER	SIGNATURE	DATES	NOTES
6294 Devonshire Dr.	Younts, Shirley A. TR	Shirley A Younts	9/7/14	
6274 Devonshire Dr	Schrimer, Marilyn M.	Marilyn Schrimer	9/7/14	
6284 Devonshire Dr.	Kobb, Richard F. TR et. al.	Richard Kobb	9/7/14	
6275 Devonshire Dr	Welborn, Max Jr.	Max Welborn Jr.	9/14/14	
6295 Devonshire Dr	Taylor, Christopher & Elizabeth	[Signature]	9-14-14	
6305 Devonshire Dr.	Osborne, Kenneth J. & Alice A.	Alice A. Osborne	9-11-14	
6315 Devonshire Dr	Berg, William P. & Tai Heeyoung	William P. Berg	9/7/14	9/8/14 gave materials 9/10/14 called Did not sign
6324 Devonshire Dr	Perkins, Marilyn T.			
6325 Devonshire Dr	Dewitt, David S & Carolyn K.	Carolyn-Kenneth Dewitt	9/8/14	
6295 Devonshire Dr				

SEP 23 2014

CITY OF OXFORD

OXFORD ZONING PETITION FOR RESIDENTIAL CONSERVATION OVERLAY DISTRICT

PROPERTY ADDRESS	PROPERTY OWNER	SIGNATURE	DATES	NOTES
6274 Timothy Ln.	Jennifer A. Wade		9-6-14	
6275 Timothy Ln.	Nancy Wadley		9/9/14	
6284 Timothy Ln.	Nelson, Ian M & Heather M.		9-7-14	
6285 Timothy Ln.	Kleibschneider, Joseph P & Alison		9-7-14 9/7/14	
6294 Timothy Ln.	Stad Schwegman, Emanuel R.		9/7/14	
6295 Timothy Ln.	Sellmann, Richard M & Kathleen		9/7/14 9-7-14	
6304 Timothy Ln.	Mueller, Jens & Bechtel Gabriele		9/7/14	
6305 Timothy Ln.	Currang Ellen			Name moved to "Center" list
6314 Timothy Ln.	Utter, William L. & Dixie C.		9/7/2014	
6315 Timothy Ln.	Martin, Ralph Ed		9/7/14	

RECEIVED
SEP 26 2014

OXFORD ZONING PETITION FOR RESIDENTIAL CONSERVATION OVERLAY DISTRICT

PROPERTY ADDRESS	PROPERTY OWNER	SIGNATURE	DATES	NOTES
6325 Timothy Ln.	Miller, Sibyl A. TR WA DTD 11-30-09			Name moved to Hard to Contact list
6324 Timothy Ln.	King, William L. TR & Susan H TR	<i>William L. King</i> <i>Susan H. King</i>	9/7/14 9-7-14	
Timothy Ln.	King, William L. TR & Susan H. TR	<i>William L. King</i> <i>Susan H. King</i>	9/9/14 9-7-14	



 SEP 26 2014
 CITY OF OXFORD

OXFORD ZONING PETITION FOR RESIDENTIAL CONSERVATION OVERLAY DISTRICT

PROPERTY ADDRESS	PROPERTY OWNER	SIGNATURE	DATES	NOTES
6253 Timothy Ln.	Strippel, Hazel Jane	Hazel Jane Strippel	9/7/14	
6263 Timothy Ln.	Zimmerman, Andrew D. & Megan N.	Andrew Zimmerman	9/7/14	
6252 Timothy Ln.	Byrd, Diana D	Diana Byrd	9/13/14	
6243 Timothy Ln.	Zimmerman, David Lee & Alice Lucille	Alice Zimmerman	9-11-14	
6242 Timothy Ln	Pahladel, Cathy G	Cathy Pahladel	9-7-14	
6233 Timothy Ln	Suarez, Scott A.	Scott Suarez	9-9-14	
6232 Timothy Ln.	Wax, Merrel J.	Merrel Wax	9-9-14	Name moved to "Hard to contact list"

100

OXFORD ZONING PETITION FOR RESIDENTIAL CONSERVATION OVERLAY DISTRICT

PROPERTY ADDRESS	PROPERTY OWNER	SIGNATURE	DATES	NOTES
6325 Timothy Lane	Miller, Sibyl A. TR W A DTU 11-3209	Sibyl A. Miller TR W	9/22/14	—

RECEIVED
SEP 26 2014

—

[illegible]

2017-2018

City of Ottawa

2

OXFORD ZONING PETITION FOR RESIDENTIAL CONSERVATION OVERLAY DISTRICT

[illegible]

1000	SEP 2014	1000
------	----------	------

0-00000

8

55

1025