



Agenda

Oxford City Council

Court House

TUESDAY, MARCH 3, 2015

EXECUTIVE SESSION

7:00 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. 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 February 17, 2015 City Council Meeting. (Mary Ann Eaton, Clerk of Council)



Minutes

- B. Report regarding the February 10, 2015 Planning Commission Meeting. (Jung-Han Chen, Community Development Director)



Report

- C. Report regarding the February 18, 2015 Board of Zoning Appeals Meeting. (Jung-Han Chen, Community Development Director)



Report

5. Resolutions.

1. A Resolution authorizing the City Manager to enter into an agreement to settle Butler County Common Pleas Case Nos. CV 2013-12-3428 and CV 2013-12-3430, both of which were consolidated by the court for the purpose of litigation and settlement under case No. CV 2013-12-3428. (Mike Dreisbach, Service Director)



Staff Report/Resolution

2. A Resolution approving the creation of a new fund for the 2015 operating budget to provide for Oxford Area Trail capital improvements. (Joe Newlin, Finance Director)



Staff Report/Resolution

3. A Resolution authorizing the City Manager to enter into a contract with Clark, Schaefer, Hackett & Co. to complete the audit of the annual financial statements for each of the five years ending December 31, 2014 through 2018. (Joe Newlin, Finance Director)



Staff Report/Resolution

6. Ordinances. Ordinances are adopted using a two-step procedure. First reading introduces the Ordinance and provides an opportunity for public input on the subject as well as allowing

Council to request more information as needed. Second reading is to provide Council with the opportunity to consider new information and to deliberate.

A. First Reading.

1. An Ordinance Repealing Oxford Codified Ordinance Chapter 1149 Entitled Vehicle Management, And Adopting New Oxford Codified Ordinance Chapter 1149 Entitled Parking And Site Access. (Sam Perry, Planner)



Staff Report/Ordinance

2. An Ordinance Repealing Oxford Codified Ordinance Section 1147.03 Entitled Use Specific Regulations & Potential Concerns, And Adopting New Oxford Codified Ordinance Section 1147.03 Entitled Use Specific Regulations & Potential Concerns. (Sam Perry, Planner)



Staff Report/Ordinance

3. An Ordinance Approving a Conditional Use Permit To Permit A Public School In A R-1A (Single-Family Low Density Residential) District And A R-1MS (Single-Family Residential Mile Square) District Located At 400 West Sycamore Street Oxford, Ohio 45056 With Conditions. (Sam Perry, Planner)



Staff Report/Ordinance

4. An Ordinance Accepting The Planning Commission's Recommendation And Granting A Zoning Map Amendment For 137.622 Acres Of Land Along Bonham Road, Oxford, Ohio, And Rezoning The Property From A-1 And R-1 (Oxford Township Zoning) To City Of Oxford MU (Miami University) Zoning District And R-1A (Single-Family Low Density Residential) Zoning District. (Sam Perry, Planner)



Staff Report/Ordinance

5. An Ordinance Amending Ordinance No. 3286. Supplemental Budget Ordinance Number 2 To Make Supplemental Appropriations For Fiscal Year 2015. (Joe Newlin, Finance Director)



Staff Report/Ordinance

B. Second Reading - None.

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 - Mar 4 Historic and Architectural Preservation Commission Work Session 5:30 p.m.

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

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

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

FRI - Mar 13 Student Community Relations Commission Meeting 3:00 p.m. LCNB

MON - Mar 16 Housing Advisory Commission Meeting 7:00 p.m. Municipal Building

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

WED - Mar 18 Board of Zoning Appeals Meeting Cancelled

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

FRI - Mar 27 Community Improvement Corporation Meeting 12:00 p.m. LCNB

8. Adjourn.

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Council Meeting of: March 3, 2015

Account Code #: 141.720.51445

Budgeted Amount: \$ Encumbered

Service Department
Originating Department

Michael B. Dreisbach
Prepared By

February 20, 2015
Date Prepared

Agenda Title: Authorization to Settle Property Valuation Litigation
ODOT PID: 81769 Project: BUT27-10.92 Parcel 133

Recommendation: Approval

Discussion:

The City has worked with the owners of ~42 properties in order to acquire the necessary right-of-way (ROW) for roadway and sidewalk improvements to US27 South from Chestnut St. to Southpointe Parkway. To date, the City has signed agreements with all but 4 of the property owners involved in the project (and settlement of the remaining parcels is imminent).

Given that the City and the owners of Parcel 133 (Shawn and Holly Baker & Century 21) could not reach an agreement prior to the City's ROW certification date, the City was forced to file suit against the Owners in Butler County Court of Common Pleas. The cases were consolidated and assigned to Judge Michael Sage for trial.

The City met in mediation with the defendants, owners of Parcel 133 and associated property, on two separate occasions with the defendants being represented by attorney Jack Grove. Judge Bressler acted in the capacity of mediator.

Following a careful review of facts, risk, and potential expenses regarding this parcel, a tentative settlement has been reached with the owners pending approval by the Oxford City Council. The settlement value of \$_____ includes any and all compensation for any expense related to the ROW acquisition for this project, PID 81769. Adequate funds to pay for the settlement have already been encumbered by the City and are available to expense. Additionally, the owner's will petition to annex into the City of Oxford, and within five years of the settlement, the City will make a sanitary sewer connection available to the property with no connection or capacity fees to the owners. The owners will also be allowed to install a sign of similar dimensions on their property, but may not add electronic (digital) messaging.

It is Staff's recommendation that the Oxford City Council authorize the City Manager to enter into settlement agreements with the Shawn Baker, Holly Baker, and Century 21 to resolve this litigation.

Approved By:

Department Head:

City Manager:

Initial MBD Date 2/20/15

DRE \ 2/27/15

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT TO SETTLE BUTLER COUNTY COMMON PLEAS CASE NOS. CV 2013-12-3428 and CV 2013-12-3430, BOTH OF WHICH WERE CONSOLIDATED BY THE COURT FOR THE PURPOSE OF LITIGATION AND SETTLEMENT UNDER CASE NO. CV 2013-12-3428.

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

SECTION 1: Council previously authorized the City Manager and the Law Director to enter into settlement negotiations regarding *City of Oxford vs. Shawn and Holly Baker and Century 21* Butler County Common Pleas Case Nos. CV 2013-12-3428 and CV 2013-12-3430.

SECTION 2: The City Manager and the Law Director have reviewed the terms of the settlement reached through mediation conducted on February 19, 2015 with counsel for Shawn and Holly Baker and Century 21, and recommend Council authorize settlement in the amount of \$_____. Additionally, Shawn and Holly Baker, as the property owners and as a condition of settlement, have agreed to immediately petition to annex into the City of Oxford, and within five years of the settlement, the City shall make a sanitary sewer connection available to the property with no connection or capacity fees to be paid by the owners.

SECTION 3: Council has determined that this settlement between Shawn and Holly Baker and Century 21, and the City of Oxford will further the U.S. 27 Roadway Improvement project in an efficient manner and will benefit the citizens of the City of Oxford, and hereby accepts the recommendations of the City Manager and the Law Director.

SECTION 4: Council hereby authorizes the City Manager to accept the pending offer of settlement on behalf of the City of Oxford and authorizes the City Manager to enter into a settlement agreement, which shall be acceptable to the Law Director, on behalf of the City of Oxford and to carry out all steps necessary to process the settlement agreement and the Law Director to take all steps necessary to implement the settlement of the aforementioned case.

SECTION 5: Upon final execution of a settlement agreement as set forth herein, Council further authorizes an additional payment in the amount of \$_____, bringing the total settlement with Shawn and Holly Baker and Century 21, to the sum of \$_____. Additionally, the property owners shall immediately petition to annex into the City of Oxford, and within five years of the settlement, the City shall make a sanitary sewer connection available to the property with no connection or capacity fees to be paid by the owners.

SECTION 6: 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)

Report to City Manager

Council Meeting Of : 3/3/2015

Account Code No. : see below

Budgeted Amount : _____

Finance

Joe Newlin

Prepared By

2/23/2015

Date Prepared

Agenda Title:	Resolution for Creation of Oxford Area Trail Capital Improvement Fund
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Recommendation:	Approve
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Approved By:

Department Head:

City Manager:

Initials

Date _____

122

2/24/15

1

RESOLUTION NO.

A RESOLUTION APPROVING THE CREATION OF A NEW FUND FOR THE 2015 OPERATING BUDGET TO PROVIDE FOR OXFORD AREA TRAIL CAPITAL IMPROVEMENTS.

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

SECTION 1: The City Council hereby approves and authorizes the Finance Director to create a Capital Improvement Fund #144 Oxford Area Trail Capital Improvement Fund for the sole purpose of the acquisition of property, improvements to acquired or existing property and necessary equipment for the Oxford Area Trail.

SECTION 2: The City Manager and the Finance Director hereby recommend that the City Manager and the Finance Director have oversight over the activities within the Oxford Area Trail Capital Improvement Fund and it be used for Oxford Area Trail Improvements.

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

MAYOR

ADOPTED: _____

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW (STAFF)



Ohio Department of Natural Resources

JOHN R. KASICH, GOVERNOR

JAMES ZEHRINGER, DIRECTOR

October 14, 2014

Sam Perry
Community Development Department
City of Oxford
101 E. High Street
Oxford, Ohio 45056

RE: Black Bridge Connector

Dear Mr. Perry:

I am very pleased to inform you that the above referenced project has been conditionally awarded funding through the Clean Ohio Trails Fund (COTF) in the amount of \$500,000. You have been awarded COTF funding on the condition that the State of Ohio Controlling Board approves your grant award in their upcoming meeting.

After your project has been approved by the State Controlling Board, ODNR will mail you two copies of your State-Local Project Sponsor contract agreement for the referenced Clean Ohio Trails Fund grant. Both copies must be signed and returned to the Office of Real Estate, 2045 Morse Road, Building E-2, Columbus, OH 43229-6693 within 30 days of receipt. A fully signed copy will be returned to you along with additional information concerning your COTF project.

To protect your eligibility in the program, please **do not begin any portion of your project until you receive written approval to do so.** Your COTF grant will be coordinated through the ODNR Office of Real Estate. If you have any questions, please do not hesitate to contact D'Juan Hammonds of my staff at (614) 265-6417.

Congratulations and good luck with your Clean Ohio Trails Fund project.

Sincerely,

A handwritten signature in cursive script, reading "J Zehringer".

James Zehringer
Director

JZ/dh

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Finance
Originating Department

Council Meeting Of: 3/3/15

Joe Newlin
Prepared By

Account Code No. _____

Budgeted Amount: _____

2/23/15
Date Prepared

Agenda Title:	Resolution for Audit
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Recommendation:	Approve
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Discussion:

The Finance Department recommends approval of the contract for the audit with Clark, Schaeffer, Hackett & Co. for the years ending 2014 - 2018. The Auditor of State was the lead player in picking out the firms that were asked to bid on the pool: City of Loveland, City of Madeira, City of Springdale, City of Monroe and the City of Oxford. Six firms participated in the exercise and in the end Plattenburg was awarded a score of 75.75 points and Clark, Schaeffer, Hackett & Co. was awarded a score of 74.83 points. Each municipality was allowed to give 5 points however they deemed appropriate. The City of Oxford has worked with both the top firms and have very good working relationships with both. Pricing from Clark, Schaeffer, Hackett & Co. \$93,000 (or \$18,600 average per year) was \$2,375 lower over the course of the contract so I awarded them the 5 points and everything worked out in the end.

For comparison sake, our last 5 year agreement with Plattenburg was \$117,110 (or \$23,422 average per year). Last year's audit by the Auditor of State's office was \$27,798.

Approved By:	Department Head:	Initial Date
	City Manager:	<u>2/24/15</u> <u>3/27/15</u>

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH CLARK, SCHAEFER, HACKETT & Co. TO COMPLETE THE AUDIT OF THE ANNUAL FINANCIAL STATEMENTS FOR EACH OF THE FIVE YEARS ENDING DECEMBER 31, 2014 THROUGH 2018.

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

SECTION 1: Council hereby determines that the City desires to complete the audit of the annual financial statements each of the five years ending December 31, 2014 through 2018.

SECTION 2: The City Manager is hereby authorized to contract with Clark, Schaefer, Hackett & Co. to complete the audit of the annual financial statements for each of the five years ending December 31, 2014 through 2018, for a total cost not to exceed \$93,000.00.

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

Community Development

Originating Department

Council Meeting Of: March 3, 2015

Sam Perry

Prepared By:

Account Code No. #:

Budgeted Amount:

February 23, 2015

Date Prepared:

PC-2014-20 ZONING CODE TEXT AMENDMENT to revise all sections of Chapter 1149, Vehicle Management, regarding site development requirements for parking areas: minimum and maximum numbers of vehicular spaces, bicycle spaces, parking lot design and layout, pedestrian safety and storm water management. Additionally the related Section 1147 Conditional Uses, new provisions for off-site parking and shared-use parking, **City of Oxford, Applicant**

Recommendation: Approval

Discussion:

Reviewing the existing vehicle management chapter of the Oxford Zoning Code has been one of the priority items of the Planning Commission. It incorporates some practical design standards and brings this chapter up-to-date. Minimum parking requirements are reduced by 30-40% and a parking maximum is added for most uses. Additionally, this amendment clarifies some procedures while creating new procedures potentially to be used for flexibility in redevelopment situations and adaptive re-uses. The amendments are a result of staff working with a joint subcommittee from the Oxford Planning Commission, the Oxford Parking and Transportation Advisory Board and local design professionals. **This process has been underway since April 2014.** The presentation of the subcommittee recommendations resulted in considerable detailed discussion at the January and February 2015 Planning Commission meetings. The requested revisions and corrections from those meetings have all been incorporated. This set of code revisions puts Oxford in a position more congruent with current personal travel trends, while also introducing new flexibility into the site redevelopment process. Included with this report are drawings which illustrate a theoretical vacant lot on US 27 North. The drawings compare current code provisions to proposed code revisions.

Overall, the code revisions seek to tie up less land dedicated to vehicles while also facilitating the lesser-used travel modes such as walking and biking. It also incentivizes parking for motorcycles and scooters. As a result of the new subject matter in Chapter 1149, the amendment therefore proposes a re-naming of the chapter from "Vehicle Management" to "Parking and Site Access."

Part of the amendment package also includes new sections for Shared and Joint-Use parking as part of Conditional Use, Use Specific Regulations in Chapter 1147.

Approved By:

Department Head:

City Attorney:

City Manager:

shc 2/19/15
DRE 2/27/15

ORDINANCE NO.

ORDINANCE REPEALING OXFORD CODIFIED ORDINANCE CHAPTER 1149 ENTITLED VEHICLE MANAGEMENT, AND ADOPTING NEW OXFORD CODIFIED ORDINANCE CHAPTER 1149 ENTITLED PARKING AND SITE ACCESS.

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

SECTION I: Council hereby finds that the City of Oxford Planning Commission held a public hearing on February 10, 2015 and that following the public hearing did deliberate and as a result of that deliberation, the Planning Commission recommended repealing Oxford Codified Ordinance Chapter 1149 entitled Vehicle Management, and adopting new Oxford Codified Ordinance Chapter 1149 entitled Parking and Site Access.

SECTION II: Council hereby repeals Oxford Codified Ordinance Chapter 1149 and adopts new Oxford Codified Ordinance Chapter 1149 as follows: (additions are bolded and deletions are struck through)

CHAPTER 1149

~~Vehicle Management~~ **PARKING AND SITE ACCESS**

1149.01 PURPOSE.

(a) The regulations of this section are intended to minimize the traffic impacts of development on public streets and to assure that all developments adequately and safely provide storage and movement of vehicles in a manner consistent with good site design and site engineering practices **without creating excessive amounts of parking spaces.** This section regulates off-street parking and loading, handicapped accessibility, and vehicular access from public streets.

(b) This section includes provisions that are intended to minimize potential nuisance to adjacent properties by limiting light pollution, ~~requiring natural landscaping, and reducing the parking space requirement for vehicle management areas that are large~~ **minimizing dust and debris, improving public safety and managing storm water run-off.**

(c) **This section includes provisions which are intended to benefit the community by minimizing vehicular and pedestrian conflicts in parking lots, reducing the urban heat island effect, fostering air and water quality, promoting alternative modes of transportation and maximizing the efficient use of land.**

1149.02 APPLICABILITY OF REGULATIONS.

(a) Any new development, redevelopment, or change to a use or structure or site (whether conforming or nonconforming) shall meet the current parking and site access regulations for the entire use and structure and site. **Any nonconforming uses, structures or sites shall follow the provisions in Chapter 1137.**

(b) All residential uses of more than three dwelling units must meet the non-residential parking requirements (see Section 1149.05) except for the number of parking spaces required.

(c) All uses in a mixed-use structure or lot must comply with the requirements for non-residential uses.

1149.03 GENERAL REGULATIONS.

(a) All off-street parking and maneuvering areas shall be hard surfaced (includes concrete, asphalt, brick, stone, or bonded gravel). Loose materials are not permitted. **The Zoning Administrator**

may permit alternate surfaces in collaboration with the City Engineer may allow alternative standards, such as for porous paving, if they satisfy the general intent of and satisfy all other provisions of this section.

(b) All off-street parking shall be located on the same site as the use for which it is required or intended except that off-site parking may be permitted by a Conditional Use Permit according to procedures set forth in Section 1147. Shared-use parking may be permitted by Conditional Use Permit according to procedures set forth in Section 1147.

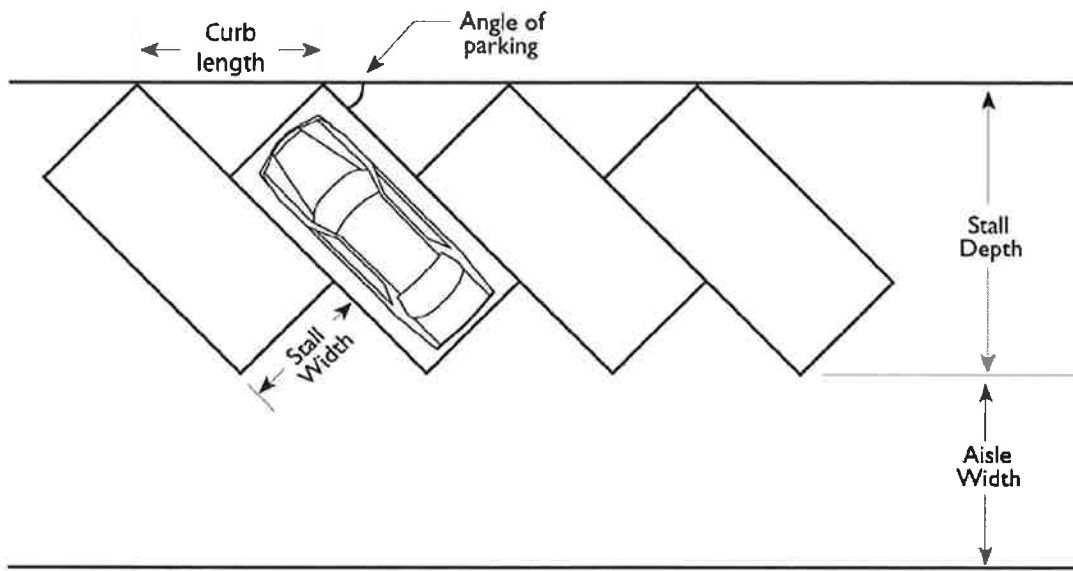
(c) All off-street parking spaces shall contain a rectangular area a minimum of 9 feet wide and 20 feet long, except that parallel parking spaces shall be a minimum of 22 feet long minimum-sized rectangular area. Standard spaces are 9 feet wide by 18 feet long. Compact spaces are 8 feet wide by 16 feet long. The tables below outline the non-residential parking lot minimum dimensional requirements for the spaces and aisles based on angle

Table 1149.03c1 Min. Standard Parking Space and Aisle Dimensions

Angle of Parking	Stall Width	Curb Length Per Stall	Stall Depth	One-Way Aisle Width	Two-Way Aisle Width
Parallel	9'-0"	22'0"	9'0"	12'	20'
30 deg	9'-0"	18'0"	17'4"	11'	20'
40 deg	9'-0"	14'0"	19'2"	12'	22'
45 deg	9'-0"	12'9"	19'10"	13'	24'
50 deg	9'-0"	11'9"	20'5"	15'	24'
60 deg	9'-0"	10'5"	21'0"	18'	24'
70 deg	9'-0"	9'8"	21'0"	19'	24'
90 deg	9'-0"	9'0"	18'0"	24'	24'

Table 1149.03c2 Min. Compact Parking Space and Aisle Dimensions

Angle of Parking	Stall Width	Curb Length Per Stall	Stall Depth	One-Way Aisle Width	Two-Way Aisle Width
Parallel	8'-0"	22'0"	8'0"	11'	20'
30 deg	8'-0"	18'0"	14'11"	11'	20'
40 deg	8'-0"	14'0"	16'5"	11'	22'
45 deg	8'-0"	12'9"	17'0"	11'	24'
50 deg	8'-0"	11'9"	17'5"	13'	24'
60 deg	8'-0"	10'5"	17'10"	16'	24'
70 deg	8'-0"	9'8"	17'9"	16'	24'
90 deg	8'-0"	8'0"	16'0"	21'	24'



- (d) Computation Rules:
- (1) Any mixed-use structures or lots must provide parking in an amount equal to the sum of all the individual uses combined.
 - (2) Any fractional spaces required shall be rounded up to the next whole number.
- (e) One-way drive aisles that do not provide direct access to parking spaces shall be at least 12 feet wide. Two-way drive aisles that do not provide direct access to parking spaces shall be at least 20 feet wide.
- (f) Parking spaces for motorcycles and scooters shall be at least 5 feet wide by 9 feet long.
- (g) Compact spaces must be clustered but clusters must be dispersed in parking lots with over 40 spaces. Compact spaces can take up to 25% of the required number of spaces. Compact spaces must be clearly marked.
- (h) The table below outlines the minimum number of parking spaces required. The maximum number of spaces is limited to no more than 150% of the minimum unless approved by Conditional Use Permit. Single, Two and Three-Family uses on individual lots are exempt from the maximum.

(i)

Space Requirements

Residential Uses	<u>Minimum Number Spaces Up to Maximum of 150%</u>
Single-Family	2 per dwelling unit (<u>exempt from max</u>)
Two-family	2 per dwelling unit (<u>exempt from max</u>)
Three-family	2.5 per dwelling unit (<u>exempt from max</u>)
Multi-family in R-4 <u>District other than R-3 District</u>	2.5 per dwelling unit
Multi-family in R-3 District	The minimum number of parking spaces shall be one times 50% of the number of permitted occupants: <u>1 per 2 permitted occupants</u>
<i>(EDITOR'S NOTE: The following items 1 through 5 are exemptions only applicable to multi-family uses in the R-3 District.</i>	
1. For <u>R-3</u> District, the minimum number of off-street parking spaces may be reduced based on the following criteria, but not less than 25% of the permitted occupants.	
2. Building distance to <u>transit stops</u> . MU Metro Stops. <u>(R-3 only)</u>	
a. Less than 500 feet 10% reduction	
b. Less than 1000 feet 5% reduction	
c. Less than 2000 feet 1% reduction	
d. More than 2000 feet No reduction	
3. Sheltered bike facility <u>(R-3 only)</u>	
a. Each 10 bike shelter parking facility qualifies for 1% reduction	
4. Building distance to the MU campus <u>(R-3 only)</u>	
a. Less than 500 feet 10% reduction	
b. Less than 1000 feet 5% reduction	
c. Less than 2000 feet 1 % reduction	
d. More than 2000 feet no reduction	
5. Numbers of on-street parking: Each legal, adjacent, on-street parking space would reduce one required off-street parking space <u>(R-3 only)</u> .	
Efficiency	1 per dwelling unit
Fraternity and Sorority	2 per each 5 beds permitted by a valid City of Oxford rental permit

Family community residence	1 plus 1 per each 2 support staff members
Group community residence	1 plus 1 per each 2 support staff members
Community residence	1 plus 1 per each 2 support staff members
Family day-care home, Type A	1 per each 6 children potentially enrolled
Family day-care home, Type B	1 per each 6 children potentially enrolled
Child day-care center	1 per each 6 children potentially enrolled

Non-Residential Uses	<u>Minimum Number Spaces Up to Maximum of 150%</u>
Amusement arcade	1 per each 200 square feet
Auditoriums, churches, temples & other places of public assembly	1 per each 8 seats in main auditorium (for bench seating 20 inches equals one seat)
Hotel, Bed & Breakfast	1 per guest room
Billiard parlor	2 per each billiard table
Bowling alley	5 per each alley
Bowling alley with restaurant	5 per each alley plus 1 per each 200 square feet of usable floor area in the restaurant
Car wash	1 per 6 wash bays
Cemetery	1 per each employee on largest shift plus 1 per each 2 seats in any chapel
Clinic, bank, independent offices	3 plus 1 additional per each 300 square feet of usable floor area over 1,000 square feet
Club or lodge	1 per each 5 members
Community center, library, museum, art gallery	1 per each 250 square feet of floor area plus 1 per each employee on largest shift
Funeral home	1 per each 30 100 square feet of usable visitation and funeral service area plus 1 per each employee on largest shift plus 1 per each funeral vehicle
Golf facility	10 4 per each hole plus 1 per tee at a driving range plus 50 percent of the spaces required for other on-site accessory uses
Hospital	1 per each 2 beds (excluding infant beds); 3 plus 1 additional per each 300 square feet of usable floor area over 1,000 square feet plus 1 for each employee based on largest

	<u>shift</u>
Industrial wholesaling & manufacturing uses	2 per each 3 employees on largest shift for which building is designed plus 1 per each motor vehicle routinely stored on premises or in ratio of 1 space for every 1,000 square feet of total building area; provided, however, that if the number of spaces required by the building ratio is greater than that required by the employee ratios, additional parking spaces need not be provided physically but sufficient spaces shall be reserved for future physical development.
Miniature golf facility	1.5 per each hole
Nursing home	2 <u>1</u> per each 3 beds <u>plus one for each employee based on largest shift</u>
Offices with office buildings	3 plus 1 additional per each 300 square feet of usable floor area over 1,000 square feet
Other	As determined by Zoning Administrator based upon similarity to requirements for listed uses
Professional offices, studios, non-profit organizations	3 plus 1 additional per each 300 <u>400</u> square feet of usable floor area over 1,000 square feet
Restaurant	1 per each 400 <u>150</u> square feet of usable floor area. If a drive-through is present, each 20 feet of queuing between the points at which the order is taken and the where the food is served shall count as 1 space toward the total requirement, up to a maximum of 3 spaces.
Retail store, personal service establishment	1 per each 200 <u>300</u> square feet of usable floor area.
School, elementary	1 per employee on largest shift plus 1 per classroom
School, high	1 per employee on largest shift plus 1 per each four students potentially enrolled
School, junior high	1 per employee on largest shift plus 1 per classroom
Skating rink	1 per each 300 square feet of floor area
Stadium or spectator arena	1 per each 10 seats (for bench seating 22 inches equals one seat)
Swimming pool	1 per each 75 square feet of water surface area

- (j) Exceptions:
- (1) In the UP District, all dwelling units are exempt from parking requirements.

(2) All non-residential uses in the UP and RO Districts are exempt from parking requirements.

(3) **A deviation from the number parking spaces provided may be permitted through a conditional use for shared use parking or off-site parking.** For non-residential uses that require more than 80 parking spaces, the Zoning Administrator may permit a temporary reduction of up to 50 percent of the total number of required spaces. Regardless of any permitted reduction, all uses shall have adequate land area to provide the total number of spaces required by this Chapter. The applicant shall provide proof that the reduced total number of parking spaces is sufficient for the use and location. The temporary reduction documentation shall be recorded in the Office of the Butler County recorder. The Zoning Administrator is not obligated to permit a reduction. If the Zoning Administrator finds that the total number of parking spaces is insufficient for the use, the landowner shall construct additional parking spaces within one year of notification from the Zoning Administrator.

1149.04 RESIDENTIAL REGULATIONS

(a) Location.

(1) 1 parking space may be located in a required front yard. All other parking spaces required or provided in excess of the minimum requirement shall not be located in the required front yard.

(2) 1 required parking space may be a stacked space. All other required off-street parking spaces shall have direct access to a driveway or alley, without crossing another space.

(3) Parking spaces shall not be located within 3 feet of any lot line.

(4) Unenclosed parking spaces shall not be located within 3 feet of any principal structure.

(b) Access and Maneuvering. **The City Engineer shall have the authority to amend any of the below regulations.**

(1) Curb cuts shall be a minimum of:

- A. 30 feet from the intersection of two local roads
- B. 50 feet from any intersection with a collector road
- C. 70 feet from any intersection with an arterial road

(2) Where a lot is adjacent to an alley, access may be from any location along the lot line except in a required front yard.

(3) Driveways shall be a minimum of 2 feet from a side lot line.

(4) A residential use shall have a maximum of one curb cut per 100 feet of frontage, or fraction thereof (e.g. a lot with 101 feet of frontage may have two curb cuts).

(5) A residential use on a corner lot shall have its access from a local street, if available.

(6) Driveways shall be a maximum of 18 feet wide at the right-of-way line **and shall flare no greater than 30 degrees from perpendicular with the right-of-way line.**

(c) Utilization.

(1) No vehicle or trailer shall be parked in any off-street parking area to warehouse or distribute goods, except for loading and temporary sales.

(2) Off-street parking spaces for a non-residential use shall not be used by commercial vehicles that do not fit entirely within the parking space.

(3) Vehicles with signs attached to them shall not be parked in a manner such that they circumvent the Sign provisions (see Chapter 1151).

(4) Off-street parking areas shall not be used to display vehicles for sale, except as a permitted use.

(5) The off-street parking of any recreational vehicle, boat and/or boat trailer, dual purpose truck camper or converted van, pickup camper or coach (designed to be mounted on automotive vehicles), motorized dwelling, tent trailer, travel trailer, utility trailer, bus or semi-tractor or commercial vehicle designed or used for carrying merchandise or freight shall be permitted in a residential district only under the following conditions:

- A. All such vehicles must be parked on a permanently hard surface.
- B. No more than one camping or recreational vehicle may be parked in a residential district on a front driveway that is permanently hard-surfaced or at the curb in front of the residence of the owner of such recreational vehicle for a period of time not to exceed 48 hours for the purposes of loading and unloading and/or preparation, except where specifically prohibited by other parking regulations.
- C. No more than one commercial vehicle having empty weight of less than 4,000 pounds and not more than seven feet in height may be parked on any lot in a residential district provided that it is on a driveway that is permanently hard-surfaced.
- D. No more than one vehicle less than 8,000 pounds empty weight and/or ten feet in height, or buses, boats and trailers less than 30 feet in length may be parked or stored on any lot in a residential district. However, such parking or storing shall be prohibited in any front yard provided that it is parked on a permanently hard surface.
- E. The conditions set forth in Subsections 2 through 4 above shall not apply to commercial vehicles making service calls, including vehicles being used for moving personal goods.

(6) Vehicles owned, rented or leased by a church, school or other institutional use, provided that such vehicle is parked or stored only on the property where such use is located and that the location and screening of such storage or parking area complies with the provisions of Subsection 3 above.

(7) All permitted camping and recreational vehicles and equipment and commercial vehicles shall be kept in good repair and carry a current year's license and/or registration. Automotive vehicles or trailers of any kind or type without current license plates shall not be parked or stored on any residentially zoned property other than in completely enclosed buildings.

(8) Parked or stored camping and recreational vehicles and equipment or other similar habitable vehicles shall not be permanently connected to electricity, water, gas or sanitary sewer facilities; and at no time shall these vehicles or equipment be used for living, sleeping or housekeeping purposes. No person shall permanently remove the wheels or similar transporting devices of any habitable vehicle parked in any residential district, nor shall such vehicle be otherwise fixed to the ground by any person in any manner that would prevent the ready removal of said habitable vehicle. (Ord 2782. Passed 5-20-03)

1149.05 NON-RESIDENTIAL REGULATIONS.

(a) Location.

- (1) Parking Spaces shall not be located within the required front setback.
- (2) All paved areas of an off-street parking area shall be a minimum of six feet from any lot line or 10 feet from any lot line in a residential zoning district.

(3) In the GB District, the maximum total number of off-street parking spaces provided on-site in front of the principal structure shall not exceed 70% of the total number of required off street spaces.

(b) Access and Maneuvering. The City Engineer shall have the authority to amend any of the below regulations.

- (1) Curb cuts shall be a minimum of:
 - A. 40 feet from the intersection of two local roads
 - B. 50 feet from any intersection with a collector road
 - C. 70 feet from any intersection with an arterial road
 - D. 30 feet from any other curb cut (measured at the lot line)
- (2) Driveways shall be ~~a minimum of 10 feet wide and~~ maximum of 13 feet wide per lane at the right-of-way line.
- (3) ~~Driveways shall be a minimum of 20 feet wide adjacent to parking spaces.~~
- (4) ~~Maneuvering area shall be provided that permits all vehicles to exit the parking area in a forward motion, without reliance on an ability to turn around in an unoccupied parking space.~~
- (5) ~~Separate entrance and exit lanes, and any intended internal circulation pattern shall be clearly marked.~~
- (6) ~~Curb cuts shall be directly opposite existing curb cuts, where possible.~~
- (7) ~~Parking areas in a commercial district with more than 10 parking spaces shall have separate entrance and exit lanes.~~

(c) Utilization

- (1) No vehicle or trailer shall be parked in any off-street parking area to warehouse or distribute goods, except for loading and temporary sales.
- (2) Off-street parking spaces for a non-residential use shall not be used by commercial vehicles that do not fit entirely within the parking space.
- (3) Vehicles with signs attached to them shall not be parked in a manner such that they circumvent the Signs provisions (see Chapter 1151).
- (4) Off-street parking areas shall not be used to display vehicles for sale, except as a permitted use.

(d) Screening and Landscaping

- (1) Off-street parking areas of more than four spaces must meet the landscaping requirements set forth in this chapter.

(e) Additional Requirements

- (1) Handicapped accessible. The design and construction of all new, expanded, or comprehensively redesigned off-street parking areas shall comply with applicable requirements of **Chapter 11, Accessibility, of the Ohio Building Code** the Americans with Disabilities Act (ADA).

A. ~~Location~~

1. ~~Required handicapped accessible spaces shall be located on the shortest accessible route of travel to the use for which they are required.~~
2. ~~For buildings with multiple accessible entrances, accessible parking spaces shall be dispersed and located closest to the accessible entrances.~~
3. ~~In parking facilities that do not serve a particular building, accessible parking shall be located on the shortest accessible route of travel to an accessible pedestrian entrance of the parking facility.~~

B. ~~Marking~~

1. ——— Handicapped accessible spaces shall be designated as reserved by a sign showing the international symbol of handicapped accessibility at a height such that the sign is visible when the space is occupied.

C. ——— Design

1. ——— Accessible parking spaces shall be at least 8 feet wide.

2. ——— Each accessible space must have an adjacent loading aisle at least 5 feet wide and 20 feet long.

3. ——— Two accessible parking spaces may share a common access aisle.

4. ——— Parking access aisles shall be part of an accessible route to the building or facility entrance.

5. ——— Parked vehicle overhangs shall not reduce the clear width of an accessible route.

6. ——— The surface of handicapped parking spaces and access aisles shall not exceed 2 percent slope in any direction.

7. ——— The route from handicapped accessible spaces to the entrance of the use for which it is required (if applicable) may not exceed 5 percent slope.

8. ——— A minimum vertical clearance of 9.5 feet must be provided at handicapped accessible spaces and loading isles, and along at least one vehicle access route to such spaces from the site entrance and exit.

(2) Loading Spaces.

A. Number.

1. One loading spaces shall be required for all non-residential uses and for residential uses with greater than three dwelling units.

2. One additional loading space shall be required for each 20,000 square feet or fraction thereof of floor area over the first 10,000 square feet.

3. All residential and non-residential uses in the UP District are exempt from the loading space requirements.

B. Location.

1. Loading spaces may be located anywhere on a lot.

C. Design.

1. Loading spaces must be a minimum of 10 feet wide by 25 feet long.

D. Utilization.

1. Loading spaces shall be utilized primarily for loading purposes. No vehicle shall occupy a loading space continuously for more than 48 hours. (Ordinance 3019, Passed 10-7-08)

(3) Queue and Exit Spaces.

A. Queuing and exiting spaces are required for drive-through and other uses that result in cars lining up to access a service.

B. Queuing and exiting spaces shall not interfere with required parking or adequate area for vehicle maneuvering.

C. All queuing and exiting spaces shall contain a rectangular area a minimum of 9 feet wide and 18 20 feet long.

D. Queuing spaces shall not be located in the required front setback.

E. The following uses require queue and exit spaces:

USE	QUEUE SPACES	EXIT SPACES
Car wash bays	3 per bay	1 per bay
Vacuum stations	1 per station	None
Drive-through convenience store	7 per bay	1 per bay
Drive-up banking	3 per bay	1 per bay
Drive-up pharmacy	3 per bay	1 per bay
Fuel pumps	1 per pump	None

(4)

Parking Lot Design.

A. All non-residential parking areas shall be screened from an adjacent residential district by a 6-foot high visual screen.

B. Any parking space oriented in such a way as to have headlights shine into a residential structure shall have a fence, wall, or solid hedge of no less than 4' in height screening the headlights.

C. All off-street parking areas shall be designed, constructed, and maintained to ensure that stormwater, dust, and debris do not adversely impact any other lot. **Storm water management shall be in compliance with Section 1141.04, Environmental Regulations.**

D. **Parking areas shall provide a minimum security lighting level of 1 foot candle.** Light fixtures shall be a maximum height of 16 feet above the adjacent ground. **Glare and light pollution is regulated by Section 1141.04, Environmental Regulations.**

E. All unpaved areas adjacent to an off-street parking area shall be raised, landscaped, and separated from the parking area by a minimum 6-inch high concrete curb. **Openings shall be permitted in specific locations for storm water quality management.**

F. A raised, landscaped, and curbed island a minimum of 4.5 feet wide (including the width of the curb) shall be provided at the front and at the ends of each row of parking spaces and at every interval of 7 **15** parking spaces in a row. End islands shall extend to within 3 feet of the end of the parking space. The width requirement can be shared between adjacent facing rows or by the setback requirement adjacent to lot lines. **Openings in curbing shall be permitted for storm water management.**

G. Interior rows of parking shall have an access aisle between each 15 parking spaces.

H. **Visibility shall be assured for pedestrians, bicyclists, and motorists entering individual parking spaces, circulating within a parking facility, and entering or leaving a parking facility.**

I. **Internal circulation patterns, and the location and traffic direction of all access drives, shall be designed and maintained in accordance with accepted principles of traffic engineering and traffic safety.**

J. **Off-street parking and loading areas shall be provided with sufficient maneuvering room so that all vehicles can enter and exit from a public street by forward motion only. The maneuvering of vehicles necessary to enter or exit loading areas shall not occur on City streets.**

K. Parking lots shall be designed so that solid waste, emergency, and other public service vehicles can provide service without backing unreasonable distances or making other dangerous or hazardous turning movements.

L. Parking Lot Layout. No more than 200 parking spaces shall be allowed together in one group or cluster. Parking lot clusters shall be separated by landscaping, pedestrian connections, cross aisles, retention basins or similar features.

M. In office-use and industrial projects, a minimum 25 percent of the required parking spaces shall be provided within 200 feet of the building served, with the balance of the required parking within 400 feet.

N. In commercial and mixed use projects, a minimum of 50 percent of the required parking spaces shall be located within 300 feet of the building served.

O. In multi-family residential projects, required parking spaces shall be arranged to provide at least one parking space per unit within 200 feet of the dwelling units they are intended to serve.

P. Drive aisle intersections are to be perpendicular to each other.

Q. Separate vehicular and pedestrian circulation systems shall be provided.

R. Pedestrian Safety. The design standards described below shall be provided for multi-family residential developments of 5 or more units and for commercial, mixed-use, and/or industrial developments that are 80 feet or more in depth and/or include 50 or more parking spaces.

1. Pedestrian Safety. Parking lot design should be laid out in a way to minimize the times pedestrians would typically have to walk between parked cars and then cross a drive aisle to get to locations on the site. Internal circulations systems shall be clearly defined. For example, walkways should be incorporated into the median or landscape of some double loaded parking bays that terminate close to access points such as building entries or adjacent street intersections.

2. Materials and Width. Walkways shall provide at least 5 feet of unobstructed width and be hard-surfaced with a material that differs from the drive aisle by composition, texture, or through the use of a differing color that is integral to the material. For areas beyond ADA accessible spaces, a combination of stepping stones and landscaping can be used, however ADA compliance must also be demonstrated.

3. Identification. Pedestrian walkways shall be clearly differentiated from driveways, parking aisles, and parking and loading spaces through the use of elevation changes, a different paving material, or similar method. Surface striping alone, is insufficient.

4. Separation. Where a pedestrian walkway is parallel and adjacent to an auto travel lane, it must be raised and separated from the auto travel lane by a raised curb at least 6 inches high, decorative bollards, or other physical barrier.

(5) Bicycle and Motorcycle Parking

A. Bicycle Parking.

1. Spaces Required.

a. Bicycle parking is required for multi-unit residential buildings and nonresidential development. Unless otherwise expressly stated, buildings and uses subject to bicycle parking requirements must provide at least 3 bicycle parking spaces or at least 1 bicycle space per 10 on-site vehicle parking spaces actually provided, whichever is greater. After the first 50 bicycle parking spaces are provided, the required number of additional bicycle parking spaces is 1 space per 20 vehicle parking spaces. Covered spaces are strongly encouraged.

b. The requirements of subsection a, above, notwithstanding, the following minimum bicycle parking requirements apply to colleges, universities, schools and libraries:

- i. Elementary and junior high school: 1 bicycle parking space per 1000 square feet;
- ii. High school: 1 bicycle parking space per 1500 square feet;
- iii. Colleges and universities: 1 bicycle parking space per 5 vehicle parking spaces provided; and
- iv. Libraries: 1 bicycle space per 5 vehicle parking spaces provided.

2. Design and Location.

a. General. Required bicycle parking spaces must:

- i. Consist of racks or lockers anchored so that they cannot be easily removed and of solid construction, resistant to rust, corrosion, hammers, and saws;
- ii. Allow both the bicycle frame and the wheels to be locked using a standard U-lock;
- iii. Be designed so as not to cause damage to the bicycle;
- iv. Facilitate easy locking without interference from or to adjacent bicycles and maintain a separation of at least 24 inches from the nearest wall; and
- v. Be located in close proximity to entrances and other high activity areas, highly visible, active, well-lighted areas without interfering with pedestrian movements.

b. Size. Required bicycle parking spaces for nonresidential uses must have minimum dimensions of 2 feet in width by 6 feet in length, with a minimum overhead vertical clearance of 7 feet.

c. Location. Required bicycle parking may be located indoors or outdoors. Such spaces must be located out of the ROW unless an encroachment agreement is approved. If required bicycle parking facilities are not visible from the abutting street or the building's main entrance, signs must be posted indicating their location.

B. Motorcycle and Scooter Parking. For any nonresidential use providing 50 or more off-street spaces, a maximum of 2 required off-street parking spaces per 50 vehicle spaces may be reduced in size or otherwise redesigned to accommodate parking for motorcycles and scooters. When provided, motorcycle and scooter parking must be identified by a sign. Motorcycle and Scooter parking shall be counted concurrently as part of the minimum number of vehicle spaces required for the development.

(§ 6) Landscaping

A. Purpose

- 1. Trees and other vegetation help to limit the negative effects of large, paved areas by improving stormwater control, reducing erosion, avoiding unnatural microclimates,

and improving aesthetics. This section requires minimum landscaping requirements to satisfy this purpose.

B. Trees and Landscaped Areas

1. Trees

a. A parking area shall have 2 trees per parking facility plus 1 tree for every 5 parking spaces or fraction thereof generally distributed throughout the parking area. Any dead or severely diseased trees used to fulfill these regulations shall be replaced at the request of the Zoning Administrator.

b. **Trees shall be selected for the local soil and climate. The area and soil depth of the site shall be adjusted to sustain the tree.** Immediately following planting, each tree shall be a minimum of 6 feet tall and have a minimum 2-inch **caliper** diameter at breast height ~~(4.5 feet above adjacent grade)~~. At maturity, each tree shall have a clear trunk at least four feet above the adjacent parking surface and average mature crown greater than 12 feet.

c. Each existing tree that meets the minimum regulations for a newly planted tree shall count as 1 tree.

d. Each newly planted or existing tree with a minimum 6-inch diameter at breast height that is in a living and healthy condition shall count as 2 trees.

C. Landscaped areas. All areas that are not paved shall be landscaped and shall satisfy the following regulations:

1. Shrubs, vines, and ground cover shall be healthy stock.

2. Shrubs shall be a minimum of 1 gallon.

3. Shrubs shall be maintained so that their height does not exceed 3 feet above the adjacent parking surface.

4. Lawn grass shall be a species common to Southwest Ohio. Sod shall be used in areas subject to erosion.

5. Synthetic or artificial lawns or plants may not be used in lieu of plant requirements.

6. Concrete and asphalt shall not be used in landscaped areas. Decorative aggregate and other pervious surfaces may be used in landscaped areas if approved by the Zoning Administrator.

D. Alternate design plan. If the design regulations in this chapter will not result in an appropriate parking area for the site on which a use is located or proposed, a property owner may apply to the Planning Commission **for a Conditional Use Permit to approve an Alternate Design Plan per procedure in Section 1147.**

1. The application for an alternate design plan is available from the Planning Department and shall include:

a. A written description explaining how and why the proposed design better accomplishes the purposes of this chapter.

b. A site plan with the following elements:

i. The date, scale, north arrow, title and name of owner;

ii. An accurate 1" = 10' or larger scale site plan of the proposed parking facility with boundary lines and dimensions;

iii. Total area of the site;

iv. Existing and proposed utility lines, both overhead and underground, and easements on or adjacent to the site;

v. Existing and proposed improvements on the site, including all paving and structures (including structure height);

vi. The location, size, plant unit value and the common and scientific names of landscaping to be installed and maintained on the site;

- vii. ~~— The current zoning and land use of surrounding properties;~~
- viii. ~~— Any additional factors that affect the practical application of this section, such as notable topographic changes, watercourses, and bodies of water.~~

~~2. — The application shall be placed on the agenda of the next regularly scheduled Planning Commission meeting. The Planning Commission shall consider the application and make its decision based upon any element of the plan, the principal use of the property, and the existing — use and configuration of adjacent sites.~~

~~3. — If the Planning Commission approves an application, it may impose conditions or modify the approved plan in any manner required to protect the public health, safety, and general welfare.~~

SECTION III: 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)

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

<u>Report Date</u>	March 3, 2015
<u>Case Number</u>	PC-2014-20
<u>Applicant Information</u>	City of Oxford Jung-Han Chen and Sam Perry
<u>Requested Action</u>	Zoning Code Text Amendment
<u>Summary of Request</u>	To Amend Chapters 1149, Vehicle Management and 1147.03 Use Specific Regulations and Potential Concerns, City of Oxford, Applicant
<u>Public Hearing Information</u>	On January 13, 2015 and February 10, 2015 Public Hearings took place at 118 W. High Street. Public Hearing notices were published in the Hamilton Journal News on November 9, 2014 and December 14, 2014.
<u>Commission Action</u>	The Planning Commission voted 4-0-0 recommending approval to City Council.
<u>Commission Findings and Conclusions</u>	The Planning Commission recommended approval of this Zoning Code Text Amendment after much discussion, including initially having tabled the case at their January Hearing.
<u>Exhibits Submitted to the Commission</u>	1. Chapter 1149 Vehicle Management and Chapter 1147 Section 1147.03 Conditional Uses 2. Staff Report Dated February 4, 2015 with Proposed Language Incorporated After the January 13, 2015 Meeting 3. Zoning Code Text Amendment Application dated September 30, 2014 4. Drawings

City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2014-20 (2nd PC review)

Date – February 10, 2015

APPLICATION

Applicant:	City of Oxford
Action Request:	ZONING CODE TEXT AMENDMENT to Amend Chapters 1149, Vehicle Management and 1147.03 Use Specific Regulations and Potential Concerns, City of Oxford, Applicant

DESCRIPTION

During the January 13, 2015 Planning Commission meeting there was a thorough review of the proposed code revisions. The item was tabled for staff to make adjustments. Staff reviewed the Commission feedback and made adjustments to the proposed code language which is enumerated later in this report along with unchanged proposals. To assist in the review, staff will present examples of potential site layouts using current code compared to proposed code.

Reviewing the existing vehicle management chapter of the Oxford Zoning Code has been one of the priority items of the Planning Commission to incorporate some practical design standards and bring this chapter up-to-date. Additionally, this amendment clarifies some procedures while creating new procedures potentially to be used for flexibility in redevelopment situations and adaptive re-uses. The amendments are a result of staff working with a joint subcommittee from the Oxford Planning Commission, the Oxford Parking and Transportation Advisory Board and local design professionals.

ZONING CODE

The attached text amendment illustrates changes to Chapters 1149 Vehicle Management and 1147.03 Use Specific Regulations and Concerns.

COMPREHENSIVE PLAN

The text amendments align with the Land Use and Transportation Chapters of the amended 2008 Comprehensive Plan regarding alternative transportation modes, pedestrian safety and environmental stewardship. See attached excerpts pages 3.11, 3.12, 3.23 and 5.6 of the Comprehensive Plan.

AGENCY REVIEWS

Police:	Subcommittee participation
Engineering:	Subcommittee participation
Econ. Dev.	Subcommittee participation

DECISION CRITERIA

A copy of the Text Amendment Decision Criteria is attached.

ANALYSIS

Providing adequate off-street parking allows business entities to entice customers via automobiles. The increasing dependence on automobiles for shopping has become a heated debate for many land use practitioners and retailers about the role of parking lots relative to the shopping experience. Recently, the discussion of parking is shifting from focusing on automobiles, to include other modes of transportation, given that the land use trend is moving toward mixed-use town center development and the desire to make those visits a more pleasant experience. Traditional utilitarian parking lot design is no longer the norm of today's development. Many newer projects incorporate parking as one of the many elements of the development, which was to increase the enjoyment potential of whatever is the trip's purpose.

Additionally, studies have shown that high land use percentages of hard surfaces in urban areas have negative environmental impacts.

Current vehicle management regulations have not gone through extensive review for many years and some of the regulations are no longer practical, and are designed specifically for automobiles.

Additionally, some land use parking categories have become irrelevant in today's world.

The Planning Commission created a subcommittee in 2013 as a priority item for 2014 review. The subcommittee was created to lead review and discussion of this task, while engaging the Oxford Parking and Transportation Advisory Board and to collaboratively work together to look at the deficiencies and inconsistencies of the current rules and make recommendations for consideration by the Planning Commission. These changes reflect several paradigm shifts to focusing on a variety of transportation modes and to lessen the dependency on automobiles. These changes could in turn reduce development costs for projects. The major changes are below. Recent changes are marked with a double asterisk (**).

1. **The size of parking stalls is reduced from 9 feet by 20 feet to 9 feet by 18 feet. The amendment also provides a standard parking stall size based on the angle of the parking stall. Additionally, there are also provisions provided for compact vehicles to meet the increasing popularity of smaller vehicles.**
2. **Compact parking spaces may be comprised of up to 25% of the required number of parking spaces. The amendment also takes into consideration scooters and motorcycles.**
3. **A parking maximum of 150% of the minimum except for 1, 2 and 3-family uses.**
4. ****A Conditional Use Permit application is required for shared-use parking, off-site parking, and alternate design plan. Approvals and agreements shall be recorded in the Office of Butler County Recorder in connection with affected properties so that public awareness of the special approval is reasonably discoverable.**
5. **The required number of parking spaces for various uses has also been adjusted down ward, so fewer parking spaces are required for commercial development projects. For instance, the required parking number for a retail store has been reduced from 1 per 200 square feet of usable floor area to 1 per 300 square feet.**
6. **The uses that are no longer relevant in today's world have been removed from the use table. Those uses that are similar in nature are combined but still fit within the existing zoning code definition.**
7. ****The provisions for parking space reduction that was in current and proposed code has been removed and therefore only allowed as part of Share-use parking and Off-site parking. This leaves a simple parking reduction request to follow the Variance process since it would not be related to a special land use situation.**
8. **More emphasis on the environmental impact is stipulated in the parking lot design.**
9. ****Pedestrian safety issues are also being provided in the parking lot design. The proposal for requiring a raised pedestrian crossing has been removed; although there is more detail for where pedestrian crossings should be located. Industry-standard minimum security lighting has been added.**
10. **There are specific requirements for bicycle and motorcycle parking space designs.**
11. **Other operational considerations to modernize current vehicle management regulations.**

RECOMMENDATION

The attached 18 page code revisions (both additions and deletions) represent extensive subcommittee and staff work that now aligns with the amended 2008 Comprehensive Plan and also includes January 13th meeting comments. The most recent round of changes are highlighted in a different color. In addition, enclosed is a clean set of code language include all proposed deletions and additions. Staff recommends that the Planning Commission concur with the changes and forward to City Council for legislation.

SUBMITTED

BY: 

Sam Perry, AICP
Planner

DATE: February 4, 2015

ATTACHMENT

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

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

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

Text Amendments

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



Internal Use Only:	
Case No.	PC-2014-20
Date Filed	9/30/14

Zoning Code Text Amendment Application

Applicant Information

Parking Requirements Amend.

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

Name *	City of Oxford / Sam Perry
Mailing Address *	101 E. High St
City, State & Zip Code *	Oxford, Ohio 45056
Telephone Number(s) *	513-524-5204
Email Address	sperry@cityofoxford.org

Submission Requirements and Documentation

From Section 1135.02 Procedure¹.

- (a) Initiation. A text amendment may be initiated by the Chair of the Planning Commission, by adoption of a motion by Council or the Planning Commission, or by application to Planning Commission by a landowner or a resident of the City of Oxford.
- (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. Any existing section number and text that is proposed to be deleted or amended.
 - H. Any new or amended text as it is proposed to be codified including its proposed location in the Code. section numbers)
 - I. A narrative statement that describes the expected effects of the proposed text.
 - J. A narrative statement that compares the expected effects of the proposed text with any existing text that it will replace, if applicable.

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. The proposed amendment will make the Code conform more closely with the Comprehensive Plan.

- B. The proposed amendment will improve the public health, safety, and general welfare of Oxford.
- C. The proposed amendment will clarify the intent of the Code.
- D. The proposed amendment will better implement the intent of the Code.
- E. The proposed amendment will improve enforcement of the Code.

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 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.

Fees & Receipt

The required fee is \$150.00. Write a check payable to **City of Oxford**. You may also pay in-person using Visa, MasterCard, and Discover.

Sign and Date

Applicant Signature *



Date *

10/15/14

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 the fee made payable to **City of Oxford**, to Community Development Director, 101 East High Street, Oxford, OH 45056.

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

Note: You must adhere to notification and publication requirements. Submit materials 45 days prior to the Planning Commission meeting on which the action is requested.

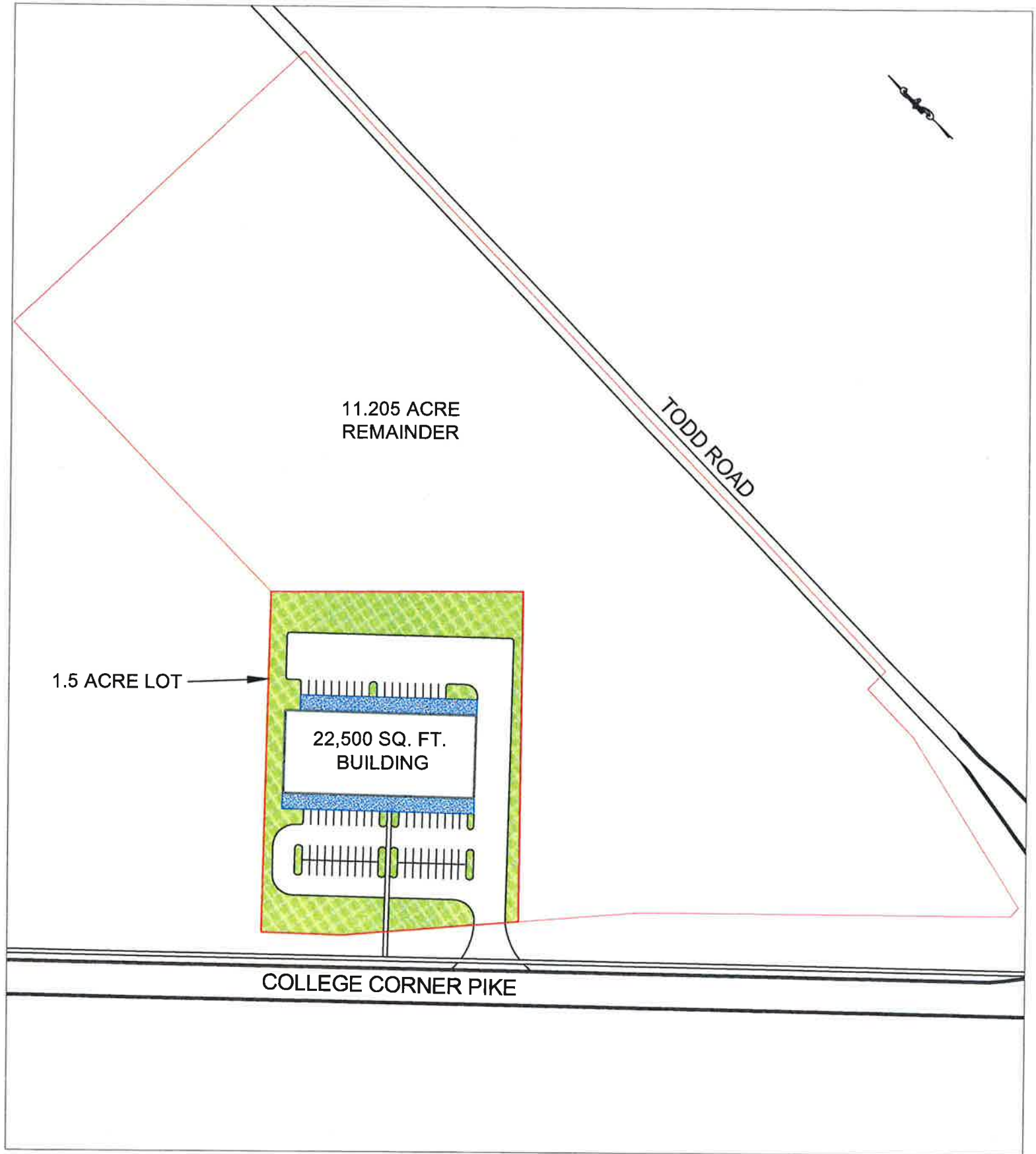
For Staff Use Only

Fee Paid Date *

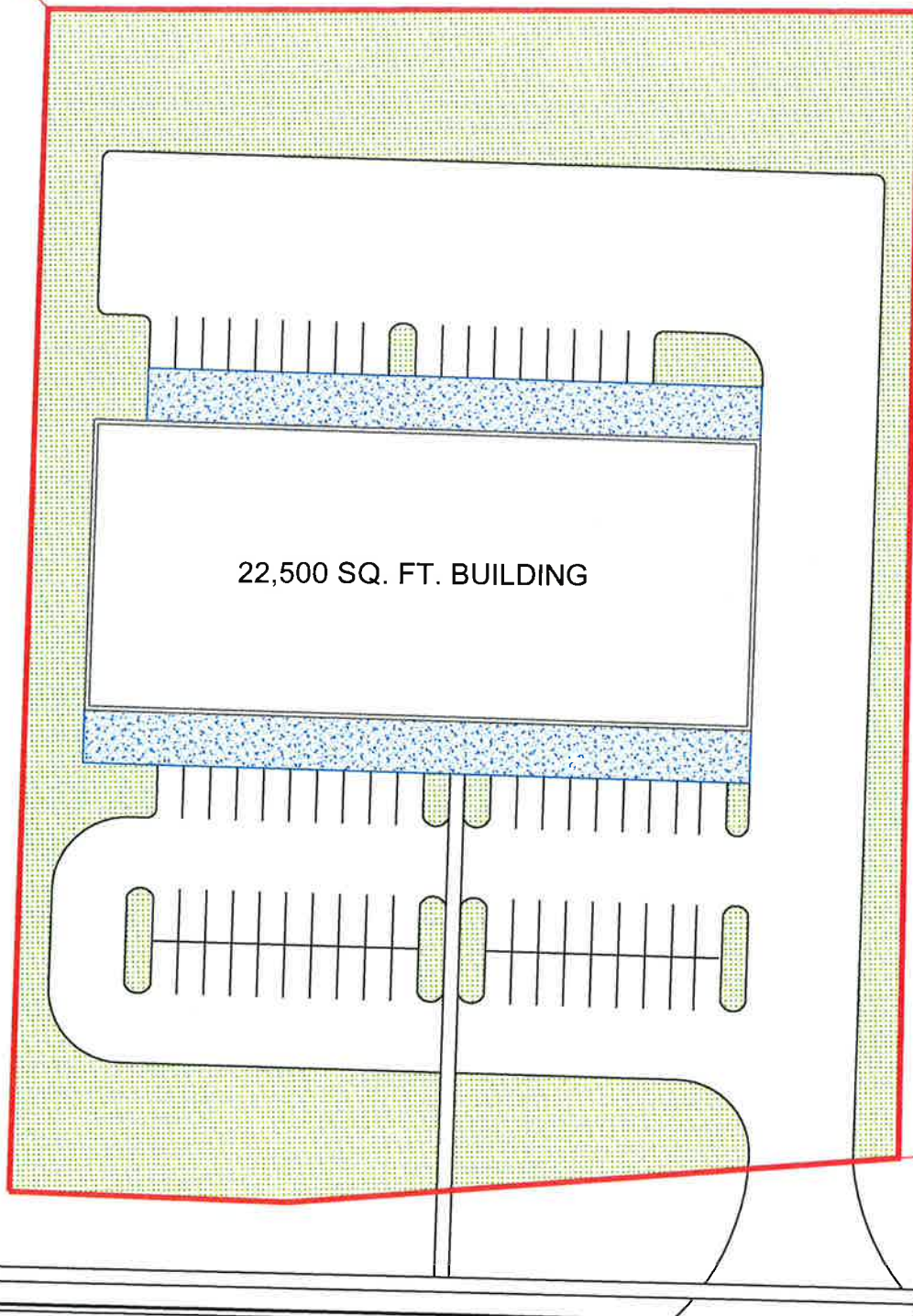
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Receipt Number *

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



75 STALLS REQUIRED
75 STALLS SHOWN
1.5 ACRE VACANT LOT EXAMPLE
LARGER BUILDING, FEWER LANDSCAPE ISLANDS, SAME LOT
GENERAL BUSINESS ZONE RETAIL
NEW CODE



COLLEGE CORNER PIKE

75 STALLS REQUIRED

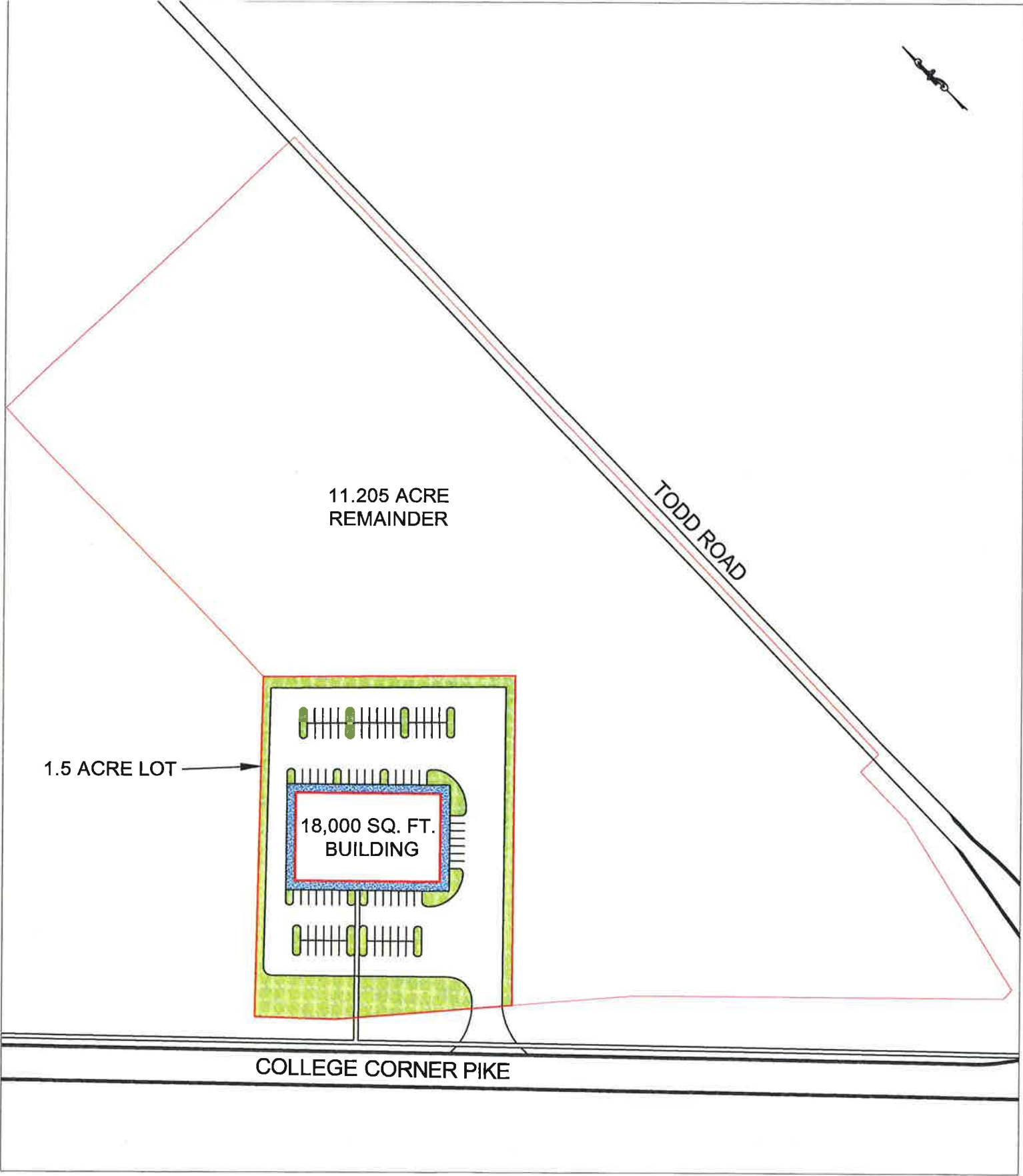
75 STALLS SHOWN

1.5 ACRE VACANT LOT EXAMPLE

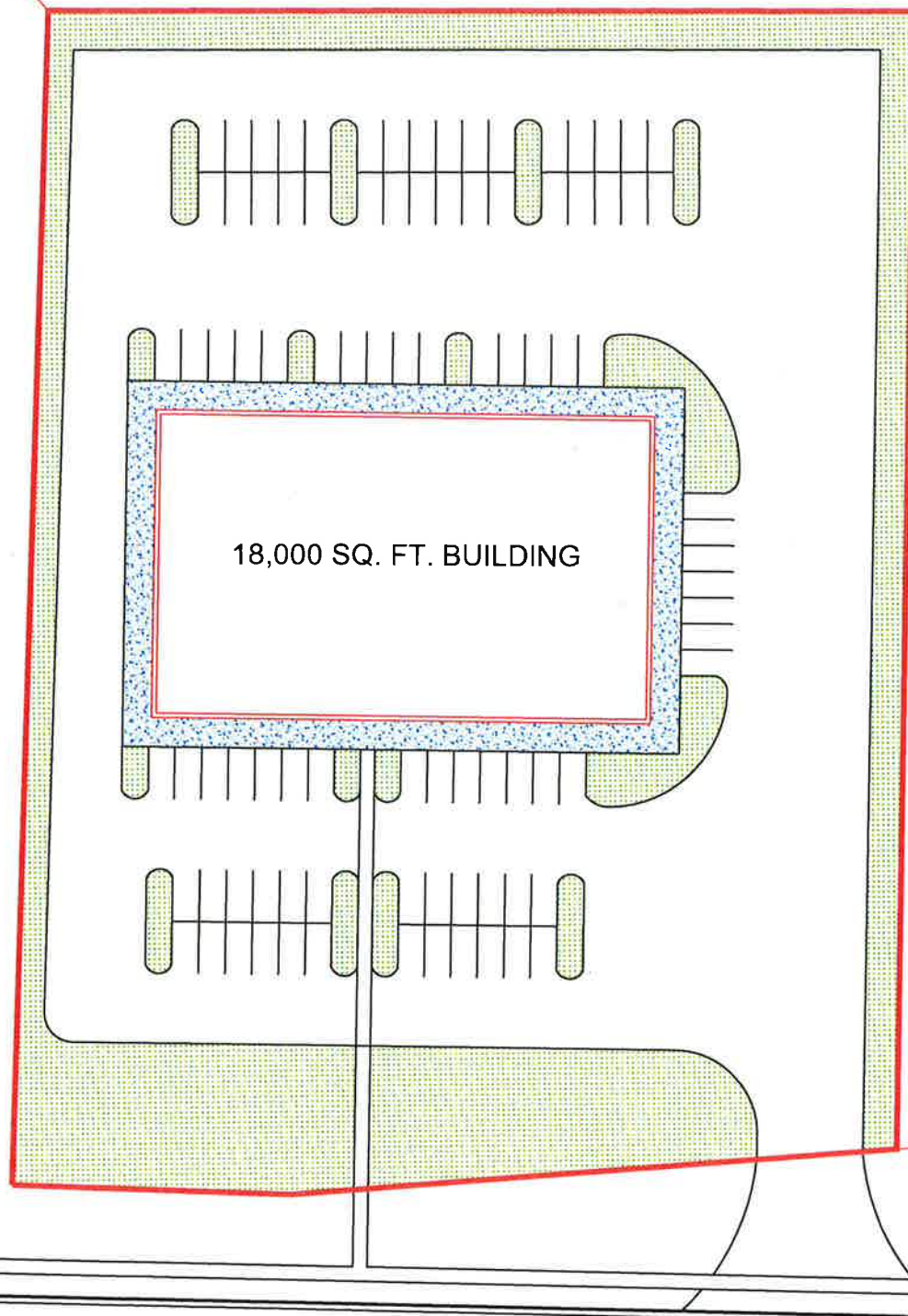
LARGER BUILDING, FEWER LANDSCAPE ISLANDS, SAME LOT

GENERAL BUSINESS ZONE RETAIL

NEW CODE



90 STALLS REQUIRED
92 STALLS SHOWN
1.5 ACRE VACANT LOT EXAMPLE
GENERAL BUSINESS ZONE RETAIL
CURRENT CODE



COLLEGE CORNER PIKE

90 STALLS REQUIRED
92 STALLS SHOWN
1.5 ACRE VACANT LOT EXAMPLE
GENERAL BUSINESS ZONE RETAIL
CURRENT CODE

**CITY OF OXFORD
STAFF SUMMARY REPORT**

1147

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: March 3, 2015

Account Code No. #:

Sam Perry
Prepared By:

Budgeted Amount:

February 23, 2015
Date Prepared:

PC-2014-20 ZONING CODE TEXT AMENDMENT to revise all sections of Chapter 1149, Vehicle Management, regarding site development requirements for parking areas: minimum and maximum numbers of vehicular spaces, bicycle spaces, parking lot design and layout, pedestrian safety and storm water management. Additionally the related Section 1147 Conditional Uses, new provisions for off-site parking and shared-use parking, **City of Oxford, Applicant**

Recommendation: Approval

Discussion:

Reviewing the existing vehicle management chapter of the Oxford Zoning Code has been one of the priority items of the Planning Commission. It incorporates some practical design standards and brings this chapter up-to-date. Minimum parking requirements are reduced by 30-40% and a parking maximum is added for most uses. Additionally, this amendment clarifies some procedures while creating new procedures potentially to be used for flexibility in redevelopment situations and adaptive re-uses. The amendments are a result of staff working with a joint subcommittee from the Oxford Planning Commission, the Oxford Parking and Transportation Advisory Board and local design professionals. **This process has been underway since April 2014.** The presentation of the subcommittee recommendations resulted in considerable detailed discussion at the January and February 2015 Planning Commission meetings. The requested revisions and corrections from those meetings have all been incorporated. This set of code revisions puts Oxford in a position more congruent with current personal travel trends, while also introducing new flexibility into the site redevelopment process. Included with this report are drawings which illustrate a theoretical vacant lot on US 27 North. The drawings compare current code provisions to proposed code revisions.

Overall, the code revisions seek to tie up less land dedicated to vehicles while also facilitating the lesser-used travel modes such as walking and biking. It also incentivizes parking for motorcycles and scooters. As a result of the new subject matter in Chapter 1149, the amendment therefore proposes a re-naming of the chapter from "Vehicle Management" to "Parking and Site Access."

Part of the amendment package also includes new sections for Shared and Joint-Use parking as part of Conditional Use, Use Specific Regulations in Chapter 1147.

Approved By:

Department Head:
City Attorney:
City Manager:

JHC 2/19/15
DRE 2/27/15

ORDINANCE NO.

ORDINANCE REPEALING OXFORD CODIFIED ORDINANCE SECTION 1147.03 ENTITLED USE SPECIFIC REGULATIONS & POTENTIAL CONCERNS, AND ADOPTING NEW OXFORD CODIFIED ORDINANCE SECTION 1147.03 ENTITLED USE SPECIFIC REGULATIONS & POTENTIAL CONCERNS.

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

SECTION I: Council hereby finds that the City of Oxford Planning Commission held a public hearing on February 10, 2015 and that following the public hearing did deliberate and as a result of that deliberation, the Planning Commission recommended repealing Oxford Codified Ordinance Section 1147.03 entitled Use Specific Regulations & Potential Concerns and adopting new Oxford Codified Ordinance Section 1147.03 entitled Use Specific Regulations & Potential Concerns.

SECTION II: Council hereby repeals Section 1147.03 and adopts new Section 1147.03 as follows: (additions are bolded)

1147.03 USE SPECIFIC REGULATIONS & POTENTIAL CONCERNS.

The uses listed in this section are Conditional Uses in at least 1 zoning district. Each use is listed with Potential Concerns and may be listed with specific regulations.

The Potential Concerns are use-specific criteria that Planning Commission shall consider when it makes a recommendation to Council on an application for a Conditional Use. The Planning Commission may also consider additional use-specific concerns not listed here if it deems them appropriate.

The Additional Regulations are more strict or additional dimensional regulations or operational conditions that apply to the use, regardless of whether it is permitted or conditional, and regardless of the zoning district in which it is located, and are enforced by the Zoning Administrator.

(a) General. Wherever no specific area, lot width, or setback requirements are specified in the provisions for specific Conditional Uses, then the dimensional regulations for the most restrictive permitted use in the applicable zoning district shall apply.

(b) Uses.

(1) Agricultural Services.

A. Potential Concerns.

1. Produce and meat storage areas.
2. Noise, dust, and odor from operations.
3. Truck routes from municipal boundary.
4. Temporary sales.

B. Regulations.

1. Farm product storage buildings shall be setback a minimum of 100 feet from a residential zoning district.
2. No outdoor farm machinery repair unless entirely enclosed within a screening fence.
3. Animal enclosures shall be setback a minimum of 200 feet from all lot lines.

(2) Airports and Landing Strips.

A. Potential Concerns.

1. Aircraft noise.
2. Dust from operations.
3. Lighting.
4. Proximity of powered aircraft on the ground to lot lines and adjacent uses.

B. Regulations.

1. Compliance with FAA regulations.
2. Runway locations will not require height restrictions on other

- properties less than would normally be required by dimensional regulations of the zoning district.
3. Runways and taxiing areas shall be setback a minimum of 100 feet from a residential zoning district.
 4. Aircraft storage and service buildings shall be setback a minimum of 100 feet from a residential zoning district.
- (3) Animal Hospitals, Veterinary Clinics, and Kennels.
- A. Potential Concerns.
 1. Traffic generation from associated retail sales.
 2. Location of diagnosis and outdoor activity areas relative public streets and residential zoning district.
 3. Design of facilities that will help ensure humane conditions and treatment of animals.
 4. Animal noise and odor.
 - B. Regulations.
 1. Outdoor pens are not permitted.
 2. Outdoor activity shall be limited to diagnosis and temporary outdoor activity for boarded animals.
- (4) Bed & Breakfast.
- A. Potential Concerns.
 1. Appropriate number of rooms for the neighborhood in which it is proposed.
 2. Location of separate entrances.
 - B. Regulations.
 1. No more than 8 rooms for rent in any structure.
 2. Owner or manager must live in the structure.
 3. At least one meal must be provided to guests on site.
- (5) Gas Station with Convenience Store.
- A. Potential Concerns.
 1. Adequate design of vehicle management area.
 2. Location of fuel pumps and pump canopy.
 3. Outdoor sales and storage.
 - B. Regulations.
 1. All merchandise shall be located within a completely enclosed structure.
 2. Fuel pumps shall be setback a minimum of 30 feet from lot lines or 40 feet from a residential zoning district.
 3. Fuel pump canopies shall be set back a minimum of 20 feet from lot lines or 40 feet from a residential zoning district.
- (6) Vehicle Service and Repair.
- A. Potential Concerns.
 1. Proper design of vehicle management area.
 2. Proximity of service areas to lot lines and adjacent uses.
 3. Outdoor sales and storage.
 4. Tow truck storage.
 - B. Regulations.
 1. All disassembly, service, and assembly of vehicles shall be within a completely enclosed structure.
 2. All service equipment and supplies shall be within a completely enclosed structure.
 3. Vehicles being serviced or awaiting service shall not be stored in an unenclosed area for more than 7 days.
 4. Vehicle service bays shall be setback a minimum of 100 feet from a residential zoning district.
- (7) Vehicle Washing Facility.
- A. Potential Concerns.
 1. Design of vehicle management area.
 2. Enclosure of potential nuisances.
 3. Screening from adjacent uses residential.
 4. Lighting.
 5. Hours of operation.
 - B. Regulations.
 1. Wash bays shall be setback a minimum of 100 feet from a

- residential zoning district.
 - 2. Outdoor equipment (such as vacuum stations) shall not be located in a yard adjacent to a residential zoning district.
 - 3. Queuing spaces shall not be located in a yard adjacent to a residential zoning district.
- (8) Drive-Through Banking and Pharmacy Facilities.
- A. Potential Concerns.
 - 1. Design of vehicle management area.
 - 2. Noise from operations (vehicle and loudspeaker).
 - 3. Screening from adjacent uses.
 - B. Regulations.
 - 1. Drive-through stations shall not be located in a yard adjacent to a residential zoning district.
 - 2. Queue spaces shall not be located in a yard adjacent to a residential zoning district.
- (9) Drive-Through Convenience and Beverage Facilities.
- A. Potential Concerns.
 - 1. Design of vehicle management area.
 - 2. Noise from operations (vehicle and loudspeaker).
 - 3. Proximity to churches, schools, other similar institutions.
 - 4. Location and adequacy of dumpsters.
 - B. Regulations.
 - 1. Structure shall be setback a minimum of 50 feet from a residential zoning district.
 - 2. Drive-through stations shall be completely enclosed.
 - 3. Cue Queue spaces shall not be located in a yard adjacent to a residential zoning district.
 - 4. Site shall be a minimum of 500 feet from a church, school, or similar institution, except in a commercial zoning district.
- (10) Drive-Through Restaurant Facilities.
- A. Potential Concerns.
 - 1. Design of vehicle management area.
 - 2. Noise from operations (vehicle and loudspeaker).
 - 3. Signs and menu boards.
 - 4. Location and adequacy of dumpsters.
 - B. Regulations.
 - 1. Drive-through stations shall not be located in a yard adjacent to a residential zoning district.
 - 2. Cue Queue spaces shall not be located in a yard adjacent to a residential zoning district.
 - 3. Drive-up stations shall be setback a minimum of 50 feet from a residential zoning district.
- (11) Bars and Taverns.
- A. Potential Concerns.
 - 1. Evening traffic.
 - 2. Noise from operations (music).
 - 3. Location and adequacy of dumpsters.
 - B. Regulations.
 - 1. Site shall be a minimum of 500 feet from a church, school, or similar institution, except in a commercial zoning district
 - 2. Structure shall be setback a minimum of 50 feet from a residential zoning district
- (12) Indoor Sports and Recreation Facilities such as Bowling Alleys, Skating Rinks, Tennis and Racquetball Courts, Soccer Fields, and Swimming Pools.
- A. Potential Concerns
 - 1. Traffic volume during group or league events.
 - B. Regulations.
 - 1. Entrance to structure shall not be located in a yard adjacent to a residential zoning district.
 - 2. Parking spaces shall not be located in a yard adjacent to a residential zoning district.
 - 3. Structure shall be setback a minimum of 30 feet from a residential zoning district./

- (13) Building Materials Sales Yards.
- A. Potential Concerns
 - 1. Noise, dust, vibration from operations.
 - 2. Height and visibility of merchandise storage structures.
 - 3. Commercial vehicle storage.
 - 4. Location of loading spaces and on-site management of delivery vehicles.
 - 5. Unenclosed storage and display.
 - B. Regulations.
 - 1. Traffic management areas shall not be located in a yard adjacent to a residential district.
 - 2. Commercial woodworking equipment and other similar machinery shall not be permanently affixed or operated within 50 feet of a residential zoning district, except within a completely enclosed structure.
- (14) Cemeteries.
- A. Potential Concerns
 - 1. Location and size of structures including mausoleums, chapels, gatehouses, crematoriums, offices, and service and storage buildings.
 - 2. Appropriate screening, ornamental fencing, and landscaping to minimize potential nuisance.
 - B. Regulations.
 - 1. Driveways shall be setback a minimum of 10 feet from all lot lines.
 - 2. Grave markers, mausoleums, and other monuments shall be setback a minimum of 10 feet from all lot lines.
- (15) Churches, Libraries, Community and Recreation Centers.
- A. Potential Concerns
 - 1. Adequate lot size to permit future expansion.
 - 2. Location and screening of outdoor recreation areas.
 - 3. Bus or van storage.
 - 4. Lighting.
 - 5. Parking and traffic impact.
 - B. Regulations.
 - 1. None.
- (16) Clinics.
- A. Potential Concerns
 - 1. Extent of accessory services.
 - 2. Hours of operation.
 - B. Regulations.
 - 1. Accessory services, including laboratories and pharmacies for the use of patients visiting medical practitioners in the clinic, may not be accessible directly from the exterior of the building and may operate only during the hours of operation for the clinic.
- (17) Golf and Country Clubs.
- A. Potential Concerns.
 - 1. Proximity of fairways and greens to lot lines and adjacent structures.
 - 2. Trajectory of golf balls.
 - 3. Location of cart paths.
 - 4. Location of accessory uses such as ball fields, swimming pools, and tennis courts.
 - 5. Appropriate screening of high activity areas from adjacent properties.
 - B. Requirements.
 - 1. Cart paths shall be a minimum of 10 feet from all lot lines.
 - 2. Accessory uses such as clubhouses, restaurants, bars, swimming pools and similar activities are subject to any regulations that would apply to their operation as a principal use.
- (18) Service Organization Lodges.
- A. Potential Concerns
 - 1. Location of accessory uses such as ball fields, swimming pools,

- and tennis courts.
 - 2. Appropriate screening of high activity areas from adjacent properties.
 - B. Requirements.
 - 1. Accessory uses such as clubhouses, restaurants, bars, swimming pools and similar activities are subject to any regulations that would apply to their operation as a principal use.
- (19) Fraternity and Sorority Houses.
- A. Potential Concerns.
 - 1. Aesthetic Concerns:
 - a. Historical characteristics of existing structures.
 - b. Residential scale and character.
 - c. Yards and landscaping.
 - d. Walls and fences.
 - 2. Activities Areas:
 - a. Porches and patios.
 - b. Locations of recreational areas and courts.
 - c. Locations of accessory structures.
 - 3. Vehicle Management:
 - a. Site access .
 - b. Required parking.
 - c. Emergency access.
 - d. Deliveries.
 - e. Occasional and excess parking management.
 - 4. Adequate Public Utilities:
 - a. Water.
 - b. Sewer.
 - c. Storm water management.
 - d. Other services.
 - 5. Nuisance:
 - a. Waste/trash management.
 - b. Noise and off-site impact.
 - c. Lighting and off-site impact.
 - B. Requirements:
 - 1. New Structures: Building shall be of a size and scale that approximates neighboring structures.
 - 2. Existing Structures: Exterior renovation and improvements shall be maintained to protect existing architectural details, materials and ornamentation.
 - 3. Addition: Building expansions shall be sympathetic to the architectural scale and style of the existing building.
 - 4. Outdoor Areas: Activity areas shall be designed and located to contain noise and light within the property. Activity areas shall be appropriately screened from adjacent properties.
 - 5. Waste facilities: Trash and recycling containers and material shall be stored in a fully enclosed area and properly screened. The waste enclosure shall be adequate for the occupancy and accessible to service vehicles.
 - 6. Parking and Transportation Demand Management: Parking shall meet requirements of Zoning Code Chapter 1149 and shall be properly designed, screened and maintained.
- (20) Family Community Residence, Group Community Residence, and Community Residence.
- A. Potential Concerns.
 - 1. Maximum occupancy and staffing.
 - 2. Appropriate indoor and outdoor recreation areas.
 - 3. Proximity to and number of similar uses in Oxford.
 - B. Regulations.
 - 1. Site shall be a minimum of 891 feet from any other Community Residence
- (21) Day Care Centers and Nursery Schools.
- A. Potential Concerns
 - 1. Location and adequacy of planned outdoor play area.

2. Noise.
 3. Adequate drop-off facilities.
 - B. Regulations.
 1. Use of outdoor play areas shall be limited to between the hours of 8:00 A.M. and 8:00 P.M. daylight hours.
- (22) Drive-In Theater.
- A. Potential Concerns
 1. Appropriate screening.
 2. Setback and visibility of screen from residential zoning district and public streets.
 3. Design of vehicle management area, especially street access.
 4. Noise from operations (vehicle).
 - B. Regulations.
 1. No outdoor loudspeaker is permitted.
- (23) Elderly Housing, Congregate Housing.
- A. Potential Concerns.
 1. Proximity to existing or possible area uses that are potentially dangerous to elderly or handicapped occupants.
 - B. Regulations.
 1. Maximum density of 1 dwelling unit per 3,000 square feet
- (24) Funeral Homes and Mortuaries.
- A. Potential Concerns.
 1. Design of vehicle management areas to ensure quick and efficient access to public streets during processions.
 2. Adequate cue space at drop-off areas to ensure that access to parking spaces is not impeded.
 - B. Regulations.
 1. All hearses, limousines, and other related business vehicles shall be stored within an enclosed building when not in use
 2. Parking areas are exempt from provisions of the Vehicle Management regulations that would prevent a vehicle management area that is designed to facilitate funeral processions.
- (25) Gaming Arcades.
- A. Potential Concerns.
 1. Proximity to schools, churches, and establishments serving alcohol.
 2. Proximity to residential zoning district.
 3. Adequate screening of parking and outdoor gathering areas.
- (26) Hospitals.
- A. Potential Concerns.
 1. Location of parking for employees.
 2. Parking for visitors.
 3. Design of drop-off area.
 4. Emergency vehicle access to the site and to the building.
 5. Adequate lot size and shape to handle current proposal and possible additions.
 6. Screening.
 7. Access to appropriate street.
 8. Helicopter landing facilities.
- (27) Motels.
- A. Potential Concerns.
 1. Proximity to residential.
 2. Screening from residential.
 3. Appropriate street access.
- (28) Nursing Homes, Convalescent Homes.
- A. Potential Concerns.
 1. Adequate lot size to provide for visitors and for outdoor activities.
 2. Access to an appropriate street.
 3. Adequate screening from residential.
 - B. Regulations.
 1. Minimum 500 square feet per bed of on-site open space.

- (29) Riding Academies, Stables.
- A. Potential Concerns.
 - 1. Adequate lot size.
 - 2. Noise and dust from operations.
 - 3. Security fencing.
 - 4. Location of corrals and other animal areas.
 - 5. Adequate vehicle management area for transportation of animals.
 - 6. Hours of operation.
 - B. Regulations.
 - 1. Any area designed to accommodate animals used in the operations shall be setback a minimum of 50 feet from any lot line.
- (30) Schools.
- A. Potential Concerns.
 - 1. Adequate lot size to permit future expansion.
 - 2. Bus and van storage.
 - 3. Access to streets that can handle traffic generated by the use.
 - 4. Design of vehicle management area.
 - 5. Location of outdoor facilities such as ball fields and band practice areas.
 - 6. Proximity to incompatible uses (establishments serving alcohol).
 - B. Regulations.
 - 1. Parking spaces shall not be located in a yard adjacent to a residential zoning district.
 - 2. Structure shall be setback a minimum of 30 feet from a residential zoning district.
- (31) Temporary and/or Outdoor Sales of Plants and Garden Supplies
- A. Potential Concerns.
 - 1. Signs.
 - 2. Sight distance at corner lots.
 - B. Regulations.
 - 1. Storage of goods shall not reduce the usable number of parking spaces by more than 10 percent of the required total.
 - 2. Goods shall not be stored in a driveway required to access required parking spaces.
- (32) Mini-Warehouse (Self-Storage Units):
- A. Potential Concerns
 - 1. Adequate lot size
 - 2. Design of vehicle management area
 - 3. Outdoor storage-inoperable vehicles and junk
 - 4. Hours of operation
 - 5. Proximity to residential zoning districts
 - 6. Flammable, combustible material stored on site
 - 7. Compatibility of the scale and character of the project with surrounding properties and existing uses
 - B. Regulations
 - 1. Site shall be at a minimum of two acres, and maximum of five acres in area
 - 2. Parking area shall not be located in yard adjacent to a residential zoning district
 - 3. Outdoor security lighting shall be designed to prevent spillover to adjoining properties
 - 4. Landscaping along the public street
 - 5. Any chain-link fence shall have limited visibility from the public street, unless approved by the Planning Commission.
 - 6. Sufficient isle way width and on-site water supply (including fire hydrants locations) will be determined by the Oxford Fire Chief, between buildings for firefighting purposes.
 - 7. Design of the building and site shall be consistent with the following criteria:

- a. The rear of the principal building shall not face the public right-of-way
- b. The front façade of the principal building shall be finished utilizing masonry material that has textured relief. No vinyl or aluminum shall be used in finishing on the front façade of the building.
- c. The building façade shall have different articulation in height and setbacks.
- d. The roof of the principal building shall not be a long continuous flat roof and a break in length and elevation shall be provided in regular interval.
- e. The entrance to the site shall be designed to allow sufficient queuing that on-street traffic will not be impacted.
- f. Outdoor storage shall have limited visibility from the public right-of-way.
- h. There shall be no employee residing on site, unless specifically approved by the Planning Commission and the City Council.

C. Other

1. Encourage the mini-warehouse as the second principal use in conjunction with or behind other principal uses.

(33) Business Incubator:

A. Potential Concerns

1. Hours of operation
2. Type of businesses generating noise, vibration, fumes and other obnoxious environmental concerns
3. Outdoor operations

B. Regulations

1. All activities/merchandise shall be located within a completely enclosed space.
2. Sized adequately to provide all necessary business support

(34) Off-site Parking and Shared-Use Parking

A. Potential Concerns

1. Adequate supply of spaces for all modes of transportation
2. Distance from use
3. Hours of operation/schedule conflict
4. Valet service
5. Proximity to mass transit
6. Accommodation for special needs/accessibility
7. Maintenance responsibility
8. Future land use changes/parking demand

B. Regulations

1. Recorded agreement
2. Specific distance limit for off-site
3. Performance review timeframe
4. Requires evidence justifying sufficient parking

(35) Parking Lot Alternate Design Plan

A. Potential Concerns

- 1. Safety of all modes of transportation**
- 2. Green space**
- 3. Storm water quality/environmental**
- 4. Storm water quantity/run off rate**

B. Regulations

- 1. Any additional factors that affect the practical application of this section, such as notable topographic changes, watercourses, and bodies of water.**
- 2. Conditions of approval to protect the public health, Safety, and general welfare.**
- 3. Modifications of this chapter to protect the public health, safety and general welfare.**

SECTION III: 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)

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: March 3, 2015

Jung-Han Chen

Account Code No. #:

Prepared By:

Budgeted Amount:

February 18, 2015

Date Prepared:

PC-2015-02 CONDITIONAL USE- Construction of a New Elementary School Building at the Existing Kramer Elementary School Site, 400 W. Sycamore Street. Talawanda City School District, Represented by Mike Davis, CFO/Treasurer

Recommendation: Approval

Discussion:

This application is to seek a Conditional Use Permit to build a new elementary school at a different location on the existing Kramer Elementary school site. A triangular shaped new school is planned on the eastern side of the site, with two access points to Sycamore Street.

The site is slightly over 20 acres and is sloped from south-west to north-east by about 60 feet. The site is a T-shape layout with only Sycamore Street frontage. The proposed new building is designed to host PK-5th elementary school students in an approximate 69,984 square foot building. The existing building will then be demolished after the new building is complete. The general area where the existing building is will then be turned into a parking lot. The existing access point at Locust Street and Sycamore Street will remain for car drop-off/pick-up, visitors and staff parking. A new access point will be created to the east of the school site, on Sycamore Street, to be the main point of entry for buses and deliveries.

The City has been working with the Talawanda School District on a Safe Route to School initiative to encourage more walking and biking and outreach to school principals, staff and parents by evaluating infrastructure issues. As a result of this initiative, a Talawanda Safe Route to School Travel Plan was developed and approved by the Talawanda City School Board in 2014 for the Middle School and Kramer Elementary School. In this approved Travel Plan, numerous deficiencies were identified and countermeasures were also recommended for each site. Those countermeasures ranged from educational programs to infrastructural improvements.

This project has been one that the community has waited several years for, to replace the existing building at the same site. It appears that the proposed project can and is able to meet the decision standards of the Conditional Use Permit. However, there are several site development standard issues that need to be waived. Staff does not believe waiving those standards would diminish the purpose and intent of the Zoning Code, as long as there are provisions to protect the privacy of the adjoining property owners.

Other design issues that should be fully considered and incorporated into the site design to reflect Safe Route to School Travel plan provided much discussion between the applicant and the Planning Commission.

After a lengthy discussion, the Planning Commission recommended the approval of this Conditional Use application, subject to the following conditions:

1. The sidewalk on the north side of Sycamore Street, adjacent to TSD property needs to be 8' wide to accommodate bikes and pedestrians at the same time.
2. Additionally, a clearly marked and graded path shall be installed from the concrete sidewalk, leading to the entrance to the new school to the property line connecting to the easement to the Miami Trail cul-de-sac.
3. Based on the comments from the OPD, staff is also recommending the design team to incorporate necessary equipment to address OPD concerns. (The applicant had indicated this will be addressed.)

Approved By:

Department Head:

City Attorney:

City Manager:

Jhc 12/18/15
DRE 12/27/15

ORDINANCE NO.

ORDINANCE APPROVING A CONDITIONAL USE PERMIT TO PERMIT A PUBLIC SCHOOL IN A R-1A (SINGLE-FAMILY LOW DENSITY RESIDENTIAL) DISTRICT AND A R-1MS (SINGLE-FAMILY RESIDENTIAL MILE SQUARE) DISTRICT LOCATED AT 400 WEST SYCAMORE STREET OXFORD, OHIO 45056 WITH CONDITIONS.

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

SECTION 1: The Planning Commission met pursuant to Oxford Codified Ordinance Section 1147.02 on February 10, 2015 for the purpose of considering the request of the Board of Education of the Talawanda City School District, Applicant, for a conditional use permit to permit a public school in a R1A (Single-Family Low Density Residential) District and a R-1MS (Single-Family Residential Mile Square) District located at 400 West Sycamore Street Oxford, Ohio 45056.

SECTION 2: The Planning Commission, after a public hearing and discussion, voted and approved a motion recommending approval of the conditional use application to permit a public school in a R1A (Single-Family Low Density Residential) District and a R-1MS (Single-Family Residential Mile Square) District located at 400 West Sycamore Street Oxford, Ohio 45056 with conditions.

SECTION 3: Council hereby accepts the action of the Planning Commission and accepts the recommendation report submitted by the Planning Commission and incorporates the same herein and further grants the conditional use permit application to permit a public school in a R-1A (Single-Family Low Density Residential) District and a R-1MS (Single-Family Residential Mile Square) District with the following conditions:

- a. The sidewalk on the north side of Sycamore Street adjacent to Talawanda School District property shall be 8 feet in width to accommodate bicycles and pedestrians.
- b. A clearly marked and graded path shall be installed from the concrete sidewalk, leading to the entrance to the new school property line connecting to the easement to the Miami Trail cul-de-sac.
- c. Equipment shall be installed to ensure emergency responder radio coverage is adequate within all areas of the building.

SECTION 4: 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)

Certification of Action

Oxford Planning Commission

Recommendation to City Council

<u>Report Date</u>	March 3, 2015
<u>Case Number</u>	PC-2015-02
<u>Applicant Information</u>	City of Oxford Jung-Han Chen
<u>Requested Action</u>	Conditional Use
<u>Summary of Request</u>	To allow for the construction of a new elementary school building at the existing Kramer Elementary School site
<u>Public Hearing Information</u>	On February 10, 2015 a Public Hearing took place at 118 W. High Street. A Public Hearing notice was published in the Hamilton Journal News on January 11, 2015. Courtesy notices were mailed to adjacent property owners on January 27, 2015.
<u>Commission Action</u>	The Planning Commission voted 4-0-0 recommending approval of the Conditional Use.
<u>Commission Findings and Conclusions</u>	Staff presented to the Planning Commission a plan to build a new elementary school at a different location on the Kramer Elementary School site. Staff presented potential problems with zoning code compliance which included lighting, curbing, parking lot islands, and signage. The Planning Commission and Staff discussed at length and the Planning Commission recommended waiving the dimensional standards' deficiencies that staff identified. The Planning Commission voted to recommend approval to City Council for the Conditional Use.
<u>Exhibits Submitted to the Commission</u>	1. Staff Report Dated January 26, 2015 2. Interoffice Review Transmittal Sheets 3. Review and Comment Form 4. Property Notification Map 5. Conditional Use Permit Application Dated December 23, 2014 6. Site Analysis' 7. Sketches 8. Legal Description 9. Photographs 10. Parking Summary 11. Lighting Descriptions (Lumens)

City of Oxford
Community Development Department
STAFF REVIEW & COMMENTS

Planning Commission

Case # PC-2015-02

Date – February 10, 2015

APPLICATION

Applicant:	Talawanda City School District, represented by Mike Davis, CFO/Treasurer
Location:	400 W. Sycamore St.
Owner:	Talawanda City School District
Action Request:	Conditional Use- Construction of a new elementary school building at the existing Kramer Elementary School site, 400 W. Sycamore Street.
Current Zoning:	R1A & R1MS
Current Use:	Elementary School
Surrounding Existing Land Uses:	Single and multi-family residential dwellings and commercial buildings

DESCRIPTION

This application is to seek a Conditional Use Permit to build a new elementary school at a different location on the existing Kramer Elementary school site. A triangular shaped new school is planned on the eastern side of the site, with two access points to Sycamore Street.

The site is slightly over 20 acres and is sloped from south-west to north east by about 60 feet. The site is a T-shape layout with only Sycamore street frontage. The proposed new building is designed to host PK-5th elementary school students in an approximate 69,984 square foot building. The existing building will then be demolished after the new building is complete. The general area where the existing building is will then be turned into a parking lot.

The existing access point at Locust St. and Sycamore St. will remain for car drop-off/pick up, visitors and staff parking. A new access point will be created to the east of the school site, on Sycamore St, to be the main point of entry for buses and deliveries.

ZONING CODE

Section 1143.03(b) (G) allows schools, both private and public as conditional uses. Chapter 1147 regulates conditional uses. Section 1147.01 states that conditional uses are land uses that are potentially appropriate in many zoning districts but are likely to have characteristics that could be detrimental to the public health, safety or general welfare if not located appropriately, operated appropriately, or mitigated with good design. Section 1147.03(30) regulates "Use Specific Regulations and Potential Concerns" outlines those concerns and regulations:

1147.03(30) Schools,

A. Potential Concerns.

1. Adequate lot size to permit future expansion

2. Buses and van storage
3. Access to streets that can handle traffic generated by the use
4. Design of vehicle management area
5. Location of outdoor facilities such as ball fields and band practices
6. Proximity to incompatible uses (establishments serving alcohol)

B. Regulations

1. Parking spaces shall not be located in a yard adjacent to a residential zoning district
2. Structures shall be setback a minimum of 30 feet from a residential zoning district

COMPREHENSIVE PLAN

2008 Comprehensive Plan outlines several key directions of the plan based on the numerous inputs and feedbacks.

KEY DIRECTIONS OF THE PLAN:

- Preserve the small town character.
- Enhance the Mile Square to preserve the traditional character of Oxford.
- Give priority to infill development and redevelopment.
- Conserve agricultural lands and natural areas.
- Create new jobs and services in the community.
- Provide a variety of transportation options including walking, biking and public transit.
- Cooperate with neighboring jurisdiction to preserve the rural character.

The 2008 Comprehensive Plan was also broken down into various categories (chapters) to develop implementation strategies. The following excerpts are from the Comp Plan related to different categories.

LAND USE – Managed growth to ensure small town character, green areas, and preserved farmland

Objectives: Enhance neighborhoods within the Mile Square

Strategies:

- LU. 2.3 Ensure the completion of missing road segments as property is developed or redeveloped. Integrate the Comprehensive Plan into the city's daily business.
- LU. 2.4 Support the pedestrian orientation of the Mile Square through the maintenance and replacement of sidewalks, alleys and street. Continue to use a formal utility services boundary to include timing utility extensions and an annexation policy.

TRANSPORTATION - A quality, accessible transportation system with alternative forms of transportation for a diverse population, improved infrastructure, adequate parking, bikeways, and efficient traffic management.

Objective: Promote alternative modes of transportation.

- T 2.3 Create standards and require all new and existing commercial and public facilities to provide bike facilities (racks, shelters)
- T 2.4 Create connections between subdivisions and destinations to improve mobility, promoting a wider pedestrian and bicycle network throughout Oxford.

Objective: improve the pedestrian infrastructure

- T 8.1 Construct new sidewalks where none exist in and between existing developments.
- T 8.2 Repair existing sidewalk that are in poor condition.

COMMUNITY FACILITY AND SERVICES - Excellent schools and community facilities and services including cultural and recreational facilities, safety and social services and programs for all.

Objective: Support Education

- CF2.1. Support partnerships between the City, Talawanda School District and Miami University to create new education opportunities for students and the general community.
- CF 2.2. Promote the enhancement of school facilities and creation of high quality academic programs.
- CF 2.3. Work with the School District and University to promote “green” building and site planning for facilities.

COMMENT FORMS (Public Comments)

One comment received.

SITE HISTORY

PC-1998-17 Lot Consolidation

AGENCY REVIEWS

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

- Police: Returned with comments attached.
- Fire: Returned without comment.
- Engineering: No comment.
- Econ. Dev.: Returned with comments attached.

DECISION CRITERIA

A copy of the Zoning Code Conditional Use Decision Standards is attached.

OXFORD ZONING CODE COMPLIANCE

1141. Accessory, Temporary, Supplementary and Environmental Regulations

- 1141.04(f) light and Glare from Exterior lights
 - (1) The light source within a light fixture shall not be visible from a neighboring structure. Lighting may be shielded or recessed and set on low poles to prevent light from shining onto neighboring properties and distracting drivers.

Comments: The light pole on the southeast side of the school property is very close to the adjoining property. A shield needs to be installed to prevent light from shining onto neighboring property.

1149 Vehicle Management:

1149.49.05 Non-Residential parking regulations

- (e)(4) Parking lot design
 - D. Light fixtures shall be a maximum height of 16 feet above the adjacent ground.

Comments: All light fixtures are more than 16 feet.

- E. All unpaved areas adjacent to an off-street parking area shall be raised, landscaped and separated from the parking area by a minimum of 6-inch high concrete curb.

Comments: The north-west portion of the proposed parking does not have raised area by a 6-inch concrete curb.

- F. A raised, landscaped, and curbed island a minimum of 4.5 feet wide (including the width of the curb) shall be provided at the front and at the ends of each row of parking space and at every interval of 7 parking spaces in a row. End islands shall extend to within 3 feet of the end of the parking space. The width requirement can be shared between adjacent facing rows or by the setback requirement adjacent to lot lines.

Comments: The proposed site layout does not show that a raised, landscaped and curbed island is provided at every interval of 7 parking spaces.

- G. Interior rows of parking shall have an access isle between each 15 parking spaces.

Comments: The proposed site plan does not show access isle between each 15 parking spaces.

1151 Sigs

1151.05 Permanent Signs

- (b) Nonresidential Land Use Signs in Residential Zoning Districts for identification purpose:

- (1) No more than 1 sign per development site is permitted as follows.
- A. The sign may be either a wall or a freestanding sign, but not both.
 - B. No more than 12 square feet in area.
 - C. Indirect illumination

Comments: There are two proposed identification signs: one wall sign and one freestanding. Both are larger than allowable square footage.

- (c) Name Plate and Direction Signs in Any Districts for pedestrian and vehicular traffic and for identifying the building entrance for nonresidential land uses in any zoning districts.

- (4) Any number of wall or freestanding signs as follows, to describe intended direction of vehicular travel on-site:
- A. No more than 2 square feet in area
 - B. No high than 4 feet
 - C. No closer than 5 feet to any lot line.
 - D. Display no commercial message except identification and address.

Comments: Three proposed freestanding signs for traffic directional purposes are all exceeding the maximum square footage.

ANALYSIS

The proposed use is in fact a conditional use in the R1A District and the applicant has outlined their responses based on the Decision Standards, which is attached for your information.

The project team has done a great job addressing School District concerns related to on-site traffic circulation issues by creating separated bus from automobiles access points. Additionally, the new building will achieve LEED (Leadership in Energy and Environmental Design) Silver Certification at a minimum. The building is also designed with the ability to add classrooms in the future. Additionally, the new building is designed to meet the "Ohio School Design Manual- 2013 Edition."

Staff identified some zoning compliance issues, outlined under the Zoning Code Compliance, which will require Commission's action to recommend waiving the standards to City Council. Staff does not believe those are issues of significance, given that the school district is striving to achieve LEED certification. Additionally, the parking lot is specifically for staff and parents and is mainly used during student drop-off and pick-up.

The City has been working with the Talawanda School District on a Safe Route to School initiative to encourage more walking and biking and reach out to school principals, staff and parents by evaluating infrastructure issues. As a result of this initiative, Talawanda Safe Route to School Travel Plan was developed that was approved by the Talawanda City School Board in 2014 for the Middle School and Kramer Elementary School. In this approved Travel Plan, numerous deficiencies were identified and countermeasures were also recommended for each site. Those countermeasures range from educational programs to infrastructural improvements.

For the Kramer School site, a list of infrastructure deficiencies was identified and the recommended improvements are also suggested. Some of the issues and recommendations are as follows: (A copy of the approved Travel Plan can be obtained on the ODOT website:

Deficiencies	Countermeasures
1. Lack of formal connection to adjacent neighborhoods	Install pathways
2. On-site pedestrian/vehicle conflict	Direct peds connection
3. Missing sidewalks west of N. Locust St.	Install sidewalks (8ft width)
4. Inadequate sidewalk width for peds and bikes on north side of Sycamore St	Widen sidewalk to 8 feet from Morning Sun to Kramer
5. Lack of signalized intersection at Sycamore and Brown Road	Reconstruct and/or signalize
6. Missing sidewalk on west side of Brown Road	Install missing sidewalks

Given that the approved Travel Plan identified these deficiencies and countermeasures, the focus on this part of the analysis will be primarily around the school site, based on the submitted site plan.

It appears that the existing sidewalk along the north side of Sycamore St. will remain as 5 feet wide to connect to an 8 foot pedestrian walk from the property line to the new school building on both sides of the access off N. Locust St.

The Northridge Subdivision was approved in 1999 by the Oxford City Council subject to certain conditions. One of the conditions was to finalize the agreement of an access easement between the developer of the subdivision and Talawanda connecting Miami Trail, a cul-de-sac, to the Kramer school site (see attachment). It appears that this easement has been recorded and the City Administration has agreed to provide a concrete pathway to fulfill the agreement in 1999. However, the site plan does not show any delineation from this pathway to the new school building. Additionally, there are several unimproved pathways from the apartment complex to the south to the existing building and it appears that there are no plans to improve these passageways.

The project team shows an 8 foot wide concrete sidewalk on both sides of the Locust St. access point. A clearly marked crosswalk needs to be installed from the concrete side on the west side of this access point to the area where a proposed flagpole is located. Based on the submittal, there will be curbing only on the east side of the parking lot and it also appears that the rest of the parking lot will be marked with paint. The site layout does not appear to provide safe crosswalks from the western most parking spaces to both entrances to the building. Considering that the design goal of this project is to achieve LEED designation, the parking lot is designed to allow run-off to flow into landscaped and/or grassy areas.

The proposed new building also shows that there is open-air bike parking in front of the new building. However, it appears there might be 10-12 bikes capacity, but it is not clear about the actual capacity. Given the experience from the National Bike and Walk Day in the last few years, the number of students who rode bikes to school is much higher than the propose capacity shown on the submittal.

RECOMMENDATION

This is the project the community has been waiting for several years to replace the existing building at the same site. It appears that the proposed project can and is able to meet the decision standards of the Conditional Use Permit. However, there are several site development standard issues that need to be waived by the Commission. Staff does not believe waiving those standards would diminish the purpose and intent of the Zoning Code, as long as there are provisions to protect the privacy of the adjoining property owners.

Other design issues in the Analysis Section of the report should be fully considered and incorporated into the approval of the Planning Commission. Since the hope is to encourage more biking and walking for school children, site design on and off-site must be reflected in this philosophy to provide improvements for accomplishment both on and off the site. For on and near site improvements, the following are critical to provide infrastructure to promote and encourage more bike and pedestrian to school.

1. The sidewalk on the north side of Sycamore Street, adjacent to TSB property needs to be 8' to accommodate bike and pedestrian at the same time.
2. Additionally, a clearly marked and graded path shall be installed from the concrete sidewalk, leading to the entrance to the new school to the property line connecting to the easement to Miami Trail.
3. Based on the comments from the OPD, staff is also recommending the design team to incorporate necessary equipment to address the OPD concerns.

Overall, this project is approvable, provided the issues outlined in the Analysis section can be addressed by the project team and agreed to by the Planning Commission.

SUBMITTED

BY:


Jung-Han Chen,

Community Development Director

DATE: January 26, 2015

ATTACHMENT

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

(1) Burden of proof.

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

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

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

3159A

FINAL RECORD PLAT OF
NORTH RIDGE SUBDIVISION - SECTION 2
ENTIRE LOT NUMBER 3240, CITY OF OXFORD, BUTLER COUNTY, OHIO
FEBRUARY, 1999

FOR VALUABLE CONSIDERATION, WE THE UNDERSIGNED DO HEREBY PERMANENTLY GRANT UNTO OUR SUCCESSORS AND ASSIGNS, FOREVER, NON-EXCLUSIVE EASEMENTS, AS SHOWN ON THE WITHIN PLAT AND DESIGNATED AS "UTILITY EASEMENT" FOR THE CONSTRUCTION, OPERATION, MAINTENANCE, REPAIR OR REPLACEMENT OF ANY AND ALL NECESSARY UTILITIES FOR THE OVERHEAD OR UNDERGROUND DISTRIBUTION OF GAS, ELECTRIC, TELEPHONE OR TELECOMMUNICATIONS, OR OTHER UTILITIES. SAID UTILITY COMPANIES SHALL HAVE THE RIGHT OF INGRESS AND EGRESS, AND ALSO THE RIGHT TO CUT, TRIM OR REMOVE TREES AND UNDERGROWTH OR OVERHANGING BRANCHES WITHIN SAID EASEMENT OR IMMEDIATELY ADJACENT THERETO, NO BUILDINGS OR OTHER STRUCTURES MAY BE BUILT OR LOCATED WITHIN SAID EASEMENTS, NOR MAY THE EASEMENT AREA BE PHYSICALLY ALTERED, SO AS TO REDUCE THE CLEARANCE OF EITHER OVERHEAD OR UNDERGROUND FACILITIES; 2) IMPAIR THE LAND SUPPORT OF SAID FACILITIES; 3) IMPAIR THE ABILITY TO MAINTAIN THE FACILITY OR 4) CREATE A HAZARD.

TO HAVE AND TO HOLD THE SAID EASEMENTS FOREVER, WE ACKNOWLEDGE HAVING FULL POWER TO CONVEY THIS EASEMENT AND WILL DEFEND THE SAME AGAINST ALL CLAIMS.

EASEMENTS ON SAID PLAT DESIGNATED AS "SANITARY SEWER EASEMENTS" OR "WATER EASEMENTS" ARE PROVIDED FOR THE RIGHT TO CONSTRUCT, USE, MAINTAIN AND KEEP IN REPAIR THEREON A SANITARY SEWER PIPELINE AND/OR WATER MAINS AND APPURTENANCES THERETO NECESSARY TO THE OPERATION THEREOF, AND ARE PERPETUALLY DEDICATED TO THE CITY OF OXFORD.

ALL EASEMENTS SHALL BE KEPT CLEAR OF DECKS, POOLS, PLANTING AND OTHER OBSTRUCTIONS TO THE OPERATION AND MAINTENANCE OF THE UTILITIES. EAVES MAY ENCROACH NO MORE THAN 18 INCHES INTO ANY EASEMENT.

ALL STREETS IN SAID SUBDIVISION SHALL BE CONSTRUCTED IN ACCORDANCE WITH APPROVED PLANS ON FILE IN THE OFFICE OF THE CITY ENGINEER. ALL STREET NAME SIGNS ERRECTED AND DRAINAGE STRUCTURES SHALL BE CONSTRUCTED AS PER APPROVED PLANS ON FILE IN THE CITY ENGINEER'S OFFICE. ALL STREETS SHALL BE CONSTRUCTED WITH EXCEPTION OF THE TOP COURSE, FROM THE DATE THE PLAT IS APPROVED BY THE CITY COUNCIL, AND SHALL BE MAINTAINED AND KEPT IN REPAIR FOR A PERIOD OF ONE YEAR FROM THE DATE THAT THE CONSTRUCTED STREETS ARE APPROVED BY THE CITY ENGINEER.

ALL BUILDINGS ARE TO BE SERVED BY THE PUBLIC SEWER SYSTEM AND SHALL BE CONSTRUCTED SO AS TO PROVIDE GRAVITY FLOW TO THE SANITARY SEWER MAIN. ANY LOT TRANSFERRED SHALL HAVE A MINIMUM WIDTH AND AREA SUBSTANTIALLY THE SAME AS SHOWN ON THE ACCOMPANYING PLAT AND ONLY ONE PRINCIPAL BUILDING WILL BE PERMITTED ON ANY SUCH LOT. ANY SPLITS OR FURTHER SUBDIVIDING SHALL BE DONE BY REPLAT ONLY, IF AN ADDITIONAL BUILDING SITE(S) IS CREATED.

TYPICAL FIFTEEN FOOT PUBLIC UTILITY EASEMENT TO BE PROVIDED AND DEDICATED ON ALL EXTERIOR LOT LINES. TYPICAL SEVEN AND ONE HALF FOOT PUBLIC UTILITY EASEMENTS TO BE PROVIDED AND DEDICATED ALONG ALL INTERIOR LOT LINES AS DEEMED NECESSARY BY THE CITY ENGINEER.

STATE OF OHIO S.S.

BE IT REMEMBERED THAT ON THIS 14 DAY OF December, 19 99, BEFORE ME A NOTARY PUBLIC, IN THE STATE OF OHIO, PERSONALLY CAME DENNIS DAY AND RAY DAY, WHO ACKNOWLEDGED THAT THEY SIGNED THE FOREGOING INSTRUMENT MENTIONED AND THAT THE SAME IS VOLUNTARILY ACT AND DEED FOR THE USES AND PURPOSES IN SAID INSTRUMENT MENTIONED. IN TESTIMONY WHEREOF, I HERETO SUBSCRIBE MY NAME AND AFFIX MY NOTARIAL SEAL THIS DAY AND YEAR AFORESAID.

Arthur C. Balph
NOTARY PUBLIC
DATE OF
April 28, 2000
MY COMMISSION EXPIRES

PUBLIC DRAINAGE EASEMENTS

EASEMENTS SHOWN ON THIS PLAT ARE FOR THE EXCLUSIVE USE OF THE CITY OF OXFORD FOR THE CONSTRUCTION, OPERATION, REPAIR OR REPLACEMENT OF STORM SEWER, MANHOLES, CATCH BASINS, CONCRETE CHANNELS, HEADWALLS, DITCHES OR OTHER STORM WATER FACILITIES UNLESS SPECIFIC PERMISSION IS GRANTED TO AN OUTSIDE AGENCY OR UTILITY. EASEMENTS ARE ALSO TO PROVIDE INGRESS AND EGRESS FOR SAID PURPOSE.

THESE EASEMENTS SHALL BE KEPT CLEAR OF BUILDINGS, FENCES, DECKS, POOLS, PAVING, PLANTING, AND OTHER OBSTRUCTIONS TO THE OPERATION AND MAINTENANCE OF THE DRAINAGE FACILITY AND ADJUTING PROPERTY SHALL NOT BE PERMITTED TO DRAIN INTO THIS EASEMENT EXCEPT BY MEANS OF AN APPROVED DRAINAGE STRUCTURE. EAVES MAY ENCROACH NO MORE THAN 18 INCHES INTO ANY EASEMENT.

THE CITY OF OXFORD DOES NOT ACCEPT ANY PRIVATE DRAINAGE EASEMENTS SHOWN ON THE ACCOMPANYING PLAT, AND THE CITY OF OXFORD IS NOT OBLIGATED TO MAINTAIN OR REPAIR SAID CHANNELS OR INSTALLATIONS IN SAID EASEMENTS. THE EASEMENT AREA OF EACH LOT SHALL BE MAINTAINED CONTINUOUSLY BY THE OWNER OF THE LOT. NO STRUCTURE MATERIAL SHALL BE PLACED OR PERMITTED TO REMAIN WITHIN THE EASEMENT WHICH WILL CHANGE THE DIRECTION OF WATER FLOW.

THE CITY OF OXFORD ALSO WILL NOT BE RESPONSIBLE FOR ADJUSTING MANHOLES, VALVES, FIRE HYDRANTS, METER PITS, ETC., AS A RESULT OF GRADE CHANGES. THE GRANTOR SHALL BE RESPONSIBLE FOR THE ADJUSTMENT OF MANHOLES, VALVES, FIRE HYDRANTS, METER PITS, ETC., TO THE SATISFACTION OF THE CITY OF OXFORD, DUE TO GRADE CHANGES, PAVING, ETC., INITIATED BY THE GRANTOR.

THE UNDERSIGNED, BEING THE OWNER OF 11.646 TOTAL ACRES OF LAND IN LOT # 3240 OF THE CITY OF OXFORD, BUTLER COUNTY, OHIO, DO HEREBY ASSENT TO AND ADOPT THE ACCOMPANYING PLAT OF SUBDIVISION TO BE KNOWN AS NORTH RIDGE SUBDIVISION, SECTION 2, AND DO HEREBY PERPETUALLY DEDICATE TO THE CITY OF OXFORD THE SHOWN 50.00 FOOT WIDE RIGHT-OF-WAY, STREETS FOR THE CONSTRUCTION, MAINTENANCE AND OPERATION OF ROADWAY, PUBLIC UTILITY POLES, WIRES, CONDUITS AND NECESSARY ATTACHMENTS IN CONNECTION THEREWITH FOR THE TRANSMISSION OF ELECTRICITY, TELEPHONE, AND CABLE; AND FOR THE PURPOSES FOR THE CONSTRUCTION AND MAINTENANCE OF FIRE LINES FOR SUPPLYING GAS, IN ACCORDANCE WITH THE LAWS IN SUCH CASES MADE AND PROVIDED IN STREETS AND ROADWAYS AS SHOWN ON SAID PLAT, AND DECLARES THE SAME TO BE FREE AND UNENCUMBERED. THE TITLE ACQUIRED BY DEED BOOK 1710, PAGE 337.

IN WITNESS WHEREOF, WE HAVE UNTO SET OUR HANDS THIS

DAY OF Dec, A.D., 19 99

Dennis Day
OWNER

Ray Day
OWNER

Arthur C. Balph
WITNESS

Arthur C. Balph
WITNESS

Arthur C. Balph
WITNESS

Arthur C. Balph
WITNESS

APPROVED AND ACCEPTED BY THE CITY OF OXFORD COUNCIL BY

ORDINANCE PASSED AT THE MEETING OF

April 28, 1999, 19 99 ORDINANCE # 2035

Dennis Day
CLERK OF COUNCIL

Dennis Day
TRAINING DIRECTOR

Arthur C. Balph
SERVICE DIRECTOR

Arthur C. Balph
CITY ENGINEER

Arthur C. Balph
DATE

Arthur C. Balph
DATE

ENTERED FOR TRANSFER

TRANSFERRED

April 28, 2000 A.D., 19 2000

Arthur C. Balph
AUDITOR BUTLER COUNTY, OHIO

Arthur C. Balph
DEPUTY

FILE FOR RECORD 4-28-2000 AT 12:54 pm

RECORDED 4-28-2000 A.D., 19 2000

PLAT ENVELOPE 3159 PAGES A-B

Dennis Day
RECORDER BUTLER COUNTY, OHIO

Arthur C. Balph
DEPUTY

FILE 23557 FEE \$43.80

ARTHUR C. BALPH
CIVIL ENGINEER & SURVEYOR
1145 CALIFORNIA ROAD
OKEANA, OHIO 45063
PHONE 513-756-9111
DATE: 2/1/99
REVISION DATE: 4/30/99

NOTE A:
LOTS 3273 AND 3274 REQUIRE A GRADING
PLAN TO BE SUBMITTED TO THE CITY BEFORE
BUILDING PLAN WILL BE ISSUED.
PLAN TO SHOW PROPOSED FLOOR ELEVATIONS AND
SANITARY SEWER INVERTS.

TOTAL AREA OF SECTION 2 - 11.646 ACRES

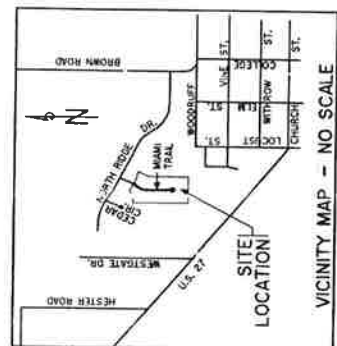
NOTE: BENCHMARK FOR SEC. 2
SHALL BE THE ABOVE NUT OF
THE EXISTING FIRE HYDRANT
IMMEDIATELY SOUTH AND EAST OF
THE INTERSECTION OF MIAMI TRAIL
AND NORTHBRIDGE DR.
ELEV. 902.89

I HEREBY STATE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF THAT THIS PLAN IS A CORRECT RETURN OF A SURVEY MADE UNDER MY DIRECTION, OR NORTH RIDGE SEC. 2. MONUMENTS HAVE BEEN SET AND THEIR LOCATION AND SIZE ARE CORRECT AS SHOWN ON THIS PLAN. THE CITY OF OXFORD SUBDIVISION REGULATIONS HAVE BEEN COMPLIED WITH TO THE BEST OF MY ABILITY.

ARTHUR C. BALPH
CIVIL ENGINEER & SURVEYOR

145 CALIFORNIA ROAD
DKEANA, MO 45053
PHONE 513-756-9111
DATE: 2/ /99
REVISION DATE:

SHEET 2 OF 2



(A) RAD: 25.00'
 ARC: 22.39'
 TAN: 12.01'
 CEN. ANG.: 51° 19' 04"
 CHORD: 21.65'

(B) RAD: 55.00'
 ARC: 271.33
 CEN. ANG.: 282° 38' 08"
 CHORD: 68.75'

LEGEND:

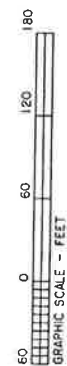
SET
—•— BUILDING LINE
CHAS. SCHLITZ, AT

—U— UTILITY EASEMENT LINE

INSTRUMENT SET

ALL BE SET AT EACH POINT

NOTE: A NOTCH WILL BE SET AT EACH POINT WHERE THE PROPERTY LINE EXTENDED MEETS THE BACK OF CURB.



BEARINGS SHOWN ARE BASED ON
STATE PLANE COORDINATE SYSTEM
AND ARE USED TO DENOTE ANGLES ONLY.

EASEMENT

City of Oxford
Inter-Office Review Transmittal Sheet

Date: January 8, 2015

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

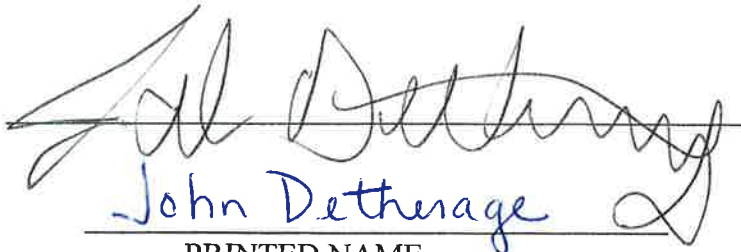
PC-2015-02 CONDITIONAL USE, Kramer Elementary School, construction of a new elementary school building at the site of the existing Kramer Elementary School, 400 West Sycamore Street, **Board of Education, Talawanda School District, Applicant**

 X Review Revisions Other

Please return no later than: **1/30/2015** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments without/comments

Drawings reviewed by:


John Dethenage
PRINTED NAME

Date: 1/15-15

City of Oxford
Inter-Office Review Transmittal Sheet

Date: January 29, 2015

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

Re-Submittal

(See Applicant's Memo for Revisions)

PLEASE RETURN OTHER SETS OF DRAWINGS FOR DISPOSAL

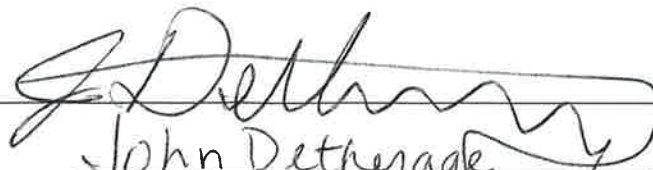
PC-2015-02 CONDITIONAL USE, Kramer Elementary School, construction of a new elementary school building at the site of the existing Kramer Elementary School, 400 West Sycamore Street, **Board of Education, Talawanda School District, Applicant**

 X Review Revisions Other

Please return no later than: **2/5/2015** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments without/comments

Drawings reviewed by:


John Detherage
PRINTED NAME

Date: 2-6-15

City of Oxford
Inter-Office Review Transmittal Sheet

Date: January 29, 2015

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

Re-Submittal

(See Applicant's Memo for Revisions)

PLEASE RETURN OTHER SETS OF DRAWINGS FOR DISPOSAL

PC-2015-02 **CONDITIONAL USE, Kramer Elementary School**, construction of a new elementary school building at the site of the existing Kramer Elementary School, 400 West Sycamore Street, **Board of Education, Talawanda School District, Applicant**

 X Review Revisions Other

Please return no later than: **2/5/2015** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments without/comments

SEE MEMO DATED 2-6-2015

Drawings reviewed by: *V. Popescu* Date: 2-9-2015

 VICTOR POPESCU

PRINTED NAME



Memo

Service Department
Engineering Division

513/524-5208 fax 513/524-5267

TO: Community Development Department

FROM: Victor Popescu, PE
City Engineer

RE: PC - 2015-02
Conditional Use - Kramer Elementary School
400 W. Sycamore Street

DATE: February 6, 2015

The following are comments from the Engineering Division.

- The development of the Miami Trail Drive, part of the North Ridge Subdivision Section 2, dedicated a 10 foot ingress/egress easement. Subject easement was for the purpose of providing access to the existing/future Kramer Elementary School. We recommend that use of the easement be made for its intended purpose.

If there are questions, please contact the Engineering Division.

City of Oxford
Inter-Office Review Transmittal Sheet

Date: January 8, 2015

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2015-02 CONDITIONAL USE, Kramer Elementary School, construction of a new elementary school building at the site of the existing Kramer Elementary School, 400 West Sycamore Street, **Board of Education, Talawanda School District, Applicant**

 X Review Revisions Other

Please return no later than: **1/30/2015** Note: If no comments are received, we will assume the project meets your department's standards.

.....
Drawings are returned: w/comments without/comments

As I look at the plans for Kramer, I believe that the review is only for the land use and not necessarily the building although I am not certain. Regardless, I would like the Community Development Department to be aware of the following regarding this proposed new construction.

At the recent 800 Advisory Board meeting, BRICS staff informed us of a Section in the Ohio Fire Code that requires buildings have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the radio system. I would request that the Building Department make the following comments to the developer: "Contact the Fire Department to establish requirements. Provide documentation that this is being addressed or correspondence from the Fire Department that this will not be required." That line is from a review by the City of Grove City, Ohio for an elementary school.

The appropriate section in the Ohio Building Code is 4101:1-9-01 Fire Protection Systems – Section 915.1 General which references Section 510 of the Ohio Fire Code. (Chapter 1301:7-7 Ohio Fire Code (J) Section 510 Emergency responder radio coverage)

This issue exists in the current High School where we have very poor radio coverage in parts of the building. That building needs to have a radio amplifier installed. However we cannot require the school district to install it now. So to avoid this with the new elementary building, we need to make it part of the review process. BRICS recently assisted in this process with the building of Children's Hospital in Liberty Township.

Thank you,

John A. Jones | Support Services Lieutenant

Bob Holzworth, OPD

City of Oxford
Inter-Office Review Transmittal Sheet

Date: January 29, 2015

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

Re-Submittal

(See Applicant's Memo for Revisions)

PLEASE RETURN OTHER SETS OF DRAWINGS FOR DISPOSAL

PC-2015-02 CONDITIONAL USE, Kramer Elementary School, construction of a new elementary school building at the site of the existing Kramer Elementary School, 400 West Sycamore Street, **Board of Education, Talawanda School District, Applicant**

 X Review Revisions Other

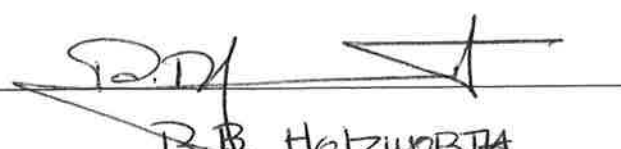
Please return no later than: **2/5/2015** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

OPD STAFF HAD OPPORTUNITY TO REVIEW.

Drawings reviewed by:



PRINTED NAME

Date: 2/11/2015

City of Oxford
Inter-Office Review Transmittal Sheet

Date: January 8, 2015

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

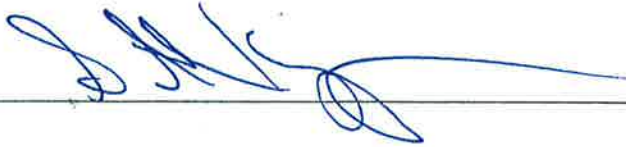
PC-2015-02 CONDITIONAL USE, Kramer Elementary School, construction of a new elementary school building at the site of the existing Kramer Elementary School, 400 West Sycamore Street, **Board of Education, Talawanda School District, Applicant**

 X Review Revisions Other

Please return no later than: **1/30/2015** Note: If no comments are received, we will assume the project meets your department's standards.

.....
Drawings are returned: w/comments without/comments

I LIKE THE SCHOOL NAME.
I LIKE THE LOCATION.

Drawings reviewed by: 

Date: 1-12-15

G. ALAN KYRWIN

PRINTED NAME



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

CASE NO.: PC-2015-02

DATE OF HEARING: February 10, 2015

PC-2015-02 CONDITIONAL USE, Kramer Elementary School, construction of a new elementary school building at the site of the existing Kramer Elementary School, 400 West Sycamore Street, Board of Education, Talawanda School District, Applicant

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

Name: Parkview Arms Apartments

Address: 5032 College Corner Pike

Oxford OH 45056

Telephone: Home: 513-523-6454 Work: 513-688-0104

COMMENTS:

NO comment.


Signature

2/12/15

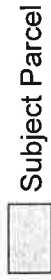
Date

Managing
Agent, LIF Management, Inc.



PC-2015-02 Surrounding Property Owners Map

Legend



Subject Parcel



200 Ft. Buffer



Oxford Corporation Limit



Address Point



Parcel



Building Footprint

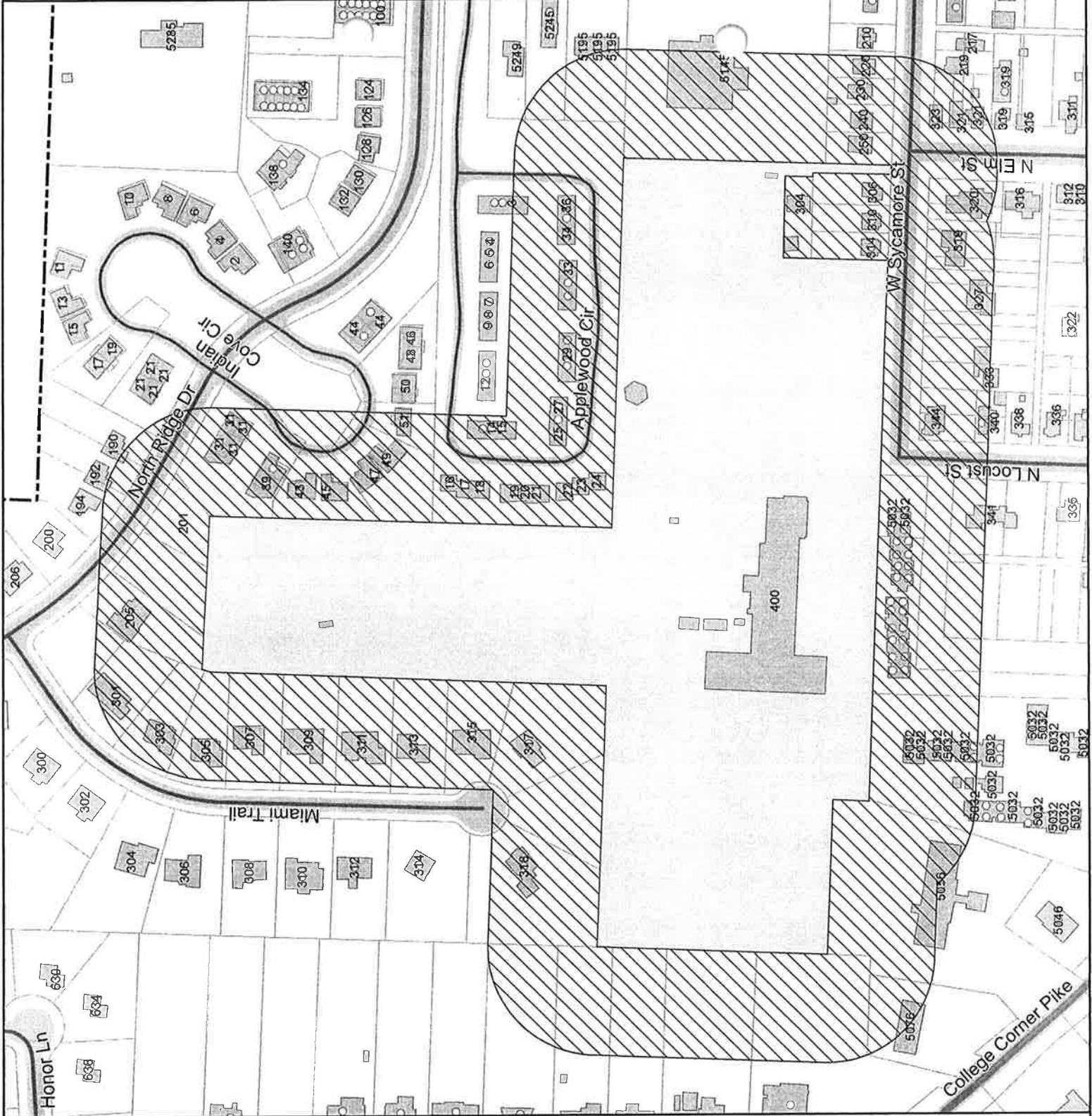


Paved Roadway



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.





Feb. Page 1 of 3

Internal Use Only:	PC-2015-02
Case No.	
Date Filed	12/23/14

Conditional Use Permit Application

Applicant Information

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

Name * Board of Education of the Talawanda City School District
Mailing Address * 131 W. Chestnut Street
City, State & Zip Code * Oxford, Ohio 45056
Telephone Number(s) * 513-273-3107
Email Address davism@talawanda.org

Owner Information

Name * Board of Education of the Talawanda City School District
Mailing Address * 131 W. Chestnut Street
City, State & Zip Code * Oxford, Ohio 45056
Telephone Number(s) * 513-273-3107
Email Address davism@talawanda.org

Location and Lot Information

Location of Property * north side of Sycamore Street at Locust Street 400 W. Sycamore
Legal Description * Lot 3817
Zoning District * R-1A & R-1MS
Total Area * 20.324 → Check One * Acres ☒ Square Feet ☐
Existing Use Description * Elementary School
Proposed Use Description * Elementary School

Submission Requirements and Documentation

From Section 1147.02(a)¹.

- (1) Contents of application for conditional use permit. Thirteen complete sets of all information shall be submitted with an application. The Zoning Administrator may modify this requirement based upon the type of materials included. Please contact the Zoning Administrator prior to submitting an application to discuss the submission requirement. If any information is submitted in color or on non-standard paper, more copies may be required.
- A. Application Fee.
- B. Description of Use and Site.
- A written, detailed description shall include the following information. A separate response is required for each subsection.
1. The name, mailing address, and telephone number of the applicant and the property owner.
 2. If the applicant is not the owner, a statement from the owner that the applicant is entitled to apply on his or her behalf.
 3. A legal description of the site, including all separate lots.

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

Fees & Receipt

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

Sign and Date

Applicant Signature *

Date *

W. Davis CFO/TREASURER
12/15/14

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 plans and documentation as attachments and a check for fee and postage charges made payable to **City of Oxford**, to Community Development Director, 101 East High Street, Oxford, OH 45056.

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

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

For Staff Use Only

Fee Paid Date *

Receipt Number *

12/23/14 433.32

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/>

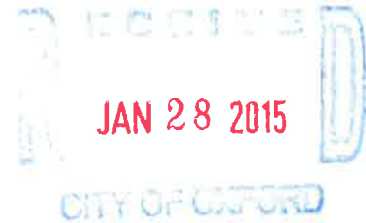


*Where Creativity
Meets Functionality*

Civil Engineers | Transportation Engineers | Landscape Architects | Planners | Land Surveyors

January 28, 2015

Mr. Sam Perry
Planner
City of Oxford
101 East High Street
Oxford, Ohio 45056



Re: Kramer Elementary
Conditional Use
Submittal of Revised drawings

Dear Mr. Perry:

Based upon the feedback received from City staff in the project review meeting on January 12th, we have revised several of the documents to address the following items:

- 1) A required parking calculation is provided herein.
- 2) Building elevations for the north and east side are included herein.
- 3) Updated photometric plans which reflect all the site lighting to be installed.
- 4) Examples of directional/informational signage to be installed within the site.
- 5) Trash enclosure details.
- 6) Lot coverage calculations.

Enclosed please find the following items in support of the Board of Education of the Talawanda City School District's Application for Conditional Use approval for Kramer Elementary School to be located on the north side of Sycamore Street:

- 1) Thirteen (13) individual packets containing one (1) copy of each of the following items:
 - a. Conditional Use Application.
 - b. List of property owners within 200 feet of the site.
 - c. Legal description of the property.
 - d. Site Plan, including existing site, layout plan and grading plan.
 - e. Preliminary Building Elevations and signage
 - f. Preliminary Landscape Plan.
 - g. Preliminary Lighting Plan, with fixture detail sheets.
 - h. Site Analysis.
 - i. Photos of the subject site and surrounding area.
 - j. Required Parking Calculator.

2) Description of use and site:

- a. Applicant & Property Owner:
Board of Education of the Talawanda City School District
131 W. Chestnut Street
Oxford, OH 45056
513-273-3107

6900 Tylersville Road, Suite A
Mason, OH 45040
513-336-6600

318 South College Avenue
Oxford, OH 45056
513-523-4270

1404 Race Street, Suite 204
Cincinnati, OH 45202
513-834-6151

209 Grandview Drive
Fort Mitchell, KY 41017
859-261-1113

<http://www.bayerbecker.com>

- b. A legal description of the boundary of the proposed development is enclosed.
- c. The property currently contains the existing Kramer Elementary School.
- d. The property contains 2 zoning districts; R-1A, Single Family Low-Density Residential, and R-1MS, Single Family Residential Mile-Square District.
- e. A description of the proposed use:
 - i. A description of operations, including types of goods sold, services performed, and expected number of customer, clientele, delivery, and service vehicles.

New PK-5 elementary school building consisting of 69,984 SQ FT. Kramer Elementary will be constructed on the existing approximately 21 acre site on West Sycamore Street. Abatement and demolition of existing school is included. The building is required to achieve LEED Silver Certification at a minimum but the community is challenging the team to seek a higher level if viable.

The owner has expressed a variety of goals to date. These include:

- *Designing safe, healthy and energy efficient schools that have appropriate life cycle costs.*
- *Open school for the 2016-2017 school year.*
- *Designing new school with the ability to add classrooms in the future.*
- *Make the best possible education decision / solution for the KIDS.*
- *Embrace our desire to be an innovative and transformed facility for future focused learning.*
- *Continue as a good neighbor.*

The building will be designed using the "Ohio School Design Manual – 2013 edition." The building will be Type IIB Construction per the 2011 Ohio Building Code utilizing masonry cavity wall construction on the exterior walls and interior masonry load bearing walls where required. The classroom wing will be 2 stories in height. The roof and floor framing will be of steel. We anticipate a 14'-0" floor to floor height at this point in the design to allow ample space for above ceiling mechanical, electrical, plumbing and technology systems. An elevator will be included in the design. The gymnasium will be approximately 26' high masonry wall construction and will face West Sycamore Street. There will be a storefront entry to allow for gymnasium use off hours and to create transparency on the south facing wall. The roofs throughout the building will be primarily low sloped and the front entry & art room will have a pitched system to help identify the front door of the school.

There will be an enclosed mechanical yard that will house a generator and air cooled chiller for the school. The walls will be 12' and will have an operable gate so equipment can be serviced. The design team will minimize rooftop equipment above the administration area. We are currently locating rooftop heat pumps for the administration behind the high gym wall so it cannot be seen from West Sycamore Street.

- ii. The hours of operation.

Current school hours are 9:15 am to 4:00 pm. They are expected to remain the same with the construction of the new school.
- f. A narrative statement that evaluates the compatibility of the proposed use with the general vicinity and adjacent properties.
 - i. How the use is similar to or different from existing area uses and if there will be any interaction between the proposed use and existing uses.

The use of the property is not intended to change with this application, it will remain an elementary school with its access off of West Sycamore Street. The property is surrounded by single-family residential, multi-family residential and a portion of commercial development.

Interaction with the adjacent uses will occur along West Sycamore Street. The remainder of the boundary of the property will remain in its existing condition. Sidewalk will be installed along both sides of the westernmost access drive from West Sycamore Street to the proposed school, which will enable residents to walk their children to school.

- ii. How any existing structures, proposed structures, and the site design relate adjacent structures and sites.

The proposed building will be designed in a manner to be compatible with the surrounding residential uses. Likewise the site will be designed to fit into the neighborhood.

- iii. If the use will involve any operations that create potential nuisances such as excessive noise, lighting, odor, fumes, vibrations or emissions.

The proposed use, an elementary school, will not involve any operations that create potential nuisances.

- iv. How any potential negative effects on adjacent land will be mitigated.

The proposed Kramer Elementary School will not have a negative effect on adjacent land, as the use of the property will not change. All proposed lighting will be designed to meet the City of Oxford Zoning requirements. The current elementary school does not contain detention or retention to address stormwater run-off. With the construction of the new elementary school, a detention basin will be constructed. Lastly, landscaping will be installed along West Sycamore Street and the east property line providing a visual buffer for properties to the south and east.

- g. A statement about why the location proposed is more appropriate for the use than other locations.

The site has been developed for decades as an elementary school, and the community has developed around it. Kramer Elementary School addresses the elementary education needs of students in the surrounding neighborhoods.

- h. A statement of the necessity or desirability of the proposed use to the neighborhood or community.

Kramer Elementary School serves students in the surrounding neighborhood areas. The Board of Education of the Talawanda City School District wishes to be a good neighbor and continue to serve the adjacent residents.

- i. Potential Concerns for Schools per Section 1147.03(30) of the Zoning Code:

- i. Adequate lot size to permit future expansion.

The layout for the proposed elementary school is expected to encumber approximately 8 acres of the 20.324 acres site, leaving approximately 12.324 acres for future expansion.

- ii. Bus and van storage.

Bus and/or van storage will not occur at this site. Talawanda City Schools currently store all their buses and vans at an offsite location.

- iii. Access to streets than can handle traffic generated by the use.

Access to the site will be provided at 2 locations. The west curb cut will be at the location of the existing access point at the intersection of West Sycamore and Locust Streets. This entry will be for car drop-off / pick-up, visitor, and staff parking. The proposed east curb cut will be the main point of entry for buses and deliveries. There will be a small parking lot south of the building for kitchen and custodial staff along with waste and recycling removal. Sidewalks are shown throughout site. Bike racks are shown on L101 near the front door.

iv. Design of vehicle management area.

As aforementioned, the westernmost parking lot will be for car drop-off / pick-up, visitor, and staff parking. While the proposed easternmost parking lot will be the main point of entry for buses and deliveries. There will also be a small parking lot south of the building for kitchen and custodial staff along with waste and recycling removal.

v. Location of outdoor facilities such as ball fields and band practice areas.

The existing play area located in the center of the property is proposed to remain. No additional ball fields are proposed.

vi. Proximity to incompatible uses (establishments serving alcohol).

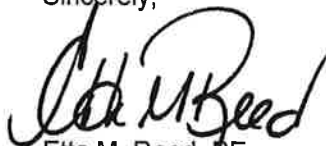
Site is predominantly surrounded by residential uses. The commercial uses that are adjacent consist of a post office (to the east) and to the west a hotel, Bob Evans Restaurant and Funeral Home.

j. A list of the names and addresses of all land owners within 200 feet of the site is enclosed.

Please place this item on the February 10th Planning Commission Meeting agenda.

Should you have any questions, or need any additional information, please do not hesitate to contact us.

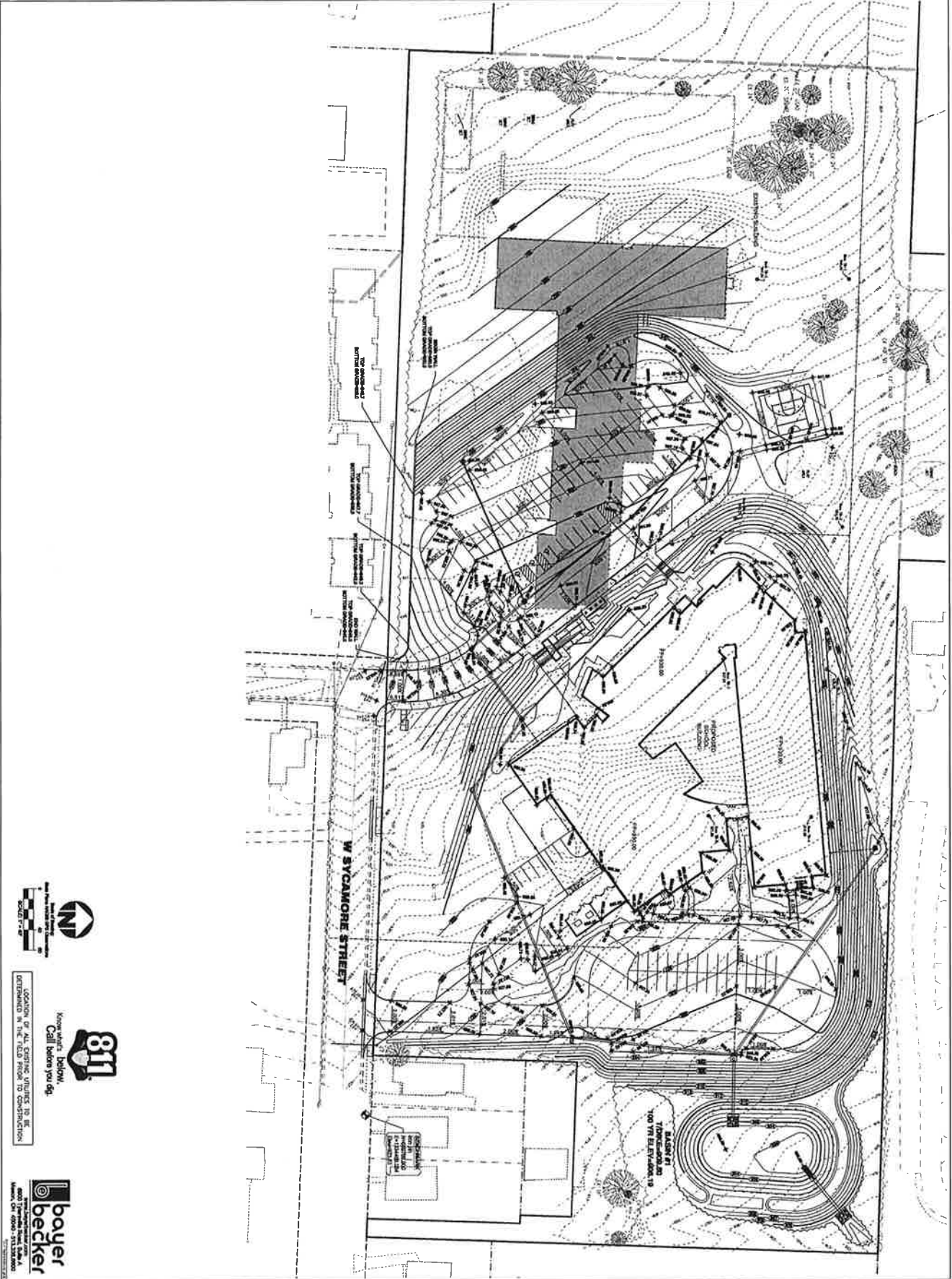
Sincerely,



Etta M. Reed, PE

Enclosures

Cc: Mike Davis, Talawanda City Schools
Charlie Jahnigen, SHP Leading Design



811
Know what's below. Call before you dig.

LOCATION OF ALL EXISTING UTILITIES TO BE DETERMINED IN THE FIELD PRIOR TO CONSTRUCTION.



C3.0	DATE 12-23-14	EQUIP NO 20140225-00	SHEET NO 1	SHEET TOTAL 1	ISLANDS

**TALAWANDA SCHOOL DISTRICT
NEW KRAMER ELEMENTARY SCHOOL**
400 W. SYCAMORE ST., OXFORD, OH 45056

TALAWANDA SCHOOL DISTRICT
131 W. CHESNUT ST., OXFORD, OH 45056

4805 Montgomery Road
Cincinnati, Ohio 45212
2741 High Street
Hilliard, Ohio 43021
191 Oak Center Drive
Columbus, Ohio 43215

Suite 400
613.581.8112

Suite 400
613.863.6441

Suite 300
614.225.2104



SITE SUMMARY

LOT AREA	20.234 ACRES
PARKING SPACES	
EXISTING	104 SPACES
STANDARD	100 SPACES
EXISTING TOTAL	104 SPACES
PROPOSED	100 SPACES
STANDARD	96 SPACES
PROPOSED TOTAL	96 SPACES
PROPOSED ADULT PARKING	20 SPACES
PROPOSED OFFICIAL TOTAL	116 SPACES
ON SITE WAREHOUSE AREA	
BUILDING	6,594 SQUARE FEET
PERMITS	1,513 SQUARE FEET
ADULT CARE CENTER	1,513 SQUARE FEET
PAYMENT	2,242 SQUARE FEET
TOTAL	4,267 SQUARE FEET



VICINITY MAP
 NOT TO SCALE



LOCATION OF ALL EXISTING UTILITIES TO BE
 DETERMINED IN THE FIELD PRIOR TO CONSTRUCTION



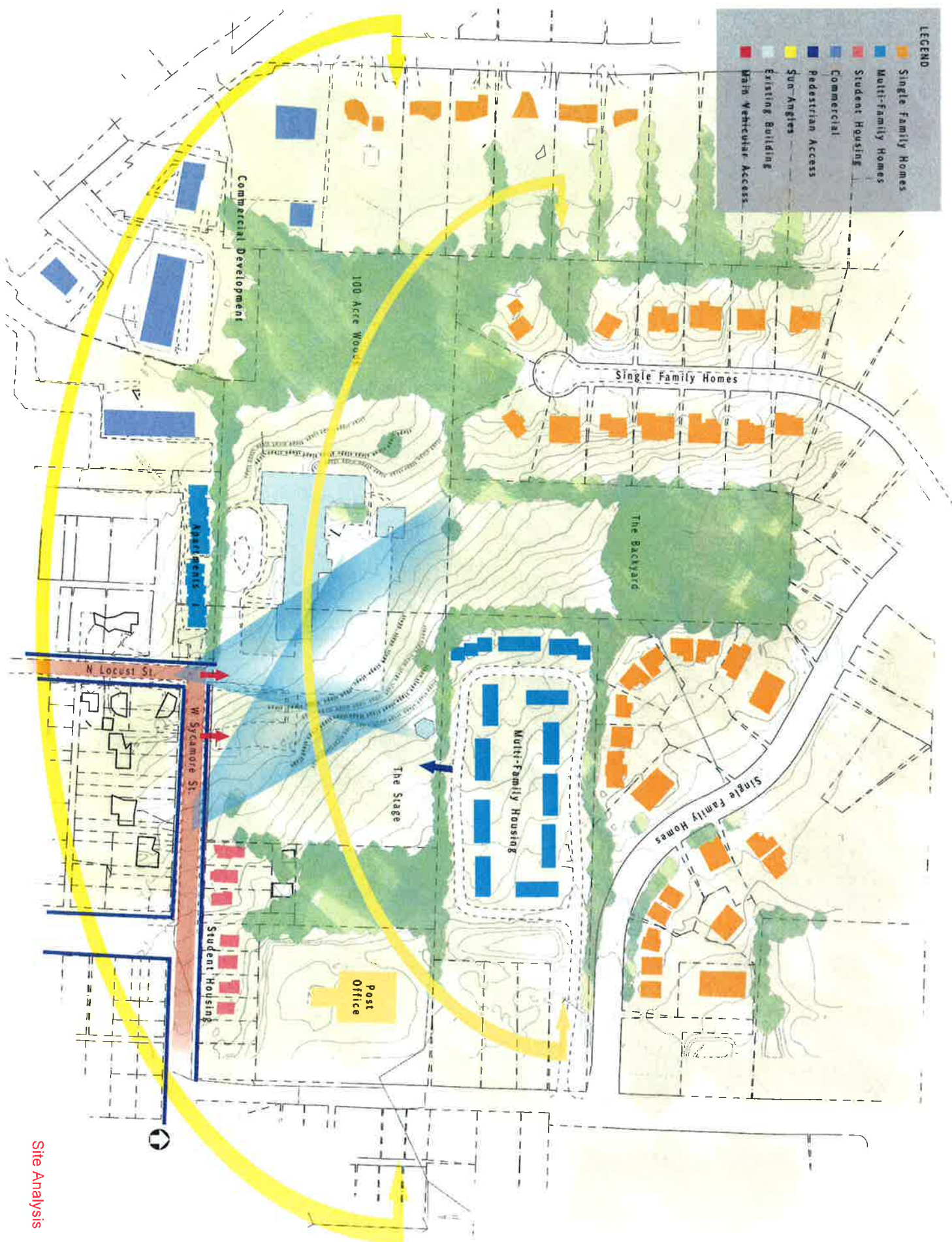
DATE	12-23-14
COMMIT NO.	2014025.00
EXISTING SITE PLAN	
ISSUANCES	
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**TALAWANDA SCHOOL DISTRICT
 NEW KRAMER ELEMENTARY SCHOOL**
 400 W. SYCAMORE ST., OXFORD, OH 45056
TALAWANDA SCHOOL DISTRICT
 131 W. CHESNUT ST., OXFORD, OH 45056

SHR
 LEADING DESIGN

400 Montgomery Road
 Cincinnati, Ohio 45212
 238 High Street
 Cincinnati, Ohio 45201
 100 Oak Grove Circle
 Cincinnati, Ohio 45219

564-430
 513-381-1112
 513-381-0441
 513-381-2200
 513-225-2124





View of Building Entrance from Entry Drive



View from Sidewalk along Sycamore



View from Applewood

[illegible]

TALWANDA SCHOOL DISTRICT
131 W. CHESNUT ST., OXFORD, OH 45056



4825 Montgomery Road
Cincinnati, Ohio 45242

220 High Street
Hawthorn, Ohio 43011

250 Civic Center Drive
Cincinnati, Ohio 43215

June 400
 813-511.1 112
 813-512.1 441
 June 200
 814-113.1 124

WILL DRAKE is the author of *618* (Simon & Schuster, 1996).



DATE	SHEET NO.	TALAWANDA SCHOOL DISTRICT NEW KRAMER ELEMENTARY SCHOOL 400 W SYCAMORE ST., OXFORD, OH 45056	 4855 Montgomery Road Cincinnati, Ohio 45242 798 High Street Newark, Ohio 43051 290 East Center Drive Columbus, Ohio 43215 Suite 400 513-581-0112 614-863-6441 614-223-5124	TALAWANDA SCHOOL DISTRICT 131 W CHESNUT ST., OXFORD, OH 45056	ISSUANCES	DRAWING BY: JACOB L. HARRIS CHECKED BY: JACOB L. HARRIS DATE: 10/1/2014	COMMNO 2014022506 Z202

Date: January 21, 2014
Description: 20.324 Acres
Lots #1283, #1284, #1474, #1475 and #1477
Location: City of Oxford
Butler County, Ohio



Situated in the City of Oxford, Butler County Ohio, being all of Lots #1283, #1284, #1474, #1475 and #1477, in the City of Oxford, being part of the lands of The Board of Education of the Talawanda Local School District as recorded in Deed Book 1632, Page 263, Deed Book 1632, Page 259, Deed Book 1632, Page 267 and Official Record 6453, Page 2237 of the Butler County Recorder's Office and being more particularly described as follows:

Beginning at a found 5/8" iron pin at the northwest corner of Lot #3242, being the northwest corner of the lands of A-1 Hotel Investments, LLC as recorded in Official Record 7963, Page 1494 and being on the east line of Lot #2684, being the lands of PRY Properties, LLC as recorded in Official Record 8186, Page 1344 of the Butler County Recorder's Office and being the **True Point of Beginning**;

thence, leaving said northwest corner of Lot #3242 and with said east line of the lands of PRY Properties, LLC, North 01° 55' 10" East, 415.50 feet to a found 5/8" iron pin on the east line Lot #1288 and being the lands of Mary Jo Devillez as recorded in Official Record 6497, Page 1360 and being on the south line of Northridge Subdivision, Section 2 as recorded in Plat Envelope 3159, Page A of the Butler County Recorder's Office;

thence, leaving said east line of Lot #1288 and with said south line of Northridge Subdivision, Section 2, South 87° 45' 39" East, 483.57 feet to a found 3/4" pipe, being on the east line of said Northridge Subdivision Section 2;

thence, leaving said south line of Northridge Subdivision, Section 2 and with the east line of said Northridge Subdivision, Section 2, North 02° 08' 42" East, 726.51 feet to a found 1/2" iron pin on the south line of Northridge Subdivision, Section 1 as recorded in Plate Envelope 2358, Page A of the Butler County Recorder's Office;

thence, leaving said east line of Northridge Subdivision, Section 2 and with said south line of said Northridge Subdivision, Section 1, South 87° 37' 03" East, 299.94 feet to a found 5/8" iron pin on the west line of North Ridge Condominiums Phase VII as recorded in Plate Envelope 3519, Page A of the Butler County Recorder's Office;

thence, leaving said south line of Northridge Subdivision, Section 1 and with said west line of North Ridge Condominium Phase VII extended, South 02° 09' 41" West, 725.76 feet to a found wooden post on the southwest corner of Lot #3139 and being the lands of Applewood Townhomes Owners Association as recorded in Official Record 5167, Page 366 of the Butler County Recorder's Office;

thence, leaving said west line extended of said North Ridge Condominium Phase VII and with the south line of said lands of Applewood Townhomes Owners Association, South 88° 06' 48" East, (passing a set 5/8" iron pin at 498.89 feet) for a total of 674.89 feet to a found 5/8" iron pin at the northwest corner of Lot #1473 and being the lands of The United States Postal Service as recorded in Deed Book 1614, Page 240 of the Butler County Recorder's Office;

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Page 1 of 2

6900 Tylersville Road, Suite A
Mason, Ohio 45040
513-336-6600

209 Grandview Drive
Fort Mitchell, Kentucky 41017
859-261-1113

318 South College Avenue
Oxford, Ohio 45056
513-523-4270

P.O. Box 3706
Lawrenceburg, Indiana 47025
812-537-9064

Engineering – Surveying – Landscape Architecture – Planning
www.bayerbecker.com

thence, leaving said south line of Lot #3139 and said lands of Applewood Townhomes Owners Association and with the westerly line of said lands of the United States Postal Service, South 02° 06' 33" West, 498.16 feet to a set 5/8" iron pin on the southwest of corner of Lot #2439, being the lands of Amy M Glaspey and Brett Leischner as recorded in Official Record 7816, Page 1646 of the Butler County Recorder's Office and being on the northerly right of way of Sycamore Street;

thence, leaving the westerly line of said Lot #2439 and with said northerly right of way of Sycamore Street, North 87° 49' 09" West, 18.00 feet to a set 5/8" iron pin on the south east corner of Lot #1478, being the lands of A G Oxford Properties, LLC as recorded in Official Record 7609, Page 1756 of the Butler County Recorder's Office;

thence, leaving said northerly right of way of Sycamore Street and with the east line of said Lot #1478 and lands of A G Oxford Properties, LLC, North 02° 06' 33" East, 147.95 feet to a set 5/8" iron pin;

thence, with the north line of said Lot #1478 and said lands of A G Oxford Properties, LLC, North 87° 49' 23" West, 8.00 feet to a set 5/8" iron pin on the southeast corner of Lot #1481 and being the lands of Bruce A, and Jennefer Ann Hautau as recorded in Official Record 7403, Page 1046 of the Butler County Recorder's Office;

thence, leaving said north line of Lot #1478 and with the east line of said Lot #1481, North 02° 06' 33" East, 50.00 feet to a set 5/8" iron pin;

thence, with the north line of said Lot #1481, North 87° 49' 23" West, 150.00 feet to a set 5/8" iron pin;

thence, with the west line of said Lot #1481, South 02° 06' 33" West, (passing a found 5/8" iron pin at 195.04 feet) for a total of 197.94 feet to the northerly right of way of Sycamore Street and being the southwest corner of Lot #1480 and being the lands of Holly L. Morrical Tr., as recorded in Official Record 8230, Page 857 of the Butler County Recorder's Office;

thence, leaving said southwest corner of Lot #1480 and with said northerly right of way of Sycamore Street, North 87° 49' 09" West, 981.54 feet to a 1/2" iron pin on the northwest corner of Lot #1213, and being the lands of JCM Parkview Arms, LLC as recorded in Official Record 8298, Page 538 of the Butler County Recorder's Office and being on the east line of said Lot #3242;

thence, leaving said northwest corner of Lot #1213 and with said east line of Lot #3242, North 02° 32' 21" East, 80.00 feet to a found 5/8" iron pin;

thence, leaving said east line of said Lot #3242 and with the northerly line of said Lot #3242, North 87° 49' 09" West, 299.87 feet to the **True Point of Beginning**, containing 885,316 square feet or 20.324 acres of land, more or less and subject to all legal highways, easements, restrictions and agreements of record.

The above description was prepared it by Bayer Becker, David Douglas Smith, Ohio Professional Surveyor No. 7121.

Prior References: Deed Book 1632, Page 263, Deed Book 1632, Page 259 and Deed Book 1632, Page 267 and Official Record 6453, Page 2237.

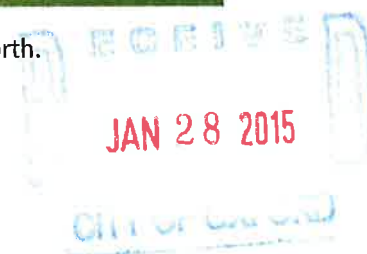
Basis of Bearings: Ohio State Plane Coordinates, South Zone (3402).



View from 50'± east of the southeast property corner facing west along W. Sycamore St.



View from the southeast property corner facing north.





View from the southeast property corner facing northwest.



View from the center of the entrance drive of the east parking lot facing north.



View from the center of the entrance drive of the east parking lot facing west along W. Sycamore St.



View from the center of the main entrance drive facing north.



View from the center of the main entrance drive facing east.



View from the main entrance drive facing south along N. Locust St.

Kramer School
Photos taken 6/9/2014



View from the intersection of N. Locust St. and W. Sycamore St. facing northwest.



View from the northeast corner of the east parking lot facing north



View from the northeast corner of the east parking lot facing east.



View from the open field on the east side of the property facing south.



View from 50'± southwest of the northeast treeline facing west.



View from 50'± southwest of the northeast treeline facing northeast.



View from 25'± west of the east treeline facing south.



View from the north edge of pavement of the main parking lot facing south.

Kramer School
Photos taken 6/9/2014



View from the north side of building facing north.



View from the north side of building facing northeast.

Kramer School
Photos taken 6/9/2014



View from the north side of building facing east.



View from the north side of playground facing north.



View from the west end of the building facing southwest.



View from the west end of the building facing north.



View from the west end of the building facing south.



View from the west end of the building facing northwest.

Kramer School
Photos taken 6/9/2014



View from 50'± southeast from the treeline facing southeast.



View from the west side of the building facing north.



View from the north play field facing south.



View from the north play field facing southwest.



View from the northwest treeline facing south.



View from the northeast treeline facing south.

Kramer School
Photos taken 6/9/2014



View of the entrance loop.



View from the entrance loop facing west.



View from the southwest corner of enclosed playground facing east along the south tree line.



View from the southwest building corner facing northwest.

The following is an example of six sizes of elementary schools with the associated co-funded parking.

DESCRIPTION	EXAMPLES					
Elementary School Student Enrollment	400	550	700	1000	1500	2000
Teaching Stations (Note 1a)	16	22	28	40	60	80
Staff Parking						
Teachers (Note 2)	16	22	28	40	60	80
Ancillary Staff (Note 3)	8	11	14	20	30	40
Administration	6	8	10	14	20	27
Custodial / Maintenance (Note 4)	3	4	5	7	10	14
Food Service (Note 5)	4	5	6	8	12	16
Total Staff Parking	37	50	63	89	132	177
Other	19	27	35	51	78	103
Total Visitor (Note 6)	8	11	14	20	30	40
High School Parking (Note 7)	na	na	na	na	na	na
TOTAL CO-FUNDED ES PARKING	64	88	112	160	240	320

WORKSHEET

Elementary Student Enrollment	600
Teaching Stations (Note 1a)	24
Staff Parking	
Teachers (Note 2)	24
Ancillary Staff (Note 3)	12
Administration	8
Custodial / Maintenance (Note 4)	4
Food Service (Note 5)	5
Total Staff Parking	53
Other	31
Total Visitor (Note 6)	12
High School Parking (Note 7)	na
TOTAL CO-FUNDED ES PARKING	96

Enter Student Enrollment

Administration includes principals, secretarial, and itinerant staff. Quantities of parking spaces indicated are based upon number of administrative personnel developed by the POR's for each configuration and student enrollment.

Other parking spaces are defined as the quantity of additional parking spaces to be co-funded to meet the minimum local zoning requirements.

Total parking is determined by the total of staff, visitor, student, and other parking or by required zoning if greater than calculated quantities.

Formulas					
Notes					Quantities
1a	ES Student Enrollment	/ 25		=	ES Teaching Stations
1b	MS Student Enrollment	/ 25	/ 0.85	=	MS Teaching Stations
1c	HS Student Enrollment	/ 25	/ 0.85	=	MS Teaching Stations
2	ES Student Enrollment	/ 25		=	ES Teacher Parking
2	MS Student Enrollment	/ 25	/ 0.85	=	MS Teacher Parking
2	HS Student Enrollment	/ 25	/ 0.85	=	HS Teacher parking
3	ES Student Enrollment	x	2%	=	ES Ancillary Staff Parking
3	MS Student Enrollment	x	2%	=	MS Ancillary Staff Parking
3	HS Student Enrollment	x	1%	=	HS Ancillary Staff Parking
4	Student Enrollment	/	150	=	Custodial / Maintenance Parking
5	(Full Service Kitchen) Student Enrollment x 80%	/	100	=	Food Service Staff Parking
5	(Satellite Kitchen) Student Enrollment x 80%	/	100 x 65%	=	Food Service Staff Parking
6	Student Enrollment	x	2%	=	Visitor Parking
7	HS Student Enrollment	x	20%	=	HS Student Parking



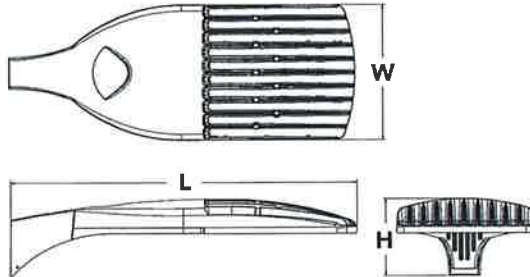
D-Series Size 1 LED Area Luminaire



d-series

Specifications

EPA:	1.2 ft ² (0.11 m ²)
Length:	33" (83.8 cm)
Width:	13" (33.0 cm)
Height:	7-1/2" (19.0 cm)
Weight (max):	27 lbs (12.2 kg)



Catalog
Number

Notes

Type

For more information, visit www.lithonia.com

Introduction

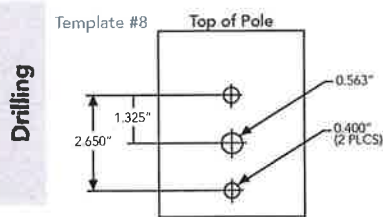
The modern styling of the D-Series is striking yet unobtrusive - making a bold, progressive statement even as it blends seamlessly with its environment.

The D-Series distills the benefits of the latest in LED technology into a high performance, high efficacy, long-life luminaire. The outstanding photometric performance results in sites with excellent uniformity, greater pole spacing and lower power density. It is ideal for replacing 100 - 400W metal halide in pedestrian and area lighting applications with typical energy savings of 65% and expected service life of over 100,000 hours.

Ordering Information

EXAMPLE: DSX1 LED 60C 1000 40K T3M MVOLT SPA DDBXD

DSX1 LED																
Series	LEDs	Drive current		Color temperature		Distribution		Voltage	Mounting	Control options	Other options	Finish				
DSX1 LED	Forward optics	530	530 mA	30K	3000 K (80 CRI min.)	T1S	Type I short	MVOLT ³	Shipped included		Shipped installed		DDBXD	Dark bronze		
	30C 30 LEDs (one engine)	700	700 mA	40K	4000 K (70 CRI min.)	T2S	Type II short	120 ³	SPA	Square pole mounting	PER	NEMA twist-lock receptacle only (no controls) ⁷	HS	House-side shield ¹⁴	DBLXD	Black
	40C 40 LEDs (two engines)	1000	1000 mA (1 A)	50K	5000 K (70 CRI)	T2M	Type II medium	208 ³	RPA	Round pole mounting	DMG	0-10V dimming driver (no controls) ⁸	WTB	Utility terminal block ¹⁵	DNAXD	Natural aluminum
	60C 60 LEDs (two engines)			AMBPC	Amber phosphor converted ²	T3S	Type III short	240 ³	WBA	Wall bracket	DCR	Dimmable and controllable via ROAM® (no controls) ⁹	SF	Single fuse (120, 277, 347V) ¹⁶	DWHXD	White
	Rotated optics ¹					T3M	Type III medium	277 ³	SPUMBA	Square pole universal mounting adaptor ⁵	DS	Dual switching ^{10,11}	DF	Double fuse (208, 240, 480V) ¹⁶	DDBTXD	Textured dark bronze
						T4M	Type IV medium	347 ⁴	RPUMBA	Round pole universal mounting adaptor ⁵	PIR	Motion sensor, 8-15' mounting height ¹²	L90	Left rotated optics ¹⁷	DBLBXD	Textured black
						TFTM	Forward throw medium	480 ⁴			PIRH	Motion sensor, 15-30' mounting height ¹²	R90	Right rotated optics ¹⁷	DNATXD	Textured natural aluminum
						TSVS	Type V very short		Shipped separately ⁶		BL30	Bi-level switched dimming, 30% ^{11,13}			DWHGXD	Textured white
						T5S	Type V short		KMA8	Mast arm mounting	BL50	Bi-level switched dimming, 50% ^{11,13}				
						T5M	Type V medium		DDBXD U	bracket adaptor (specify finish)						
						T5W	Type V wide									



DSX1 shares a unique drilling pattern with the AERIS™ family. Specify this drilling pattern when specifying poles, per the table below.

DM19AS	Single unit	DM29AS	2 at 90°*
DM28AS	2 at 180°	DM39AS	3 at 90°*
DM49AS	4 at 90°*	DM32AS	3 at 120°**

Example: SSA 20 4C DM19AS DDBXD

Visit Lithonia Lighting's [POLES CENTRAL](http://www.lithonia.com) to see our wide selection of poles, accessories and educational tools.

*Round pole top must be 3.25" O.D. minimum.

**For round pole mounting (RPA) only.

Tenon Mounting Slipfitter **

Tenon O.D.	Single Unit	2 at 180°	2 at 90°	3 at 120°	3 at 90°	4 at 90°
2-3/8"	AST20-190	AST20-280	AST20-290	AST20-320	AST20-390	AST20-490
2-7/8"	AST25-190	AST25-280	AST25-290	AST25-320	AST25-390	AST25-490
4"	AST35-190	AST35-280	AST35-290	AST35-320	AST35-390	AST35-490

Accessories

Ordered and shipped separately.

DLL127F 1.5 JU	Photocell - SSL twist-lock (120-277V) ¹⁸
DLL347F 1.5 CUL JU	Photocell - SSL twist-lock (347V) ¹⁸
DLL480F 1.5 CUL JU	Photocell - SSL twist-lock (480V) ¹⁸
SC U	Shorting cap ¹⁸
DSX1HS 30C U	House-side shield for 30 LED unit
DSX1HS 40C U	House-side shield for 40 LED unit
DSX1HS 60C U	House-side shield for 60 LED unit
PUMBA DDBXD U*	Square and round pole universal mounting bracket adaptor (specify finish)
KMA8 DDBXD U	Mast arm mounting bracket adaptor (specify finish) ⁴

For more control options, visit [dli.com](http://www.dli.com) and [roam.com](http://www.roam.com).

NOTES

- Rotated optics only available with 60C.
- AMBPC only available with 530mA or 700mA.
- MVOLT driver operates on any line voltage from 120-277V (50/60 Hz). Specify 120, 208, 240 or 277 options only when ordering with fusing (SF, DF options).
- Not available with single board, 530mA product (30C 530, or 60C 530 DS). Not available with DCR, BL30 or BL50.
- Available as a separate combination accessory: PUMBA (finish) U.
- Must be ordered as a separate accessory; see Accessories information. For use with 2-3/8" mast arm (not included).
- Photocell ordered and shipped as a separate line item from Acuity Brands Controls. See accessories. Not available with DS option.
- DMG option for 347V or 480V requires 1000mA.
- Specifies a ROAM⁹ enabled luminaire with 0-10V dimming capability; PER option required. Not available with 347 or 480V. Additional hardware and services required for ROAM⁹ deployment; must be purchased separately. Call 1-800-442-6745 or email: sales@roamservices.net. N/A with BL30, BL50, DS, PIR or PIRH.
- Requires 40C or 60C. Provides 50/50 luminaire operation via two independent drivers on two separate circuits. N/A with PER, DCR, WTB, PIR, or PIRH.
- Requires an additional switched circuit.
- PIR specifies the SensorSwitch SBGR-10-ODP control; PIRH specifies the SensorSwitch SBGR-6-ODP control; see Motion Sensor Guide for details. Dimming driver standard. Not available with DS or DCR.
- Dimming driver standard. MVOLT only. Not available with DCR.
- Also available as a separate accessory; see Accessories information.
- WTB not available with DS.
- Single fuse (SF) requires 120, 277 or 347 voltage option. Double fuse (DF) requires 208, 240 or 480 voltage option.
- Available with 60 LEDs (60C option) only.
- Requires luminaire to be specified with PER option. Ordered and shipped as a separate line item from Acuity Brands Control.



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JAN 28 2015

CITY OF CLEVELAND

Performance Data

Lumen Output

Lumen values are from photometric tests performed in accordance with IESNA LM-79-08. Data is considered to be representative of the configurations shown, within the tolerances allowed by Lighting Facts. Actual performance may differ as a result of end-user environment and application. Actual wattage may differ by +/- 8% when operating between 120-480V +/-10%. Contact factory for performance data on any configurations not shown here.

LEDs	Drive Current (mA)	System Watts	Dist. Type	30K (2000 K, 80 minimum CRI)					40K (4000 K, 70 minimum CRI)					50K (5000 K, 70 CRI)				
				Lumens	R	U	G	LPW	Lumens	R	U	G	LPW	Lumens	R	U	G	LPW
30C (30 LEDs)	700 mA	68 W	T1S	5,290	1	0	1	78	6,524	2	0	2	96	7,053	2	0	2	104
			T2S	5,540	1	0	1	81	6,833	2	0	2	100	7,387	2	0	2	109
			T2M	5,360	1	0	2	79	6,611	2	0	2	97	7,147	2	0	2	105
			T3S	5,479	1	0	1	81	6,757	1	0	2	99	7,305	2	0	2	107
			T3M	5,452	1	0	2	80	6,724	2	0	2	99	7,269	2	0	2	107
			T4M	5,461	1	0	2	80	6,736	2	0	2	99	7,282	2	0	2	107
			TFTM	5,378	1	0	2	79	6,633	1	0	2	98	7,171	1	0	2	105
			TSVS	5,708	2	0	0	84	7,040	3	0	0	104	7,611	3	0	1	112
			T5S	5,639	2	0	0	83	6,955	2	0	0	102	7,519	3	0	0	111
			T5M	5,710	3	0	1	84	7,042	3	0	1	104	7,613	3	0	2	112
			TSW	5,551	3	0	1	82	6,847	3	0	2	101	7,401	3	0	2	109
	1000 mA	105 W	T1S	7,229	2	0	2	69	9,168	2	0	2	87	9,874	2	0	2	94
			T2S	7,572	2	0	2	72	9,603	2	0	2	91	10,342	2	0	2	98
			T2M	7,325	2	0	2	70	9,291	2	0	2	88	10,005	2	0	3	95
			T3S	7,488	2	0	2	71	9,496	2	0	2	90	10,227	2	0	2	97
			T3M	7,451	2	0	2	71	9,450	2	0	2	90	10,177	2	0	2	97
			T4M	7,464	2	0	2	71	9,467	2	0	2	90	10,195	2	0	2	97
			TFTM	7,351	1	0	2	70	9,323	2	0	2	89	10,040	2	0	3	96
			TSVS	7,801	3	0	1	74	9,894	3	0	1	94	10,655	3	0	1	101
			T5S	7,803	3	0	2	74	9,774	3	0	1	93	10,526	3	0	1	100
			T5M	7,707	3	0	0	73	9,897	3	0	2	94	10,658	4	0	2	102
			TSW	7,586	3	0	2	72	9,621	4	0	2	92	10,363	4	0	2	99
40C (40 LEDs)	700 mA	89 W	T1S	6,876	2	0	2	77	8,639	2	0	2	97	9,345	2	0	2	105
			T2S	7,202	2	0	2	81	9,049	2	0	2	102	9,788	2	0	2	110
			T2M	6,968	2	0	2	78	8,755	2	0	2	98	9,469	2	0	3	106
			T3S	7,122	2	0	2	80	8,948	2	0	2	101	9,679	2	0	2	109
			T3M	7,088	2	0	2	80	8,905	2	0	2	100	9,632	2	0	2	108
			T4M	7,100	2	0	2	80	8,920	2	0	2	100	9,649	2	0	2	108
			TFTM	6,992	1	0	2	79	8,785	2	0	2	99	9,502	2	0	2	107
			TSVS	7,421	3	0	0	83	9,323	3	0	1	105	10,085	3	0	1	113
			T5S	7,331	2	0	0	82	9,210	3	0	1	103	9,962	3	0	1	112
			T5M	7,423	3	0	2	83	9,326	3	0	2	105	10,087	4	0	2	113
			TSW	7,216	3	0	2	81	9,066	4	0	2	102	9,807	4	0	2	110
	1000 mA	138 W	T1S	9,521	2	0	2	69	11,970	2	0	2	87	12,871	3	3	0	93
			T2S	9,972	2	0	2	72	12,558	3	0	3	91	13,481	3	0	3	98
			T2M	9,648	2	0	3	70	12,149	3	0	3	88	13,043	3	0	3	95
			T3S	9,862	2	0	2	71	12,418	2	0	2	90	13,331	2	0	2	97
			T3M	9,814	2	0	2	71	12,358	3	0	3	90	13,267	3	0	3	96
			T4M	9,831	2	0	2	71	12,379	2	0	3	90	13,290	2	0	3	96
			TFTM	9,681	2	0	2	70	12,191	2	0	3	88	13,087	2	0	3	95
			TSVS	10,275	3	0	1	74	12,937	3	0	1	94	13,890	4	0	1	101
			T5S	10,150	3	0	1	74	12,782	3	0	1	93	13,721	3	0	1	99
			T5M	10,278	4	0	2	74	12,942	4	0	2	94	13,894	4	0	2	101
			TSW	9,991	4	0	2	72	12,582	4	0	2	91	13,507	4	0	2	98
60C (60 LEDs)	700 mA	131 W	T1S	10,226	2	0	2	78	12,871	3	0	3	98	13,929	3	0	3	106
			T2S	10,711	2	0	2	82	13,481	3	0	3	103	14,589	3	0	3	111
			T2M	10,363	2	0	3	79	13,043	3	0	3	100	14,115	3	0	3	108
			T3S	10,592	2	0	2	81	13,331	2	0	2	102	14,427	3	0	3	110
			T3M	10,541	2	0	2	80	13,267	3	0	3	101	14,357	3	0	3	110
			T4M	10,559	2	0	2	81	13,290	2	0	3	101	14,382	3	0	3	110
			TFTM	10,398	2	0	3	79	13,087	2	0	3	100	14,163	2	0	3	108
			TSVS	11,036	3	0	1	84	13,890	4	0	4	106	15,032	4	0	1	115
			T5S	10,902	3	0	1	83	13,721	3	0	1	105	14,849	4	0	1	113
			T5M	11,039	4	0	2	84	13,894	4	0	2	106	15,036	4	0	2	115
			TSW	10,732	4	0	2	82	13,507	4	0	2	103	14,617	4	0	2	112
	1000 mA	209 W	T1S	14,017	3	0	3	67	17,632	3	0	3	84	19,007	3	0	3	91
			T2S	14,681	3	0	3	70	18,467	3	0	3	88	19,908	3	0	3	95
			T2M	14,204	3	0	3	68	17,867	3	0	3	85	19,260	3	0	3	92
			T3S	14,518	3	0	3	69	18,262	3	0	3	87	19,687	3	0	3	94
			T3M	14,448	3	0	3	69	18,173	3	0	4	87	19,591	3	0	4	94
			T4M	14,473	3	0	3	69	18,205	3	0	3	87	19,625	3	0	4	94
			TFTM	14,253	2	0	3	68	17,928	3	0	4	86	19,326	3	0	4	92
			TSVS	15,127	4	0	1	72	19,028	4	0	1	91	20,512	4	0	1	98
			T5S	14,943	4	0	1	71	18,797	4	0	1	90	20,263	4	0	1	97
			T5M	15,131	4	0	2	72	19,033	4	0	2	91	20,517	5	0	3	98
			TSW	14,710	4	0	2	70	18,503	5	0	3	89	19,946	5	0	3	95

Note: Available with phosphor-converted amber LED's (nomenclature AMBPC). These LED's produce light with 97+% >530 nm. Output can be calculated by applying a 0.7 factor to 4000 K lumen values and photometric files.



Performance Data

Lumen Ambient Temperature (LAT) Multipliers

Use these factors to determine relative lumen output for average ambient temperatures from 0-40°C (32-104°F).

Ambient		Lumen Multiplier
0°C	32°F	1.02
10°C	50°F	1.01
20°C	68°F	1.00
25°C	77°F	1.00
30°C	86°F	1.00
40°C	104°F	0.99

Electrical Load

Number of LEDs	Drive Current (mA)	System Watts	Current (A)					
			120	208	240	277	347	480
30	530	52	0.52	0.30	0.26	0.23	—	—
	700	68	0.68	0.39	0.34	0.30	0.24	0.17
	1000	105	1.03	0.59	0.51	0.45	0.36	0.26
40	530	68	0.67	0.39	0.34	0.29	0.23	0.17
	700	89	0.89	0.51	0.44	0.38	0.31	0.22
	1000	138	1.35	0.78	0.67	0.58	0.47	0.34
60	530	99	0.97	0.56	0.48	0.42	0.34	0.24
	700	131	1.29	0.74	0.65	0.56	0.45	0.32
	1000	209	1.98	1.14	0.99	0.86	0.69	0.50

Projected LED Lumen Maintenance

Data references the extrapolated performance projections for the platforms noted in a 25°C ambient, based on 10,000 hours of LED testing (tested per IESNA LM-80-08 and projected per IESNA TM-21-11).

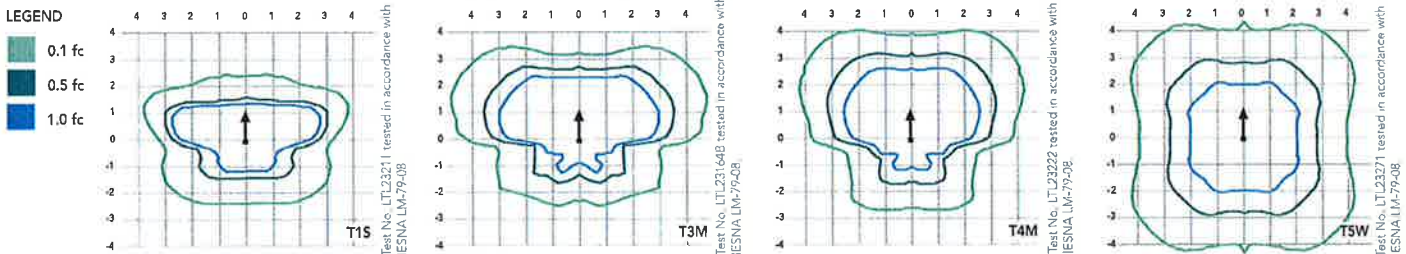
To calculate LLF, use the lumen maintenance factor that corresponds to the desired number of operating hours below. For other lumen maintenance values, contact factory.

Operating Hours	0	25,000	50,000	100,000
Lumen Maintenance Factor	DSX1 LED 60C 1000			
	1.0	0.95	0.93	0.88
	DSX1 LED 60C 700			
	1.0	0.99	0.98	0.96

Photometric Diagrams

To see complete photometric reports or download .ies files for this product, visit Lithonia Lighting's D-Series Area Size 1 homepage.

Isofootcandle plots for the DSX1 LED 60C 1000 40K. Distances are in units of mounting height (20').



FEATURES & SPECIFICATIONS

INTENDED USE

The sleek design of the D-Series Size 1 reflects the embedded high performance LED technology. It is ideal for many commercial and municipal applications, such as parking lots, plazas, campuses, and streetscapes.

CONSTRUCTION

Single-piece die-cast aluminum housing has integral heat sink fins to optimize thermal management through conductive and convective cooling. Modular design allows for ease of maintenance and future light engine upgrades. The LED driver is mounted in direct contact with the casting to promote low operating temperature and long life. Housing is completely sealed against moisture and environmental contaminants (IP65). Low EPA (1.2 ft²) for optimized pole wind loading.

FINISH

Exterior parts are protected by a zinc-infused Super Durable TGIC thermoset powder coat finish that provides superior resistance to corrosion and weathering. A tightly controlled multi-stage process ensures a minimum 3 mils thickness for a finish that can withstand extreme climate changes without cracking or peeling. Available in both textured and non-textured finishes.

OPTICS

Precision-molded proprietary acrylic lenses are engineered for superior area lighting distribution, uniformity, and pole spacing. Light engines are available in standard 4000 K (70 minimum CRI) or optional 3000 K (80 minimum CRI) or 5000 K (70 CRI) configurations. The D-Series Size 1 has zero uplight and qualifies as a Nighttime Friendly™ product, meaning it is consistent with the LEED® and Green Globes™ criteria for eliminating wasteful uplight.

ELECTRICAL

Light engine configurations consist of 30, 40 or 60 high-efficacy LEDs mounted to metal-core circuit boards to maximize heat dissipation and promote long life (up to L96/100,000 hours at 25°C). Class 1 electronic drivers are designed to have a power factor >90%, THD <20%, and an

expected life of 100,000 hours with <1% failure rate. Easily serviceable 10kV or 6kV surge protection device meets a minimum Category C Low operation (per ANSI/IEEE C62.41.2).

INSTALLATION

Included mounting block and integral arm facilitate quick and easy installation. Stainless steel bolts fasten the mounting block securely to poles and walls, enabling the D-Series Size 1 to withstand up to a 3.0 G vibration load rating per ANSI C136.31. The D-Series Size 1 utilizes the AERIS™ series pole drilling pattern. Optional terminal block, tool-less entry, and NEMA photocontrol receptacle are also available.

LISTINGS

UL Listed for wet locations. Light engines are IP66 rated; luminaire is IP65 rated. Rated for -40°C minimum ambient. U.S. Patent No. D672,492 S. International patent pending.

DesignLights Consortium® (DLC) qualified product. Not all versions of this product may be DLC qualified. Please check the DLC Qualified Products List at www.designlights.org to confirm which versions are qualified.

WARRANTY

Five-year limited warranty. Full warranty terms located at: www.acuitybrands.com/CustomerResources/Terms_and_conditions.aspx

Note: Specifications subject to change without notice.





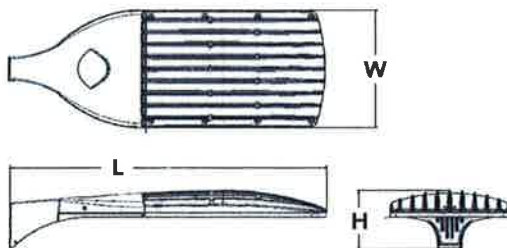
D-Series Size 2 LED Area Luminaire



d-series

Specifications

EPA:	2.0 ft ² (0.19 m ²)
Length:	40" (101.6 cm)
Width:	15" (38.1 cm)
Height:	7-1/2" (19.0 cm)
Weight (max):	39 lbs (17.7 kg)



Catalog
Number

Notes

Type

Introduction

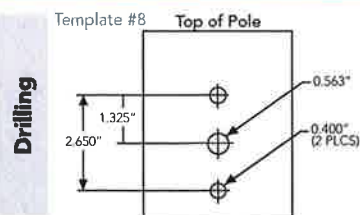
The modern styling of the D-Series is striking yet unobtrusive - making a bold, progressive statement even as it blends seamlessly with its environment.

The D-Series distills the benefits of the latest in LED technology into a high performance, high efficacy, long-life luminaire. The outstanding photometric performance results in sites with excellent uniformity, greater pole spacing and lower power density. The Size 2 is ideal for replacing 400-1000W metal halide in area lighting applications with energy savings of up to 80% and expected service life of over 100,000 hours.

Ordering Information

EXAMPLE: DSX2 LED 80C 1000 40K T4M MVOLT SPA DDBXD

DSX2 LED																
Series	LEDs	Drive current		Color temperature		Distribution		Voltage	Mounting	Control options		Other options		Finish		
DSX2 LED	Forward optics	530	530 mA	30K	3000 K	T1S	Type I Short	MVOLT ³	Shipped included		Shipped installed		Shipped installed		DDBXD	Dark bronze
		700	700 mA	40K	4000 K	T2S	Type II Short	120 ³	SPA Square pole mounting		PER NEMA twist-lock receptacle only (no controls) ⁷		HS	House-side shield ¹³	DBLXD	Black
	80C 80 LEDs (four engine)	1000	1000 mA (1 A) ²	50K	5000 K	T2M	Type II Medium	240 ³	RPA Round pole mounting	DMG 0-10V dimming driver (no controls)	WBA Wall bracket	SPUMBA Square pole universal mounting adaptor ⁵	DS Dual switching ^{9,10}	DF Double fuse (208, 240, 480V) ¹⁵	DNAXD	Natural aluminum
															T3S	Type III Short
	100C 100 LEDs (four engines)	1000	1000 mA (1 A) ²	AMBPC	Amber phosphor converted	T3M	Type III Medium	347 ⁴	480 ⁴	WBA Wall bracket	DCR Dimmable and controllable via ROAM® (no controls) ⁸	SF Single fuse (120, 277, 347V) ¹⁵	TFTM Forward Throw Medium	DDBTXD	Textured dark bronze	
																T4M
	Rotated optics ¹	80C	80 LEDs (four engines)	1000	1000 mA (1 A) ²	AMBPC	Amber phosphor converted	TFTM	Forward Throw Medium	RPUMBA Round pole universal mounting adaptor ⁵	PIRH Motion sensor, 15-30' mounting height ¹¹	BL30 Bi-level switched dimming, 30% ^{10,12}	L90 Left rotated optics ²	T5VS Type V Very Short	DNATXD	Textured natural aluminum
	80C 80 LEDs (four engines)	1000	1000 mA (1 A) ²	AMBPC	Amber phosphor converted	T5M	Type V Medium	347 ⁴	480 ⁴	WBA Wall bracket	DCR Dimmable and controllable via ROAM® (no controls) ⁸	SF Single fuse (120, 277, 347V) ¹⁵	TFTM Forward Throw Medium	DDBTXD	Textured dark bronze	
																T5W
	80C 80 LEDs (four engines)	1000	1000 mA (1 A) ²	AMBPC	Amber phosphor converted	T5W	Type V Wide	347 ⁴	480 ⁴	WBA Wall bracket	DCR Dimmable and controllable via ROAM® (no controls) ⁸	SF Single fuse (120, 277, 347V) ¹⁵	TFTM Forward Throw Medium	DDBTXD	Textured dark bronze	
																T5W
	80C 80 LEDs (four engines)	1000	1000 mA (1 A) ²	AMBPC	Amber phosphor converted	T5W	Type V Wide	347 ⁴	480 ⁴	WBA Wall bracket	DCR Dimmable and controllable via ROAM® (no controls) ⁸	SF Single fuse (120, 277, 347V) ¹⁵	TFTM Forward Throw Medium	DDBTXD	Textured dark bronze	
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															T5W	Type V Wide



DSX2 shares a unique drilling pattern with the AERIS™ family. Specify this drilling pattern when specifying poles, per the table below.

DM19AS	Single unit	DM29AS	2 at 90° *
DM28AS	2 at 180°	DM39AS	3 at 90° *
DM49AS	4 at 90° *	DM32AS	3 at 120° **

Example: SSA 20 4C DM19AS DDBXD

Visit Lithonia Lighting's **POLES CENTRAL** to see our wide selection of poles, accessories and educational tools.

*Round pole top must be 3.25" O.D. minimum.
**For round pole mounting (RPA) only.

Controls & Shields

DL127F 1.5 JU	Photocell - SSL twist-lock (120-277V) ¹⁷
DL137F 1.5 CUL JU	Photocell - SSL twist-lock (347V) ¹⁷
DL1480F 1.5 CUL JU	Photocell - SSL twist-lock (480V) ¹⁷
SC U	Shorting cap ¹⁷
DSX2HS 80C U	House-side shield for 80 LED unit
DSX2HS 100C U	House-side shield for 100 LED unit
PUMBA DDBXD U*	Square and round pole universal mounting bracket (specify finish)
KMA8 DDBXD U	Mast arm mounting bracket adaptor (specify finish) ⁶

For more control options, visit **DTL** and **ROAM** online.

Tenon Mounting Slipfitter **

Tenon O.D.	Single Unit	2 at 180°	2 at 90°	3 at 120°	3 at 90°	4 at 90°
2-3/8"	AST20-190	AST20-280	N/A	N/A	N/A	N/A
2-7/8"	AST25-190	AST25-280	N/A	AST25-320	N/A	N/A
4"	AST35-190	AST35-280	AST35-290	AST35-320	AST35-390	AST35-490

NOTES

- Rotated optics only available with 80C.
- Available with 80 LEDs (80C option) only. Not available with AMBPC.
- MVOLT driver operates on any line voltage from 120-277V (50/60 Hz). Specify 120, 208, 240 or 277 options only when ordering with fusing (SF, DF options).
- N/A BL30, BL50, WTB or TLS. DMG option requires 1000mA.
- Available as a separate combination accessory: PUMBA (finish) U.
- Requires "SPA" mounting option. Must be ordered as a separate accessory; see Accessories information. For use with 2-3/8" mast arm (not included).
- Photocell ordered and shipped as a separate line item from Acuity Brands Controls. See accessories. Not available with DS option.
- Specifies a ROAM[®] enabled luminaire with 0-10V dimming capability; PER option required. Additional hardware and services required for ROAM[®] deployment; must be purchased separately. Call 1-800-442-6745 or email: sales@roomservices.net. Not available with PIRH, DS, BL30, BL50, or TLS.
- Provides 50/50 luminaire operation via two independent drivers on two separate circuits. N/A with PER, DCR, PIRH or WTB.
- Requires an additional switched line.
- Specifies the **SensorSwitch SSGR-s-ODP** control; see **Motion Sensor Guide** for details. Dimming driver standard. Not available with BL30, BL50, DCR, DS, TLS or WTB.
- Dimming driver standard. MVOLT only. Not available with BL30, BL50, 347V, 480V, DCR, TLS or WTB.
- Also available as a separate accessory; see Accessories information.
- WTB not available with BL30, BL50, DS, or PIRH. N/A 347V or 480V.
- Single fuse (SF) requires 120, 277 or 347 voltage option. Double fuse (DF) requires 208, 240 or 480 voltage option.
- With TLS option, the luminaire is no longer IP65 rated. Not available with BL30, BL50, DCR or PIRH. N/A 347V or 480V.
- Requires luminaire to be specified with PER option. Ordered and shipped as a separate line item from Acuity Brands Controls.



One Lithonia Way • Conyers, Georgia 30012 • Phone: 800.279.8041 • Fax: 770.918.1209 • www.lithonia.com

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JAN 28 2015

Performance Data

Lumen Output

Lumen values are from photometric tests performed in accordance with IESNA LM-79-08. Data is considered to be representative of the configurations shown, within the tolerances allowed by Lighting Facts. Actual performance may differ as a result of end-user environment and application. Actual wattage may differ by +/- 8% when operating between 120-480V +/- 10%. Contact factory for performance data on any configurations not shown here.

LEDs	Drive Current (mA)	System Watts	Dist. Type	40K (4000 K, 70 CRI)					50K (5000 K, 70 CRI)				
				Lumens	R	U	G	LPW	Lumens	R	U	G	LPW
80C (80 LEDs)	700	188 W	T1S	16,714	3	0	3	89	17,647	3	0	3	94
			T2S	17,233	3	0	3	92	18,196	3	0	3	97
			T2M	16,839	3	0	3	90	17,779	3	0	3	95
			T3S	16,818	3	0	3	89	17,757	3	0	3	94
			T3M	16,970	3	0	4	90	17,918	3	0	4	95
			T4M	17,201	3	0	4	91	18,162	3	0	4	97
			TFTM	16,944	3	0	4	90	17,890	3	0	4	95
			T5VS	17,899	5	0	1	95	18,899	5	0	1	101
			T5S	18,032	4	0	2	96	19,039	4	0	2	101
			T5M	18,063	5	0	3	96	19,072	5	0	3	101
			T5W	17,798	5	0	3	95	18,792	5	0	3	100
	1000	275 W	T1S	22,771	3	0	3	83	24,137	3	0	3	88
			T2S	23,479	3	0	3	85	24,887	3	0	3	90
			T2M	22,941	3	0	3	83	24,317	3	0	3	88
			T3S	22,912	3	0	3	83	24,287	3	0	3	88
			T3M	23,120	3	0	4	84	24,508	3	0	4	89
			T4M	23,435	3	0	4	85	24,841	3	0	4	90
			TFTM	23,084	3	0	4	84	24,469	3	0	4	89
			T5VS	24,386	5	0	1	89	25,849	5	0	1	94
			T5S	24,567	4	0	2	89	26,041	4	0	2	95
			T5M	24,610	5	0	3	89	26,086	5	0	3	95
			T5W	24,247	5	0	3	88	25,702	5	0	3	93
100C (100 LEDs)	700	218 W	T1S	20,722	3	0	3	95	21,883	3	0	3	100
			T2S	21,366	3	0	3	98	22,563	3	0	3	103
			T2M	20,876	3	0	3	96	22,046	3	0	3	101
			T3S	20,850	3	0	3	96	22,019	3	0	3	101
			T3M	21,039	3	0	4	97	22,219	3	0	4	102
			T4M	21,326	3	0	4	98	22,521	3	0	4	103
			TFTM	21,007	3	0	4	96	22,184	3	0	4	102
			T5VS	22,191	5	0	1	102	23,435	5	0	1	108
			T5S	22,356	4	0	2	103	23,609	4	0	2	108
			T5M	22,395	5	0	3	103	23,650	5	0	3	108
			T5W	22,065	5	0	3	101	23,302	5	0	3	107

Note: Available with phosphor-converted amber LED's (nomenclature AMBPC). These LED's produce light with 97+% >530 nm. Output can be calculated by applying a 0.7 factor to 4000 K lumen values and photometric files.



Performance Data

Lumen Ambient Temperature (LAT) Multipliers

Use these factors to determine relative lumen output for average ambient temperatures from 0-40°C (32-104°F).

Ambient		Lumen Multiplier
0°C	32°F	1.02
10°C	50°F	1.01
20°C	68°F	1.00
25°C	77°F	1.00
30°C	86°F	1.00
40°C	104°F	0.98

Electrical Load

LEDs	Drive Current (mA)	System Watts	Current (A)					
			120	208	240	277	347	480
80	530	142W	1.31	0.76	0.66	0.57	0.45	0.33
	700	188W	1.74	1.00	0.87	0.75	0.60	0.44
	1000	275W	2.55	1.47	1.27	1.10	0.88	0.64
100	530	175W	1.62	0.93	0.81	0.70	0.56	0.41
	700	218W	2.02	1.16	1.01	0.87	0.70	0.50

Projected LED Lumen Maintenance

Data references the extrapolated performance projections for the platforms noted in a 25°C ambient, based on 10,000 hours of LED testing (tested per IESNA LM-80-08 and projected per IESNA TM-21-11).

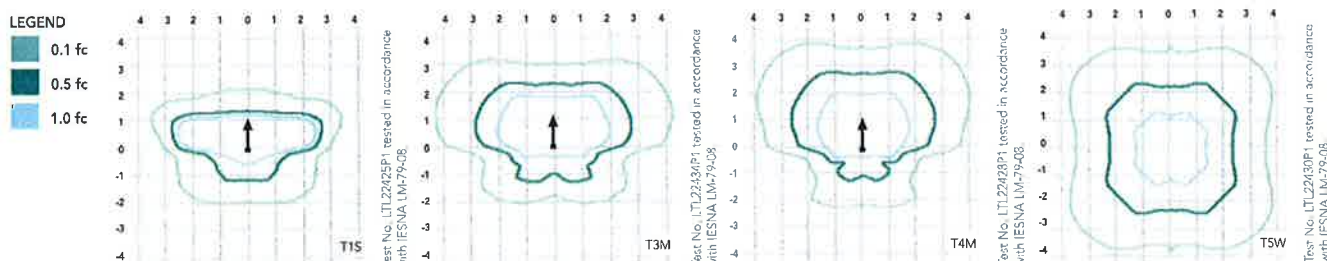
To calculate LLF, use the lumen maintenance factor that corresponds to the desired number of operating hours below. For other lumen maintenance values, contact factory.

Operating Hours	0	25,000	50,000	100,000
Lumen Maintenance Factor	DSX2 LED 80C 1000			
	1.0	0.95	0.92	0.88
	DSX2 LED 100C 700			
	1.0	0.98	0.97	0.95

Photometric Diagrams

To see complete photometric reports or download .ies files for this product, visit Lithonia Lighting's [D-Series Area Size 2 homepage](#).

Isofootcandle plots for the DSX2 LED 80C 1000 40K. Distances are in units of mounting height (30').



FEATURES & SPECIFICATIONS

INTENDED USE

The sleek design of the D-Series Area Size 2 reflects the embedded high performance LED technology. It is ideal for applications like car dealerships and large parking lots adjacent to malls, transit stations, grocery stores, home centers, and other big-box retailers.

CONSTRUCTION

Single-piece die-cast aluminum housing has integral heat sink fins to optimize thermal management through conductive and convective cooling. Modular design allows for ease of maintenance. The LED drivers are mounted in direct contact with the casting to promote low operating temperature and long life. Housing is completely sealed against moisture and environmental contaminants (IP65). Low EPA (2.0 ft²) for optimized pole wind loading.

FINISH

Exterior parts are protected by a zinc-infused Super Durable TGIC thermoset powder coat finish that provides superior resistance to corrosion and weathering. A tightly controlled multi-stage process ensures a minimum 3 mils thickness for a finish that can withstand extreme climate changes without cracking or peeling. Available in both textured and non-textured finishes.

OPTICS

Precision-molded proprietary acrylic lenses are engineered for superior area lighting distribution, uniformity, and pole spacing. Light engines are available in 3000 K (80 min. CRI), 4000 K (70 min. CRI), or 5000 K (70 CRI) configurations. The D-Series Size 2 has zero uplight and qualifies as a Nighttime Friendly™ product, meaning it is consistent with the LEED® and Green Globes™ criteria for eliminating wasteful uplight.

ELECTRICAL

Light engine configurations consist of 80 or 100 high-efficacy LEDs mounted to metal-core circuit boards to maximize heat dissipation and promote long life (up to L95/100,000 hrs at 25°C). Class 1 electronic drivers have a power factor >90%, THD <20%, and an expected life of 100,000 hours with <1% failure rate. Easily-serviceable surge protection device meets a minimum Category C Low operation (per ANSI/IEEE C62.41.2).

INSTALLATION

Included mounting block and integral arm facilitate quick and easy installation. Stainless steel bolts fasten the mounting block securely to poles and walls, enabling the D-Series Size 2 to withstand up to a 2.0 G vibration load rating per ANSI C136.31. The D-Series Size 2 utilizes the AERIS™ series pole drilling pattern. Optional terminal block, tool-less entry, and NEMA photocontrol receptacle are also available.

LISTINGS

UL Listed for wet locations. Light engines are IP66 rated; luminaire is IP65 rated. Rated for -40°C minimum ambient. U.S. Patent No. D670,857 S. International patent pending.

DesignLights Consortium® (DLC) qualified product. Not all versions of this product may be DLC qualified. Please check the DLC Qualified Products List at www.designlights.org to confirm which versions are qualified.

WARRANTY

Five year limited warranty. Full warranty terms located at www.acuitybrands.com/CustomerResources/Terms_and_conditions.aspx.

Note: Specifications subject to change without notice.



**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development

Originating Department

Council Meeting Of: March 3, 2015

Jung-Han Chen

Account Code No. #:

Prepared By:

Budgeted Amount:

February 18, 2015

Date Prepared:

PC-2015-03 ZONING MAP AMENDMENT to Amend the Zoning Designation of Certain Property, Approximately 137.62 Acres of Continuous Areas Along Bonham Road near the Four Mile Creek Crossing from Oxford Township Zoning A-1 to City of Oxford R1A (Single-Family Low Density Residential) and MU (Miami University) Districts

Recommendation: See City Manager's recommendation attached

Discussion:

This request was originally initiated by the Butler County Engineer's Office as a result of the Bonham Road bridge replacement project. This project was a collaboration of various entities to look at traffic flow, bridge geometric alignment and an alternate route into Oxford, as well as the functionality of the current bridge.

The area was annexed into the City in December, 2014, via Ordinance # 3293. Attached is a map highlighting the annexed area for amendment.

These parcels are contiguous to the existing municipal area and are within the municipal water and sanitary services area. The Beta Theta Pi Foundation headquarters is also located in this annexed area, which has been receiving water and sanitary services for some time.

The annexation is to allow improvements to the existing Bonham Road bridge to be redesigned to today's standards by realigning the geometric angle driving up to the bridge from both directions. Additionally, the elevation of the existing bridge is a major traffic concern.

The University has also been in contact with the Engineer's Office to extend pedestrian connections from the gravel parking lot to the Yeager Stadium Sports Arena area.

The Planning Commission, after a public hearing, recommended City Council to amend the area north of Bonham Road to be rezoned to R-1A and the area south of Bonham Road to be rezoned to MU as shown on the proposed attached map.

Approved By:

Department Head:

City Attorney:

City Manager:

JHC / 2-18-15

STAFF SUMMARY REPORT

Report to the City Manager

City Manager

Originating Department

Council Meeting Of: March 3, 2015

Doug Elliott

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

February 24, 2015

Date Prepared

Agenda Title: Ordinance Accepting The Planning Commission's Recommendation And Granting A Zoning Map Amendment For 137.622 Acres Of Land Along Bonham Road, Oxford, Ohio, And Rezoning The Property From A-1 And R-1 (Oxford Township Zoning) To City Of Oxford MU (Miami University) Zoning District And R-1A (Single-Family Low Density Residential) Zoning District.

Recommendation: Pass a motion to table the proposed Ordinance and pass a second motion to initiate a map amendment application by Council to zone the Beta Theta Pi land as OI (Office and Light Industrial)

Discussion:

At the last Oxford Planning Commission meeting, a new City zoning designation for the recently annexed Bonham Road area was proposed and approved. The area annexed included five parcels owned by **Beta Theta Pi (BTP) fraternity headquarters**. The zoning proposed for the BTP parcels was R-1A Single-Family Low Density Residential District. It was approved by the Planning Commission and is on the City Council agenda for the March 3 meeting. On Thursday, February 12, 2015, I received a phone call from Jeff Rundle with BTP requesting a meeting with me to express concerns about the proposed zoning for the BTP land. Alan, Jung-Han, Sam, and I met with Jeff Rundle, Coe Potter and other representatives of BTP on February 13, 2015 to discuss the proposed zoning of their property. They are concerned that under the R-1A zoning district their property use will become **nonconforming**. They would prefer that the zoning designation be **OI Office and Light Industrial**. This zoning designation permits professional offices which is what the BTP building is. It also allows research, experimental or testing laboratories conducted entirely within the enclosed buildings.

Continued

Approved By:

Initial Date

Department Head:

City Manager:

 2/27/15

Also permitted is electronic data processing and public-service facilities. After hearing their concerns and reviewing the City zoning code, I concur with this request. BTP has no plans to sell their property and if they do the uses are limited to the above mentioned uses. I recommend that City Council **pass a motion to table** the proposed Ordinance and **pass a second motion** to initiate a map amendment application by Council to zone the BTP land as OI Office and Light Industrial.

For background information, the BTP land was zoned by Oxford Township as A-1 Agricultural District which is primarily for agricultural and farm uses plus one and two family dwellings. But, it also lists a number of conditional uses such as clubs, fraternities, lodges, conference centers, and other meeting places of similar organization, not including any use that is customarily conducted as a gainful business. It also permits as a conditional use a commercial hog, fur, or other commercial animal farm.

ORDINANCE NO.

AN ORDINANCE ACCEPTING THE PLANNING COMMISSION'S RECOMMENDATION AND GRANTING A ZONING MAP AMENDMENT FOR 137.622 ACRES OF LAND ALONG BONHAM ROAD, OXFORD, OHIO, AND REZONING THE PROPERTY FROM A-1 AND R-1 (OXFORD TOWNSHIP ZONING) TO CITY OF OXFORD MU (MIAMI UNIVERSITY) ZONING DISTRICT AND R-1A (SINGLE-FAMILY LOW DENSITY RESIDENTIAL) ZONING DISTRICT.

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 1135.02 of the Codified Ordinances of the City of Oxford, the Oxford Planning Commission held a public hearing on February 10, 2015, at 7:30 p.m. on the City of Oxford's application for a Zoning Map Amendment for 137.622 acres of land along Bonham Road, Oxford, Ohio, a map of which is attached hereto and incorporated herein as Exhibit "A" and requesting the rezoning of the property from A-1 and R-1 (Oxford Township Zoning) to City of Oxford MU (Miami University) Zoning District and R-1A (Single-Family Low Density Residential) Zoning District.

SECTION 2: The Oxford Planning Commission, after the public hearing and deliberation, recommended granting the Zoning Map Amendment, and found that the proposed rezoning request was in keeping with the intended characteristics of the general vicinity of the property and was the most appropriate zoning classification of the property 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, rezoning 137.622 acres of land along Bonham Road, Oxford, Ohio, a map of which is attached hereto and incorporated herein as Exhibit "A" and rezoning the property from A-1 and R-1 (Oxford Township Zoning) to City of Oxford MU (Miami University) Zoning District and R-1A (Single-Family Low Density Residential) Zoning District.

SECTION 4: Council hereby grants the rezoning of the property as requested by the applicant, incorporating the application and documents submitted by the applicant as a term and condition of the granting of this rezoning request and orders that the official zoning map be amended.

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

ADOPTED:

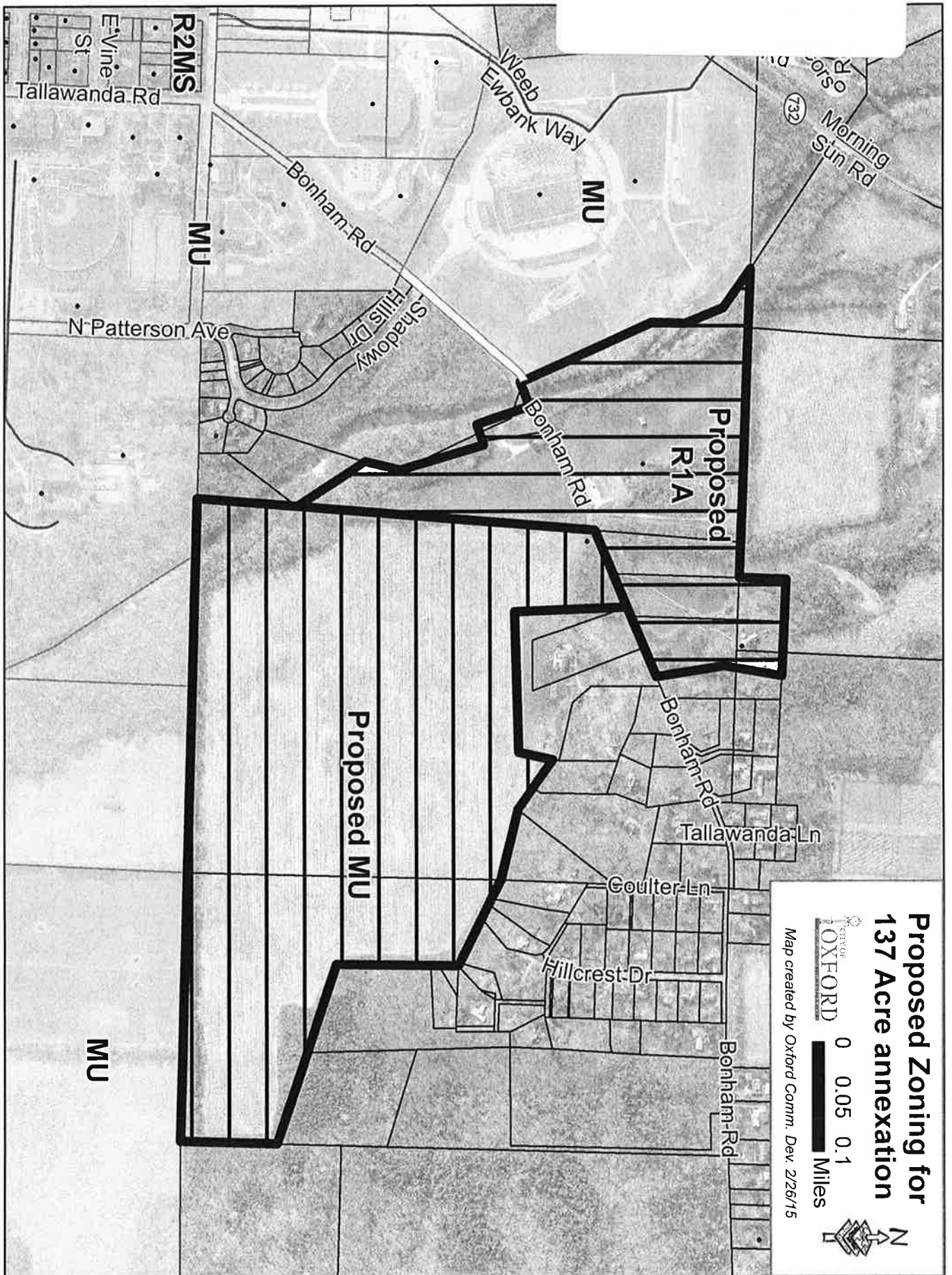
MAYOR

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKKEHAN

PREPARED BY: LAW (STAFF)



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

<u>Report Date</u>	March 3, 2015
<u>Case Number</u>	PC-2015-03
<u>Applicant Information</u>	City of Oxford
<u>Requested Action</u>	Zoning Map Amendment
<u>Summary of Request</u>	To Amend the Zoning Designation of Certain Property, Approximately 137.62 Acres of Continuous Areas Along Bonham Road near the Four Mile Creek Crossing from Oxford Township Zoning A-1 to City of Oxford R1A (Single-Family Low Density Residential) District and MU (Miami University)District
<u>Public Hearing Information</u>	On February 10, 2015 a Public Hearing took place at 118 W. High Street. A Public Hearing notice was published in the Hamilton Journal News on January 11, 2015. Public Hearing notices were mailed out to surrounding properties on January 27, 2015.
<u>Commission Action</u>	The Planning Commission voted 4-0-0 recommending approval to City Council.
<u>Commission Findings and Conclusions</u>	The Planning Commission voted to recommend approval based upon the area having been annexed into the City in December, 2014.
<u>Exhibits Submitted to the Commission</u>	1. Staff Report Dated January 20, 2015 2. Proposed Map 3. Inter-Office Review Transmittal Sheets 4. Zoning Map Amendment Application 5. Butler County Engineer's Office Bridge Replacement Announcement 6. Ordinance 3293 and Supporting Council Documents

City of Oxford
Community Development Department
STAFF REPORT

Planning Commission

Case # PC-2015-03

Date – February 10, 2015

APPLICATION

Applicant:	City of Oxford
Action Request:	Zone Map Amendment to Amend the Zoning Designation of Certain Property, Approximately 137.62 Acres of Continuous Areas Along Bonham Road near the Four Mile Creek Crossing from Oxford Township Zoning A-1 to City of Oxford R1A (Single-Family Low Density Residential) District and MU (Miami University) District

DESCRIPTION

This request was originally initiated by the Butler County Engineer's Office as a result of the Bonham Road bridge replacement project. This project was a collaboration of various entities to look at traffic flow, bridge geometric alignment and an alternate route into Oxford, as well as the functionality of the current bridge.

The area was annexed into the City in December, 2014, via Ordinance # 3293. Attached is a map highlighting the annexed area for amendment.

SURROUNDING NEIGHBORHOOD

The municipal zoning in the vicinity of this site is "MU" Miami University to the south; County R-1 to the southwest, County A-1 to the east and County R-1 to the north.

COMPREHENSIVE PLAN

Continue to Manage Growth
To maintain the community's small college town character will be preserved and enhanced.
Future growth at the edge of the city will preserve open space; protect the area's rural character in consideration of township land use.

AGENCY COMMENTS

Fire	Returned without comments
Police	Returned without comments
Engineering	Returned without comments
Economic Development	Returned without comments

PUBLIC COMMENT FORMS

No comments have been received to date.

STAFF ANALYSIS

These parcels are contiguous to the existing municipal area and are within the municipal water and sanitary services area. The Beta Theta Pi Foundation headquarters is also located in this annexed area, which has been receiving water and sanitary services for some time.

The annexation is to allow the improvements to the existing Bonham Road Bridge to be redesigned to today's standards by realigning the geometric angle driving up to the bridge from both directions. Additionally, the elevation of the existing bridge is a major traffic concern.

The University has also been in contact with the Engineer's Office to extend pedestrian connections from the gravel parking lot to the Yeager Stadium Sports Arena area.

The Butler County Engineer's Office has recently just released the schematic plan for public comment concerning the proposed improvements. See attached media release from the Butler County Engineer's Office.

RECOMMENDATION

Staff is recommending the area north of Bonham Road to be rezoned to R-1A and the area south of Bonham Road to be rezoned to MU as shown on proposed attached map.

SUBMITTED

BY:



Jing-Han Chen

Community Development Department

DATE: January 20, 2015

City of Oxford
Inter-Office Review Transmittal Sheet

Date: January 8, 2015

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

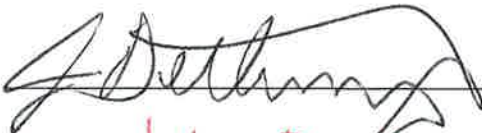
PC-2015-03 ZONING MAP AMENDMENT, for a rezoning of 137.62 acres of land located along Bonham Road near the Four Mile Creek crossing to be annexed into the City of Oxford, currently zoned Butler County zoning designations, proposed to be zoned City of Oxford R1A (Single-Family Low Density Residential) District, **City of Oxford, Applicant**

 X Review Revisions Other

Please return no later than: **1/30/2015** Note: If no comments are received, we will assume the project meets your department's standards.

.....
Drawings are returned: w/comments without/comments

Drawings reviewed by:



Date: 1-15-15

John Dethierage
PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: January 8, 2015

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2015-03 ZONING MAP AMENDMENT, for a rezoning of 137.62 acres of land located along Bonham Road near the Four Mile Creek crossing to be annexed into the City of Oxford, currently zoned Butler County zoning designations, proposed to be zoned City of Oxford R1A (Single-Family Low Density Residential) District, City of Oxford, Applicant

 X Review Revisions Other

Please return no later than: **1/30/2015** Note: If no comments are received, we will assume the project meets your department's standards.

.....
Drawings are returned: w/comments without/comments

Drawings reviewed by:



Date: 1-9-2015

VICTOR POPESCU

PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: January 8, 2015

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2015-03 ZONING MAP AMENDMENT, for a rezoning of 137.62 acres of land located along Bonham Road near the Four Mile Creek crossing to be annexed into the City of Oxford, currently zoned Butler County zoning designations, proposed to be zoned City of Oxford R1A (Single-Family Low Density Residential) District, **City of Oxford, Applicant**

 X Review Revisions Other

Please return no later than: **1/30/2015** Note: If no comments are received, we will assume the project meets your department's standards.

.....
Drawings are returned: w/comments without/comments

Drawings reviewed by:

R.B. Holzworth

Date: 1/9/2015

R.B. Holzworth
PRINTED NAME

Econ Dev Department

From: Community Development Department

 X Review Revisions Other

.....

w/comments → without/comments

Date: 1-12-15

PRINTED NAME



Feb.	
Internal Use Only:	PC-2015-03
Case No.	
Date Filed	12/17/14

Zoning Map Amendment Application

Applicant Information

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

Name *	Jung-Han Chen
Mailing Address *	101 E. High St.
City, State & Zip Code *	Oxford, OH 45056
Telephone Number(s) *	(513) 524-5204
Email Address	jhchen@cityofoxford.org

Location and Lot Information

Location *	Bonham Road
General Description of Proposed Amendment *	See attached plat and legal description
Current Zoning *	R-1 and A-1 (Oxford Township Zoning)
Proposed Zone(s) *	R1A / MU

Submission Requirements and Documentation

From Section 1135.02 Procedure¹.

- (a) Initiation. A map amendment may be initiated by adoption of a motion by Planning Commission, by adoption of a motion by Council, or by application to Planning Commission by at least one owner of the property within the area proposed to be rezoned.
- (b) Application. If Planning Commission or Council initiates an amendment, then the Zoning Administrator shall provide information as necessary for proper consideration of the motion. The information provided shall be substantially similar to that required of an application for amendment.
- An application for amendment shall be filed with the Zoning Administrator. An application shall be complete prior to being scheduled for a public hearing. An application will be considered complete only if the Zoning Administrator is satisfied that all of the materials required by this chapter are included and are sufficient in their content to satisfy the intent of the application requirements.
- (1) Contents of application. The applicant shall contact the Zoning Administrator prior to submitting an application to discuss the submission requirement, which includes the following information. A written, detailed description, where applicable, is required for each subsection.
- A. Application Fee.
 - B. The name, mailing address, and telephone number of the applicant.
 - C. A general description of the proposed amendment.
 - D. A narrative statement that describes how the proposed amendment relates to the Comprehensive Plan.
 - E. A statement that identifies potential negative consequences of the proposed amendment.
 - F. Such other information regarding the proposed amendment as may be pertinent to the application or required by Planning Commission or Council.
 - G. A legal description of the area to be rezoned.
 - H. The proposed zoning of the area.
 - I. The current zoning of the area.
 - J. A description of existing uses in the area.

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

Surrounding Property Owners

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

Decision Process

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

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

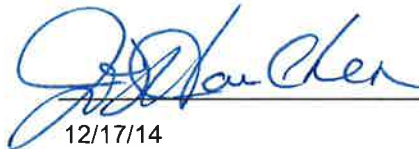
- A. There is an error on the Official Zoning Map or in the delineations between districts thereon.
- B. The proposed amendment will make the map conform more closely with the Comprehensive Plan.
- C. There has been a substantial change in area conditions that necessitates the amendment.
- D. There is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

Fees & Receipt

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

Sign and Date

Applicant Signature *



Date *

12/17/14

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/>

www.bceo.org

* News Release *

Wednesday, January 7, 2015
For Immediate Release

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BCEO WORKING ON PLANS TO REPLACE BONHAM ROAD BRIDGE Seeking Public Comment

Butler County Engineer Greg Wilkens is working on plans to replace the Bonham Road bridge over Four Mile Creek at the Oxford Township / City of Oxford line. Located next to Leonard G. Howell Park, the existing bridge is a single-span steel pony truss built in 1965. The Engineer's Office proposes to replace the old bridge with a new three-span concrete slab structure. As part of the project, the roadway approaches would be realigned to ease the curves, increase sight distance, and accommodate a safer approach.

A sidewalk/path along Bonham Road is also proposed. Starting on the south side of the road at the Miami University east stadium parking lot, the sidewalk will head southwest to Howell Park, crossing Bonham Road to the Park, then continuing along the north side of the road crossing the new bridge to Yager Stadium Drive, improving safety for pedestrians. In order to construct the project, 0.43-acres of permanent and 0.18-acres of temporary right-of-way would be needed from the Park along the northeast side of Bonham Road. This acquisition from the park will have a Section 4 (f) de minimis impact. Click [here](#) to view a map which shows the project area, park impacts, and the proposed new sidewalk/path.

Construction is slated for 2016 at a current cost estimate of \$2,104,000. Funding for the project would consist of Federal and local BCEO matching funds.

The BCEO is seeking public comment concerning the proposed park acquisition. Please direct all comments to the project design engineer:

David Quimby, P.E., S.I., Design Engineer
Butler County Engineer's Office
1921 Fairgrove Avenue
Hamilton, Ohio 45011-1965
Phone: 513-785-4112
Email: quimbyd@bceo.org

Comments will be received until January 21, 2015.

- [Schematic plan and park impacts](#)

###

For more information contact:

[Chris Petrocy](#), BCEO Public Information Supervisor

ORDINANCE NO. 3293

AN ORDINANCE ACCEPTING THE ANNEXATION PETITION FROM DOUGLAS R. ELLIOTT, JR. FOR 137.622 ACRES OF LAND IN THE TOWNSHIP OF OXFORD, BUTLER COUNTY OHIO, AND ACCEPTING SAID TERRITORY TO BE ANNEXED.

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

SECTION 1: On August 27, 2014 Douglas R. Elliott, Jr., Agent for the petitioners, filed a petition with the Board of County Commissioners of Butler County, Ohio, to obtain annexation to the City of Oxford, Butler County, Ohio, territories consisting of 137.622 acres of land contiguous to the City of Oxford and the existing corporation line of Oxford Township, Ohio. Said petition was filed with the consent of all parties utilizing the annexation procedure set forth in Sections 709.021 and 709.023 of the Ohio Revised Code.

SECTION 2: The Board of County Commissioners did, by Resolution No.14-09-04218 adopted on September 29, 2014, approve the annexation of the proposed territory to the City of Oxford as hereinafter described. Such approval was subject to the terms and conditions contained in the Statement of Services Resolution No. 4852 a copy of which is attached hereto as Exhibit "A" and incorporated herein by reference.

SECTION 3: The Board of County Commissioners did, through the Clerk of the Board of County Commissioners, Butler County, Ohio, certify a transcript of the proceedings in connection with the map and petition required herein to the Clerk of Oxford City Council who received the same on or about October 2, 2014.

SECTION 4: A certified transcript of the proceedings for annexation with an accurate map of the territory, together with the petition for annexation and the papers relating to all proceedings heretofore with the County Commissioners, are all on file with the Clerk of the City of Oxford, and have been for more than sixty (60) days.

SECTION 5: The proposed annexation, as applied for in the petition of the owners of the real estate in the territory sought to be annexed and filed with the Board of County Commissioners, Butler County, Ohio, in which the petition prayed for annexation to the City of Oxford, Ohio, of certain territory adjacent thereto as hereinafter described, be and the same is hereby accepted and deemed annexed to the City of Oxford, subject to all the terms and conditions provided herein and contained within the Statement of Services Resolution No. 4852 attached hereto and incorporated herein as Exhibit "A". The territory to be annexed is more particularly described in Exhibits "B" and "C," attached hereto and incorporated herein.

SECTION 6: The Clerk of the City of Oxford be and is hereby authorized and directed to make five copies of this ordinance, to each of which shall be attached a copy of the map accompanying this petition for annexation, a copy of the transcript of the proceedings of the Board of County Commissioners of Butler County, Ohio, related thereto, and certified as to the correctness thereof. The Clerk shall then forthwith deliver one copy to the County Auditor, one copy to the County Recorder, one copy to the County Engineer, and one copy to the Ohio Secretary of State and shall file notice of this annexation with the Board of Elections within thirty (30) days after it becomes effective and the Clerk shall do all other things as required by law.

SECTION 7: This Ordinance shall take effect at the earliest time allowed by law.


MAYOR

ADOPTED: December 16, 2014

ATTEST:


CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW (STAFF)

STAFF SUMMARY REPORT

Report to the City Manager

City Manager

Originating Department

Council Meeting Of: December 2, 2014

Doug Elliott

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

November 20, 2014

Date Prepared

Agenda Title: An Ordinance Accepting The Annexation Petition From Douglas R. Elliott, Jr. For 137.622 Acres Of Land In The Township Of Oxford, Butler County Ohio, And Accepting Said Territory To Be Annexed.

Recommendation: Adopt the Ordinance

Discussion:

The Butler County Engineer plans to replace the Bonham Road Bridge in 2015 or 2016. The City was approached early in 2012 by the Butler County Engineer to see if the City would annex the bridge and road R-O-W. The speed limit may be lowered to 35 mph if the bridge and adjoining property is in the City limits. If the speed limit is lowered to 35 mph from 45 mph, the construction cost for the bridge replacement will be considerably lower. The new bridge will include a sidewalk.

A Type II process has been utilized for this annexation which requires signatures from all affected property owners.

The Beta Theta Pi Foundation land is included in the annexation petition since the organization signed an agreement with the City on March 14, 1994 for water service with the condition that Beta Theta Pi would annex its property to the City when requested by the City.

This is Council's final step in this annexation process. After 30 days all pertinent documents regarding the annexation will be filed with the County Auditor, the County Recorder, the County Engineer, the Ohio Secretary of State and the Butler County Board of Elections.

Approved By:

Initial Date

Department Head:
City Manager:

 11/25/14

RESOLUTION NO. 4852

RESOLUTION ADOPTING A STATEMENT INDICATING THE SERVICES THE CITY OF OXFORD, OHIO WILL PROVIDE TO THE TERRITORY COMPRISING 137.622 MORE OR LESS ACRES OF LAND ALONG BONHAM ROAD, PROPOSED TO BE ANNEXED TO THE CITY OF OXFORD, OHIO PURSUANT TO A PETITION FILED WITH THE BOARD OF COUNTY COMMISSIONERS OF BUTLER COUNTY, OHIO BY DOUGLAS R. ELLIOTT, JR., AGENT FOR PETITIONERS, AS PROVIDED BY OHIO REVISED CODE SECTION 709.023.

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

SECTION 1: Council, having received the notification of a petition for annexation from the Ellen Buerk Trust, the President and Trustees of The Miami University of Oxford, Ohio Theodore O. Pickerill, Secretary to the Board of Trustees and Executive Assistant to the President, Beta Theta Pi Foundation, and Three Valley Conservation Trust Successor in Interest to, Four Mile Valley Conservation Trust Liz Woedl, Executive Director for 137.622 more or less acres of land in the Township of Oxford, Butler County, Ohio hereby accepts said petition.

SECTION 2: Council hereby adopts this resolution indicating what services the City will provide to the land to be annexed to the City in accordance with Ohio Revised Code Section 709.023(C).

SECTION 3: The City of Oxford, Ohio hereby states that it will provide, upon the finalization of the annexation, the following services to the Territory: law enforcement, recreation programming, maintenance of any and all public streets and alleyways, keeping same open, in repair and free from nuisance, and professional planning staff; which said services shall be available immediately or as required thereafter upon finalization of the annexation. In addition, the facilitation of public utility services which include potable water, sanitary and storm sewerage, solid waste collection and disposal, street lighting and fire inspection, fire protection, paramedic and ambulance services, and any and all other services provided to or made available to the citizens of the City of Oxford, Ohio, as appropriate shall be available as the Territory is developed and such services become appropriate. Extension of all public utility services shall be subject to such regulations, conditions and fees as the City deems appropriate.

SECTION 4: The Clerk is hereby directed to forward a certified copy of this resolution to the Board of County Commissioners of Butler County, Ohio.

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


MAYOR

ADOPTED: September 2, 2014

ATTEST:


ACTING CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW (STAFF)

EXHIBIT 'B'

City of Oxford

Date: January 29, 2014
Description: Bonham Road
137.622 Acres
Location: Oxford Township
Butler County, Ohio



Situated in the Sections 14, 23 and 24 Town 5, Range 1, Oxford Township, being parts of the lands of the President and Trustees of Miami University as recorded in Official Record 7332, Page 1032, the lands of the Village of Oxford as recorded in Deed Book 124, Page 351 and Deed Book 274, Page 371, the lands of Four Mile Conservation Trust as recorded in Official Record 6032, Page 2378 and Official Record 6319, Page 1211, part of the lands of Ellen Buerk Tr. as recorded in Official Record 6215, Page 405 and the lands of Beta Theta Phi Foundation as recorded in Deed Book 1802, Page 684 of the Butler County Ohio Recorder's Office and being more particularly described as follows:

Beginning at the southeast corner of Lot #2 of Coulter Subdivision as recorded in Plat Envelope 216, Pages C and D;
thence, South 00°15'18" East, 563.09 feet;
thence, South 72°51'31" East, 890.03 feet;
thence, South 01°36'47" West, 466.05 feet to the south line of the northwest quarter of said Section 24, being the City of Oxford corporation line;
thence, with south line of the northwest quarter of said Section 24 and said City of Oxford corporation line, South 89°53'36" West, 1321.06 feet to the southeast corner of the northeast quarter of said Section 23;
thence, with the south line of the northeast quarter of said Section 23 and continuing with said City of Oxford corporation line, North 88°47'33" West, 1790.81 feet to the southeast corner of Lot #4 of said Section 23;
thence, leaving said City of Oxford corporation line and with the east line of said Lot #4 of Section 23, North 03°25'39" East, 473.22 feet to the northeast corner of the lands of Michael W. and Patricia L. Dale as recorded in Official Record 5337, Page 616 of the Butler County Recorder's Office;
thence, leaving said east line of said Lot #4, of Section 23 and with the northerly line of said lands of Michael W. and Patricia L. Dale, North 32°35'47" West, 396.93 feet to the easterly line of said lands of Four Mile Valley Conservation Trust;
thence, leaving said northerly line of said lands of Michael W. and Patricia L. Dale and with said easterly line of Four Mile Valley Conservation Trust, for the following four courses: North 15°17'13" East, 205.15 feet;
thence, North 15°40'21" West, 424.06 feet;
thence, South 73°40'27" West, 105.00 feet;
thence, North 17°56'13" West, 235.57 feet to the southerly right of way of Bonham Road;
thence, with said southerly right of way of Bonham Road for the following three courses: South 50°58'19" West, 27.04 feet;
thence, South 70°39'43" West, 160.60 feet;

11D092-000 137.622 Ac. 110129 doc

Page 1 of 2

6900 Tyleraville Road, Suite A
Mason, Ohio 45040
513-338-6600

209 Grandview Drive
Fort Mitchell, Kentucky 41017
859-261-1113

318 South College Avenue
Oxford, Ohio 45056
513-523-4270

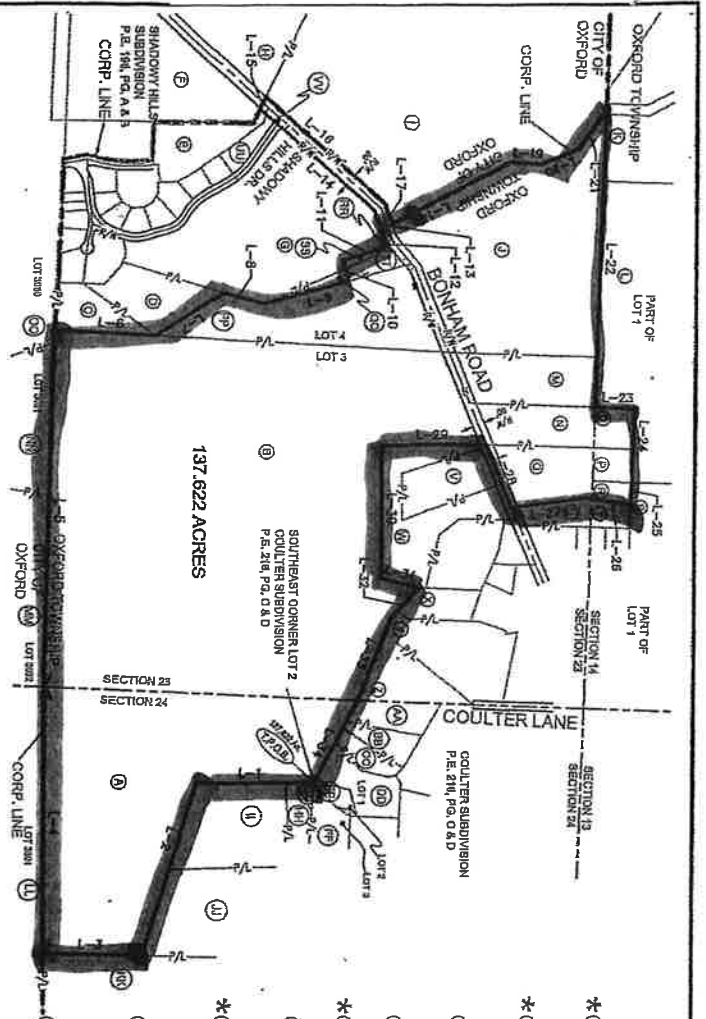
Engineering - Surveying - Landscape Architecture - Planning
www.bayerbecker.com

P.O. Box 3706
Lawrenceburg, Indiana 47025
812-537-9064

thence, South 41° 39' 58" West, 750.56 feet to the City of Oxford corporation line;
 thence, leaving said south right of way of Bonham Road and with said City of Oxford corporation line for the followings seven courses, North 64°10'32" West, 62.54 feet to the north right of way of said Bonham Road;
 thence, with said north right of way of Bonham Road, North 41°40'14" East, 783.01 feet;
 thence, continuing with said north right of way of Bonham Road, North 70°44'58" East, 102.15 feet to the east line of Lot #3793;
 thence, leaving said north right of way of Bonham Road and with the east line of said Lot # 3793 for the following four courses: North 27°18'32" West, 658.42 feet;
 thence, North 02°55'58" East, 165.00 feet;
 thence, North 22°04'02" West, 198.00 feet;
 thence, North 54°04'02" West, 231.00 feet to the north line of said Section 23 and the south line of said Section 14;
 thence, leaving said City of Oxford corporation line and with said north line of Section 23 and the south line of said Section 14, South 88°07'08" East, 1475.21 feet;
 thence, leaving said north line of Section 23 and the south line of said Section 14, North 01°59'42" East, 199.64 feet;
 thence, South 88°13'34" East, 372.60 feet;
 thence, South 87°17'47" East, 112.33 feet;
 thence, South 08°48'20" West, 224.53 feet to the north line of said Section 23 and the south line of said Section 14;
 thence, South 06°43'25" East, 380.06 feet to the centerline of said Bonham Road;
 thence, with said centerline of Bonham Road, South 67°50'07" West, 341.03 feet;
 thence, leaving said centerline of Bonham Road, South 00°26'35" East, 517.86 feet;
 thence, North 89°46'24" East, 668.42 feet;
 thence, North 14°31'49" East, 191.73 feet;
 thence, South 48°34'00" East, 205.01 feet;
 thence, South 68°30'28" East, 443.21 feet to the east line of said Section 23 and the west line of said Section 24;
 thence, leaving said east line of said Section 23 and the west line of said Section 24, South 62°25'43" East, 462.36 feet to the **Point of Beginning** containing 137.622 acres of land of which 2.165 acres are located in Section 14, 109.388 acres are located in Section 23 and 26.069 acres are located in Section 24 of which 3.092 acres are located within the right of way of Bonham Road, more or less and being subject to all easements, legal highways, restrictions and agreements of record.

The above description was prepared from an annexation plat prepared by Bayer Becker, David Douglas Smith, Registered Surveyor #7121 in the State of Ohio, January 29, 2014.





LINE TABLE		
Line	Direction	Distance
L-1	S00°18'18"E	593.03'
L-2	S72°51'31"E	880.03'
L-3	S01°35'47"W	469.05'
L-4	S59°53'36"W	1324.06'
L-5	N86°47'33"W	1790.81'
L-6	N03°55'39"E	473.22'
L-7	N32°35'47"E	386.93'
L-8	N15°17'33"E	209.18'
L-9	N15°50'21"W	424.08'
L-10	S73°40'27"W	105.00'
L-11	N17°46'13"W	326.31'
L-12	S50°58'18"W	27.04'
L-13	S07°39'43"W	160.60'
L-14	S41°39'59"W	750.56'
L-15	N8°41'03"E	62.54'
L-16	N41°40'14"E	793.01'
L-17	N70°44'39"E	102.15'
L-18	N70°44'39"E	682.42'
L-19	N02°55'59"E	165.00'
L-20	N22°04'02"W	198.00'

LINE TABLE		
Line	Direction	Distance
L-21	N41.0/4.02 W	231.00'
L-22	S87.0/7.08 E	147.21'
L-23	N01.589/4.4 E	159.65'
L-24	S85.334/E	112.60'
L-25	S87.717/4.7 E	112.33'
L-26	S08.448/20.7 W	224.15'
L-27	S08.438/25.2 E	380.08'
L-28	S87.50/07.7 W	341.03'
L-29	S00.268/35.7 E	517.86'
L-30	N89.418/4.2 E	689.42'
L-31	N41.314/4.7 E	195.01'
L-32	S4.873/4.00 E	205.01'
L-33	S95.50/20.7 E	443.21'
L-34	S82.28/24.3 E	465.38'

SECTION AREA

SUMMARY	
SECTION 14	2.145 ACRES
SECTION 23	109.346 ACRES
SECTION 24	28.069 ACRES

RIGHT OF WAY

BROWNHAM ROAD 3.002 ACRES

AREA SUMMARY

[illegible]

TOTAL TO BE ANNEXED = 137.622 ACRES
(ACREAGE PER PLAT)

OWNER INFORMATION

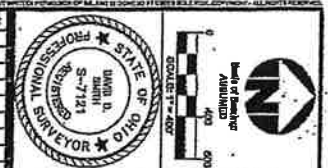
[illegible]

* OWNERS TO BE ANNEXED
(INCLUDING PARTS OF)

**bayer
becker**
www.bayerbecker.com
318 South College Avenue
Oxford, OH 45056 • 513.523.4270

BONHAM ROAD
137.622 ACRES
SECTIONS 14, 23 AND 24, TOWN 5, RANGE 1
OXFORD TOWNSHIP, BUTLER COUNTY, OHIO

ANNEXATION PLAT

[illegible]

CITY OF OXFORD STAFF SUMMARY REPORT

Report to City Manager

Council Meeting Of :

3/3/2015

Account Code No. :

see below

Budgeted Amount :

Finance

Originating Department

Joe Newlin

Prepared By

2/24/2015

Date Prepared

Agenda Title: 2015 Supplemental Budget #2

Recommendation: Approve

Issue 1

To reflect proceeds from ODNR - Clean Ohio Trail Fund, donations and advance from General Fund along with expenditures for construction of trail and both the advance from the General Fund and repayment of said advance to General Fund

Action Needed:

Revenue Side

Oxford Area Trail Capital Improvement (144)	500,000.00	ODNR Grant - Clean Ohio Trails Fund
Oxford Area Trail Capital Improvement (144)	170,000.00	Donations
Oxford Area Trail Capital Improvement (144)	670,000.00	Advance from General Fund
General (110)	670,000.00	Repayment of Advance from Oxford Area Trail Capital Improvement Fund

Expense Side

Oxford Area Trail Capital Improvement (144)	670,000.00	Trail Improvements
Oxford Area Trail Capital Improvement (144)	670,000.00	Repayment of Advance to General Fund
General (110)	670,000.00	Advance to Oxford Area Trail Capital Improvement Fund

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

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

Breakdown by Fund

General (110)	-
Oxford Area Trail Capital Improvement (144)	-

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

Approved By:

Department Head:

City Manager:

<u>[Signature]</u>	Initials	<u>2/24/15</u>	Date
<u>[Signature]</u>		<u>3/27/15</u>	

ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO. 3286. SUPPLEMENTAL BUDGET ORDINANCE NUMBER 2 TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2015.

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

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

SECTION 2: The following increase/(decrease)in revenues be made:

Oxford Area Trail Capital Improvement Fund 144	500,000.00
Oxford Area Trail Capital Improvement Fund 144	170,000.00

SECTION 3: The following increase/(decrease)in appropriations from unencumbered balances be made:

Oxford Area Trail Capital Improvement Fund 144	670,000.00
General Fund 110	670,000.00
Oxford Area Trail Capital Improvement Fund 144	670,000.00

SECTION 4: The following advance(s) be executed:

Advance from:

General Fund 110	670,000.00
Oxford Area Trail Capital Improvement Fund 144	670,000.00

Advance to:

Oxford Area Trail Capital Improvement Fund 144	670,000.00
General Fund 110	670,000.00

SECTION 5: The following increase/(decrease)in revenues be made:

Oxford Area Trail Capital Improvement Fund 144	670,000.00
General Fund 110	670,000.00

SECTION 6: In all other respects, Ordinance No. 3286 shall remain in full force and effect.

SECTION 7: This ordinance shall take effect immediately upon its adoption.

MAYOR

ADOPTED: _____

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW (STAFF)



Ohio Department of Natural Resources

JOHN R. KASICH, GOVERNOR

JAMES ZEHRINGER, DIRECTOR

October 14, 2014

Sam Perry
Community Development Department
City of Oxford
101 E. High Street
Oxford, Ohio 45056

RE: Black Bridge Connector

Dear Mr. Perry:

I am very pleased to inform you that the above referenced project has been conditionally awarded funding through the Clean Ohio Trails Fund (COTF) in the amount of \$500,000. You have been awarded COTF funding on the condition that the State of Ohio Controlling Board approves your grant award in their upcoming meeting.

After your project has been approved by the State Controlling Board, ODNR will mail you two copies of your State-Local Project Sponsor contract agreement for the referenced Clean Ohio Trails Fund grant. Both copies must be signed and returned to the Office of Real Estate, 2045 Morse Road, Building E-2, Columbus, OH 43229-6693 within 30 days of receipt. A fully signed copy will be returned to you along with additional information concerning your COTF project.

To protect your eligibility in the program, please **do not begin any portion of your project until you receive written approval to do so.** Your COTF grant will be coordinated through the ODNR Office of Real Estate. If you have any questions, please do not hesitate to contact D'Juan Hammonds of my staff at (614) 265-6417.

Congratulations and good luck with your Clean Ohio Trails Fund project.

Sincerely,

A handwritten signature in cursive script, reading "J Zehringer".

James Zehringer
Director

JZ/dh

A Regular meeting of the Oxford City Council was called to order by Mayor Kevin McKeehan on Tuesday, February 17, 2015 at 7:00 p.m. Those members present were Bob Blackburn, Richard Keebler, Kate Rousmaniere, Mike Smith and Edna Southard. Steve Snyder was excused.

Staff members present: Mr. Doug Elliott, City Manager; Mr. Mike Dreisbach, Service Director; Mr. Bob Holzworth, Police Chief; 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. Blackburn moved to adjourn to Executive Session immediately in accordance with Ohio Revised Code Section 121.22 (G) 1 and 3 for the purpose of discussing appointments to Boards and Commissions and pending litigation. Ms. Rousmaniere seconded. The motion passed by the following roll call:

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

NAY: None (0)

ABS: None (0)

RETURN FROM EXECUTIVE SESSION

Ms. Southard moved to return from Executive Session at 7:30 p.m. Mr. Smith seconded. The motion passed 6-0-0.

PLEDGE OF ALLEGIANCE

Mayor McKeehan requested the Pledge of Allegiance.

APPROVAL OF AGENDA

Ms. Rousmaniere moved to approve the agenda. Mr. Smith seconded. Mr. Keebler moved to amend the agenda by adding Resolution number 3 authorizing the settlement of Butler County Common Pleas Case No. CV 2013 07 1968. Mr. Smith seconded. The motion passed 6-0-0. The agenda was approved as amended by a vote of 6-0-0.

PUBLIC PARTICIPATION

PROCLAMATION

'AFRICAN AMERICAN READ-IN DAY'

Mayor McKeehan read the Proclamation and presented it to Ms. Jenny Presnell.

Ms. Jenny Presnell, noted she was in attendance on behalf of the Miami University Libraries and the Howe Center for Writing Excellence and thanked Council for the Proclamation. Ms. Presnell invited everyone to attend the African American Read-In on Thursday and learn about African American culture and celebrate African American writers. Ms. Presnell noted her hope to see Council members at the event.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Mr. Keebler moved to appoint Dr. Molly Emmert to the Butler County Board of Health for a three year term beginning March 1, 2015 and ending March 1, 2018. Mr. Blackburn seconded. The motion passed 6-0-0.

NOTICE TO LEGISLATIVE AUTHORITY

Transfer permit from Fiesta Charra Inc. 25 W. High Street 1st Floor only Oxford, Ohio 45056 to Fiesta Charra Mexican Restaurant Inc. DBA Fiesta Charra Mexican Restaurant 25 W. High Street 1st Floor only Oxford, Ohio 45056.

Mr. Kyger noted Fiesta Charra changed ownership effective December 31, 2014 and the liquor permits would be transferred to the new owners. Mr. Kyger advised with the D5I permit only 25% of the restaurant's sales could be for the purchase of alcohol.

Mr. Keebler moved to accept the notice without comment. Mr. Blackburn seconded. The motion passed 6-0-0.

PUBLIC COMMENTS

Mr. Kevin Krumpack, 307 N. Bishop Street, updated Council with regard to the Green Beer Day Forum which would take place on March 12, 2015 at 6:30 p.m. at the Armstrong Student Center Pavilion C. Mr. Krumpack noted Miami's Associated Student Government would co-host the event with the Cliff Office of Fraternity and Sorority Life and invited Council members and members of the community to attend the event and participate in the dialog.

Mr. David Brown, Butler County Auditor's Office, noted the Homestead Exemption period was open until June 1st and advised new this year was an opportunity for disabled veterans to get a double benefit through the Homestead program. Mr. Brown noted the Auditor's Office appreciated the State Legislature making that change for veterans. Mr. Brown advised the regular homestead exemption shielded \$25,000 of the home's value and the disability benefit for veterans would prevent taxation on the first \$50,000 of the home's value. Mr. Brown noted the Auditor's Office wanted to partner with local governments to share that information.

Mr. Brown advised the 2014 reappraisal numbers were in and overall property value in the City of Oxford decreased 1% or about \$3,000,000 in total dollars. Mr. Brown noted residential property decreased 4% and commercial values increased. Mr. Brown advised the Board of Revision period was open until March 31st for those who felt their home was under valued or over valued based on the Auditor's findings.

Mr. Brown noted additional information and resources were available at butlercountyauditor.org or he could be reached at 887-3159.

Mr. Blackburn suggested the information regarding the veteran's benefit be placed on the City's website.

CONSENT AGENDA

MINUTES

Minutes of the February 3, 2015 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

REPORTS

Report regarding the February 4, 2015 Environmental Commission Meeting. (Mike Dreisbach, Service Director)

Mr. Smith moved to approve the consent agenda. Mr. Blackburn seconded. The motion passed 6-0-0.

RESOLUTIONS

RESOLUTION **AGRICULTURAL** **TAX DISTRICT**

A Resolution No. 4893 by Oxford City Council authorizing the continued placement of 67.3760 acres of land owned by EVR Investments, L.L.C. in an agricultural tax district, said property address being 4160 Oxford Reily Rd., Oxford, Oh. 45056 (Parcel No. H4100-132-000-001) in accordance with O.R.C. Chapter 929, The Farmland Preservation Act. (Doug Elliott, City Manager)

Mr. Elliott advised an agricultural tax district provided protection against nuisance suits over farm operations, deferment of tax assessments on land to build sewer and water lines and allowed for additional review if land was taken by eminent domain for a public purpose. Mr. Elliott noted the land in question was owned by EVR Investments and it was an L shaped parcel as shown on the map on page 28 of the agenda which wrapped around the Talawanda Middle School property. Mr. Elliott advised the proposed Resolution was a 5 year extension of the agricultural tax district.

Mayor McKeehan noted this district had been in place for a number of years and Mr. Elliott advised yes, and this was the second extension. Ms. Rousmaniere inquired if there was a limit on the number of extensions and Mr. Elliott advised no, but legislative action was required every 5 years. Mr. Keebler noted the land was clearly being used for agricultural purposes.

Mayor McKeehan inquired if the applicant or if anyone from the public had any comments and there were none.

Mr. Blackburn moved to adopt Resolution No. 4893. Mr. Keebler seconded. The motion passed 6-0-0.

RESOLUTION
ELECTRIC SUPPLIER

A Resolution No. 4894 authorizing the City Manager to enter into an agreement with American Electric Power (AEP) for the procurement of electricity generation for the City of Oxford's Electric Aggregation Program for a period of thirty six (36) months. (Doug Elliott, City Manager)

Mr. Elliott advised Eagle Energy on behalf of the City solicited proposals from 14 Certified Residential Electric suppliers and 3 companies responded to the RFP. Mr. Elliott noted a summary of the pricing proposals was provided to Council. Mr. Elliott advised he and Eagle Energy were recommending that the City move forward with the American Electric Power (AEP) proposal for a three year agreement. Mr. Elliott noted the offer letter to eligible customers would be structured so the primary offer for the Electric Aggregation Program would be for 100% renewable energy at \$0.05685 per kWh for three years unless the customer opts out. Mr. Elliott advised the letter would also include an opt in option for 0% renewable energy at \$0.05631 per kWh. Mr. Elliott noted the savings to an electric consumer using 9,000 kWh per year was \$38.25 for 100% renewable energy and \$43.11 for 0% renewable energy compared to the present Duke standard service offer of \$0.0611 per kWh. Mr. Elliott advised the prices were constantly changing and the price for Oxford residents could be slightly higher or lower than what was reported this evening. Mr. Elliott thanked representatives from Eagle Energy for their assistance and noted he was anxious to move forward with the program. Mr. Elliott stated that he or representatives from Eagle Energy would answer any questions from Council or from the public.

Mr. Vincent Hand, 511 E. Chestnut Street, thanked City staff, Eagle Energy and Council for their speed and accuracy in moving forward with the aggregation program. Mr. Hand noted he felt it was a good deal and he was pleased to see renewable energy as the default choice. Mr. Hand advised he suspected the Environmental Commission would be pleased as well.

Mr. Blackburn noted he felt the City was fortunate to receive renewable energy at such a low rate. Mr. Keebler referred to page 33 of the agenda and advised the rate was approximately three thousandths of a cent over the City of Cincinnati's rate and less than the other local entities listed. Mr. Keebler reminded anyone concerned with the three year agreement that they could opt out at anytime and find their own supplier. Mr. Keebler noted he was pleased to see 100% renewable energy as the primary option and the three year agreement. Mr. McHugh advised the contract would be 'tweaked' somewhat but nothing would affect the deal or the rate. Ms. Rousmaniere noted she felt this had been a great process from Mr. Elliott recommending the program to getting it on the ballot. Ms. Rousmaniere advised the Oxford League of Women Voters held two forums on the topic, one in 2012, and again in 2014, and a number of citizens attended the two public hearings held by Council. Ms. Rousmaniere noted Eagle Energy had been great to work with and now the City had great pricing. Ms. Southard echoed Ms. Rousmaniere's comments and noted she was pleased that everyone worked together to make it happen.

Mayor McKeehan advised this had been an educational process for many people in the community and thanked Eagle Energy for their assistance noting they did a great job.

Ms. Rousmaniere moved to adopt Resolution No. 4894. Mr. Blackburn seconded. The motion passed 6-0-0.

RESOLUTION **SETTLEMENT**

A Resolution No. 4895 authorizing the settlement of Butler County Common Pleas Case CV 2013 07 1968 with defendants Hunter Heck, Hayley Heck and Steven Heck and authorizing the City Manager to take all steps necessary to resolve this case. (Doug Elliott, City Manager)

Mr. McHugh advised this matter was filed by Hunter Heck and his family and it involved an accident with an officer in a police car driving and the injuries were very serious. Mr. McHugh noted the matter was in the Common Pleas Court and then the Court of Appeals 12th District which was one of 6 Court of Appeals in the State of Ohio which involved a new mediation program. Mr. McHugh advised there were two sessions of mediation and as a result of the second session this afternoon the parties reached an agreement which was spelled out in the Resolution. Mr. McHugh noted this would resolve all of the issues and the officer would be dismissed out of the law suit.

Mr. Keebler noted since this item was not published in the agenda, Mr. McHugh should indicate the amount of the settlement. Mr. McHugh advised the amount of the settlement was 1.1 million dollars. Mr. McHugh advised the police vehicle struck the pedestrian (Hunter Heck) and the suit was brought on behalf of Hunter Heck and his mother and father who were the three plaintiffs in this action. Mr. McHugh added he felt the terms were reasonable and fair under the circumstances as Mr. Heck was permanently in a wheelchair and it was a tragic situation. Mr. Keebler noted this incident was covered by the City's liability insurance. Mayor McKeehan agreed it was a sad and tragic event.

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

Mr. Keebler moved to adopt Resolution No. 4895. Mr. Blackburn seconded. The motion passed 6-0-0.

ORDINANCES **FIRST READING**

None.

ORDINANCES
SECOND READING

ORDINANCE
PLANNED DEVELOPMENT

An Ordinance No. 3304 Approving The Preliminary And Final Plan For A Major Change To An Approved Planned Development At Bishop Square Located On South Locust Street With Conditions And Amending Ordinance No. 3221. (Jung-Han Chen, Community Development Director)

Mr. Chen advised the request was for the commercial portion of the former Wal-Mart redevelopment project. Mr. Chen noted currently there were two commercial lots and the request was to increase that to four so each commercial building would have its own lot.

Mr. Robert Fiorita, Applicant, advised the request stemmed from being able to obtain financing for the buildings and he was asking Council to help facilitate that.

Mayor McKeehan inquired if there were any comments from the public or from Council and there were none. Mayor McKeehan noted the issue was discussed at length during the first reading.

Ms. Rousmaniere moved to adopt Ordinance No. 3304. Mr. Blackburn seconded. The Ordinance was adopted by the following roll call:

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

NAY: None (0)

ABS: None (0)

ORDINANCE
ANNEXATION

An Ordinance No. 3305 Authorizing The Annexation Of 0.338 Acres Of Contiguous Territory And Directing The Law Director To Prosecute The Proceedings Necessary To Effect Said Annexation. (Doug Elliott, City Manager)

Mr. Elliott advised the property was located at 4134 Millville Oxford Road across from University Park Boulevard and it was purchased by the City as part of the US 27 S improvement project. Mr. Elliott noted this was an annexation by petition of the municipality since it was contiguous to the City and owned by the City. Mr. Elliott recommended that Council adopt the Ordinance so the City could move forward with the annexation.

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

Mr. Blackburn moved to adopt Ordinance No. 3305. Mr. Smith seconded. The Ordinance was adopted by the following roll call:

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

NAY: None (0)

ABS: None (0)

ORDINANCE
SUPPLEMENTAL BUDGET

An Ordinance No. 3306 Amending Ordinance No. 3286. Supplemental Budget Ordinance Number 1 To Make Supplemental Appropriations For Fiscal Year 2015. (Joe Newlin, Finance Director)

Mr. Newlin advised the only change from the first reading of the proposed Ordinance was an increase of revenue in the fund due to interest distribution of \$0.01.

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

Ms. Rousmaniere moved to adopt Ordinance No. 3306. Ms. Southard seconded. The Ordinance was adopted by the following roll call:

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

NAY: None (0)

ABS: None (0)

ANNOUNCEMENTS

Mr. Elliott referred to the settlement Resolution Council adopted this evening and noted the incident occurred Saturday, October 6, 2012 at 12:45 a.m. Mr. Elliott advised a Police Officer was responding to a call as two individuals approached the intersection of College Avenue and Spring Street where one recognized the green light for the officer and stopped but the other stepped into the intersection and was struck. Mr. Elliott noted he wanted to provide some background information since it had been some time since the accident occurred. Mr. Elliott advised it had been a difficult process for the City and the outcome was tragic but the City was happy to get the case resolved.

Mr. Elliott thanked the Oxford League of Women Voters who encouraged the City to move forward with an aggregation program. Mr., Elliott thanked Council for their support of the program as well as the citizens who participated in the process. Mr. Elliott also thanked Eagle Energy for their assistance.

Mr. Kyger noted he was pleased to see from Mr. Brown's report that commercial property values increased in Oxford for the 2014 reappraisal.

Ms. Rousmaniere advised the Planning Commission met last week and they would like to proposed a Joint Work Session with Council to discuss two long range plans. Ms. Rousmaniere noted one was a possible update of the Comprehensive Plan to address development pressures on the City's fringe and the other one involved affordable/moderate housing needs in Oxford and how to diversify the kinds of housing coming into the City.

Mr. Blackburn thanked Mr. Dreisbach and his staff for keeping the streets clean after the snow events over the past few days.

Mayor McKeehan noted it was going to be extremely cold the next few days and encouraged everyone to watch out for their neighbors and for their pets.

ADJOURN

Mr. Blackburn moved to adjourn at 8:11 p.m. Ms. Rousmaniere seconded. The motion passed 6-0-0.

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: March 3, 2015

Account Code No. #:

Sam Perry
Prepared By

Budgeted Amount:

February 24, 2015
Date Prepared

Agenda Title: Planning Commission Meeting Report - February 10, 2015
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Public Comments

Ms. Prue Dana addressed the Commission commenting on the recent tabling by City Council of the Shaping Sustainable Communities/South Side Area Plan recommendation. She stated that the south side was a critical area and hoped it could be re-visited in the future. Chair David Prytherch stated that a work session was just held discussing how to move forward.

Reports from Commissions, Boards, Committees & Staff

Robert Benson stated that the work session of HAPC with City Council in January was very productive and that HAPC would be following up. Kate Rousmaniere stated that there is a recommendation from the Environmental Commission that the Shaping Sustainable Communities Plan be re-introduced to Planning and Council and that the Environmental Commission and the Oxford Township Trustees both be involved.

PC-2014-20 ZONING CODE TEXT AMENDMENT to revise all sections of Chapter 1149, Vehicle Management, regarding site development requirements for parking areas: minimum and maximum numbers of vehicular spaces, bicycle spaces, parking lot design and layout, pedestrian safety and storm water management. Additionally the related Section 1147 Conditional Uses, new provisions for off-site parking and shared-use parking, **City of Oxford, Applicant (Tabled)**

This text amendment package had been worked on for nearly one year by staff and committees. Staff presented changes based upon the January meeting discussion. Architect Scott Webb spoke generally supporting the changes with some questions and hesitation but also additional suggestions regarding reference to handicap parking already addressed in Ohio Building Code. The Commission voted 4-0 to recommend to City Council the text amendment with the minor changes discussed at the meeting.

PC-2015-02 CONDITIONAL USE, Kramer Elementary School, construction of a new elementary school building at the site of the existing Kramer Elementary School, 400 West Sycamore Street, Board of Education, **Talawanda School District, Applicant**

Staff presented the overall plan for the school property, to keep the current building in operation while the new school is being built then remove the existing building and replace with parking. The site elevation drops over 50 feet from southwest to northeast so the new building will be lower than Sycamore Street. The existing primary access point at North Locust Street will remain but be changed in function to non-bus traffic only. A new access point will be created farther east for buses and deliveries. There were several zoning code issues enumerated for requested waiver. The bulk of the discussion focused on site access and safety. Architect Charlie Jahnigen, Engineer Etta Reed and Talawanda CFO Mike Davis were all present to answer questions. Kramer Principal Jason Merz spoke regarding drop off coordination. School officials commented regarding the tight budget for the project.

Ms. Prue Dana provided public comment stating that she was happy to see the access easement to Miami Trail being discussed.

The Commission voted 4-0-0 to recommend approval of the Conditional use to City Council, waiving the stated zoning compliance issues and recommending the conditions as stated in the staff report.

PC-2015-03 ZONING MAP AMENDMENT, for a rezoning of 137.62 acres of land located along Bonham Road near the Four Mile Creek crossing recently annexed into the City of Oxford, formerly zoned Butler County zoning designations, proposed to be zoned City of Oxford R1A (Single-Family Low Density Residential) District and City of Oxford MU (Miami University) District, **City of Oxford, Applicant**

Staff presented this zoning map amendment for a recent annexation. The proposal was to zone the City of Oxford land and Beta Theta Pi land to R1A and the remainder would be MU zoning. There is not a government zoning district. R1A was the closest zoning designation to the current township zoning designation of A1. A large percentage of the land is undevelopable because of flood zones. Mr. Coe Potter of 5108 Bonham Road provided public comment regarding the Beta Theta Pi land stating that this would be creating a nonconforming use that does not currently exist. Ms. Pamela Kramer of 4796 and 4804 Bonham Road also provided public comment asking about the definition of single family use and what Miami could and could not do on their properties according to zoning. Staff responded to the comments. The Commission voted 4-0-0 to recommend the proposed zoning designations to City Council.

Next Meeting

The next regularly scheduled Planning meeting will take place March 10, 2015.

Approved by:

	Initial	Date
Department Head:	<u>JHC</u>	<u>2/18/15</u>
City Attorney:	<u></u>	<u></u>
City Manager:	<u>DRB</u>	<u>2/27/15</u>

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: March 3, 2015

Sam Perry
Prepared By

Account Code No. #:

February 24, 2015
Date Prepared

Budgeted Amount:

Agenda Title: Board of Zoning Appeals Meeting Report – February 18, 2015
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BZA-2015-02 201-203 S. Locust Street, Ohio Valley Goodwill Industries, variance to Section 1143.12(d)(4)(A) 60% glazing requirement on the ground floor, between 2.5' and 7' above grade, Section 1143.12(d)(6) 50% front facade finish requirement with natural materials, and Section 1149.05(a)(1) prohibited parking spaces in front yard setback, **Scott Webb, Applicant/Agent**

This property was formerly a combination of different uses. Goodwill will redevelop the property for use as a donation center and retail store. The steel garage along the south property line will be retained and modified while the two smaller buildings to the north will be removed as part of the site access improvements. Zoning Code General Business District Supplemental Regulations require at least 60% storefront window area on the front façade, as well as at least 50% natural materials such as brick. The vehicle management code prohibits parking spaces in the required 35' front yard setback area. The plans increase the storefront window percentage but fall well short of the 60% requirement. There are currently no natural materials on the façade. The plans show brick around the new entryways. There are several parking spaces on the site plan encroaching into the minimum front yard of 35 feet.

The BZA heard testimony from the applicant's presentation and deliberated the requests using the decision criteria. The BZA found that there would not be reasonable return in using this property without the requested variances because of the three street frontages of the combined parcels. This places a burden on façade requirements and the existing re-usable building location places a burden on parking location options. Additionally, the spirit and intent of the zoning code would be observed based on the increase of the façade percentages. The BZA voted 4-0-0 to approve the requested variances as presented.

BZA-2015-03 14 S. Poplar Street, Alley, variance to Section 1143.10(c)(1)A.1 3,000 square foot minimum lot size requirement in the Uptown (UP) District, Section 1137.05(c) lot reduction allowance for a nonconforming use or structure, **Scott Webb, Applicant/Agent**

This request was brought about as a result of the adjacent project at 16 South Poplar Street. The building currently under construction at 16 South Poplar Street was applied for, approved and permitted to be built with no setback along the west property line. In order to accommodate building code requirements, a perpetual 6 foot access easement between the two buildings was proposed, approved and required to be recorded prior to occupancy. The owners of the two properties had decided instead to transfer that land area rather than use the agreed upon easement. However, the reduction of the alley lot area furthers the existing nonconforming size of less than 3,000 square feet lot size required.

The BZA heard testimony about the site history from the applicant's presentation and deliberated the requests using the decision criteria. The BZA found that there was insufficient evidence to warrant granting the variances because the nonconformity would be increased and there was a method already identified to obviate the predicament. The BZA voted 3-1-0 to deny the variance requests.

Next Meeting

The March 18, 2015 BZA meeting is cancelled due to no applications. The next BZA meeting is scheduled for April 14, 2015.

Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

ANC / 2/18/15

DRE / 2/27/15