



## Agenda

### Oxford City Council

### Court House

**TUESDAY, JUNE 4, 2013**

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#### **EXECUTIVE SESSION**

##### **None.**

1. Roll Call. Richard Keebler, Mayor; Ken Bogard, Vice-Mayor; Kevin McKeehan; Bob Blackburn; Kate Rousmaniere; John Harman; Steve Snyder

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**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.

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#### **REGULAR MEETING**

**7:30 P.M.**

#### **PLEDGE OF ALLEGIANCE**

2. Approval of Agenda.

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| <p><b>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.</b></p> |
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3. Public Participation.

- A. Presentation - ShareFest Oxford - Carol Michael.
- B. Presentation - McCullough-Hyde Memorial Hospital - Bryan Hehemann.
- C. 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 May 21, 2013 City Council Meeting. (Mary Ann Eaton, Clerk of Council)



Minutes

- B. Report regarding the May 1, 2013 Historic and Architectural Preservation Commission Meeting. (Jung-Han Chen, Community Development Director)



Report

- C. Report regarding the May 14, 2013 Planning Commission Meeting. (Jung-Han Chen, Community Development Director)



Report

- D. Report regarding the May 15, 2013 Historic and Architectural Preservation Commission Special Meeting. (Jung-Han Chen, Community Development Director)



Report

- E. Report regarding the May 15, 2013 Board of Zoning Appeals Meeting. (Jung-Han Chen, Community Development Director)



Report

- F. Report regarding the May 22, 2013 Civil Service Commission Meeting. (Donna Heck, Human Resources Director)



Report

5. Resolutions - None.

6. Ordinances.

- A. First Reading.

1. An Ordinance Authorizing The Tax Budget For The Year 2014 And Directing That The Same Be Transmitted To The Butler County Auditor. (Joe Newlin, Finance Director)



Staff Report/Ordinance

2. An Ordinance Approving The Planning Commission's Recommendation For Final Plan Approval Of The Planned Development At The Former Wal-Mart Site (419 South Locust Street) To Allow A Development With Commercial And Residential Uses With Conditions. (Jung-Han Chen, Community Development Director)



Staff Report/Ordinance



Exhibit "A" one of two



Exhibit "A" two of two

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. (Note: Meetings will be held at the Court House unless otherwise indicated.)

WED - June 5 Historic and Architectural Preservation Commission Meeting 6:00 p.m.

WED - June 5 Environmental Commission Meeting 6:30 p.m. Municipal Building

TUES - June 11 Planning Commission Meeting 7:30 p.m.

MON - June 17 Housing Advisory Commission 7:00 p.m. Municipal Building

TUES - June 18 City Council Meeting 7:30 p.m.

WED - June 19 Board of Zoning Appeals Meeting 7:30 p.m.

WED - June 26 Civil Service Commission Meeting 7:00 p.m.

FRI - June 28 Community Improvement Corporation Meeting 12:00 p.m. LCNB

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

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

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

THUR - July 4 Holiday - City Offices Closed

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

MON - July 15 Housing Advisory Commission Meeting 7:00 p.m. Municipal Building

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

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

WED - July 24 Civil Service Commission Meeting 7:00 p.m.

FRI - July 26 Community Improvement Corporation Meeting 12:00 p.m. LCNB

8. Adjourn.

A Regular meeting of the Oxford City Council was called to order by Mayor Richard Keebler on Tuesday, May 21, 2013 at 7:30 p.m. Those members present were Ken Bogard, Bob Blackburn, Kevin McKeehan, Kate Rousmaniere and Steve Snyder. John Harman 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. John Detherage, Fire Chief; Mr. Jung-Han Chen, Community Development Director; Mr. Alan Kyger, Economic Development Director; Ms. Amy Blankenship, Acting Law Director, and Ms. Mary Ann Eaton, Clerk of Council.

### **PLEDGE OF ALLEGIANCE**

Mayor Keebler requested the Pledge of Allegiance.

### **APPROVAL OF AGENDA**

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

### **PUBLIC PARTICIPATION**

#### **RECOGNITION**

#### **JOHN A. JONES, POLICE LIEUTENANT**

Chief Holzworth thanked Council for taking time to recognize the City's newest Police Lieutenant. Chief Holzworth discussed the selection process noting there were 3 extremely strong candidates who had the skills, knowledge and ability to fill the position and do it well. Chief Holzworth advised staff relied heavily but not exclusively on the Ohio Association of Chiefs of Police who sent a team of 3 individuals to perform an Assessment Center. Chief Holzworth noted staff talked to people internally and also looked to the Police Advisory Board for direction. Chief Holzworth advised he compiled all of the information and made a recommendation to the City Manager who approved the promotion to Lieutenant for John Jones. Chief Holzworth discussed Lt. Jones's education and background with the City noting he first came to the City in 1997 as a Volunteer Firefighter/EMT. Chief Holzworth advised Lt. Jones and his wife Betsy had three children and were well established in the community. Chief Holzworth noted in 5 years the Oxford Police Department would undergo substantial changes and Lt. Jones would be part of the team that leads the Oxford Police Department into the future.

Lt. Jones noted it was a blessing to be given the opportunity to help lead the Police Department into the future and advised he was humbled that of the very qualified candidates he was chosen for the Lieutenant position. Lt. Jones noted he was overwhelmed by the support, encouragement and kind words he received throughout the process from people inside and outside of the Division of Police. Lt. Jones thanked Chief Holzworth and City Manager Elliott for having the confidence in him to perform the duties of Lieutenant and thanked City Council for providing the opportunity to him and for supporting the Police Department and providing them the resources they needed. Lt. Jones thanked his family members for attending the meeting this evening including his parents, sister, niece, in-laws, children (Dalton, Charlie and Wyatt), and his wife Betsy. Lt. Jones noted his hope he would live up to the expectations and that he would bring honor to the Lieutenant position.

Mayor Keebler advised he had known John since he came to Oxford as a Miami University student and joined the Oxford Fire Department. Mayor Keebler noted he knew John would do a good job. Mayor Keebler advised John was one of many young men over the years who came to Oxford to go to school and did not leave Oxford. Mayor Keebler noted he felt that said a lot for the community and for the individuals who decided to stay and help make Oxford a better community.

### **PUBLIC COMMENTS**

**Mr. Peter McCarthy**, 5990 Contreras Road, advised recent discussions regarding 'nonconformities' had been productive and noted in February, Mayor Keebler commented that people could go to the Board of Zoning Appeals if there was a problem with the new nonconformity section of the Zoning Code. Mr. McCarthy advised BZA members had informed him that they were not permitted to hear use variances. Mr. McCarthy noted he felt there would be cases where an improvement to a property should not cause a reduction in occupancy such as a house with 6 bedrooms and an occupancy permit for 6 people. Mr. McCarthy noted this also played into how people felt about the historic nature of the community and inquired if Council was really looking into having historic properties taken down. Mr. McCarthy asked for a legal opinion regarding whether the BZA could hear cases for use variances and if not, Mr. McCarthy asked if the Planning Commission and Council should look into creating an appellant process in order to be fair.

Mayor Keebler informed Mr. McCarthy that Council would get back to him once they had a chance to review the question.

**Mr. Alan Kyger**, 6164 Contreras Road, thanked Council on behalf of the Oxford Chamber of Commerce for allowing the annual Wine and Art Affair to take place in the Uptown Parks on Saturday. Mr. Kyger thanked the Service Department for their assistance with the event from 7:30 a.m. until 12:30 a.m. on Sunday. Mr. Kyger noted it was a great event and a chamber member would provide a detailed report at a later date.

### **CONSENT AGENDA**

#### **MINUTES**

Minutes of the May 7, 2013 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

#### **REPORTS**

Report regarding the May 1, 2013 Environmental Commission Meeting. (Mike Dreisbach, Service Director)

Mr. McKeehan moved to approve the consent agenda. Ms. Rousmaniere seconded. The motion passed 6-0-0.

**RESOLUTION**  
**REVISION TO THE**  
**SOLID WASTE MANAGEMENT PLAN**

A Resolution No.4750 to adopt the revision of the Solid Waste Generation Fee and amend Section VIII of the Solid Waste Management Plan of Butler County, Ohio. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised the Ohio EPA recently approved capacity increases for the Rumpke sanitary landfill just outside of Butler County in Hamilton County. Mr. Dreisbach noted the Butler County Solid Waste and Recycling District evaluated their plan for how trash was handled in the county and with the new capacity they did not need to fund a transfer station as a contingency or collect generation fees to fund that operation. Mr. Dreisbach advised the Resolution was asking for Council's support to lower the generation fee from \$2.00 per ton to \$1.00 per ton for trash generated in Butler County. Mr. Dreisbach noted the City would save \$5,000 to \$6,000 per year in surcharges and the District would continue to offer the programs the City utilized such as the curbside recycling incentive for municipalities, the Hazardous Waste Program and the Freon Appliance Recycling Program. Mr. Dreisbach advised once political subdivisions representing at least 60% of the District's population voted to approve the revision it would be deemed ratified and the rate would be lowered.

Mr. Bogard inquired if this would apply to the townships and Mr. Dreisbach advised yes.

Ms. Rousmaniere moved to adopt Resolution No. 4750. Mr. Blackburn seconded. The motion passed 6-0-0.

**RESOLUTION**  
**CONTRACT WITH**  
**ARCHITECTURAL MAINTENANCE**  
**SERVICES, LLC**

A Resolution No. 4751 accepting the bid and authorizing the City Manager to enter into a contract with Architectural Maintenance Services, LLC for improvements to the Municipal Parking Garage as set forth in the Staff Summary Report attached hereto at a cost not to exceed \$280,874.00. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised last year Council authorized a study of the parking garage and a 5 year maintenance plan was generated from the study. Mr. Dreisbach noted the City completed the work specified in the plan for years 1 and 2 last year. Mr. Dreisbach advised during the CIP process Council and staff discussed plan years 3,4 and 5 and it was decided that the City could afford to implement those plans in 2013. Mr. Dreisbach noted drawings and specifications were prepared to complete the work that was recommended for the parking garage, the project was advertised, and the City received 5 bids. Mr. Dreisbach advised the lowest bid was 16% lower than the City's estimate of probable cost and staff was recommending Council's approval of the proposed contract as outlined on page 18 of the agenda packet.

Mr. Snyder inquired why the bids came in lower than expected. Mr. Dreisbach advised the two lowest bidders had employees available and were looking for work. Mr. Dreisbach noted the project would start in July and would be finished before Miami students returned in the fall.

Mr. McKeehan inquired if the City had experience with Architectural Maintenance Services LLC. Mr. Dreisbach advised the City did not have direct experience with them however, THP the City's structural engineer worked with them frequently and gave them a good reference.

Mr. Bogard moved to adopt Resolution No. 4751. Mr. Snyder seconded. The motion passed 6-0-0.

**RESOLUTION**  
**CONTRACT WITH**  
**GREVE CHRYSLERJEEP DODGE**

A Resolution No. 4752 authorizing the City Manager to enter into a contract with Greve Chrysler Jeep Dodge for the purchase of three (3) 2013 Dodge Charger vehicles and specified options at state contract pricing at a cost not to exceed \$64,599.00. (Bob Holzworth, Police Chief)

Chief Holzworth advised the Police Department's fleet was aging and as proposed, two of the new vehicles would be assigned to the Patrol Section and one would be assigned to the Criminal Investigation Unit. Chief Holzworth noted a current C.I. Unit vehicle would be re-assigned as a pool vehicle.

Mayor Keebler inquired if the retired vehicles would be sold and Chief Holzworth advised yes.

Mr. McKeehan moved to adopt Resolution No. 4752. Ms. Rousmaniere seconded. The motion passed 6-0-0.

**ORDINANCE**  
**FIRST READING**

**ORDINANCE**  
**PROPERTY MAINTENANCE CODE**

An Ordinance No. 3215 Adopting The 2013 Edition Of The International Property Maintenance Code As Amended And Repealing Ordinance No. 3141 And Declaring An Emergency. (Jung-Han Chen, Community Development Director)

Mr. Chen advised periodically, staff reviewed rules and regulations to ensure they were updated to reflect the most recent practices and standards commonly utilized by municipalities. Mr. Chen noted adopting the 2012 International Property Maintenance Code would be beneficial to the City as it provided a precise description of dangerous structures, it provided the authority to disconnect utility services in case of an emergency and it provided the ability to issue 'stop work orders'. Mr. Chen advised staff found that a major portion of the property maintenance code was inadvertently removed through the adoption of the tall grass abatement procedure and it was critical to re-adopt those regulations into the Codified Ordinances for rental and property maintenance purposes.

Mayor Keebler advised a mistake was made when Council adopted a change to a certain code and repealed an Ordinance which eliminated the property maintenance code. Mayor Keebler noted the City had no property maintenance code in effect at this time. Mayor Keebler advised this was an emergency Ordinance due to the health, welfare and safety of the citizens of Oxford. Mayor Keebler advised the Ordinance would also update the International Property Maintenance Code from the 2003 edition to the 2012 edition.

Mr. Bogard moved to adopt Ordinance No. 3215 as an emergency. Mr. Blackburn seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Bogard, Mr. McKeehan, Ms. Rousmaniere, Mr. Snyder, Mr. Blackburn,  
Mayor Keebler (6)

NAY: None (0)

ABS: None (0)

**ORDINANCES**  
**SECOND READING**

**ORDINANCE**  
**NEW SECTION 923.16**

An Ordinance No. 3216 Repealing Oxford Codified Ordinance Section 923.16, Entitled Private Industrial Waste Treatment Facilities, And Adopting New Oxford Codified Ordinance Section 923.16, Entitled Private Industrial Waste Treatment Facilities. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised the proposed Ordinance was generated by the Environmental Commission which would prohibit the injection of treated wastewaters into lands or waters of the City. Mr. Dreisbach noted there were no changes since the First Reading of the proposed Ordinance.

Ms. Rousmaniere advised she endorsed the proposed Ordinance as introduced by the Environmental Commission and a Senior Undergraduate Student at Miami University. Ms. Rousmaniere noted it was related to the problem of hydraulic fracking which was a topic of greater concern in the northern part of the state. Ms. Rousmaniere advised a number of municipalities in this region had adopted preventive measures including the City of Cincinnati.

Ms. Rousmaniere moved to adopt Ordinance No. 3216. Mr. Snyder seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. McKeehan, Ms. Rousmaniere, Mr. Snyder, Mr. Blackburn, Mr. Bogard,  
Mayor Keebler (6)

NAY: None (0)

ABS: None (0)

**ORDINANCE**  
**NEW SECTION 931.02**

An Ordinance No. 3217 Repealing Oxford Codified Ordinance Section 931.02, Entitled Container Requirements, And Adopting New Oxford Codified Ordinance Section 931.02, Entitled Container Requirements. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised based on Council's comments during the First Reading of the Ordinance staff proposed a new Section as follows: 'The City Manager shall have the authority to provide and require the property owner to pay for additional waste wheeler tote containers should any property owner be found responsible or liable for two (2) or more citations during any twelve (12) month period for violating any provision of 931.02'

**Mr. Peter McCarthy**, 5990 Contreras Road, advised he approved of the proposed Ordinance but noted concern that during the summer months when landlords were cleaning properties they were also required to pay for refuse service which could be very expensive and there was not a lot of trash to be collected.

Ms. Rousmaniere inquired if cleaning the rental properties generated trash for collection and Mr. McCarthy advised yes, but not nearly as much during the summer months.

Mayor Keebler advised each spring and fall the City paid a substantial amount of money for Rumpke to make additional pick-ups during the student move-in and move-out periods. Mayor Keebler noted the cost for the additional pick-ups was shared by all residents and all commercial properties in Oxford. Mayor Keebler advised anyone with water service was charged for trash collection in residential areas. Mayor Keebler noted he felt the insertion of the new language in item 'e' of the Ordinance was an important addition.

Mr. Bogard moved to adopt Ordinance No. 3217. Mr. Blackburn seconded. The Ordinance was adopted by the following roll call:

AYE: Ms. Rousmaniere, Mr. Snyder, Mr. Blackburn, Mr. Bogard, Mr. McKeehan,  
Mayor Keebler (6)

NAY: None (0)

ABS: None (0)

**ORDINANCE**  
**NEW SECTION 1145.09**

An Ordinance No. 3218 Repealing Oxford Codified Ordinance Section 1145.09 Entitled Period Of Validity, And Adopting New Oxford Codified Ordinance Section 1145.09 Entitled Period Of Validity.

Mr. Chen advised the proposed Ordinance would set a period of validity for an approved preliminary planned development with the option to extend the validity twice for a period of 1 year. Mr. Chen noted an approved final planned development would be valid for one year with an option to extend the validity for one year under certain conditions.

Mayor Keebler noted the proposed Ordinance was in line with other periods of validity for approved developments.

Mr. McKeehan moved to adopt Ordinance No. 3218. Mr. Blackburn seconded. The Ordinance was adopted by the following roll call:

ABS: Mr. Snyder, Mr. Blackburn, Mr. Bogard, Mr. McKeehan, Ms. Rousmaniere,  
Mayor Keebler (6)

NAY: None (0)

ABS: None (0)

**ORDINANCE**  
**SUPPLEMENTAL BUDGET**

An Ordinance No. 3219 Amending Ordinance No. 3190. Supplemental Budget Ordinance Number 2 To Make Supplemental Appropriations For Fiscal Year 2013. (Joe Newlin, Finance Director)

Mr. Newlin advised the proposed Ordinance recognized revenue not budgeted for inheritance tax the City received recently. Mr. Newlin noted funds would be appropriated to Oxford Township for their share of the inheritance tax received from the Knolls of Oxford. Mr. Newlin advised funds would also be transferred to the Capital Equipment Fund for future purchases.

Mr. McKeehan moved to adopt Ordinance No. 3219. Mr. Snyder seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Blackburn, Mr. Bogard, Mr. McKeehan, Ms. Rousmaniere, Mr. Snyder,  
Mayor Keebler (6)

NAY: None (0)

ABS: None (0)

**DISCUSSION**  
**MERCHANT SURCHARGING**

Mayor Keebler advised under new credit card laws it was possible for the City to collect a surcharge for credit card payments which the City currently absorbed. Mayor Keebler noted Mr. Harman was interested in looking into this issue.

Mr. Newlin advised in the past merchants were not able to pass on charges from credit card companies. Mr. Newlin advised some of the stipulations associated with the implementation of the surcharging included a 30 day notice to all affected credit card companies, the City's credit card processor and the public. Mr. Newlin noted signs must be posted at all building entrances and point of acceptance notifying the card user of the actual surcharge percentage. Mr. Newlin advised the surcharge must be identified separately on the customer's receipt. Mr. Newlin noted currently the City was charged a percent of total dollars charged which was 1.59% on all utility payments received and 2.09% on all other payments.

Mayor Keebler inquired if the City's software had the ability to show the surcharge as a separate item on the customer's receipt. Mr. Newlin advised that would need to be worked out with the City's finance software provider and noted he planned to accept bids this year for a new software package. Mayor Keebler inquired how much the City billed annually for utilities and Mr. Newlin advised between five and six million dollars and 20% of that was paid by credit cards. Mr. Newlin noted he was not a proponent or an opponent of merchant surcharging and advised he researched the matter to let Council know it was something the City was able to do.

Mr. McKeehan advised he was hesitant to advocate merchant surcharging and noted he was not aware that any municipalities or major retailers had adopted this practice. Mr. McKeehan advised the credit card fees had been around for a long time and they should be factored in as part of doing business. Mr. McKeehan noted the credit rates had come down significantly over the last ten years.

Mr. Snyder inquired what the City's history was with regard to accepting credit card payments. Mr. Newlin advised sometime prior to 2008 when he came to the City. Mr. Newlin noted in a college town most students paid bills with a credit card.

The consensus of Council was to purchase the software necessary to handle the merchant surcharging when the new software package was purchased if it was feasible but not to make any changes at this time with regard to surcharges.

### **ANNOUNCEMENTS**

Mr. Elliott updated Council and the public with regard to the Glenwood Energy tax rider adjustment. Mr. Elliott noted the effect of this increase on a Glenwood Energy consumer using 100 CCF of natural gas per month would be an additional \$1.76 effective June 2013.

Mr. Elliott advised he attended the 9-1-1 Planning Committee meeting last Friday and noted there was a state requirement to reduce the number of county funded Public Safety Answering Points (PSAP) in Butler County from 6 to 5. Mr. Elliott noted the City of Hamilton and the Butler County Sheriff's Office reached a tentative agreement regarding a contract for emergency dispatch services which would reduce the number of PSAPs to 5.

Mr. Elliott advised an annexation petition would be filed soon for property located on US 27 N. Mr. Elliott noted the County Engineer was not requesting any changes to the proposed petition so signatures of land owners would be collected and the petition would be filed with the Butler County Commissioners.

Mr. Elliott advised the budget process would begin soon and the CIP meeting would take place in August.

Mr. Elliott noted he, Mr. Bogard and Ms. Rousmaniere attended the Butler County Chamber Caucus Legislative Breakfast in Fairfield. Mr. Elliott noted the speakers were Butler County Commissioners who answered questions regarding their budget, state legislation, economic development and transportation issues.

Mr. Kyger noted the closing of the BP station at the corner of High Street and College Avenue after 40 years in business. Mr. Kyger encouraged everyone to stop by there on Thursday and wish the owner well. Mr. Kyger noted the closing of Miami Beach on High Street and noted the owner had done business on High Street for a number of years. Mr. Kyger wished the owner well.

Mr. Blackburn noted volunteers were needed on Wednesday at 6:00 p.m. to place flags in the cemetery for those who passed away as veterans or members of the armed services.

Ms. Rousmaniere noted it was bicycling season and reminded everyone that bicyclists can and should ride on the road and follow the same rules as drivers including signaling. Ms. Rousmaniere encouraged bicyclists to make themselves visible and noted she wore a neon vest, a helmet and used a blinking light. Ms. Rousmaniere encouraged motorists to pay attention to bicyclists and noted every bike provided an additional parking space.

Mr. Bogard advised Don Burrell was a bicyclist who developed many trails in southwest Ohio and was retiring from OKI after 35 years. Mr. Bogard noted Mr. Burrell was instrumental in the development of the Discovery Trail which was a 6,800 mile trail across the United States.

Mr. Bogard congratulated Council on the Wine Festival noting it was a very successful event.

Mr. Snyder inquired if the results of the Planning Commission's deliberations at their last meeting would be on Council's next agenda. Mr. Elliott advised yes. Mr. Chen noted the Ordinance would include 12-15 conditions for the redevelopment of the former Wal-Mart site.

Mayor Keebler noted the Wine Festival was a great City event which was well attended and well attended by out of town people. Mayor Keebler advised he helped set-up the event in the morning and sold tickets in the afternoon. Mayor Keebler noted the Mayor of Hamilton was here and people came from as far away as Columbus. Mayor Keebler advised he appreciated the number of people who volunteered noting a lot of them had no affiliation with the Chamber of Commerce. Mayor Keebler noted this was the 6<sup>th</sup> year for the event and noted his hope it would continue.

Mr. Elliott gave special thanks to Alan Kyger for his coordination of the Wine Festival noting he had been heavily involved with the event all 6 years.

Mayor Keebler noted it was tornado season and thoughts and prayers were with the people of an Oklahoma community who suffered amazing tornado devastation. Mayor Keebler advised Butler County had a good tornado warning system which was updated a couple of years ago. Mayor Keebler noted a tornado warning didn't necessarily mean a tornado was bearing down on Oxford. Mayor Keebler advised people to turn on their television or radio when a tornado warning was issued to find out what was going on and to pay attention.

### **ADJOURN**

Mr. Bogard moved to adjourn at 8:28 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:** June 4, 2013

Sam Perry  
**Prepared By**

**Account Code No. #:**

May 30, 2013  
**Date Prepared**

**Budgeted Amount:**

**HAPC MEETING REPORT – May 1, 2013 (REGULAR)**

**Request for Review:**

**HAPC-03-2013      19-25 E. Walnut Street, Holy Trinity Episcopal Church, demolition and addition to existing main building, City Studios Architecture, Applicant Agent**

Staff presented this Request for Certificate of Appropriateness, which is two-fold: 1) demolish the existing early 1800s two story home owned by the church at 19 E. Walnut and 2) construct an addition to the existing church built in 1950.

The church proposes to replace the demolished home with a landscaped area. The proposed church addition will house classrooms, meeting space and office. It will be on the same level as the existing main floor, and extend further west, along the alley. There will be no basement space. The design of the addition will match the existing one story west wing. Because this is an expansion of a place of worship, a Conditional Use Permit review by the Planning Commission and City Council is also required.

The HAPC discussed at length the merits of the existing two story home in regards to the Uptown Historic District. The home was originally built in the early 1800s. Holy Trinity acquired the home in 1947. It currently rents the upstairs out as two single occupancy apartments and uses the downstairs for church uses. Several additions and modifications have been done over the years. The church does not want to be a landlord. It wants to focus on community and parish activities. The church submitted estimates for modernizing the house for church use even though its desire was to move the church functions all into one building. Representatives from the church explained the problems they have had over the years in maintaining and adapting the house for church use, and also explained the attempts they have made to not demolish the house. The applicant/representatives and the Commission agreed this would be a difficult decision to make because the district would be losing a historic building. After lengthy discussion, the Commission ultimately voted 4-2-1 (one recusal due to a conflict) to approve the removal/demolition of the historic home at 19 E. Walnut and replacement with the proposed landscaped area presented. The Commission waived the performance bond required for the demolition. The Commission then voted unanimously (6-0-1) (one recusal) to approve the appropriateness of the proposed addition to the existing 1950 building at 25 E. Walnut St.

The Commission discussed the Saturday walking tours, historic marker applications and then adjourned at 8:00 pm. The next meeting was held on May 15, 2013.

**Department Head:**  
**City Attorney:**  
**City Manager:**

*JHC* 5/29/13  
*DRE* 5/31/13

**CITY OF OXFORD  
STAFF SUMMARY REPORT**

**Report to the City Manager**

Community Development  
**Originating Department**

**Council Meeting Of: June 4, 2013**

**Account Code No. #:**

Jung-Han Chen  
**Prepared By**

**Budgeted Amount:**

May 21, 2013  
**Date Prepared**

|                                                          |
|----------------------------------------------------------|
| <b>PLANNING COMMISSION MEETING REPORT – May 14, 2013</b> |
|----------------------------------------------------------|

**Public Hearing:**

**PC-08-2013 419 S. Locust Street, Former Wal-Mart, FINAL PLANNED DEVELOPMENT,  
Robert Fiorita, Architect, Agent**

The applicant is seeking a Final Planned Development approval for a commercial/residential mixed-use at the currently vacant Wal-Mart site. The underlying zoning is “GB” General Business.

A Preliminary Planned Development was approved by City Council in 2007, via Ordinance No. 2958. Numerous conditions for approval stipulated for this project are listed within the Ordinance.

Since the approval of the preliminary development, a new developer received consent from the property owner and took over the development of the site. In 2008, Mr. Robert Fiorita of New Village Communities requested a Concept presentation to be made to the Planning Commission to ensure the proposal his company presented would be similar and in conformance with the approved Preliminary Plan. The revised plan showed a total of 68 units and 40,000 square feet of commercial space. The design showed a campus quad setting with a central walkway connecting the commercial area to the residential portion. The Planning Commission felt that the revised plan was envisioned for this corridor and agreed with the revised layout.

In 2012, the applicant came back to the Planning Commission for another Concept review incorporating library space as part of the commercial space, since the site had been chosen as the site for the new Oxford Lane Public Library. The total commercial space was increased from 40,000 square feet to 47,500 square feet due to the new library requiring 25,000 square feet of floor space.

The site is 11.70 acres; approximately 4 acres of commercial area and 7.6 acres of residential development. On the commercial side, the plan shows a total of 47,500 sq. ft. of commercial space, consisting of four free standing buildings, ranging in size from approximately 6,000 to 25,000 square feet. The two buildings closest to Locust Street would be one story in height, and the other two buildings further away from Locust Street would be two-story in height. The two buildings, closest to Locust Street are labeled as restaurants with outdoor dining areas, including a drive-through. The proposed library building will have a drop-box in the rear of the building. On the residential portion, there are four residential structures composed of two buildings containing (4) three dwelling-unit-buildings; one building containing (8) three dwelling-unit-buildings; and one building containing (4) three dwelling-unit-buildings with (4) two dwelling-unit-buildings for a total of 68 dwelling units. Each unit is approximately 1,500 square feet of living area and a clubhouse facility of 6,000 square feet.

The Planning Commission went through much deliberation/discussion, item by item with the applicant in relation to review comments that were provided by staff. At the conclusion of the deliberation, the Planning Commission voted 7-0-0 and voted to recommend City Council approval subject to the following conditions:

1. All aspects of the presentation made by the applicant shall be included as part of the final development approval. The construction of all of the proposed buildings for this development shall substantially reflect the renderings presented by the applicant to the Planning Commission on May 14, 2013.
2. Off-site sanitary improvements will be made by the City, according to the terms of a cost-sharing agreement to be finalized between the City and the Developer.
3. A marked crosswalk with signage shall be provided connecting the north side of Wells Mills to the southwest corner of the project, in accordance with City standards.
4. The proposed sidewalk along Locust Street and associated ramps/crosswalks shall be aligned with other off-site pedestrian facilities.
5. Earthen mounds, as required by the previous ordinance, are waived.
6. The 12 parcels shall be consolidated and combined to a maximum of three lots, pending approval upon review and concurrence of the City Attorney. The construction of the library building and the two-story commercial building shall be in concurrence with or in advance of the construction of residential development. The residential portion of the site shall be approximately 7.6 acres, while the commercial portion shall be approximately 4 acres.
7. The internal circulation pattern for all modes shall be made safe and continuous for pedestrian, vehicular, bicycle and wheelchair traffic through direct alignment of different sidewalk segments and connection through ADA compliant ramps and crosswalk markings. These include, but are not limited to:
  - a. East/West connection between (north) Locust Street entrance and Spring Street entrance, along the northern facades of the northern two commercial buildings.
  - b. East/West connection between the southern Locust Street entrance and the proposed library will be provided by along the southern facades of the southern two commercial buildings.
  - c. North/South connection between the westernmost two commercial sites, along with the western facades.
8. The layout and construction of the two westernmost outlots shall substantially conform with the perspective aerial and ground views presented to the Planning Commission and is subject to Planning Commission review and approval. No drive-through for these two outlots are approved for this Final Plan Development at this time.
9. The pedestrian path to Spring Street shall be constructed as presented to the Planning Commission.
10. Landscaping improvements shall be installed as presented by the developer to the Planning Commission and the requirement for tree islands at every 7 spaces is waived.
11. The number and size of freestanding signs will conform to the signs proposed and will be limited to property identification. Other signage shall also be limited to as presented.
12. The existing fence along the southern property line shall be maintained and repaired or replaced when necessary.
13. The northern entrance on Locust Street will be upgraded, including signal, signage and crosswalks and lane markings, striping on street, to meet City standards at the developer's expense.
14. The modifications proposed in the Traffic Impact Study related to vehicular striping; signal timing, etc., shall be approved by the City Engineer and at the developer's expense.
15. The developer will coordinate with the City of Oxford and the Butler County Regional Transit Authority in locating potential bus stops within and adjacent to the site.

**Future Discussion Items:**

No updates to report at this time.

**Next Meeting:**

The next regularly scheduled Planning Commission meeting will take place June 11, 2013.

Approved by:

|                  | Initial    | Date           |
|------------------|------------|----------------|
| Department Head: | <u>JHC</u> | <u>5/22/13</u> |
| City Attorney:   | <u></u>    | <u></u>        |
| City Manager:    | <u>DRE</u> | <u>5/31/13</u> |

**CITY OF OXFORD  
STAFF SUMMARY REPORT**

**Report to the City Manager**

Community Development  
**Originating Department**

**Council Meeting Of:** June 4, 2013

Jung-Han Chen  
**Prepared By**

**Account Code No. #:**

**Budgeted Amount:**

May 22, 2013  
**Date Prepared**

**HAPC MEETING REPORT – May 15, 2013 (SPECIAL)**

**Request for Review:**

**HAPC-02-2013** 131 W. High Street, demolition of an existing gas station, **James Robinson, Applicant, Agent**

Staff presented this Request for Appropriateness to demolish an existing gas station and seed the site for the new owner to develop the site for consideration. The current owner has entered into an agreement to sell the property to a new owner. The existing building was built around 1950-1960 and does not have any historical significance. It is one of many steps that the demolition of this gas station needs to go through. Environmental issues will also need to be addressed. Due to the environmental remediation and regulatory compliance issues, the owner also requested to waive the bond requirement for the demolition.

After a brief discussion, the Commission voted 4-0-0 to approve the request for the demolition and grass seed after the completion of the site clearance with a 6'' high barricade along High Street and the alley to prevent through traffic. Additionally, the Commission also approved waiving the bond requirement.

The meeting adjourned at 6:30 pm. The next regular meeting is scheduled for June 5, 2013.

**Department Head:**  
**City Attorney:**  
**City Manager:**

*JHC* 5/22/13  
*DRE* 5/31/13

# CITY OF OXFORD STAFF SUMMARY REPORT

Report to the City Manager

Community Development  
Originating Department

Council Meeting Of: June 4 2013

Jung-Han Chen  
Prepared By

Account Code No. #:

May 24, 2013  
Date Prepared

Budgeted Amount:

Agenda Title: **Board of Zoning Appeals Meeting Report – May 15, 2013**

**Adjudication Hearing:-**

**BZA-05-2013 5174 College Corner Pike**, Chaco Credit Union, Variance to Section 1151.05(c) Name Plate and Directional Signage; 1151.05(c)(4) Sign Size; and 1151.05(e)(4) Self-Service Facility Sign, **Triangle Sign, Applicant, Agent**

The Appellant proposed to install a 10" x 37" ATM sign above a drive-thru lane facing the opposite direction of travel. The Appellant also proposed to install a free-standing directional sign with business identification and ATM information, along with a stenciled "ATM" and directional arrows on the pavement.

The BZA concluded that the need for more signage was there but did not feel that the stenciled pavement "ATM" sign was necessary. The BZA, however, were in agreement that the Appellant could install pavement directional arrows. After staff presentation, public hearing and Board deliberation, the BZA approved 1151.05(c)(4) with a vote of 5-0-0; 1151.05(e)(4) in an approved vote of 4-1-0; and a denial of 1151.05(c) with the vote of 5-0-0.

**New Business:**

Legal Counsel updated the BZA on litigation between the City of Oxford vs. David & Pamela Kellems' mediation that took place on May 1, 2013. Both parties have reached an agreement to settle this case. This case will come back to the BZA for a variance request in June.

**Next Meeting:**

The next regularly scheduled Board of Zoning Appeals meeting will take place June 19, 2013.

Approved By:

Department Head:  
City Attorney:  
City Manager:

| Initial | Date    |
|---------|---------|
| JHC     | 5/22/13 |
| DAE     | 5/31/13 |

# CITY OF OXFORD

## STAFF SUMMARY REPORT

**Report to the City Manager**

Human Resources

**Originating Department**

**Council Meeting Of:** June 4, 2013

Kim Newton

**Account Code No. #:** N/A

**Prepared By**

**Budgeted Amount:** N/A

May 23, 2013

**Date Prepared**

**Agenda Title:** Report regarding the May 22, 2013 Civil Service Commission Meeting.

**Recommendation:**

**Discussion:** The Civil Service Commission held a regular meeting on Wednesday, May 23, 2013. Those members present were: Phil Russo, Chair; Susan Lipnickey, Vice Chair; Karen Martino; Mike Pavloff and James Burchyett.

Donna Heck, Human Resources Director; Kim Newton, Recording Secretary were in attendance for the City. Mary Smith and Don Gabbard were in attendance for the Talawanda School District.

The Commission accepted the State Personnel Board of Review, Report of Activities as well as the 2012 Human Resources Summary report.

Ms. Heck notified the Commission of the appointments of John Jones as Police Lieutenant and Jake Richardson as Sports Activities Coordinator.

The Commission approved the Custodian Eligibility List for the Talawanda School District.

The next regular meeting is scheduled for June 26, 2013 at 6:00 p.m.

**Approved By:**

**Department Head:**

**City Attorney:**

**City Manager:**

**Initial Date**

[Signature] 5/23/13

[Signature] 5/31/13

# CITY OF OXFORD

## STAFF SUMMARY REPORT

Report to the City Manager

Finance  
Originating Department

Council Meeting Of: 6/4 & 6/18

Joe Newlin  
Prepared By

Account Code No. \_\_\_\_\_

Budgeted Amount: \_\_\_\_\_

5/22/13  
Date Prepared

Agenda Title: Year 2014 Tax Budget submitted to the County

Recommendation: Approve

### Discussion:

This is the annual Tax Budget to be submitted for the coming year to the Butler County Tax Commission, in accordance with requirements stipulated by Ohio Revised Code. Approval by the legislative body is required by July 15<sup>th</sup> and it is due to the County by July 20th.

The tax budget required for the County is essentially a preliminary budget estimate for next year. Beginning in August we will undertake our normal detailed line-item budget analysis and preparation. We will spend approximately 3 months of intensive preparation on our detailed budget, and the final approved budget will then be submitted to the County Budget Commission to replace this preliminary estimate.

This tax budget provides our first glimpse at 2014's General Fund budget. We have prepared this budget with an approximately 0% change from the 2013 Budget except for a few items. It was prepared as follows:

- 1) **Income Tax Revenue:** 1.5% increase over 2013 budgeted figure an increase of \$105,093.
- 2) **Income Tax Collection Department:** Increased expenditures by \$4,219 to reflect expected increase of revenues and associated retainer paid to RITA.
- 3) **Transfer to Capital Improvement Fund:** Increased by \$100,000 to absorb the increase in income tax revenue increase.
- 4) **Transfer to Park Debt Service Fund:** Decreased by \$6,250 to match actual debt payment.
- 4) **All other revenues and expenditures remained constant.**

Please keep in mind this is just a preliminary estimate.

Ohio Revised Code requires one public hearing be held, advertised at least 10 days in advance. We have advertised the public hearing for the Council meeting of June 18<sup>th</sup>.

Approved By:

Department Head:  
City Manager:

Initial Date

*[Signature]* 5/22/13  
*[Signature]* 5/21/13

ORDINANCE NO. \_\_\_\_\_

ORDINANCE AUTHORIZING THE TAX BUDGET FOR THE YEAR 2014 AND  
DIRECTING THAT THE SAME BE TRANSMITTED TO THE BUTLER COUNTY  
AUDITOR.

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

SECTION 1: The year 2014 tax budget, attached hereto as  
Attachment A for the City of Oxford is hereby adopted and the  
Finance Director is directed to transmit a copy of said budget to  
the Butler County Auditor.

SECTION 2: This Ordinance shall take effect at the  
earliest time allowed by law.

\_\_\_\_\_  
MAYOR

ADOPTED:

ATTEST:

\_\_\_\_\_  
CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

City or  
Village of

Oxford

Butler

County, Ohio

(Date)

June 18

2013

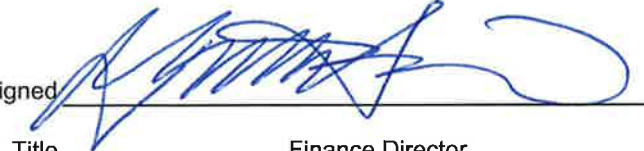
Year

This Budget must be adopted by the Council or other legislative body on or before July 15th, and two copies must be submitted to the County Auditor on or before July 20th. **FAILURE TO COMPLY WITH SEC. 5705.28 R.C. SHALL RESULT IN LOSS OF LOCAL GOVERNMENT FUND ALLOCATION.**

To the auditor of said County:

The following Budget year beginning January 1, 2014, has been adopted by Council and is herewith submitted for the consideration of the County Budget Commission.

Signed



Title

Finance Director

### SCHEDULE A

#### SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET COMMISSION AND COUNTY AUDITOR'S ESTIMATED RATES

| For Municipal Use                                                                                   |                                                                  | For Budget Commission Use                                                  |                                                                         | For County Auditor Use                             |                                   |
|-----------------------------------------------------------------------------------------------------|------------------------------------------------------------------|----------------------------------------------------------------------------|-------------------------------------------------------------------------|----------------------------------------------------|-----------------------------------|
| FUND<br><small>(Include only those funds which are requesting general property tax revenue)</small> | Budget Year Amount Requested of Budget Commission Inside/Outside | Budget Year Amount Approved by Budget Commission Inside 10 Mill Limitation | Budget Year Amount to be Derived From Levies Outside 10 Mill Limitation | County Auditor's estimate of Tax Rate to be Levied |                                   |
|                                                                                                     |                                                                  |                                                                            |                                                                         | Inside 10 Mill Limit Budget Year                   | Outside 10 Mill Limit Budget Year |
|                                                                                                     | Column 1                                                         | Column 2                                                                   | Column 3                                                                | Column 4                                           | Column 5                          |
| <b>GOVERNMENT FUNDS</b>                                                                             |                                                                  |                                                                            |                                                                         |                                                    |                                   |
| GENERAL FUND                                                                                        | 979,823                                                          |                                                                            |                                                                         |                                                    |                                   |
| SPECIAL REVENUE FUNDS                                                                               |                                                                  |                                                                            |                                                                         |                                                    |                                   |
| DEBT SERVICE FUNDS                                                                                  |                                                                  |                                                                            |                                                                         |                                                    |                                   |
| CAPITAL PROJECTS FUNDS                                                                              |                                                                  |                                                                            |                                                                         |                                                    |                                   |
| <b>PROPRIETARY FUNDS</b>                                                                            |                                                                  |                                                                            |                                                                         |                                                    |                                   |
| <b>FIDUCIARY FUNDS</b>                                                                              |                                                                  |                                                                            |                                                                         |                                                    |                                   |
| <b>AGENCY FUNDS</b>                                                                                 |                                                                  |                                                                            |                                                                         |                                                    |                                   |
| <b>TOTAL OF ALL FUNDS</b>                                                                           | <b>979,823</b>                                                   | <b>0</b>                                                                   | <b>0</b>                                                                | <b>0</b>                                           | <b>0</b>                          |

## SCHEDULE B

### LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES

[illegible]

FUND NAME: GENERAL FUND  
FUND TYPE/CLASSIFICATION : GOVERNMENTAL - GENERAL

EXHIBIT I - A

| DESCRIPTION<br>(1)                        | For 2011<br>Actual<br>(2) | For 2012<br>Actual<br>(3) | Current Year<br>Estimated for<br>2013<br>(4) | Budget Year<br>Estimated for<br>2014<br>(5) |
|-------------------------------------------|---------------------------|---------------------------|----------------------------------------------|---------------------------------------------|
| <b>REVENUES</b>                           |                           |                           |                                              |                                             |
| Local Taxes                               |                           |                           |                                              |                                             |
| General Property Tax - Real Estate        | 991,899.00                | 969,636.00                | 979,823.00                                   | 979,823.00                                  |
| 10% Rollback & Homestead                  | 95,222.00                 | 96,307.00                 | 96,777.00                                    | 96,777.00                                   |
| Tangible Personal Property Tax            | 8,974.00                  | 56.00                     | -                                            | -                                           |
| Municipal Income Tax                      | 6,712,608.00              | 6,813,679.00              | 7,005,530.00                                 | 7,110,623.00                                |
| Other Local Taxes                         | 178,385.00                | 178,476.00                | 170,745.00                                   | 170,745.00                                  |
| Total Local Taxes                         | 7,987,088.00              | 8,058,154.00              | 8,252,875.00                                 | 8,357,968.00                                |
| Intergovernmental Revenues                |                           |                           |                                              |                                             |
| State Shared Taxes and Permits            | 78,573.00                 | 54,649.00                 | 39,896.00                                    | 39,896.00                                   |
| Local Government                          | 640,658.00                | 399,724.00                | 306,799.00                                   | 306,799.00                                  |
| Estate Tax                                | 308,438.00                | 358,597.00                | 255,570.00                                   | -                                           |
| Cigarette Tax                             | 800.00                    | 756.00                    | 750.00                                       | 750.00                                      |
| License Tax                               | -                         | -                         | -                                            | -                                           |
| Liquor and Beer Permits                   | 40,604.00                 | 37,424.00                 | 34,000.00                                    | 34,000.00                                   |
| Gasoline Tax                              | -                         | -                         | -                                            | -                                           |
| Library and Local Government Support Fund | -                         | -                         | -                                            | -                                           |
| Property Tax Allocation                   | -                         | -                         | -                                            | -                                           |
| Other State Shared Taxes and Permits      | -                         | -                         | -                                            | -                                           |
| Total State Shared Taxes and Permits      | 1,069,073.00              | 851,150.00                | 637,015.00                                   | 381,445.00                                  |
| Federal Grants or Aid                     | 13,954.00                 | 35,287.00                 | 8,000.00                                     | 8,000.00                                    |
| State Grants or Aid                       | 19,289.00                 | 16,910.00                 | 15,219.00                                    | 15,219.00                                   |
| Other Grants or Aid                       | 42,316.00                 | 31,223.00                 | 25,000.00                                    | 25,000.00                                   |
| Total Intergovernmental Revenues          | 1,144,632.00              | 934,570.00                | 685,234.00                                   | 429,664.00                                  |
| Special Assessments                       | -                         | -                         | -                                            | -                                           |
| Charges for Services                      | 396,177.00                | 422,552.00                | 409,285.00                                   | 409,285.00                                  |
| Fines, Licenses, and Permits              | 643,349.00                | 593,569.00                | 613,650.00                                   | 613,650.00                                  |
| Miscellaneous                             | 178,543.00                | 268,313.00                | 148,451.00                                   | 148,451.00                                  |
| Other Financing Sources:                  |                           |                           |                                              |                                             |
| Proceeds from Sale of Debt                | -                         | -                         | -                                            | -                                           |
| Transfers                                 | 136,131.00                | 137,038.00                | 139,779.00                                   | 139,779.00                                  |
| Advances                                  | 245,000.00                | 2,200,000.00              | 2,367,500.00                                 | -                                           |
| Other Sources                             |                           |                           |                                              |                                             |
| <b>TOTAL REVENUES</b>                     | <b>10,730,920.00</b>      | <b>12,614,196.00</b>      | <b>12,616,774.00</b>                         | <b>10,098,797.00</b>                        |

FUND NAME: GENERAL FUND  
FUND TYPE/CLASSIFICATION : GOVERNMENTAL - GENERAL

EXHIBIT I - B

| DESCRIPTION<br>(1)                     | For 2011<br>Actual<br>(2) | For 2012<br>Actual<br>(3) | Current Year<br>Estimated for<br>2013<br>(4) | Budget Year<br>Estimated for<br>2014<br>(5) |
|----------------------------------------|---------------------------|---------------------------|----------------------------------------------|---------------------------------------------|
| <b>EXPENDITURES</b>                    |                           |                           |                                              |                                             |
| Security of Persons and Property       |                           |                           |                                              |                                             |
| Personal Services                      | 3,616,053.00              | 3,688,777.00              | 4,055,667.00                                 | 4,055,667.00                                |
| Travel Transportation                  | -                         | -                         | -                                            | -                                           |
| Contractual Services                   | 512,258.00                | 495,684.00                | 571,266.00                                   | 571,266.00                                  |
| Supplies and Materials                 | -                         | -                         | -                                            | -                                           |
| Capital Outlay                         | 600.00                    | -                         | -                                            | -                                           |
| Total Security of Persons and Property | 4,128,911.00              | 4,184,461.00              | 4,626,933.00                                 | 4,626,933.00                                |
| Public Health Services                 |                           |                           |                                              |                                             |
| Personal Services                      | -                         | -                         | -                                            | -                                           |
| Travel Transportation                  | -                         | -                         | -                                            | -                                           |
| Contractual Services                   | 124,204.00                | 127,693.00                | 133,616.00                                   | 133,616.00                                  |
| Supplies and Materials                 | -                         | -                         | -                                            | -                                           |
| Capital Outlay                         | -                         | -                         | -                                            | -                                           |
| Total Public Health Services           | 124,204.00                | 127,693.00                | 133,616.00                                   | 133,616.00                                  |
| Leisure Time Activities                |                           |                           |                                              |                                             |
| Personal Services                      | 888,451.00                | 934,634.00                | 963,001.00                                   | 963,001.00                                  |
| Travel Transportation                  | -                         | -                         | -                                            | -                                           |
| Contractual Services                   | 365,793.00                | 393,995.00                | 395,690.00                                   | 395,690.00                                  |
| Supplies and Materials                 | -                         | -                         | -                                            | -                                           |
| Capital Outlay                         | -                         | -                         | -                                            | -                                           |
| Total Leisure Time Activities          | 1,254,244.00              | 1,328,629.00              | 1,358,691.00                                 | 1,358,691.00                                |
| Community Environment                  |                           |                           |                                              |                                             |
| Personal Services                      | 463,159.00                | 450,941.00                | 503,840.00                                   | 503,840.00                                  |
| Travel Transportation                  | -                         | -                         | -                                            | -                                           |
| Contractual Services                   | 339,337.00                | 323,394.00                | 326,903.00                                   | 326,903.00                                  |
| Supplies and Materials                 | -                         | -                         | -                                            | -                                           |
| Capital Outlay                         | 9,382.00                  | -                         | -                                            | -                                           |
| Total Community Environment            | 811,878.00                | 774,335.00                | 830,743.00                                   | 830,743.00                                  |
| Basic Utility Services                 |                           |                           |                                              |                                             |
| Personal Services                      |                           |                           |                                              |                                             |
| Travel Transportation                  |                           |                           |                                              |                                             |
| Contractual Services                   |                           |                           |                                              |                                             |
| Supplies and Materials                 |                           |                           |                                              |                                             |
| Capital Outlay                         |                           |                           |                                              |                                             |
| Total Basic Utility Services           | -                         | -                         | -                                            | -                                           |

FUND NAME: GENERAL FUND  
FUND TYPE/CLASSIFICATION : GOVERNMENTAL - GENERAL

EXHIBIT I - C

| DESCRIPTION<br>(1)                               | For 2011<br>Actual<br>(2) | For 2012<br>Actual<br>(3) | Current Year<br>Estimated for<br>2013<br>(4) | Budget Year<br>Estimated for<br>2014<br>(5) |
|--------------------------------------------------|---------------------------|---------------------------|----------------------------------------------|---------------------------------------------|
| <b>EXPENDITURES</b>                              |                           |                           |                                              |                                             |
| Transportation                                   |                           |                           |                                              |                                             |
| Personal Services                                | -                         | -                         | -                                            | -                                           |
| Travel Transportation                            | -                         | -                         | -                                            | -                                           |
| Contractual Services                             | -                         | -                         | -                                            | -                                           |
| Supplies and Materials                           | -                         | -                         | -                                            | -                                           |
| Capital Outlay                                   | -                         | -                         | -                                            | -                                           |
| Total Transportation                             | -                         | -                         | -                                            | -                                           |
| General Government                               |                           |                           |                                              |                                             |
| Personal Services                                | 813,463.00                | 833,895.00                | 869,330.00                                   | 869,330.00                                  |
| Travel Transportation                            | -                         | -                         | -                                            | -                                           |
| Contractual Services                             | 912,860.00                | 798,416.00                | 957,476.00                                   | 855,612.00                                  |
| Supplies and Materials                           | -                         | -                         | -                                            | -                                           |
| Capital Outlay                                   | -                         | -                         | -                                            | -                                           |
| Total General Government                         | 1,726,323.00              | 1,632,311.00              | 1,826,806.00                                 | 1,724,942.00                                |
| Debt Service                                     |                           |                           |                                              |                                             |
| Redemption of Principal                          | -                         | -                         | -                                            | -                                           |
| Interest                                         | -                         | -                         | -                                            | -                                           |
| Other Debt Service                               | -                         | -                         | -                                            | -                                           |
| Total Debt Service                               | -                         | -                         | -                                            | -                                           |
| Other Uses of Funds                              |                           |                           |                                              |                                             |
| Transfers                                        | 1,461,919.00              | 1,894,288.00              | 1,384,888.00                                 | 1,338,638.00                                |
| Advances                                         | 645,000.00                | 2,200,000.00              | 2,367,500.00                                 | -                                           |
| Contingencies                                    | 46,499.00                 | -                         | 78,000.00                                    | 78,000.00                                   |
| Other Uses of Funds                              | -                         | -                         | -                                            | -                                           |
| Total Other Uses of Funds                        | 2,153,418.00              | 4,094,288.00              | 3,830,388.00                                 | 1,416,638.00                                |
| <b>TOTAL EXPENDITURES</b>                        | <b>10,198,978.00</b>      | <b>12,141,717.00</b>      | <b>12,607,177.00</b>                         | <b>10,091,563.00</b>                        |
| Revenues over/(under) Expenditures               | 531,942.00                | 472,479.00                | 9,597.00                                     | 7,234.00                                    |
| Beginning Cash Balance                           | 6,791,725.56              | 7,323,667.56              | 8,115,881.51                                 | 8,125,478.44                                |
| Ending Cash Fund Balance                         | 7,323,667.56              | 7,796,146.56              | 8,125,478.51                                 | 8,132,712.44                                |
| Rounding                                         | (0.16)                    | 0.29                      | (0.07)                                       |                                             |
| Outstanding Advances to be repaid                | 400,000.00                | 400,000.00                | -                                            | -                                           |
| Estimated Encumbrances (outstanding at year end) | 85,709.65                 | 80,265.34                 | -                                            | -                                           |
| Estimated Ending Unencumbered Fund Balance       | 7,637,957.75              | 8,115,881.51              | 8,125,478.44                                 | 8,132,712.44                                |

## EXHIBIT II -A

| FUND<br>List All Funds Individually Unless<br>Reported on Exhibit I or II | Estimated<br>Unencumbered<br>Fund Balance<br>1/1/2014 | Budget Year<br>Estimated<br>Receipt | Total Available<br>For<br>Expenditures | Personal Services   | Other               | Total               | Estimated<br>Unencumbered<br>Fund Balance<br>12/31/2014 |
|---------------------------------------------------------------------------|-------------------------------------------------------|-------------------------------------|----------------------------------------|---------------------|---------------------|---------------------|---------------------------------------------------------|
| GOVERNMENTAL:<br>SPECIAL SERVICE:                                         |                                                       |                                     |                                        |                     |                     |                     |                                                         |
| Street                                                                    | 186,476.49                                            | 766,585.00                          | 953,061.49                             | 611,486.00          | 187,000.00          | 798,486.00          | 154,575.49                                              |
| State Highway Improvement                                                 | 11,246.79                                             | 20,223.00                           | 31,469.79                              |                     | 25,000.00           | 25,000.00           | 6,469.79                                                |
| Community Development Block Grant                                         | 185,000.00                                            | 95,000.00                           | 280,000.00                             |                     | 130,000.00          | 130,000.00          | 150,000.00                                              |
| Community Development Block Loan                                          | 197,053.08                                            | 101,917.00                          | 298,970.08                             |                     | 100,000.00          | 100,000.00          | 198,970.08                                              |
| Parking Meter                                                             | 600,408.32                                            | 665,971.00                          | 1,266,379.32                           | 384,059.00          | 302,005.00          | 686,064.00          | 580,315.32                                              |
| Life Squad                                                                | 25,087.77                                             | 5,557.00                            | 30,644.77                              |                     | 5,500.00            | 5,500.00            | 25,144.77                                               |
| Affordable Housing Trust                                                  | 5,511.44                                              | 12.00                               | 5,523.44                               |                     |                     | 0.00                | 5,523.44                                                |
| Law Enforcement Trust                                                     | 148,834.16                                            | 41,270.00                           | 190,104.16                             |                     | 12,000.00           | 12,000.00           | 178,104.16                                              |
| Enforcement & Education                                                   | 186,693.11                                            | 84,457.00                           | 271,150.11                             | 47,000.00           | 27,580.00           | 74,580.00           | 196,570.11                                              |
| FEMA Grant                                                                | 0.00                                                  |                                     | 0.00                                   |                     |                     | 0.00                | 0.00                                                    |
| Fire/EMS                                                                  | 831,385.33                                            | 1,549,901.00                        | 2,381,286.33                           | 1,060,689.00        | 396,456.00          | 1,457,145.00        | 924,141.33                                              |
| <b>TOTAL SPECIAL REVENUE FUNDS</b>                                        | <b>2,377,696.49</b>                                   | <b>3,330,893.00</b>                 | <b>5,708,589.49</b>                    | <b>2,103,234.00</b> | <b>1,185,541.00</b> | <b>3,288,775.00</b> | <b>2,419,814.49</b>                                     |

## EXHIBIT II - B

| FUND<br>List All Funds Individually Unless<br>Reported on Exhibit I or II | Estimated<br>Unencumbered<br>Fund Balance<br>1/1/2014 | Budget Year<br>Estimated<br>Receipt | Total Available<br>For<br>Expenditures | Personal Services | Other      | Total      | Estimated<br>Unencumbered<br>Fund Balance<br>12/31/2014 |
|---------------------------------------------------------------------------|-------------------------------------------------------|-------------------------------------|----------------------------------------|-------------------|------------|------------|---------------------------------------------------------|
| DEBT SERVICE FUNDS                                                        |                                                       |                                     |                                        |                   |            |            |                                                         |
| 1999 Parks Imp.Bond Debt Service                                          | 0.00                                                  | 306,800.00                          | 306,800.00                             |                   | 306,800.00 | 306,800.00 | 0.00                                                    |
| TOTAL DEBIT SERVICE FUNDS                                                 | 0.00                                                  | 306,800.00                          | 306,800.00                             | 0.00              | 306,800.00 | 306,800.00 | 0.00                                                    |
| CAPITAL PROJECT FUNDS                                                     |                                                       |                                     |                                        |                   |            |            |                                                         |
| Capital Equipment                                                         | 1,007,834.85                                          | 75,000.00                           | 1,082,834.85                           |                   | 75,000.00  | 75,000.00  | 1,007,834.85                                            |
| Capital Improvement                                                       | 1,139,158.87                                          | 435,688.00                          | 1,574,846.87                           |                   | 435,688.00 | 435,688.00 | 1,139,158.87                                            |
| Parking Lot Improvement                                                   | 727.35                                                | 40,000.00                           | 40,727.35                              |                   | 40,000.00  | 40,000.00  | 727.35                                                  |
| TOTAL CAPITAL PROJECTS                                                    | 2,147,721.07                                          | 550,688.00                          | 2,698,409.07                           |                   | 550,688.00 | 550,688.00 | 2,147,721.07                                            |
| Special Assessment                                                        | 30,103.96                                             | 30,000.00                           | 60,103.96                              |                   | 30,000.00  | 30,000.00  | 30,103.96                                               |
| TOTAL SPECIAL ASSESSMENT                                                  | 30,103.96                                             | 30,000.00                           | 60,103.96                              | 0.00              | 30,000.00  | 30,000.00  | 30,103.96                                               |

0.00  
0.00  
0.00

## EXHIBIT II - C

| FUND<br>List All Funds Individually Unless<br>Reported on Exhibit I or II | Estimated<br>Unencumbered<br>Fund Balance<br>1/1/2014 | Budget Year<br>Estimated<br>Receipt | Total Available<br>For<br>Expenditures | Personal Services   | Other               | Total               | Estimated<br>Unencumbered<br>Fund Balance<br>12/31/2014 |
|---------------------------------------------------------------------------|-------------------------------------------------------|-------------------------------------|----------------------------------------|---------------------|---------------------|---------------------|---------------------------------------------------------|
| <b>PROPRIETARY:<br/>ENTERPRISE FUNDS</b>                                  |                                                       |                                     |                                        |                     |                     |                     |                                                         |
| Water Bond Debt Service Fund                                              | 0.00                                                  | 887,400.00                          | 887,400.00                             |                     | 887,400.00          | 887,400.00          | 0.00                                                    |
| Water Capital Equipment Fund                                              | 50,308.84                                             | 85,000.00                           | 135,308.84                             |                     | 85,000.00           | 85,000.00           | 50,308.84                                               |
| Water Operating Fund                                                      | 1,760,033.48                                          | 2,617,374.00                        | 4,377,407.48                           | 1,217,479.00        | 1,730,688.00        | 2,948,167.00        | 1,429,240.48                                            |
| Water Improvement Fund                                                    | 1,745,876.61                                          | 100,000.00                          | 1,845,876.61                           |                     | 100,000.00          | 100,000.00          | 1,745,876.61                                            |
| Water Capital Benefit Fund NE                                             | 224,019.12                                            | 485.00                              | 224,504.12                             |                     |                     | 0.00                | 224,504.12                                              |
| Water Capital Benefit Fund NW                                             | 241,000.47                                            | 540.00                              | 241,540.47                             |                     |                     | 0.00                | 241,540.47                                              |
| Water Capital Benefit Fund SE                                             | 260,099.48                                            | 640.00                              | 260,739.48                             |                     |                     | 0.00                | 260,739.48                                              |
| Water Capital Benefit Fund SW                                             | 58,180.03                                             | 215.00                              | 58,395.03                              |                     |                     | 0.00                | 58,395.03                                               |
| Sewer Capital Equipment Fund                                              | 604,153.65                                            | 170,000.00                          | 774,153.65                             |                     | 170,000.00          | 170,000.00          | 604,153.65                                              |
| Sewer Operating Fund                                                      | 2,296,867.57                                          | 2,897,872.00                        | 5,194,739.57                           | 1,381,367.00        | 1,751,177.00        | 3,132,544.00        | 2,062,195.57                                            |
| Sewer Improvement Fund                                                    | 540,185.10                                            | 200,000.00                          | 740,185.10                             |                     | 200,000.00          | 200,000.00          | 540,185.10                                              |
| Sewer Capital Benefit Fund NE                                             | 156,975.30                                            | 451.00                              | 157,426.30                             |                     |                     | 0.00                | 157,426.30                                              |
| Sewer Capital Benefit Fund NW                                             | 101,793.40                                            | 550.00                              | 102,343.40                             |                     |                     | 0.00                | 102,343.40                                              |
| Sewer Capital Benefit Fund SE                                             | 261,413.10                                            | 656.00                              | 262,069.10                             |                     |                     | 0.00                | 262,069.10                                              |
| Sewer Capital Benefit Fund SW                                             | 6,894.02                                              | 339.00                              | 7,233.02                               |                     |                     | 0.00                | 7,233.02                                                |
| Refuse Fund                                                               | 1,820,344.03                                          | 1,869,380.00                        | 3,689,724.03                           | 127,144.00          | 1,779,654.00        | 1,906,798.00        | 1,782,926.03                                            |
| Stormwater Utility Fund                                                   | 12,049.51                                             | 40,000.00                           | 52,049.51                              |                     | 40,000.00           | 40,000.00           | 12,049.51                                               |
| Landfill Post-Closure Fund                                                | 901,280.60                                            | 6,250.00                            | 907,530.60                             |                     | 108,000.00          | 108,000.00          | 799,530.60                                              |
| <b>TOTAL ENTERPRISE FUNDS</b>                                             | <b>11,041,474.31</b>                                  | <b>8,877,152.00</b>                 | <b>19,918,626.31</b>                   | <b>2,725,990.00</b> | <b>6,851,919.00</b> | <b>9,577,909.00</b> | <b>10,340,717.31</b>                                    |

## EXHIBIT II - D

| FUND<br>List All Funds Individually Unless<br>Reported on Exhibit I or II | Estimated<br>Unencumbered<br>Fund Balance<br>1/1/2014 | Budget Year<br>Estimated<br>Receipt | Total Available<br>For<br>Expenditures | Personal Services | Other         | Total         | Estimated<br>Unencumbered<br>Fund Balance<br>12/31/2014 |
|---------------------------------------------------------------------------|-------------------------------------------------------|-------------------------------------|----------------------------------------|-------------------|---------------|---------------|---------------------------------------------------------|
| INTERNAL SERVICE FUNDS                                                    |                                                       |                                     |                                        |                   |               |               |                                                         |
| Internal Service Fund                                                     | 40,635.17                                             | 276,551.00                          | 317,186.17                             |                   | 274,509.00    | 274,509.00    | 42,677.17                                               |
| Employee Benefits Fund                                                    | 356,610.31                                            | 1,641,902.00                        | 1,998,512.31                           |                   | 1,641,335.00  | 1,641,335.00  | 357,177.31                                              |
| TOTAL INTERNAL SERVICE FUNDS                                              | 397,245.48                                            | 1,918,453.00                        | 2,315,698.48                           | 0.00              | 1,915,844.00  | 1,915,844.00  | 399,854.48                                              |
| FIDUCIARY:                                                                |                                                       |                                     |                                        |                   |               |               |                                                         |
| TRUST AND AGENCY FUNDS                                                    |                                                       |                                     |                                        |                   |               |               |                                                         |
| Board of Building Standards Fund                                          | 0.00                                                  | 2,850.00                            | 2,850.00                               |                   | 2,850.00      | 2,850.00      | 0.00                                                    |
| Hotel Tax Agency Fund                                                     | 7,475.36                                              | 170,745.00                          | 178,220.36                             |                   | 169,689.00    | 169,689.00    | 8,531.36                                                |
| Oxford Natural Gas Refund Agency Fund                                     | 2,857.65                                              | 7.00                                | 2,864.65                               |                   | 150.00        | 150.00        | 2,714.65                                                |
| TOTAL TRUST AND AGENCY FUNDS                                              | 10,333.01                                             | 173,602.00                          | 183,935.01                             | 0.00              | 172,689.00    | 172,689.00    | 11,246.01                                               |
|                                                                           |                                                       |                                     |                                        |                   |               |               |                                                         |
| TOTAL FOR MEMORANDUM ONLY                                                 | 16,004,574.32                                         | 15,187,588.00                       | 31,192,162.32                          | 4,829,224.00      | 11,013,481.00 | 15,842,705.00 | 15,349,457.32                                           |

**EXHIBIT III**

[illegible]

FUND NAME: GENERAL FUND  
FUND TYPE/CLASSIFICATION: GOVERNMENTAL - GENERAL  
REVENUES PG 1 OF 1

DESCRIPTION

| DESCRIPTION                               | For 2011   |            | For 2012   | Adjusted         | Explanation for Changes from prior year |                                   |
|-------------------------------------------|------------|------------|------------|------------------|-----------------------------------------|-----------------------------------|
|                                           | Actual     | Actual     | Actual     | Budget Year 2013 | Estimate for Budget 2014                | % increase over prior year budget |
| REVENUES                                  |            |            |            |                  |                                         |                                   |
| Local Taxes                               |            |            |            |                  |                                         |                                   |
| General Property Tax - Real Estate        | 991,899    | 969,636    | 979,823    | 979,823          | 979,823                                 | 0.00%                             |
| 10% Rollback & Homestead, Trailer         | 95,222     | 96,307     | 96,777     | 96,777           | 96,777                                  | 0.00%                             |
| Tangible Personal Property Tax            | 8,974      | 56         | 0          | 0                | 0                                       | 0.00%                             |
| Municipal Income Tax                      | 6,712,608  | 6,813,679  | 7,005,530  | 7,005,530        | 7,110,623                               | 1.50%                             |
| Other Local Taxes (Hotel tax)             | 178,385    | 178,476    | 170,745    | 170,745          | 170,745                                 | 0.00%                             |
| Total Local Taxes                         | 7,987,088  | 8,058,154  | 8,252,875  | 8,252,875        | 8,357,968                               | 1.27%                             |
| 105,093                                   |            |            |            |                  |                                         |                                   |
| Intergovernmental Revenues                |            |            |            |                  |                                         |                                   |
| State Shared Taxes and Permits            | 78,573     | 54,649     | 39,896     | 39,896           | 39,896                                  | 0.00%                             |
| Local Government                          | 640,658    | 399,724    | 306,799    | 306,799          | 306,799                                 | 0.00%                             |
| Estate Tax                                | 308,438    | 358,597    | 255,570    | 255,570          | 0                                       | 0.00%                             |
| Cigarette Tax                             | 800        | 756        | 750        | 750              | 750                                     | 0.00%                             |
| License Tax                               |            |            |            |                  |                                         |                                   |
| Liquor and Beer Permits                   | 40,604     | 37,424     | 34,000     | 34,000           | 34,000                                  | 0.00%                             |
| Gasoline Tax                              |            |            |            |                  |                                         |                                   |
| Library and Local Government Support Fund |            |            |            |                  |                                         |                                   |
| Property Tax Allocation                   |            |            |            |                  |                                         |                                   |
| Other State Shared Taxes and Permits      | 1,069,073  | 851,150    | 637,015    | 637,015          | 381,445                                 | -40.12%                           |
| Total State Shared Taxes and Permits      |            |            |            |                  |                                         | (255,570)                         |
| Federal Grants or Aid                     | 13,954     | 35,287     | 8,000      | 8,000            | 8,000                                   | 0.00%                             |
| State Grants or Aid                       | 19,289     | 16,910     | 15,219     | 15,219           | 15,219                                  | 0.00%                             |
| Other Grants or Aid                       | 42,316     | 31,223     | 25,000     | 25,000           | 25,000                                  | 0.00%                             |
| Total Intergovernmental Revenues          | 75,559     | 83,420     | 48,219     | 48,219           | 48,219                                  | 0.00%                             |
| 0                                         |            |            |            |                  |                                         |                                   |
| Special Assessments                       |            |            |            |                  |                                         |                                   |
| Charges for Services                      | 396,177    | 422,552    | 409,285    | 409,285          | 409,285                                 | 0.00%                             |
| Fines, Licenses, and Permits              | 643,349    | 593,569    | 613,650    | 613,650          | 613,650                                 | 0.00%                             |
| Miscellaneous                             | 178,543    | 268,313    | 148,451    | 148,451          | 148,451                                 | 0.00%                             |
| Other Financing Sources:                  |            |            |            |                  |                                         |                                   |
| Proceeds from Sale of Debt                |            |            |            |                  |                                         |                                   |
| Transfers                                 | 136,131    | 137,038    | 139,779    | 139,779          | 139,779                                 | 0.00%                             |
| Advances                                  | 245,000    | 2,200,000  | 2,367,500  | 2,367,500        | 0                                       | -100.00%                          |
| Other Sources                             |            |            |            |                  |                                         |                                   |
| TOTAL REVENUE                             | 10,730,920 | 12,614,196 | 12,616,774 | 12,616,774       | 10,098,797                              | -19.96%                           |
| (150,477)                                 |            |            |            |                  |                                         |                                   |
| Security of Persons & Property            |            |            |            |                  |                                         |                                   |
| Public Health & Welfare                   |            |            |            |                  |                                         |                                   |
| Leisure Time Activities                   |            |            |            |                  |                                         |                                   |
| Community Environment                     |            |            |            |                  |                                         |                                   |
| General Government                        |            |            |            |                  |                                         |                                   |
| Transfers                                 |            |            |            |                  |                                         |                                   |
| Advances                                  |            |            |            |                  |                                         |                                   |
| Contingency                               |            |            |            |                  |                                         |                                   |
| TOTAL EXPENSES                            |            |            | 78,000     | 78,000           | 78,000                                  |                                   |
| 10,091,563                                |            |            |            |                  |                                         |                                   |
| NET GAIN/(LOSS)                           |            |            |            |                  |                                         |                                   |
| 7,234                                     |            |            |            |                  |                                         |                                   |

FUND NAME: GENERAL FUND  
FUND TYPE/CLASSIFICATION: GOVERNMENTAL - GENERAL

EXPENDITURES

revision to the % increase

0.00% 0.00%

Plug this % to make exp bal to revenue, shows what % increase in exp we can afford.1

| Increase over PRIOR YR:        |                   |           |                |            |                   |           |                |            |   |
|--------------------------------|-------------------|-----------|----------------|------------|-------------------|-----------|----------------|------------|---|
| 2011 Actual                    |                   |           |                |            |                   |           |                |            |   |
| 2012 Actual                    |                   |           |                |            |                   |           |                |            |   |
| 2013 Estimate                  |                   |           |                |            |                   |           |                |            |   |
| 2014 Tax Budget                |                   |           |                |            |                   |           |                |            |   |
| Dept                           | Personal Services | Operating | Capital Outlay | total      | Personal Services | Operating | Capital Outlay | total      |   |
| Security of Persons & Property |                   |           |                |            |                   |           |                |            |   |
| 110                            | 2,814,963         | 251,227   | 600            | 3,066,790  | 2,876,215         | 260,034   | 0              | 3,136,249  | 0 |
| 120                            | 31,491            | 39,061    | 0              | 69,552     | 32,719            | 34,863    | 0              | 67,582     | 0 |
| 130                            | 50,616            | 14,480    | 0              | 65,096     | 49,397            | 13,775    | 0              | 63,172     | 0 |
| 140                            | 718,963           | 133,600   | 0              | 852,563    | 730,446           | 111,816   | 0              | 842,262    | 0 |
| 150                            | 0                 | 0         | 0              | 0          | 0                 | 0         | 0              | 0          | 0 |
| 151                            | 0                 | 0         | 0              | 0          | 0                 | 0         | 0              | 0          | 0 |
| 160                            | 0                 | 0         | 0              | 0          | 0                 | 0         | 0              | 0          | 0 |
| 170                            | 0                 | 74,890    | 0              | 74,890     | 0                 | 75,196    | 0              | 75,196     | 0 |
| Total                          | 3,616,053         | 512,258   | 600            | 4,128,911  | 3,688,777         | 495,684   | 0              | 4,184,461  | 0 |
| Public Health & Welfare        |                   |           |                |            |                   |           |                |            |   |
| 210                            | 0                 | 10,484    | 0              | 10,484     | 0                 | 9,325     | 0              | 9,325      | 0 |
| 220                            | 0                 | 6,574     | 0              | 6,574      | 0                 | 6,419     | 0              | 6,419      | 0 |
| 221                            | 0                 | 107,146   | 0              | 107,146    | 0                 | 111,949   | 0              | 111,949    | 0 |
| Total                          | 0                 | 124,204   | 0              | 124,204    | 0                 | 127,693   | 0              | 127,693    | 0 |
| Leisure Time Activities        |                   |           |                |            |                   |           |                |            |   |
| 290                            | 25,466            | 18,469    | 0              | 43,935     | 24,387            | 25,189    | 0              | 49,576     | 0 |
| 291                            | 0                 | 0         | 0              | 0          | 0                 | 0         | 0              | 0          | 0 |
| 610                            | 53,663            | 46,497    | 0              | 100,160    | 54,109            | 49,435    | 0              | 103,544    | 0 |
| 620                            | 422,349           | 180,483   | 0              | 602,832    | 443,669           | 195,277   | 0              | 638,946    | 0 |
| 630                            | 237,455           | 114,204   | 0              | 351,659    | 258,473           | 116,331   | 0              | 374,804    | 0 |
| 680                            | 149,518           | 6,140     | 0              | 155,658    | 153,996           | 7,763     | 0              | 161,759    | 0 |
| Total                          | 888,451           | 365,793   | 0              | 1,254,244  | 934,634           | 393,995   | 0              | 1,328,629  | 0 |
| Community Environment          |                   |           |                |            |                   |           |                |            |   |
| 310                            | 307,325           | 27,000    | 5,482          | 339,807    | 293,594           | 17,745    | 0              | 311,339    | 0 |
| 320                            | 60,220            | 241,915   | 3,900          | 306,035    | 62,018            | 247,977   | 0              | 309,995    | 0 |
| 330                            | 0                 | 0         | 0              | 0          | 0                 | 0         | 0              | 0          | 0 |
| 335                            | 0                 | 23,000    | 0              | 23,000     | 0                 | 22,500    | 0              | 22,500     | 0 |
| 345                            | 0                 | 26,560    | 0              | 26,560     | 0                 | 33,347    | 0              | 33,347     | 0 |
| 360                            | 95,614            | 20,862    | 0              | 116,476    | 95,329            | 1,825     | 0              | 97,154     | 0 |
| Total                          | 463,159           | 339,337   | 9,382          | 811,878    | 450,941           | 323,394   | 0              | 774,335    | 0 |
| General Government             |                   |           |                |            |                   |           |                |            |   |
| 408                            | 0                 | 90,175    | 0              | 90,175     | 0                 | 99,533    | 0              | 99,533     | 0 |
| 410                            | 181,701           | 6,816     | 0              | 188,517    | 186,707           | 8,786     | 0              | 195,493    | 0 |
| 411                            | 0                 | 0         | 0              | 0          | 0                 | 0         | 0              | 0          | 0 |
| 420                            | 173,379           | 186,954   | 0              | 360,333    | 170,914           | 144,268   | 0              | 315,182    | 0 |
| 421                            | 0                 | 314,394   | 0              | 314,394    | 0                 | 264,829   | 0              | 264,829    | 0 |
| 430                            | 96,928            | 39,772    | 0              | 136,700    | 100,207           | 35,521    | 0              | 135,728    | 0 |
| 450                            | 37,754            | 44,682    | 0              | 82,436     | 40,226            | 22,879    | 0              | 63,105     | 0 |
| 465                            | 74,018            | 10,485    | 0              | 84,503     | 76,711            | 8,413     | 0              | 85,124     | 0 |
| 470                            | 18,363            | 5,699     | 0              | 24,062     | 18,626            | 6,457     | 0              | 25,083     | 0 |
| 480                            | 53,273            | 72,727    | 0              | 126,000    | 55,752            | 68,847    | 0              | 124,599    | 0 |
| 481                            | 78,759            | 25,495    | 0              | 104,254    | 81,069            | 23,406    | 0              | 104,475    | 0 |
| 483                            | 0                 | 32,861    | 0              | 32,861     | 0                 | 23,066    | 0              | 23,066     | 0 |
| 490                            | 99,288            | 16,959    | 0              | 116,247    | 103,663           | 28,527    | 0              | 132,210    | 0 |
| 500                            | 0                 | 65,841    | 0              | 65,841     | 0                 | 63,884    | 0              | 63,884     | 0 |
| Total                          | 813,463           | 912,860   | 0              | 1,726,323  | 833,895           | 798,416   | 0              | 1,632,311  | 0 |
| Transfers                      | 1,461,919         | 0         | 0              | 1,461,919  | 1,894,288         | 0         | 0              | 1,894,288  | 0 |
| Advances                       | 0                 | 645,000   | 0              | 645,000    | 0                 | 2,200,000 | 0              | 2,200,000  | 0 |
| Contingency                    | 0                 | 46,499    | 0              | 46,499     | 0                 | 0         | 0              | 0          | 0 |
| tot gen fund                   | 5,781,126         | 4,407,870 | 9,982          | 10,198,978 | 5,908,247         | 6,233,470 | 0              | 12,141,717 | 0 |

|            |           |   |            |            |           |   |            |   |            |
|------------|-----------|---|------------|------------|-----------|---|------------|---|------------|
| 3,188,594  | 307,450   | 0 | 3,496,044  | 3,188,594  | 307,450   | 0 | 3,496,044  | 0 | 3,496,044  |
| 35,554     | 38,250    | 0 | 73,804     | 35,554     | 38,250    | 0 | 73,804     | 0 | 73,804     |
| 48,806     | 14,388    | 0 | 63,194     | 48,806     | 14,388    | 0 | 63,194     | 0 | 63,194     |
| 782,713    | 137,278   | 0 | 919,991    | 782,713    | 137,278   | 0 | 919,991    | 0 | 919,991    |
| 0          | 0         | 0 | 0          | 0          | 0         | 0 | 0          | 0 | 0          |
| 0          | 0         | 0 | 0          | 0          | 0         | 0 | 0          | 0 | 0          |
| 0          | 0         | 0 | 0          | 0          | 0         | 0 | 0          | 0 | 0          |
| 0          | 0         | 0 | 0          | 0          | 0         | 0 | 0          | 0 | 0          |
| 73,900     | 0         | 0 | 73,900     | 73,900     | 0         | 0 | 73,900     | 0 | 73,900     |
| 4,055,667  | 571,266   | 0 | 4,626,933  | 4,055,667  | 571,266   | 0 | 4,626,933  | 0 | 4,626,933  |
| 0          | 0         | 0 | 0          | 0          | 0         | 0 | 0          | 0 | 0          |
| 0          | 10,200    | 0 | 10,200     | 0          | 10,200    | 0 | 10,200     | 0 | 10,200     |
| 0          | 6,500     | 0 | 6,500      | 0          | 6,500     | 0 | 6,500      | 0 | 6,500      |
| 0          | 116,916   | 0 | 116,916    | 0          | 116,916   | 0 | 116,916    | 0 | 116,916    |
| 0          | 133,616   | 0 | 133,616    | 0          | 133,616   | 0 | 133,616    | 0 | 133,616    |
| 27,039     | 23,525    | 0 | 50,564     | 27,039     | 23,525    | 0 | 50,564     | 0 | 50,564     |
| 0          | 0         | 0 | 0          | 0          | 0         | 0 | 0          | 0 | 0          |
| 59,110     | 46,150    | 0 | 105,260    | 59,110     | 46,150    | 0 | 105,260    | 0 | 105,260    |
| 465,338    | 194,500   | 0 | 659,838    | 465,338    | 194,500   | 0 | 659,838    | 0 | 659,838    |
| 254,778    | 122,865   | 0 | 377,643    | 254,778    | 122,865   | 0 | 377,643    | 0 | 377,643    |
| 156,736    | 8,650     | 0 | 165,386    | 156,736    | 8,650     | 0 | 165,386    | 0 | 165,386    |
| 963,001    | 395,690   | 0 | 1,358,691  | 963,001    | 395,690   | 0 | 1,358,691  | 0 | 1,358,691  |
| 341,529    | 24,350    | 0 | 365,879    | 341,529    | 24,350    | 0 | 365,879    | 0 | 365,879    |
| 64,782     | 250,953   | 0 | 315,735    | 64,782     | 250,953   | 0 | 315,735    | 0 | 315,735    |
| 0          | 0         | 0 | 0          | 0          | 0         | 0 | 0          | 0 | 0          |
| 0          | 14,000    | 0 | 14,000     | 0          | 14,000    | 0 | 14,000     | 0 | 14,000     |
| 0          | 32,500    | 0 | 32,500     | 0          | 32,500    | 0 | 32,500     | 0 | 32,500     |
| 97,529     | 5,100     | 0 | 102,629    | 97,529     | 5,100     | 0 | 102,629    | 0 | 102,629    |
| 503,840    | 326,903   | 0 | 830,743    | 503,840    | 326,903   | 0 | 830,743    | 0 | 830,743    |
| 0          | 104,284   | 0 | 104,284    | 0          | 104,284   | 0 | 104,284    | 0 | 104,284    |
| 188,874    | 8,800     | 0 | 197,674    | 188,874    | 8,800     | 0 | 197,674    | 0 | 197,674    |
| 183,241    | 114,627   | 0 | 403,951    | 183,241    | 114,627   | 0 | 403,951    | 0 | 403,951    |
| 103,299    | 285,471   | 0 | 281,252    | 103,299    | 285,471   | 0 | 281,252    | 0 | 285,471    |
| 41,680     | 37,500    | 0 | 140,799    | 41,680     | 37,500    | 0 | 140,799    | 0 | 140,799    |
| 81,481     | 21,400    | 0 | 63,080     | 81,481     | 21,400    | 0 | 63,080     | 0 | 63,080     |
| 18,759     | 11,350    | 0 | 92,831     | 18,759     | 11,350    | 0 | 92,831     | 0 | 92,831     |
| 57,255     | 6,800     | 0 | 25,559     | 57,255     | 6,800     | 0 | 25,559     | 0 | 25,559     |
| 86,934     | 86,104    | 0 | 143,359    | 86,934     | 86,104    | 0 | 143,359    | 0 | 143,359    |
| 31,792     | 31,792    | 0 | 118,726    | 31,792     | 31,792    | 0 | 118,726    | 0 | 118,726    |
| 0          | 40,127    | 0 | 40,127     | 0          | 40,127    | 0 | 40,127     | 0 | 40,127     |
| 107,807    | 31,874    | 0 | 139,681    | 107,807    | 31,874    | 0 | 139,681    | 0 | 139,681    |
| 0          | 75,483    | 0 | 75,483     | 0          | 75,483    | 0 | 75,483     | 0 | 75,483     |
| 869,330    | 855,612   | 0 | 1,724,942  | 869,330    | 855,612   | 0 | 1,724,942  | 0 | 1,724,942  |
| 1,384,888  | 0         | 0 | 1,384,888  | 1,384,888  | 0         | 0 | 1,384,888  | 0 | 1,384,888  |
| 2,367,500  | 0         | 0 | 2,367,500  | 2,367,500  | 0         | 0 | 2,367,500  | 0 | 2,367,500  |
| 78,000     | 78,000    | 0 | 78,000     | 78,000     | 78,000    | 0 | 78,000     | 0 | 78,000     |
| 6,391,838  | 6,215,339 | 0 | 12,607,177 | 6,391,838  | 6,215,339 | 0 | 12,607,177 | 0 | 12,607,177 |
| 3,699,725  | 0         | 0 | 3,699,725  | 3,699,725  | 0         | 0 | 3,699,725  | 0 | 3,699,725  |
| 10,091,563 | 0         | 0 | 10,091,563 | 10,091,563 | 0         | 0 | 10,091,563 | 0 | 10,091,563 |

FUND NAME: GENERAL FUND  
FUND TYPE/CLASSIFICATION: GOVERNMENTAL - GENERAL  
TRANSFERS/ADVANCES PG 1 OF 1

DESCRIPTION

|                                                 | For 2011<br>Actual | For 2012<br>Actual | Adjusted<br>Budget Year<br>2013 | Estimate for<br>Budget 2014 |
|-------------------------------------------------|--------------------|--------------------|---------------------------------|-----------------------------|
| <b>REVENUES TRANSFERS-IN</b>                    |                    |                    |                                 |                             |
| From Hotel Tax Fund                             | 10,703             | 7,653              | 7,189                           | 7,189                       |
| From Parking Fund                               | 24,500             | 24,500             | 26,574                          | 26,574                      |
| From Law Enforcement Trust Fund                 | -                  | -                  | -                               | -                           |
| From Water Fund                                 | 36,976             | 38,295             | 38,672                          | 38,672                      |
| From Sewer Fund                                 | 36,976             | 38,295             | 38,672                          | 38,672                      |
| From Capital Improvement Fund                   | -                  | -                  | -                               | -                           |
| From FEMA Fund                                  | -                  | -                  | -                               | -                           |
| From Storm Water Fund                           | -                  | -                  | -                               | -                           |
| From Refuse Fund                                | 26,976             | 28,295             | 28,672                          | 28,672                      |
| Total Transfers In                              | 136,131            | 137,038            | 139,779                         | 139,779                     |
| <b>REVENUES ADVANCES-IN</b>                     |                    |                    |                                 |                             |
| Return of Advance from FEMA Fund                | -                  | -                  | -                               | -                           |
| Return of Advance from Internal Service Fund    | -                  | -                  | -                               | -                           |
| Return of Advance from Fire/EMS Fund            | 245,000            | -                  | -                               | -                           |
| Return of Advance from Capital Improvement Fund | -                  | 2,200,000          | 2,367,500                       | -                           |
| Return of Advance from CDBG Fund                | -                  | -                  | -                               | -                           |
| Total Advances In                               | 245,000            | 2,200,000          | 2,367,500                       | -                           |
| <b>EXPENDITURES TRANSFERS-OUT</b>               |                    |                    |                                 |                             |
| To FEMA Fund                                    | -                  | -                  | -                               | -                           |
| To Street Fund                                  | 413,000            | 433,000            | 433,000                         | 433,000                     |
| To Capital Improvement Fund                     | 292,600            | 335,688            | 335,688                         | 435,688                     |
| To Capital Equipment Fund                       | 272,270            | 730,000            | 215,000                         | 75,000                      |
| To CDBG Fund                                    | -                  | -                  | -                               | -                           |
| To Park Debt Service Fund                       | 312,150            | 307,450            | 313,050                         | 306,800                     |
| To Fire/EMS Fund                                | 126,899            | 18,150             | 18,150                          | 18,150                      |
| To Storm Water Fund                             | 45,000             | 40,000             | 40,000                          | 40,000                      |
| To Special Assessment Fund                      | -                  | 30,000             | 30,000                          | 30,000                      |
| To Law Enforcement Trust Fund                   | -                  | -                  | -                               | -                           |
| Total Transfers Out                             | 1,461,919          | 1,894,288          | 1,384,888                       | 1,338,638                   |
| <b>EXPENDITURES ADVANCES-OUT</b>                |                    |                    |                                 |                             |
| To FEMA Fund                                    | -                  | -                  | -                               | -                           |
| To CDBG Fund                                    | -                  | -                  | -                               | -                           |
| To Capital Improvement Fund                     | 400,000            | 2,200,000          | 2,367,500                       | -                           |
| To Fire/EMS Fund                                | 245,000            | -                  | -                               | -                           |
| Total Advances Out                              | 645,000            | 2,200,000          | 2,367,500                       | -                           |

**CITY OF OXFORD  
STAFF SUMMARY REPORT**

**Report to the City Manager**

Community Development  
**Originating Department**

**Council Meeting Of:** June 4, 2013

Jung-Han Chen

**Account Code No. #:**

**Prepared By:**

**Budgeted Amount:**

May 24, 2013

**Date Prepared:**

|                                                                                                                                                                           |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Agenda Title:</b> <b>PC-08-2013- Final Planned Development, 419 S. Locust St (former Wal-Mart Site) Robert Fiorita, New Village Communities, LLC, Applicant, Agent</b> |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                                                 |
|-------------------------------------------------|
| <b>Recommendation: Approval with Conditions</b> |
|-------------------------------------------------|

**Discussion:**

The applicant is seeking a Final Planned Development approval for a commercial/residential mixed-use at the currently vacant Wal-Mart site. The underlying zoning is "GB" General Business.

A Preliminary Planned Development was approved by City Council in 2007, via Ordinance No. 2958. Numerous conditions for approval stipulated for this project are listed within the Ordinance.

Since the approval of the Preliminary Development, a new developer received consent from the property owner and took over the development of the site. In 2008, Mr. Robert Fiorita of New Village Communities requested a Concept presentation to be made to the Planning Commission to ensure the proposal his company presented would be similar and in conformance with the approved Preliminary Plan. The revised plan showed a total of 68 units and 40,000 square feet of commercial space. The design showed a campus quad setting with a central walkway connecting the commercial area to the residential portion. The Planning Commission felt that the revised plan was envisioned for this corridor and agreed with the revised layout.

In 2012, the applicant came back to the Planning Commission for another Concept review incorporating library space as part of the commercial space, since the site had been chosen as the site for the new Oxford Lane Public Library. The total commercial space was increased from 40,000 square feet to 47,500 square feet due to the new library requiring 25,000 square feet of floor space.

The site is 11.70 acres and is being used for commercial and residential purposes: approximately 4 acres of commercial area and 7.6 acres of residential area. On the commercial side, the plan shows a total of 47,500 sq. ft. of commercial space, consisting of four free standing buildings, sizes ranging from approximately 6,000 square feet to 25,000 square feet. The two buildings closest to Locust Street would be one story in height, and the other two buildings further away from Locust Street will be two-story in height. The two buildings, closest to Locust Street are labeled as restaurants with outdoor dining areas, including a drive-through. The proposed library building will have a drop-box in the rear of the building. On the residential portion, there are four residential structures composed of two buildings containing (4) three dwelling-unit-buildings; one building containing (8) three dwelling-unit-buildings; and one building containing (4) three dwelling-unit-buildings with (4) two dwelling-unit-buildings for a total of 68 dwelling units. Each unit is approximately 1,500 square feet of living area and a clubhouse facility of 6,000 square feet.

Prior to the Planning Commission Public Hearing, Staff reviewed the application submitted by the applicant and identified numerous issues for the applicant to address: landscaping requirements, pedestrian connectivity, signage, off-street parking. The applicant made many improvements to the plan and prepared a comprehensive power point presentation at the Planning Commission meeting.

After the Public Hearing, the Planning Commission went through the items, one by one, with the applicant to ascertain that the changes had been met. Several lengthy discussions took place among the Commission regarding internal circulation patterns, pedestrian connectivity within the site and with off-site pedestrian facilities, as well as the lot split issues. At the end, the Planning Commission felt that this Final Planned Development met the Decision Standards of the Code and voted 7-0-0 to recommend approval to City Council subject to the following conditions:

1. All aspects of the presentation made by the applicant shall be included as part of the final development approval. The construction of all of the proposed buildings for this development shall substantially reflect the renderings presented by the applicant to the Planning Commission on May 14, 2013.
2. Off-site sanitary improvements will be made by the City, according to the terms of a cost-sharing agreement to be finalized between the City and the Developer.
3. A marked crosswalk with signage shall be provided connecting the north side of Wells Mills to the southwest corner of the project, in accordance with City standards.
4. The proposed sidewalk along Locust Street and associated ramps/crosswalks shall be aligned with other off-site pedestrian facilities.
5. Earthen mounds, as required by the previous ordinance, are waived.
6. The 12 parcels shall be consolidated and combined to a maximum of three lots, pending approval upon review and concurrence of the City Attorney. The construction of the library building and the two-story commercial building shall be in concurrence with or in advance of the construction of residential development. The residential portion of the site shall be approximately 7.6 acres, while the commercial portion shall be approximately 4 acres.
7. The internal circulation pattern for all modes shall be made safe and continuous for pedestrian, vehicular, bicycle and wheelchair traffic through direct alignment of different sidewalk segments and connection through ADA compliant ramps and crosswalk markings. These include, but are not limited to:
  - a. East/West connection between (north) Locust Street entrance and Spring Street entrance, along the northern facades of the northern two commercial buildings.
  - b. East/West connection between the southern Locust Street entrance and the proposed library will be provided by along the southern facades of the southern two commercial buildings.
  - c. North/South connection between the westernmost two commercial sites, along with the western facades.
8. The layout and construction of the two westernmost outlots shall substantially conform with the perspective aerial and ground views presented to the Planning Commission and is subject to Planning Commission review and approval. No drive-through for these two outlots are approved for this Final Plan Development at this time.
9. The pedestrian path to Spring Street shall be constructed as presented to the Planning Commission.
10. Landscaping improvements shall be installed as presented by the developer to the Planning Commission and the requirement for tree islands at every 7 spaces is waived.
11. The number and size of freestanding signs will conform to the signs proposed and will be limited to property identification. Other signage shall also be limited to as presented.
12. The existing fence along the southern property line shall be maintained and repaired or replaced when necessary.

13. The northern entrance on Locust Street will be upgraded, including signal, signage and crosswalks and lane markings, striping on street, to meet City standards at the developer's expense.
14. The modifications proposed in the Traffic Impact Study related to vehicular striping; signal timing, etc., shall be approved by the City Engineer and at the developer's expense.
15. The developer will coordinate with the City of Oxford and the Butler County Regional Transit Authority in locating potential bus stops within and adjacent to the site.

Approved By:

**Department Head:**

**City Attorney:**

**City Manager:**

JHC, 5/22/13  
DRE, 5/31/13

## ORDINANCE NO.

ORDINANCE APPROVING THE PLANNING COMMISSION'S RECOMMENDATION FOR FINAL PLAN APPROVAL OF THE PLANNED DEVELOPMENT AT THE FORMER WAL-MART SITE (419 SOUTH LOCUST STREET) TO ALLOW A DEVELOPMENT WITH COMMERCIAL AND RESIDENTIAL USES WITH CONDITIONS.

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

SECTION 1: Council hereby finds that the Planning Commission held a public hearing on May 14, 2013 in accordance with Section 1145 of the Codified Ordinances of the City of Oxford, on the application of Robert Fiorita, Applicant, Agent, Architect, for approval of a Final Planned Development at the former Wal-Mart site, at the corner of South Locust and West Spring Street (419 South Locust Street) to allow a Planned Development with commercial and residential uses.

SECTION 2: The Planning Commission, after due deliberation found the application satisfies the code requirements in Chapter 1145 of the Oxford Zoning Code and recommended approval of the Final Planned Development application for the former Wal-Mart site (419 South Locust Street) with conditions.

SECTION 3: Council hereby accepts the recommendation of the Planning Commission and further approves the Final Planned Development application for the former Wal-Mart Site, at the corner of South Locust and West Spring Street (419 South Locust Street) to allow a development with commercial and residential uses based on the submittals of the applicant that are attached hereto and incorporated herein by reference as Exhibit "A" and made a part of this approval with the following conditions:

1. All aspects of the presentation made by the applicant shall be included as part of the final development approval. The construction of all of the proposed buildings for this development shall substantially reflect the renderings presented by the applicant to the Planning Commission on May 14, 2013.
2. Off-site sanitary improvements shall be made by the City, according to the terms of a cost-sharing agreement to be finalized between the City and the Developer.
3. A marked crosswalk with signage shall be provided connecting the north side of Wells Mill Drive to the southwest corner of the project, in accordance with City standards.
4. The proposed sidewalk along Locust Street and associated ramps/crosswalks shall be aligned with other off-site pedestrian facilities.

5. Earthen mounds, as required by the previous Ordinance, (2958) are waived.
6. The 12 parcels shall be consolidated and combined to a maximum of three lots, pending approval upon review and concurrence of the City Attorney. The residential portion of the development shall be one lot. The construction of the library building and the two-story commercial building shall be in concurrence with or in advance of the construction of residential development. The residential portion of the site shall be approximately 7.6 acres, while the commercial portion shall be approximately 4 acres.
7. The internal circulation pattern for all modes shall be made safe and continuous for pedestrian, vehicular, bicycle and wheelchair traffic through direct alignment of different sidewalk segments and connection through ADA compliant ramps and crosswalk markings. These include, but are not limited to:
  - a. East/West connection between North Locust Street entrance and Spring Street entrance, along the northern facades of the northern two commercial buildings.
  - b. East/West connection between the southern Locust Street entrance and the proposed library will be provided along the southern facades of the southern two commercial buildings.
  - c. North/South connection between the westernmost two commercial sites, along with the western facades.
8. The layout and construction of the two westernmost out-lots shall substantially conform with the perspective aerial and ground views presented to the Planning Commission on May 14, 2013 and is subject to Planning Commission review and approval. No drive-through for these two out-lots are approved for this Final Planned Development at this time.
9. The pedestrian path to Spring Street shall be constructed as presented to the Planning Commission on May 14, 2013.
10. Landscaping improvements shall be installed as presented by the developer to the Planning Commission on May 14, 2013 and the requirement for tree islands at every 7 spaces is waived.
11. The number and size of freestanding signs will conform to the signs proposed and will be limited to property identification. Other signage shall also be limited to that which was presented to the Planning Commission on May 14, 2013.
12. The existing fence along the southern property line shall be maintained and repaired or replaced when necessary.
13. The northern entrance on Locust Street shall be upgraded, including signal, signage, crosswalks, lane markings, and striping on street, to meet City standards at the developer's expense.

14. The modifications proposed in the Traffic Impact Study related to vehicular striping and signal timing shall be approved by the City Engineer and at the developer's expense.
15. The developer shall coordinate with the City of Oxford and the Butler County Regional Transit Authority in locating potential bus stops within and adjacent to the site.

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

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MAYOR

ADOPTED:

ATTEST:

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CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

EXHIBIT "A"

IS AVAILABLE AT CITY HALL DURNING NORMAL BUSINESS HOURS.

IT IS ALSO AVAILABLE ON THE CITY'S WEBSITE

[www.cityofoxford.org](http://www.cityofoxford.org)

(click on 'Oxford on Demand' on right side of page)

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

|                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|----------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b><u>Report Date</u></b>                          | June 11, 2013                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b><u>Case Number</u></b>                          | PC-08-2013                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b><u>Applicant Information</u></b>                | Robert Fiorita, New Village Communities, LLC                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b><u>Requested Action</u></b>                     | Final Planned Development                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b><u>Summary of Request</u></b>                   | Approval of a Final Planned Development for a commercial/residential, mixed-use development.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b><u>Public Hearing Information</u></b>           | On May 14, 2013 a Public Hearing took place at 118 W. High Street. A Public Hearing notice was published in the Oxford Press on April 12, 2013. Courtesy notices were mailed to adjacent property owners on May 1, 2013.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b><u>Commission Action</u></b>                    | The Planning Commission voted 7-0-0 recommending approval of the Final Planned Development with 15 conditions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b><u>Commission Findings and Conclusions</u></b>  | At the May 14, 2013 Planning Commission meeting, the Commission, after extensive discussion of issues identified by Staff and review of the Decision Standards, voted to approve the Final Planned Development.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b><u>Exhibits Submitted to the Commission</u></b> | <ol style="list-style-type: none"><li>1. Staff Report Dated May 3, 2013</li><li>2. Interoffice Review Transmittal Sheets</li><li>3. Property Notifications Map</li><li>4. Citizen Review and Comment Form</li><li>5. Letter of Agency</li><li>6. Financial Evidence Dated February 19, 2013</li><li>7. Final Planned Development Application Dated April 26, 2012</li><li>8. Supporting Documents</li><li>9. Ordinance #2958 Preliminary Planned Development Approval</li><li>10. Site Plan</li><li>11. Initial PowerPoint Presentation of May 14, 2013</li><li>12. Legal Description</li><li>13. Letter of Intent from Lane Public Library</li><li>14. Detention Strategy and Analysis</li><li>15. Traffic Impact Study, Executive Summary</li><li>16. PowerPoint Presentation Made by the Applicant at the May 14, 2013 Planning Commission Meeting Reflecting Issues/Concerns Discussed with City Staff Before the May 14 Public Hearing</li></ol> |

**City of Oxford**  
*Community Development Department*  
**STAFF REPORT**

**Planning Commission**

**Case # PC-08-2013**

**Date – May 14, 2013**

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**APPLICATION**

|                                 |                                                                           |
|---------------------------------|---------------------------------------------------------------------------|
| Applicant:                      | Robert Fiorita, Applicant/Agent/Architect                                 |
| Location:                       | 419 S. Locust Street (Legal description is attached with the application) |
| Owner:                          | EVR Investments                                                           |
| Action Request:                 | Final Planned Development                                                 |
| Current Use:                    | Vacant Wal-Mart Site                                                      |
| Current Zoning                  | GB-General Business                                                       |
| Surrounding Existing Land Uses: | Railroad Tracks, Retail/Office/Restaurant/Apartment                       |

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**GENERAL DESCRIPTION**

The applicant is seeking a Final Planned Development approval for a commercial/residential mixed-use at the currently vacant Wal-Mart site. The underlying zoning is “GB” General Business.

A Preliminary Planned Development was approved by City Council in 2007, via Ordinance No. 2958. Numerous conditions for approval stipulated for this project are listed within the Ordinance. A copy is attached for your information.

Any planned development projects need to go through a two-step process; a preliminary plan and a final plan, although the process can be concurrent for small, single phase developments. Both preliminary and final plan approvals require a Planning Commission recommendation and City Council approval.

Since the approval of the preliminary development, a new developer received consent from the property owner and took over the development of the site. In 2008, Mr. Robert Fiorita of New Village Communities requested a Concept presentation to be made to the Planning Commission to ensure the proposal his company presented would be similar and in conformance with the approved Preliminary Plan. The revised plan showed a total of 68 units and 40,000 square feet of commercial space. The design showed a campus quad setting with a central walkway connecting the commercial area to the residential portion. The Commission felt that the revised plan was envisioned for this corridor and agreed with the revised layout.

In 2012, the applicant came back to the Planning Commission for another Concept review incorporating library space as part of the commercial space, since the site had been chosen as the site for the new Oxford Lane Public Library. The total commercial space was increased from 40,000 square feet to 47,500 square feet due to the new library requiring 25,000 square feet of floor space.

It is important to keep in mind that the final planned development requires more detailed information, additional analysis and needs to go through additional decision standards review. The final planned development not only needs to satisfy the general decision standards, but additional decision standards as outlined in Section 1145.06 of the zoning code. The additional decision standards are as follows:

1. The final planned development shall substantially conform to the preliminary plan.
2. Any substantial changes from the preliminary plan improve the plan or were requested by Planning Commission or Council as part of the preliminary plan approval process.
3. If the final plan seeks approval of only a portion of the approved preliminary plan, the elements of the proposed phase are sufficient to stand alone if the remainder of the planned development is abandoned.

The site is 11.70 acres and is being used for commercial and residential purposes: approximately four acres of commercial area and 7.6 acres of residential area. On the commercial side, the plan shows a total of 47,500 sq. ft. of commercial space, consisting of four free standing buildings, sizes ranging from approximately 6,000 square feet to 25,000 square feet. The two buildings closest to Locust Street would be one story in height, and the other two buildings further away from Locust Street will be two-story in height. The two buildings, closest to Locust Street are labeled as restaurants with outdoor dining areas, including a drive-through. The proposed library building will have a drop-box in the rear of the building.

On the residential portion, there are four residential structures composed of two buildings containing (4) three dwelling-unit-buildings; one building containing (8) three dwelling-unit-buildings; and one building containing (4) three dwelling-unit-buildings with (4) two dwelling-unit-buildings for a total of 68 dwelling units. Each unit is approximately 1,500 square feet of living area and a clubhouse facility of 6,000 square feet. The clubhouse will contain a fitness facility, public gathering area, office for leasing, theater, game room, study area and an overnight hotel room for parents of student residents of the property. The commercial buildings include a two story public library with 25,000 square feet, a two story commercial with 10,000 square feet, to be developed in the first phase with the sequence that the library building is built first and the two-story commercial building to follow. The remainder of the commercial buildings will be developed during the next phase, and the pads will be landscaped with plants and vegetation and burbs with parking lot finished. The construction of the residential buildings and the library is expected to begin in 2013 as soon as the approval from the library is obtained.

The total percentage of open space has been increased from 19% from the approved preliminary planned development to 27% in this proposal. Other features presented in this final plan are a new sidewalk in front of this development project, along Locust Street and a new sidewalk from the site to S. College Avenue. A detailed landscaping plan and lighting plan are also present providing the overall ambience of the development. Additionally, various types of signage have also been proposed for consideration.

A total of approximately 450 off-street parking spaces are being proposed, including garage spaces. Various dumpsters were placed throughout the site. Bike racks are also included in this final plan. The applicant also submitted a detailed traffic impact study and a storm water analysis for the Engineering Office to review.

#### **CONFORMANCE WITH THE APPROVED PRELIMINARY PLANNED DEVELOPMENT**

As mentioned earlier, there were numerous conditions for the approved preliminary planned development. Staff reviewed the submittal and compared it with the approval conditions and found several issues that need to be addressed:

Landscaping mounds be incorporated in the landscaping design between this site and the adjoining residential properties. *The final development plan does not show landscaping mounding between the site and the adjoining residential properties.*

All 12 parcels included in the boundary of the site shall be consolidated and recorded prior to any permits being released for construction. The final plan shows that all 12 parcels would be consolidated into two lots, with the lot line separating the commercial area from the residential area.

## **ZONING CODE REGULATIONS**

### **§1141.04(j) Environmental Regulations:**

Dumpster locations shall be shown on the Final Development Plans. No trash collection facility shall be stored in the front yard and shall conform to side and rear yard pavement setbacks of the applicable zoning district [§1141.04(j)(2)] and shall be screened so as to not be visible from a public right-of-way or an adjacent property [§1141.04(j)(4)].

*Staff Findings: A total of six dumpster locations are shown on the plan: four for residential and two for the commercial area. It is also indicated that every dumpster will be enclosed with wood siding or masonry with doors so that they will not be visible from public view. Given the potential trash generation from restaurants and the distance from the business establishments to the dumpsters, there might be a need in the future when the site is fully developed for the dumpster size to increase, specifically for commercial establishments.*

### **§1141.04(f)(4) Environmental Regulations: Lighting and Glare from Exterior Lights**

The foot candle measurement at any property line shall not exceed 1.0 lumen.

*Staff Findings: The lighting intensity in various locations exceeds the maximum illumination. The lighting and glare must be shielded/directed to reduce to meet the standards.*

### **§1143.12(d)(5) General Business District Supplementary Regulations:**

5. Each development is required, where feasible, to provide adequate space (including easements) for alternative modes of transportation such as bike paths, multi-use paths, bus stops and turn-arounds, etc.

*Staff Findings: §1145.12(i)(3) PUD Access & Mobility of the Zoning Code also requires adequate pedestrian connectivity be provided to and through a planned development. The final plan shows sidewalks being provided along the Locust Street frontage, from the residential building to College Avenue as well as a striped crosswalk at Spring Street. The applicant also indicated that internal pedestrian crosswalks at vehicular intersections would be raised and has a color, material or textural change at three major locations within the site, specifically connecting the residential area to the commercial area. The final plan shows a total of 24 bike rack provided in three different locations.*

*Given that it was not clear on the submission related to the walkway from the site to Spring Street, staff recommends that this sidewalk shall be raised and has a color, material or textural changes as the applicant has indicated in the narrative. Furthermore, the walkway from the site to the College Avenue entrance would require some safety measures in addition to the lighting fixture(s) the applicant has indicated in the narrative; there also a need for safety railing since the grade drops off considerably on one side of the walk.*

*Staff also recommends the need for more crosswalk markings between residential buildings to clearly delineate the pedestrian movement within the complex, specifically, the Spring Street entrance/driveway entering into the residential and commercial portion of the site. Additional crosswalks will also be necessary to connect commercial buildings, even there is the main passage connecting the commercial to residential area.*

*The potentiality of public transit for the community is becoming very possible in the near future. Could there be any accommodations made to allow bus stops in this site away from the public right-of-way?*

### **§1143.12(d)(2)(C) General Business District Supplementary Regulations:**

A minimum of one tree for every 50 linear feet of frontage shall be required in addition to any other required site landscaping.

*Staff Findings: The final plan shows the number of trees along Locust Street and Spring Street, but does not show any trees along College Avenue. Two trees shall be provided along College Avenue.*

**§1149. 03(e) Off-Street Parking Space Requirements:**

The total required off-street parking spaces are based on the uses of the proposed project.

Multi-family                      2.5 per dwelling unit

Restaurant                      One per 100 square feet of usable floor, if a drive-through is present, each 20 feet of queuing between the points at which the order is ordered and where the food is served shall count as one space toward the total requirement, up to a maximum of three spaces.

Library                      One per each 250 square feet of floor area plus one per each employee on largest shift.

**Staff Findings:** *The total required off-street parking is approximately 450. The application shows 450 off-street provided parking spaces. This project consists of a multi-tenant commercial development, the Oxford Zoning Code allows.*

**§1149.05(e)4.F. Parking Lot Design:**

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 end of each row of parking spaces and at every interval of 7 parking spaces in a row. Each island 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.

**Staff Findings:** *The parking lot design of the final plan does not provide landscaped, raised and curbed islands at every interval of 7 parking spaces in a row.*

**§1149.05(e)(5)B.1.a. Landscaping:**

B. 1.a. A parking area shall have two trees per parking facility plus one tree for every five parking spaces or fraction thereof generally distributed throughout the parking area.

**Staff Findings:** *Approximately 33 trees are shown in the commercial portion of the site and 59 in the residential, totaling 82 trees are shown on the landscaping plan for the entire parking lot. The required number of trees for the residential area is 57 trees and the required number of trees for the commercial area would be 58 trees. An additional 13 trees are needed that can be dispersed in a meaning way throughout the parking lot.*

**1151.05(a)(3)(A), (B) and (C) Permanent Signs:**

No more than a total of two wall or freestanding signs are permitted per development site in accordance with the following:

(A) Maximum total sign area for all signs on a development site shall not be more than two square feet of sign area per linear front foot of the site.

(B) Wall Signs:

1. No more than two signs as follows:

a. If the average front setback of the structure is less than 100 feet, then the sign may be no more than three feet tall. If the average front setback of the structure is 100 feet or greater then a sign may be no taller than the average front setback of the structure multiplied by 0.04, but in no case taller than 12 feet. ....

(C) Free Standing Signs:

1. No more than 1 sign as follows:

a. No more than 48 square feet per side.

b. No combination of a freestanding sign structure and sign shall be higher than 6 feet or wider than 12 feet.

**Staff Findings:** Based on the final plan submission, staff determined that there are a total of 4 freestanding signs and 5 wall signs. A table of signage is attached for your information.

|                         | Proposed<br>Height (feet) | Proposed<br>Width (feet) | Type         | Sq. Ft.<br>Per side. | Sides | Total<br>Sq. Ft. |
|-------------------------|---------------------------|--------------------------|--------------|----------------------|-------|------------------|
| Locust St               | 6                         | 8                        | Freestanding | 48                   | 2     | 96               |
| Spring St               | 6                         | 8                        | Freestanding | 48                   | 2     | 96               |
| South College Street    | 6                         | 3.5                      | Freestanding | 21                   | 2     | 42               |
| Entrance to residential | 6                         | 3.5                      | Freestanding | 6                    | 2     | 84               |
| North 1 Story Outparcel | 3                         | 48                       | Wall         | 144                  | 2     | 144              |
| South 1 Story Outparcel | 3                         | 90                       | Wall         | 270                  | 2     | 270              |
| North 2 Story Locust    | 5.5                       | 50                       | Wall         | 275                  | 2     | 275              |
| South 2 Story Locust    | 5.5                       | 40                       | Wall         | 220                  | 2     | 220              |
| Clubhouse Canopy        | 3                         | 30                       | Wall         | 90                   | 2     | 90               |
| <b>Total</b>            |                           |                          |              |                      |       | <b>1317</b>      |

|              | Linear frontage | Allowable signage |
|--------------|-----------------|-------------------|
| Locust       | 425.64          | 851.28            |
| Spring       | 152.3           | 304.6             |
| College      | 87.24           | 174.48            |
| <b>Total</b> |                 | <b>1330.36</b>    |

The proposed signage exceeds the allowable signage in one area: the number of freestanding signs. Zoning Code allows one free standing sign per development site, the proposal shows four free standing signs (one internal and three external). There are some inconsistencies between the table of signs and the actual elevations in terms of height. The allowable sign height in GB is six (6) feet tall. The table shows six feet in height, but the drawing shows the sign is eight feet high.

The final plan submittal comes with some elevations that show the commercial buildings having multiple tenants for each building and it is staff's interpretation that the square footage provided in this submittal is the maximum square footage for each building. It is also staff's interpretation that all commercial signage will be on the front façade of the building facing Locust Street and that there will be no signage on the side of the commercial buildings. Should the development occur and the locations of these signs are different from what they are on the final plan submittal, if approved by City Council, the Planning Commission Chair and Community Development Director would need to concurrently approve the changes to the signage, provided the total square footage is still within the approved parameters.

### **AGENCY REVIEWS**

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

|              |                          |
|--------------|--------------------------|
| Police:      | Comments attached        |
| Fire:        | Received with no comment |
| Engineering: | Comments attached        |
| Econ. Dev.   | Comments attached        |

### **STAFF ANALYSIS**

Please note this is a final planned development that must show that it substantially conforms to the preliminary plan. As mentioned earlier, the applicant came before the Planning Commission and presented two Concept plans for consideration in 2008 and 2012 respectively. The applicant received comments from the Planning Commission and put together the final plan application for consideration. The decision standards for approval require more detailed information and study. I have enclosed the final plan decision standards for your information.

It might be more useful to focus on the merits/design layout of the final plan, than providing the narratives as this project relates to the Oxford Comprehensive Plan, since the issues have been described in the preliminary review. Therefore, the analysis is strictly narrowed to the Planned Development Decision Standards compliance review.

**§1145.07 Action by Planning Commission and City Council:**

- (a) The Planning Commission shall recommend to Council, approval with conditions, or denial of an application as presented and shall clearly state the findings upon which its recommendation is based.
- (b) The Planning Commission shall base its recommendation and City Council its decision upon how well the application satisfies the Decision Standards. Planning Commission, in its recommendation, and City Council in its decision may waive or modify dimensional regulations of the Zoning Code, or impose more strict regulations and any additional conditions, guarantees, and safeguards it deems necessary to satisfy the purpose of this Zoning Code.
- (c) City Council may require the developer to file performance bonds with the City to guarantee completion of any public utilities associated with the planned development and any elements of the plan that are necessary to its success, if abandoned by the developer.

There are several issues that staff identified from this final plan submission that require further discussion between the applicant and the Planning Commission:

- 1. As stipulated in the preliminary planned development approval that the total dwelling units are limited to 68, looking at the final plan submittal, a total of 68 dwelling units is provided. However, there is a clubhouse facility, approximately 6,000 sq. ft. of space, containing a leasing office, study area and an overnight hotel room for parents of student residents of the property. The General Business District does allow hotel/motel as a conditional use. However, this parent overnight hotel room poses concerns from a staff perspective in terms of number of dwelling units.
- 2. There is an off-site sanitary improvement that is outlined in the narrative of the application that will need to be completed to accommodate this project, but not associated to this project to alleviate an increased amount of sanitary from this project. There will be a cost-sharing agreement that will need to be in place.
- 3. Traffic ingress/egress issues for the southernmost entrance on South Locust Street will need to be evaluated, since this is going to be the primary commercial portion.
- 4. The proposed sidewalk along Locust Street and its associated ramps/crosswalks must be part of the overall improvements and need to align with other off-site pedestrian connections as determined by the City Engineer. The Engineer's comments are attached with this report concerning traffic improvements.
- 5. The earthen mounds requirement stipulated in Ordinance 2958 is not reflected in the final plan. The approval conditions states that some mounding be incorporated in the landscaping design between this site and the adjoining residential properties. The previous Concept plans showed the mounding, but this final plan does not show any mounding. The applicant must provide the rationale, acceptable to the Planning Commission and City Council, for not incorporating the mounds along the south property line.
- 6. All 12 parcels shall be consolidated and combined. The final plan shows that there are two lots for this project. The applicant indicates that this division was specific to satisfy the lending institution requirements. However, the actual lot split cannot occur: otherwise, the purpose of the planned development of this commercially zoned property would be legally altered into one residential lot and one commercial lot. Furthermore, the density of this planned development is based upon the acreage of the entire site.
- 7. Given that the commercial portion of this project encompasses restaurants and a library, combining pedestrian movement with vehicle movement the intensity of the activities will be

significant. It will be critical to have an internal circulation pattern clearly marked for the safety of the pedestrian as well as for vehicular traffic.

8. There are two restaurants with drive-thru's shown on the plan. The applicant has oriented the drive-thru's away from Locust Street. The noise issue may be a potential concern to residents on the south. However, given that another fast-food restaurant has a multi-lane drive-through that is closer to residential dwelling units to the south, the noise issue from this site might be less of a nuisance in the future. If this becomes an issue, additional landscaping/screening may be required to mitigate this matter.
9. The crosswalk connecting each residential building needs to be clearly marked to provide safe passage. The final plan only highlights the crosswalk from the main open space to the sidewalk along the ramp to Spring Street. Additional attention must be made to the walking path along the Spring Street entrance that needs to be raised to separate pedestrians from vehicular traffic. Is the walking path along the southern boundary leading to College Avenue multi-purpose to accommodate bicycles as well? Additional safety features, such as railings need to be considered installed due to the grade changes.
10. A landscaping requirement must be satisfied as identified in this staff report.
11. Given the right-of-way frontage this site has, the need for additional freestanding signs may be warranted. However, the Planning Commission needs to decide the number of freestanding signs allowed for this site. The Planning Commission may also wish to set the maximum square footage for each sign as presented or at a reduced number.
12. The existing fence along the southern boundary will need to be replaced where sections of it is missing or in poor condition.

## **RECOMMENDATION**

The applicant is seeking the final approval of this planned development. The submitted plan shows conformance to the Concept plan that was submitted for comments in 2008 and 2012. Staff outlined issues that needed further discussion between the applicant and the Planning Commission. Staff would recommend the issues to be completely addressed prior to a decision being made by the Planning Commission.

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SUBMITTED

BY:

  
Jung-Han Chen  
Community Development Department

DATE: May 3, 2013

## **GENERAL DECISION STANDARDS FOR PLANNED DEVELOPMENT**

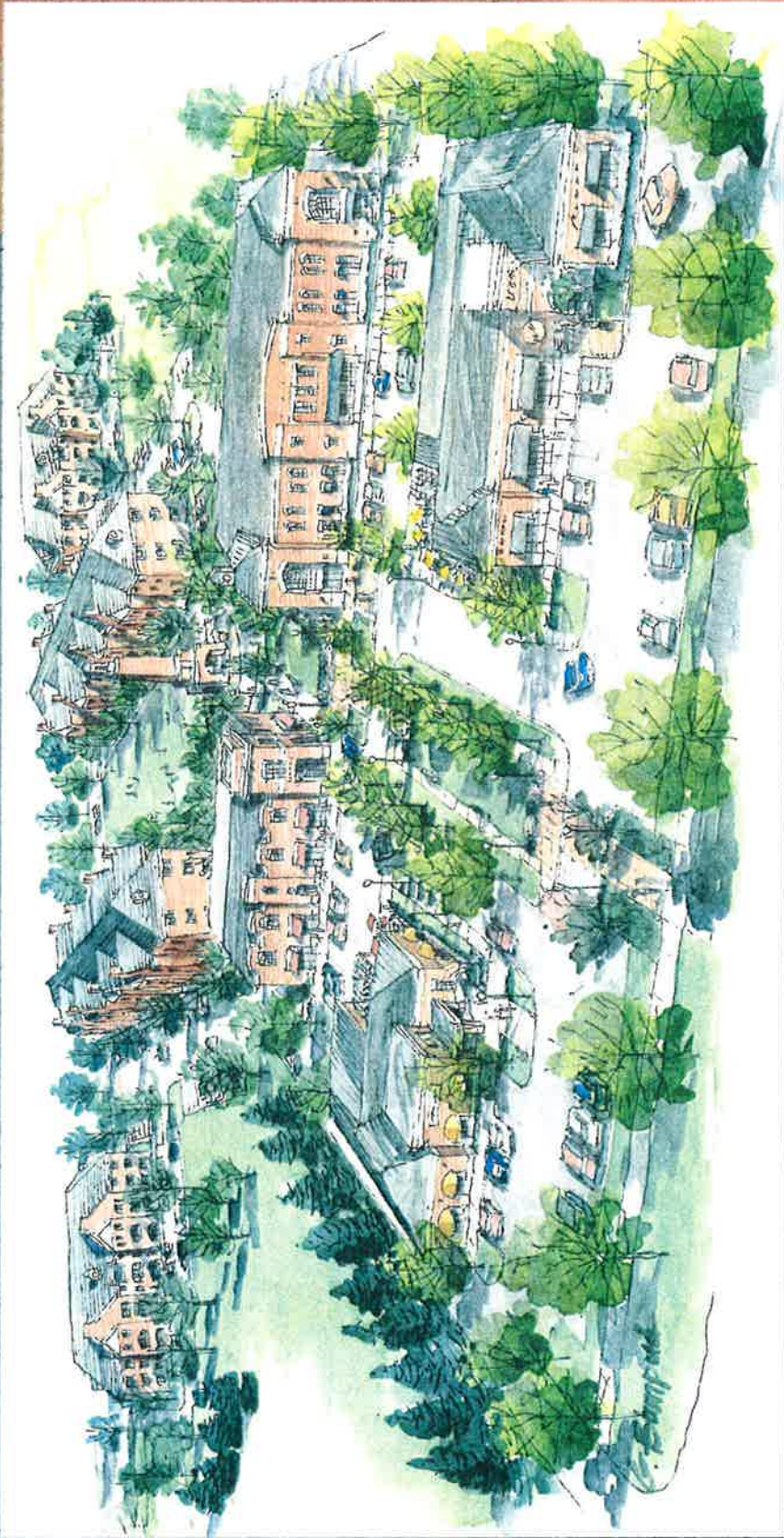
**General Decision Standards.** All planned developments shall satisfy these general decision standards:

- (1) The proposed planned development is in fact permitted in the zoning districts in which it is proposed.
- (2) If the application is for the same site where a planned development application has been denied within one year, the plan is substantially different from the application so denied.
- (3) The uses and site plan will satisfy the general intent of this Zoning Code.
- (4) The uses and site plan will be compatible with the general intent of the Comprehensive Plan.
- (5) The size and shape of the site are sufficient for the proposed planned development.
- (6) The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district.
- (7) 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.
- (8) Accessory uses will be directly related to the operation of the principal uses and will not be operated independent of the principal uses.
- (9) 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.
- (10) Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services.
- (11) 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.
- (12) The site is designed so that on-site traffic and traffic accessing the site will not adversely impact the movement or safety of all modes of traffic on adjacent public streets.
- (13) Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.

**(c) Additional Final Plan Decision Standards**

- (1) The final planned development shall substantially conform to the preliminary plan.
- (2) Any substantial changes from the preliminary plan improve the plan or were requested by Planning Commission or Council as a part of the preliminary plan approval process.
- (3) If the final plan seeks approval of only a portion of the approved preliminary plan, the elements of the proposed phase are sufficient to stand alone if the remainder of the planned development is abandoned.

Final Plan Submission Perspective Aerial



Final Plan Submission Perspective Ground View







EXHIBIT "A"

Final Planned Development

419 S. Locust Street

Ordinance No. \_\_\_\_\_

June 2013

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

|                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|----------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b><u>Report Date</u></b>                          | June 11, 2013                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b><u>Case Number</u></b>                          | PC-08-2013                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b><u>Applicant Information</u></b>                | Robert Fiorita, New Village Communities, LLC                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b><u>Requested Action</u></b>                     | Final Planned Development                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b><u>Summary of Request</u></b>                   | Approval of a Final Planned Development for a commercial/residential, mixed-use development.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b><u>Public Hearing Information</u></b>           | On May 14, 2013 a Public Hearing took place at 118 W. High Street. A Public Hearing notice was published in the Oxford Press on April 12, 2013. Courtesy notices were mailed to adjacent property owners on May 1, 2013.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b><u>Commission Action</u></b>                    | The Planning Commission voted 7-0-0 recommending approval of the Final Planned Development with 15 conditions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b><u>Commission Findings and Conclusions</u></b>  | At the May 14, 2013 Planning Commission meeting, the Commission, after extensive discussion of issues identified by Staff and review of the Decision Standards, voted to approve the Final Planned Development.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b><u>Exhibits Submitted to the Commission</u></b> | <ol style="list-style-type: none"><li>1. Staff Report Dated May 3, 2013 pg3</li><li>2. Interoffice Review Transmittal Sheets pg11</li><li>3. Property Notifications Map pg16</li><li>4. Citizen Review and Comment Form pg17</li><li>5. Letter of Agency pg18</li><li>6. Financial Evidence Dated February 19, 2013 pg19</li><li>7. Final Planned Development Application Dated March 29, 2013 pg22</li><li>8. Supporting Documents pg25</li><li>9. Ordinance #2958 Preliminary Planned Development Approval pg38</li><li>10. Site Plan pg40</li><li>11. Initial PowerPoint Presentation Submitted for the Planning Commission Packet for the May 14, 2013 Meeting pg41</li><li>12. Legal Description pg63</li><li>13. Letter of Intent from Lane Public Library pg64</li><li>14. Detention Strategy and Analysis pg 68</li><li>15. Traffic Impact Study, Executive Summary pg81</li><li>16. PowerPoint Revised Presentation Made by the Applicant at the May 14, 2013 Planning Commission Meeting Reflecting Issues/Concerns that were Addressed with City Staff Before the May 14 Public Hearing pg84</li></ol> |

**City of Oxford**  
*Community Development Department*  
**STAFF REPORT**

**Planning Commission**

**Case # PC-08-2013**

**Date – May 14, 2013**

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**APPLICATION**

|                                 |                                                                           |
|---------------------------------|---------------------------------------------------------------------------|
| Applicant:                      | Robert Fiorita, Applicant/Agent/Architect                                 |
| Location:                       | 419 S. Locust Street (Legal description is attached with the application) |
| Owner:                          | EVR Investments                                                           |
| Action Request:                 | Final Planned Development                                                 |
| Current Use:                    | Vacant Wal-Mart Site                                                      |
| Current Zoning                  | GB-General Business                                                       |
| Surrounding Existing Land Uses: | Railroad Tracks, Retail/Office/Restaurant/Apartment                       |

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**GENERAL DESCRIPTION**

The applicant is seeking a Final Planned Development approval for a commercial/residential mixed-use at the currently vacant Wal-Mart site. The underlying zoning is “GB” General Business.

A Preliminary Planned Development was approved by City Council in 2007, via Ordinance No. 2958. Numerous conditions for approval stipulated for this project are listed within the Ordinance. A copy is attached for your information.

Any planned development projects need to go through a two-step process; a preliminary plan and a final plan, although the process can be concurrent for small, single phase developments. Both preliminary and final plan approvals require a Planning Commission recommendation and City Council approval.

Since the approval of the preliminary development, a new developer received consent from the property owner and took over the development of the site. In 2008, Mr. Robert Fiorita of New Village Communities requested a Concept presentation to be made to the Planning Commission to ensure the proposal his company presented would be similar and in conformance with the approved Preliminary Plan. The revised plan showed a total of 68 units and 40,000 square feet of commercial space. The design showed a campus quad setting with a central walkway connecting the commercial area to the residential portion. The Commission felt that the revised plan was envisioned for this corridor and agreed with the revised layout.

In 2012, the applicant came back to the Planning Commission for another Concept review incorporating library space as part of the commercial space, since the site had been chosen as the site for the new Oxford Lane Public Library. The total commercial space was increased from 40,000 square feet to 47,500 square feet due to the new library requiring 25,000 square feet of floor space.

It is important to keep in mind that the final planned development requires more detailed information, additional analysis and needs to go through additional decision standards review. The final planned development not only needs to satisfy the general decision standards, but additional decision standards as outlined in Section 1145.06 of the zoning code. The additional decision standards are as follows:

1. The final planned development shall substantially conform to the preliminary plan.
2. Any substantial changes from the preliminary plan improve the plan or were requested by Planning Commission or Council as part of the preliminary plan approval process.
3. If the final plan seeks approval of only a portion of the approved preliminary plan, the elements of the proposed phase are sufficient to stand alone if the remainder of the planned development is abandoned.

The site is 11.70 acres and is being used for commercial and residential purposes: approximately four acres of commercial area and 7.6 acres of residential area. On the commercial side, the plan shows a total of 47,500 sq. ft. of commercial space, consisting of four free standing buildings, sizes ranging from approximately 6,000 square feet to 25,000 square feet. The two buildings closest to Locust Street would be one story in height, and the other two buildings further away from Locust Street will be two-story in height. The two buildings, closest to Locust Street are labeled as restaurants with outdoor dining areas, including a drive-through. The proposed library building will have a drop-box in the rear of the building.

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### **§1143.12(d)(5) General Business District Supplementary Regulations:**

5. Each development is required, where feasible, to provide adequate space (including easements) for alternative modes of transportation such as bike paths, multi-use paths, bus stops and turn-arounds, etc.

*Staff Findings: §1145.12(i)(3) PUD Access & Mobility of the Zoning Code also requires adequate pedestrian connectivity be provided to and through a planned development. The final plan shows sidewalks being provided along the Locust Street frontage, from the residential building to College Avenue as well as a striped crosswalk at Spring Street. The applicant also indicated that internal pedestrian crosswalks at vehicular intersections would be raised and has a color, material or textural change at three major locations within the site, specifically connecting the residential area to the commercial area. The final plan shows a total of 24 bike rack provided in three different locations.*

*Given that it was not clear on the submission related to the walkway from the site to Spring Street, staff recommends that this sidewalk shall be raised and has a color, material or textural changes as the applicant has indicated in the narrative. Furthermore, the walkway from the site to the College Avenue entrance would require some safety measures in addition to the lighting fixture(s) the applicant has indicated in the narrative; there also a need for safety railing since the grade drops off considerably on one side of the walk.*

*Staff also recommends the need for more crosswalk markings between residential buildings to clearly delineate the pedestrian movement within the complex, specifically, the Spring Street entrance/driveway entering into the residential and commercial portion of the site. Additional crosswalks will also be necessary to connect commercial buildings, even there is the main passage connecting the commercial to residential area.*

*The potentiality of public transit for the community is becoming very possible in the near future. Could there be any accommodations made to allow bus stops in this site away from the public right-of-way?*

### **§1143.12(d)(2)(C) General Business District Supplementary Regulations:**

A minimum of one tree for every 50 linear feet of frontage shall be required in addition to any other required site landscaping.

*Staff Findings: The final plan shows the number of trees along Locust Street and Spring Street, but does not show any trees along College Avenue. Two trees shall be provided along College Avenue.*

**§1149. 03(e) Off-Street Parking Space Requirements:**

The total required off-street parking spaces are based on the uses of the proposed project.

Multi-family                      2.5 per dwelling unit

Restaurant                      One per 100 square feet of usable floor, if a drive-through is present, each 20 feet of queuing between the points at which the order is ordered and where the food is served shall count as one space toward the total requirement, up to a maximum of three spaces.

Library                      One per each 250 square feet of floor area plus one per each employee on largest shift.

**Staff Findings:** *The total required off-street parking is approximately 450. The application shows 450 off-street provided parking spaces. This project consists of a multi-tenant commercial development, the Oxford Zoning Code allows.*

**§1149.05(e)4.F. Parking Lot Design:**

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 end of each row of parking spaces and at every interval of 7 parking spaces in a row. Each island 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.

**Staff Findings:** *The parking lot design of the final plan does not provide landscaped, raised and curbed islands at every interval of 7 parking spaces in a row.*

**§1149.05(e)(5)B.1.a. Landscaping:**

B. 1.a. A parking area shall have two trees per parking facility plus one tree for every five parking spaces or fraction thereof generally distributed throughout the parking area.

**Staff Findings:** *Approximately 33 trees are shown in the commercial portion of the site and 59 in the residential, totaling 82 trees are shown on the landscaping plan for the entire parking lot. The required number of trees for the residential area is 57 trees and the required number of trees for the commercial area would be 58 trees. An additional 13 trees are needed that can be dispersed in a meaning way throughout the parking lot.*

**1151.05(a)(3)(A), (B) and (C) Permanent Signs:**

No more than a total of two wall or freestanding signs are permitted per development site in accordance with the following:

(A) Maximum total sign area for all signs on a development site shall not be more than two square feet of sign are per linear front foot of the site.

(B) Wall Signs:

1. No more than two signs as follows:

a. If the average front setback of the structure is less than 100 feet, then the sign may be no more than three feet tall. If the average front setback of the structure is 100 feet or greater then a sign may be no taller than the average front setback of the structure multiplied by 0.04, but in no case taller than 12 feet. ....

(C) Free Standing Signs:

1. No more than 1 sign as follows:

a. No more than 48 square feet per side.

b. No combination of a freestanding sign structure and sign shall be higher than 6 feet or wider than 12 feet.

**Staff Findings:** Based on the final plan submission, staff determined that there are a total of 4 freestanding signs and 5 wall signs. A table of signage is attached for your information.

|                         | Proposed<br>Height (feet) | Proposed<br>Width (feet) | Type         | Sq. Ft.<br>Per side. | Sides | Total<br>Sq. Ft. |
|-------------------------|---------------------------|--------------------------|--------------|----------------------|-------|------------------|
| Locust St               | 6                         | 8                        | Freestanding | 48                   | 2     | 96               |
| Spring St               | 6                         | 8                        | Freestanding | 48                   | 2     | 96               |
| South College Street    | 6                         | 3.5                      | Freestanding | 21                   | 2     | 42               |
| Entrance to residential | 6                         | 3.5                      | Freestanding | 6                    | 2     | 84               |
| North 1 Story Outparcel | 3                         | 48                       | Wall         | 144                  | 2     | 144              |
| South 1 Story Outparcel | 3                         | 90                       | Wall         | 270                  | 2     | 270              |
| North 2 Story Locust    | 5.5                       | 50                       | Wall         | 275                  | 2     | 275              |
| South 2 Story Locust    | 5.5                       | 40                       | Wall         | 220                  | 2     | 220              |
| Clubhouse Canopy        | 3                         | 30                       | Wall         | 90                   | 2     | 90               |
| <b>Total</b>            |                           |                          |              |                      |       | <b>1317</b>      |

|              | Linear frontage | Allowable signage |
|--------------|-----------------|-------------------|
| Locust       | 425.64          | 851.28            |
| Spring       | 152.3           | 304.6             |
| College      | 87.24           | 174.48            |
| <b>Total</b> |                 | <b>1330.36</b>    |

The proposed signage exceeds the allowable signage in one area: the number of freestanding signs. Zoning Code allows one free standing sign per development site, the proposal shows four free standing signs (one internal and three external). There are some inconsistencies between the table of signs and the actual elevations in terms of height. The allowable sign height in GB is six (6) feet tall. The table shows six feet in height, but the drawing shows the sign is eight feet high.

The final plan submittal comes with some elevations that show the commercial buildings having multiple tenants for each building and it is staff's interpretation that the square footage provided in this submittal is the maximum square footage for each building. It is also staff's interpretation that all commercial signage will be on the front façade of the building facing Locust Street and that there will be no signage on the side of the commercial buildings. Should the development occur and the locations of these signs are different from what they are on the final plan submittal, if approved by City Council, the Planning Commission Chair and Community Development Director would need to concurrently approve the changes to the signage, provided the total square footage is still within the approved parameters.

### **AGENCY REVIEWS**

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

|              |                          |
|--------------|--------------------------|
| Police:      | Comments attached        |
| Fire:        | Received with no comment |
| Engineering: | Comments attached        |
| Econ. Dev.   | Comments attached        |

### **STAFF ANALYSIS**

Please note this is a final planned development that must show that it substantially conforms to the preliminary plan. As mentioned earlier, the applicant came before the Planning Commission and presented two Concept plans for consideration in 2008 and 2012 respectively. The applicant received comments from the Planning Commission and put together the final plan application for consideration. The decision standards for approval require more detailed information and study. I have enclosed the final plan decision standards for your information.

It might be more useful to focus on the merits/design layout of the final plan, than providing the narratives as this project relates to the Oxford Comprehensive Plan, since the issues have been described in the preliminary review. Therefore, the analysis is strictly narrowed to the Planned Development Decision Standards compliance review.

**§1145.07 Action by Planning Commission and City Council:**

- (a) The Planning Commission shall recommend to Council, approval with conditions, or denial of an application as presented and shall clearly state the findings upon which its recommendation is based.
- (b) The Planning Commission shall base its recommendation and City Council its decision upon how well the application satisfies the Decision Standards. Planning Commission, in its recommendation, and City Council in its decision may waive or modify dimensional regulations of the Zoning Code, or impose more strict regulations and any additional conditions, guarantees, and safeguards it deems necessary to satisfy the purpose of this Zoning Code.
- (c) City Council may require the developer to file performance bonds with the City to guarantee completion of any public utilities associated with the planned development and any elements of the plan that are necessary to its success, if abandoned by the developer.

There are several issues that staff identified from this final plan submission that require further discussion between the applicant and the Planning Commission:

- 1. As stipulated in the preliminary planned development approval that the total dwelling units are limited to 68, looking at the final plan submittal, a total of 68 dwelling units is provided. However, there is a clubhouse facility, approximately 6,000 sq. ft. of space, containing a leasing office, study area and an overnight hotel room for parents of student residents of the property. The General Business District does allow hotel/motel as a conditional use. However, this parent overnight hotel room poses concerns from a staff perspective in terms of number of dwelling units.
- 2. There is an off-site sanitary improvement that is outlined in the narrative of the application that will need to be completed to accommodate this project, but not associated to this project to alleviate an increased amount of sanitary from this project. There will be a cost-sharing agreement that will need to be in place.
- 3. Traffic ingress/egress issues for the southernmost entrance on South Locust Street will need to be evaluated, since this is going to be the primary commercial portion.
- 4. The proposed sidewalk along Locust Street and its associated ramps/crosswalks must be part of the overall improvements and need to align with other off-site pedestrian connections as determined by the City Engineer. The Engineer's comments are attached with this report concerning traffic improvements.
- 5. The earthen mounds requirement stipulated in Ordinance 2958 is not reflected in the final plan. The approval conditions states that some mounding be incorporated in the landscaping design between this site and the adjoining residential properties. The previous Concept plans showed the mounding, but this final plan does not show any mounding. The applicant must provide the rationale, acceptable to the Planning Commission and City Council, for not incorporating the mounds along the south property line.
- 6. All 12 parcels shall be consolidated and combined. The final plan shows that there are two lots for this project. The applicant indicates that this division was specific to satisfy the lending institution requirements. However, the actual lot split cannot occur: otherwise, the purpose of the planned development of this commercially zoned property would be legally altered into one residential lot and one commercial lot. Furthermore, the density of this planned development is based upon the acreage of the entire site.
- 7. Given that the commercial portion of this project encompasses restaurants and a library, combining pedestrian movement with vehicle movement the intensity of the activities will be

significant. It will be critical to have an internal circulation pattern clearly marked for the safety of the pedestrian as well as for vehicular traffic.

8. There are two restaurants with drive-thru's shown on the plan. The applicant has oriented the drive-thru's away from Locust Street. The noise issue may be a potential concern to residents on the south. However, given that another fast-food restaurant has a multi-lane drive-through that is closer to residential dwelling units to the south, the noise issue from this site might be less of a nuisance in the future. If this becomes an issue, additional landscaping/screening may be required to mitigate this matter.
9. The crosswalk connecting each residential building needs to be clearly marked to provide safe passage. The final plan only highlights the crosswalk from the main open space to the sidewalk along the ramp to Spring Street. Additional attention must be made to the walking path along the Spring Street entrance that needs to be raised to separate pedestrians from vehicular traffic. Is the walking path along the southern boundary leading to College Avenue multi-purpose to accommodate bicycles as well? Additional safety features, such as railings need to be considered installed due to the grade changes.
10. A landscaping requirement must be satisfied as identified in this staff report.
11. Given the right-of-way frontage this site has, the need for additional freestanding signs may be warranted. However, the Planning Commission needs to decide the number of freestanding signs allowed for this site. The Planning Commission may also wish to set the maximum square footage for each sign as presented or at a reduced number.
12. The existing fence along the southern boundary will need to be replaced where sections of it is missing or in poor condition.

## **RECOMMENDATION**

The applicant is seeking the final approval of this planned development. The submitted plan shows conformance to the Concept plan that was submitted for comments in 2008 and 2012. Staff outlined issues that needed further discussion between the applicant and the Planning Commission. Staff would recommend the issues to be completely addressed prior to a decision being made by the Planning Commission.

---

SUBMITTED

BY:

  
Jung-Han Chen  
Community Development Department

DATE: May 3, 2013

## GENERAL DECISION STANDARDS FOR PLANNED DEVELOPMENT

**General Decision Standards.** All planned developments shall satisfy these general decision standards:

- (1) The proposed planned development is in fact permitted in the zoning districts in which it is proposed.
- (2) If the application is for the same site where a planned development application has been denied within one year, the plan is substantially different from the application so denied.
- (3) The uses and site plan will satisfy the general intent of this Zoning Code.
- (4) The uses and site plan will be compatible with the general intent of the Comprehensive Plan.
- (5) The size and shape of the site are sufficient for the proposed planned development.
- (6) The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district.
- (7) 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.
- (8) Accessory uses will be directly related to the operation of the principal uses and will not be operated independent of the principal uses.
- (9) 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.
- (10) Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services.
- (11) 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.
- (12) The site is designed so that on-site traffic and traffic accessing the site will not adversely impact the movement or safety of all modes of traffic on adjacent public streets.
- (13) Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.

**(c) Additional Final Plan Decision Standards**

- (1) The final planned development shall substantially conform to the preliminary plan.
- (2) Any substantial changes from the preliminary plan improve the plan or were requested by Planning Commission or Council as a part of the preliminary plan approval process.
- (3) If the final plan seeks approval of only a portion of the approved preliminary plan, the elements of the proposed phase are sufficient to stand alone if the remainder of the planned development is abandoned.

City of Oxford  
Inter-Office Review Transmittal Sheet

Date: 4/1/13

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

**PC-08-2013 419 S. Locust Street, Former Wal-Mart, FINAL PLANNED DEVELOPMENT,  
Robert Louis Fiorita, Applicant, Architect, Agent**

  X   Review        Revisions        Other

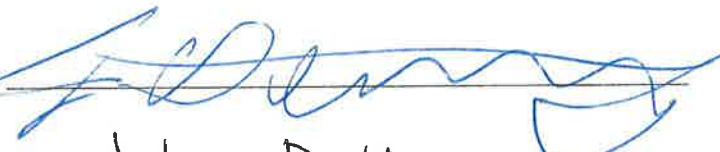
Comments or status update requested by: Lynn Taylor

Please return no later than: **APRIL 23, 2013** Note: If no comments are received, we will assume the project meets your department's standards.

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

If you should see major concerns, please notify staff right away.

Drawings reviewed by:

  
John Dethenage  
PRINTED NAME

Date: 4-7-13





## Memo

Service Department  
Engineering Division

513/524-5208 fax 513/524-5267

TO: Community Development

FROM: Victor Popescu, P.E.  
City Engineer

RE: PC-08-2013; 419 S. Locust Street  
Final Planned Development (Former Wal-Mart)

DATE: April 9, 2013

---

We have reviewed the submittal for the subject PC Case. The following are our comments.

- The existing traffic signal at the main entrance to the proposed development shall be upgraded to City Standards at the Developer's expense.
- The Traffic Impact Study proposes modifications to the existing traffic patterns on neighboring streets (i.e. stripping, traffic signal timing, etc.). The modifications are acceptable and shall be made at the Developer's expense.

If there are questions, contact the Engineering Division.

City of Oxford  
Inter-Office Review Transmittal Sheet

Date: 4/1/13

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

**PC-08-2013 419 S. Locust Street, Former Wal-Mart, FINAL PLANNED DEVELOPMENT,  
Robert Louis Fiorita, Applicant, Architect, Agent**

  X   Review            Revisions            Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **APRIL 23, 2013** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned:   w/comments   without/comments

.....  
INFO MADE AVAILABLE TO OPD COMMAND STAFF. NO COMMENTS  
AT THIS TIME, MOVING FORWARD, WE'LL WANT TO MONITOR  
If you should see major concerns, please notify staff right away. ASSESS IMPACT ON TRAFFIC  
FLOW, WAIT TIMES, ACCIDENT  
RATE(S), ETC.

Drawings reviewed by:

  
R.B. HOLZWORTH  
PRINTED NAME

Date: 5/3/2013

City of Oxford  
Inter-Office Review Transmittal Sheet

Date: 4/1/13

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

**PC-08-2013 419 S. Locust Street, Former Wal-Mart, FINAL PLANNED DEVELOPMENT,  
Robert Louis Fiorita, Applicant, Architect, Agent**

  X   Review            Revisions            Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **APRIL 23, 2013** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned:   w/comments   without/comments

This 11 plus acres of commercial/retail has been vacant for about 8 years. While this site is situated in the heart of the Locust Street Business District, there have been many factors which have impeded its redevelopment. It is nice to see someone is attempting to redevelop this site and create fresh new commercial/retail space.

This project is proposing to add 47,500 sq. ft. of addition retail/commercial space to the Oxford community. Even if the library should take 25,000 sq. ft., the community would still receive 22,550 sq. ft. of additional retail/ commercial space. As you can see from the chart on the right, Oxford is in need of additional new & desirable retail/ commercial space.

| Approximate<br>Business Occupancy | Retail<br>Sites | Available<br>Sites | Occupancy |
|-----------------------------------|-----------------|--------------------|-----------|
| Uptown                            | 107             | 3                  | 97%       |
| College Corner Pike               | 68              | 3                  | 96%       |
| Locust Street                     | 89              | 9                  | 90%       |
| Total                             | 264             | 15                 | 94%       |

Drawings reviewed by: [Signature]

Date: 4-22-2013

[Signature]  
PRINTED NAME

PC-08-2013

Legend

- Subject Property
- 200 Ft. Buffer
- Oxford Corporation Limit
- Parcel
- 16.5' Vacated ROW
- Building Footprint
- Paved Roadway

16

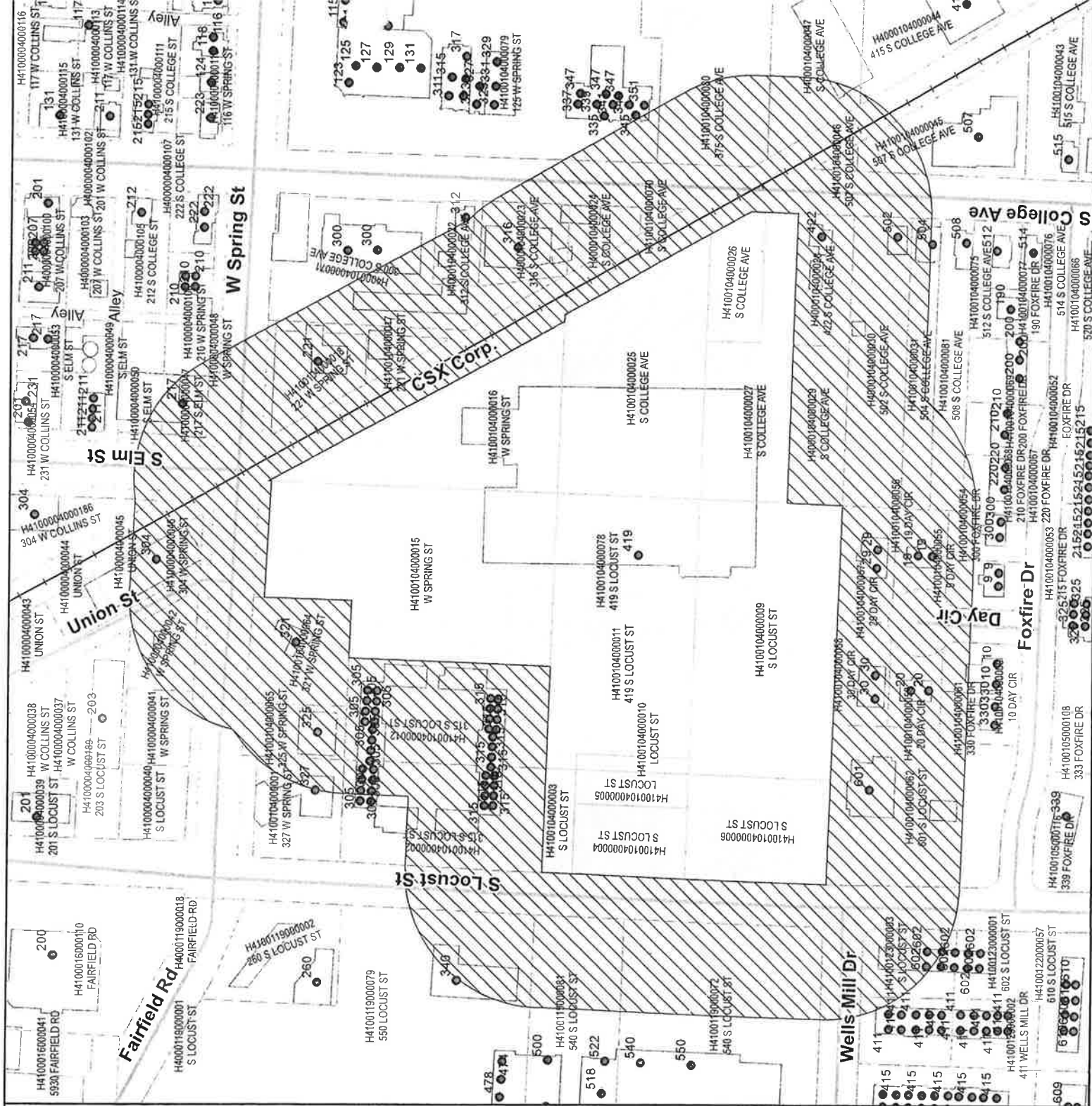


1 inch = 200 feet

Adjacent Properties

CITY OF OXFORD

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





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

**CASE NO.:** PC-08-2013

**DATE OF HEARING:** May 14, 2013

**PC-08-2013 FINAL PLANNED DEVELOPMENT** 419 S. Locust Street (Former Wal-Mart Site) 11.704 acres, mixed use **Robert Fiorita, New Village Communities, LLC, Applicant, Agent**

If you cannot attend the public hearing on this Final Planned Development being held before the City of Oxford Planning Commission, but would like to comment on this matter, please complete this form and return it by **May 9, 2013** to Lynn Taylor, 101 East High Street, Oxford, OH 45056.

Name: Rice Management, Inc.

Address: 508 S. College Ave.  
Oxford, OH 45056

Telephone: Home: 330-565-2509 Work: 330-675-2534

COMMENTS: we would love to see it developed for the benefit of Oxford.

Rice Management, Inc.

By: [Signature]  
Signature Ron Rice, President

5-5-13  
Date

## LETTER OF AGENCY

To Whom It May Concern:

Please be advised that Robert Fiorita has permission to represent our interest with the City of Oxford and act on our behalf at the Planning Commission hearing May 14, 2013 regarding a Final Planned Development at property located at 419 S. Locust Street Oxford, Ohio 45056

Thank-you,

Signed: EVR Investments LLC  
Daren Redpath, EVR Investments

4/12/13  
DATE



**AdvantageBank™**

440 Polaris Parkway  
Suite 250  
Westerville, Ohio 43082  
Phone: 614-880-1236  
Fax: 614-880-1393



February 19, 2013

Jung-Han Chen, AICP  
Community Development Director  
City of Oxford  
101 E. High Street  
Oxford OH 45056

**RE: Evidence of Financial Capacity  
To Complete Proposed Development  
Wal-Mart Redevelopment  
Final Plan Approval ~ Ordinance 2958  
419 South Locust Street**

Dear Mr. Chen,

New Village Communities, LLC, the developer of above captioned project, is our borrower and they have asked us to provide evidence of Financial Capacity pursuant to the submission of Final Plan Approval for the above captioned Student Housing Development.

We are pleased to announce that we have engaged with Robert Fiorita and his respective entity in a formal, legally binding Commitment Letter Agreement to provide a construction and permanent loan to finance the project. Our loan, along with the equity that we are asking be invested into this property, will provide 100% of the development costs as indicated by the budgets that Mr. Fiorita has provided to us.

Along with Robert's Company, Advantage Bank has a great deal of confidence in the various entities that his company has aligned itself with including Asset Campus Housing, the property management company, New Village Construction, the construction company and Lane Public Library, which will hopefully occupy the commercial site just adjacent to the student housing development.

We too are Ohio based and are looking forward to being involved in such a great opportunity in Oxford that will cater to one of Ohio's great secondary education institutions.

If I can be of additional assistance, please feel free to contact me.

Sincerely,

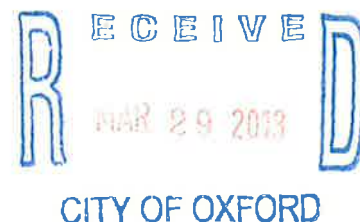
Carol Smith  
Senior Vice President  
Advantage Bank

March 25, 2013

Jung-Han Chen AICP  
Community Development Director  
101 East High Street  
Oxford, Ohio 45056-1887

ROBERT  
LOUIS  
FIORITA  
ARCHITECTS  
& ASSOCIATES  
INCORPORATED

**RE: Ordinance 2958  
Final Plan Approval  
419 Locust Street  
Oxford, OH 45056**



Dear Jung Han,

Attached is a Planned Development Application and related support documents pertaining to formal request for Final Plan Approval to complete Ordinance 2958 that was adopted by City Council May 15, 2007 and resulted in a Preliminary Plan Approval of a 11.7 acre Mixed Use- Infill Planned Development located at 419 South Locust Street replacing an existing 104,000 square foot abandoned Wal-Mart building. The approved Ordinance 2958 contained 14 conditions which are also herein addressed as part of this application.

The Applicant made several notable site plan improvements addressing the conditional items approved by City Council principally pertaining to quantity, quality and use of open space, pedestrian traffic circulation through the site and introduction of useable public outdoor spaces integrating the two uses of Residential and Commercial per section 1145.12 (d) R1B and GB Zoning Districts that comprise the Mixed-Use nature of the Planned Development. On October 14, 2008 the Applicant presented its site plan revisions to Planning Commission requesting an informal review of "Substantial Conformance" to the preliminary plan and permission to proceed with the new site plan to Final Plan Approval. This is also a "General Decision" condition of Final Plan Approval per (1145.06) (c.) (1.). A very favorable Planning Commission meeting granted applicant permission to move forward with the modified and improved plan to Final Plan Approval.

Since approval of Substantial Conformance many variables have prevented the project from moving forward including the overall economy, real estate lending environment, changes in Miami University's residential policy, and most notably an underlying informal request by the City Leaders that a substantial portion of the approved 40,000 square feet of Commercial space be built within a specified period of time. Although minutes or statutory approvals from public meetings, Ordinances of Planning Commission, City Council or the minutes to these public hearing contain no language, discussion or suggestions requesting any amount of Commercial Space be built on a specific schedule, informal discussions between Applicant and City Leader have emphasized that this is important to the City. Applicant has honored that request.

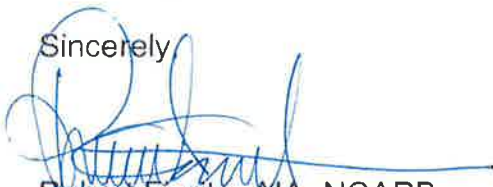
Over the course of several years the Applicant has had several roundtable work sessions lead by the City Economic Development Director, Alan Kyger and The Community Development Director, Jung-Han Chen. The meetings were among City Leaders including City Mayor, City vice-Mayor, City Manager, City Services Director, and Zoning Staff. The most recent of these formative discussions occurred in October of 2011 lead the Applicant and City Leaders to informally agree that building a substantial portion (more than 50%) of the 40,000 square feet of commercial within a 24 month period of the completion of the residential portion of the Mixed-Use Planned Development would satisfy their concerns. This was still a very formidable order in a bad overall economy.

In March of 2012 the Applicant was informed by Alan Kyger that Lane Public Library was interested in a 12,500 building pad within the subject property to build the two story 25,000 square feet Oxford Branch Library as one of many sites it was considering. After several presentations by Applicant to the Library's Board and to the Board's formal public hearing by "Friends of the Library Group", the site selection process ended with and endorsement of this site. The decision was unanimous by Library's Board of Directors and a public vote by "Friends of the Library Group". This action not only satisfied the roundtable agreements for substantial completion of the Commercial square footage requested in roundtable discussions among City Leaders, but the new "Cultural Use" within the Mixed-Use Development now strikes the core of the City's central Goals and Objectives outlined in Oxford's Comprehensive Plan for both the Mile Square Uptown District and The Locust Street Corridor. The 25,000 square foot Library use is a Conditional Cultural Use within the GB district.

On August 14, 2012 the Applicant and Library Architect presented a modified site plan that showed slight changes to the site plan. Among them was incorporating the new Lane Library Oxford Branch into the plan. Additionally, the applicant presented other modifications to the plan including increasing the overall square footage of commercial space within the GB portion of the site to 47,500, introduction of potential drive-throughs on the two +/- 6,000 square foot out parcels, a drop-box window for the Library and showing varying building heights with a 2-Story Library building. Central to the modification was an introduction of a four-sided architecture fenestration to offset the potential impacts drive-through facades.

Having satisfied all the conditions of the Preliminary Plan Approval and the requests of the City Leaders from roundtable discussions, the Applicant now comes with great satisfaction before Planning Staff, City Planning Commission and City Council with its formal Application for Final Plan Approval of Ordinance 2958.

Sincerely,



Robert Fiorita, AIA, NCARB  
Applicant

**Planned Development Application**  
City of Oxford, Ohio

**REQUIRED INFORMATION**

Name of Applicant: ROBERT LOUIS FIORTA ARCHITECT & ASSOCIATES, INC  
(Attach a letter of agency if the applicant is not the property owner.)  
Mailing Address: 4242 TULLER  
DUBLIN, OH 43017  
Telephone Number(s): (614) 798-0900  
Email Address: RFIORTA@NEWVILLAGE COMMUNITIES.COM  
Name of Subdivision: ORDINANCE 2985  
Location of Property: FORMER WALL MALT 419 SOUTH LOCUST ST.  
Legal Description: IN APPLICATION  
Zoning District: CB - PLANNED DEVELOPMENT  
Number of Lots: 2  
Total Acreage: 11.7 Acres  
Surveyor/Engineer: TROY MESSER THE KLEINGERS GROUP  
Address: 6305 CENTRE PARK DRIVE, WEST CHESTER, OH 45069  
Phone Number: (513) 779-7851

**DRAWING REQUIREMENTS**

Please submit **thirteen (13)** complete sets of all information with each preliminary and final application. The Zoning Administrator may modify this requirement based upon the type of materials included. The applicant shall contact the Zoning Administrator prior to submitting an application to discuss the submission requirement. Fee for preliminary and final: **\$400 plus \$100 per acre plus actual postage**

If any information is submitted in color or on non-standard paper, more copies may be required.

**A. Preliminary Plan**

1. Application Fee
2. The name, mailing address, and telephone number of the applicant and all property owners
3. If the applicant is not the owner, or if there are multiple owners within the proposed area, a statement from all owners that the applicant is entitled to apply on their behalf, and that they agree to be legally bound to any decision reached according to this Chapter
4. Evidence sufficient to ensure that the applicant has the financial capacity to complete the proposed development
5. Evidence of unified control of all land in the proposed area
6. The name, mailing address, and telephone number of any planner, engineer, surveyor, or other design professional who assisted with preparation of the plans
7. Description of Use and Site
  - a. A written, detailed description shall include the following information. A separate response is required for each subsection.
  - b. A legal description of the site, including all separate lots
  - c. A description of the existing uses of the site
  - d. The zoning districts in which the site is located
  - e. A description of the proposed PD
    - i. The number of housing units by size and type proposed within each phase
    - ii. A description of any nonresidential operations, including type of goods sold, services performed, and expected number of customer, clientele, delivery, and service vehicles
    - iii. The hours of operation of any nonresidential use
    - iv. A phased development schedule, if applicable, that indicates the location and timing of phases and demonstrates that each completed phase would form a reasonably independent unit if succeeding phases were abandoned

- f. A narrative statement that evaluates the compatibility of the proposed PD with the general vicinity and adjacent properties
    - i. How the proposed uses are similar to or different from existing area uses and if there will be any interaction between the proposed site and adjacent sites
    - ii. How any existing structures, proposed structures, and the site design relate to adjacent structures and sites
    - iii. If the proposed uses will involve any operations that create potential nuisances such as excessive noise, lighting, odor, fumes, vibration, or emissions
    - iv. How any potential negative effects on adjacent land will be mitigated
  - g. A statement about why the location proposed is appropriate for the PD
    - i. A statement of the necessity or desirability of the proposed PD to the neighborhood or community
    - ii. Proposals for the provision of public utilities and services, if insufficient or not available for the planned development, or for the provision of suitable private utilities and services
    - iii. The substance of proposed covenants, easements, and other restrictions on the land and structures
    - iv. For a CPD, an independent market analysis sufficient to ensure that the planned commercial entities have a reasonable chance of success
    - v. A list of the names, mailing addresses and parcel numbers of all property owners within 200 feet of the site, including those across streets, roads, alleys and highways. NOTE: The Butler County website ([www.butlercountyohio.org/auditor](http://www.butlercountyohio.org/auditor)) is very helpful when searching for the mailing address of adjoining property owners. Once the site is up, click on online searches, then click on real estate. It will allow you to search by owner, address or parcel number. \*Property Owner names will not be included in the agenda packet
    - vi. Such other information regarding the proposed uses, site design, or surrounding area as may be pertinent to the application or required by Planning Commission or Council.
8. Site Plan
- A scaled site plan shall include the following information in detail. The required information may be submitted on multiple site plans if inclusion of all information on a single plan makes it illegible or difficult to understand.
- a. North arrow
  - b. Scale
  - c. Vicinity map
  - d. All existing and proposed lot lines within the site
  - e. Dimensions of all lots and of the entire site and any adjacent rights-of-way
  - f. The location of all Primary Conservation areas, and all proposed parks, playgrounds, pedestrian paths and other open space areas
  - g. Location, height, dimensions, and use of all proposed and existing structures
  - h. Location and design of all proposed vehicle and pedestrian routes and nonresidential vehicle management areas
  - i. Approximate location and size of all existing and proposed utilities that will serve the PD
  - j. Location, size, and type of all proposed signs
  - k. Location, height, and type of all proposed screening and landscaping
  - l. Distances to residential zoning districts if within 1,000 feet
  - m. The use of land and location of structures on adjacent property and across adjacent rights-of-way
  - n. The location of any nearby schools and commercial facilities
  - o. Other information as required by the Planning Commission or Council
9. Elevations
- Elevations of proposed structures or typical elevations if structures are not yet designed.
10. Other
- Photographs of any existing uses, vacant land, and the surrounding area

#### **B. Final Plan Additional Submission Requirements**

Maps in the form required by the City of Oxford Subdivision Regulations, with such modifications and additions as required concerning such items as building sites when used as a substitute for lots,

common open space not dedicated for public use, and other matters as appropriate to planned developments generally or to the specific planned development. Similar modifications of standards contained in the Subdivision Regulations or in other regulations or policies applying generally may be reflected in such maps and report if the Planning Commission shall find and shall certify, after consultations with other agencies of government as appropriate in the specific case, that the public purposes of such regulations or policies are as well or better served by specific proposals of the final plan and reports.

1. Topographic data map drawn to a scale of 100 feet to one inch by a registered surveyor or engineer showing:
  - a. Boundary lines: bearings and distances.
  - b. Easements: location, width, and purpose.
  - c. Wooded areas, streams, lakes, marshes, and any other physical conditions that affect the site.
  - d. Ground elevations on the tract: for land that slopes less than one-half percent, show one-foot contours; for land that slopes more than one-half percent, show two foot.
  - e. If deemed necessary, subsurface conditions on the tract, including the location and results of tests made to ascertain the conditions of subsurface soil, rock and ground water, and the existing depth of ground water.
2. A general site and land use plan for the planned development as a whole, indicating sub-areas for phased development, if any, and showing location and use of structures and portions of structures in relation to building site lines; floor plans of the buildings involved, indicating horizontal dimensions, uses of space, and floor area; elevations of the buildings involved, indicating height, and if required, in determinations for the particular building or use location and dimensions of all windows and other glassed areas; building sites reserved for future use and uses for which sites are reserved, automotive and pedestrian circulatory networks, principal parking areas, open space not in building sites and use for which it is intended, and such other matters as are required to establish a clear pattern of the relationship to exist between structures, uses, circulation and land.
3. Agreements, Contracts, Deed Restrictions, and Sureties:
  - a. Filing a performance and labor and material payment bond in the amount of 110 percent of the estimated construction cost as determined by the City.
  - b. Depositing or placing in escrow or certified check, cash, or other acceptable pledge, in the amount of 110 percent of the construction cost as approved by the City.

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**NOTE: Incomplete applications CANNOT be processed.**

Submit this application, required copies of the preliminary plan containing all required information and the required fee made payable to the City of Oxford, to the office of Community Development, Municipal Building, 101 East High Street, Oxford, Ohio 45056. Any questions should be directed to Community Development Department at (513) 524-5204. The plan will be placed on the next possible agenda

**NOTE: Notification and publication requirements must be adhered to. Submit materials 45 days prior to the proposed Planning Commission meeting date. City Staff will erect a public hearing sign on the subject property. It is the Applicant's responsibility to remove the signage once the hearing(s) are completed.**

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SIGNATURE OF APPLICANT: 

Date: MARCH 28, 2013

PRINTED NAME: ROBERT FIORITA

**FEE / RECEIPT**

\$400 plus \$100.00 Per Acre plus Actual Postage - Paid / Receipt Number: 1866510

\$ 1,620.-

## 1145.05 APPLICATION- PRELIMINARY PLAN

1. **Application fee.** *Application fee is attached with application.*
2. **The name, mailing address, and telephone number of applicant and all property owners.**
  - a. **Applicant:**  
Robert Fiorita  
4242 Tuller road  
Dublin, Ohio 43017
  - b. **Owner:**  
EVR Investments  
853 South State Street  
Liberty, Indiana 47353  
Atn: Daren Redpath
3. **If Applicant is not the owner, or if there are multiple owners within the proposed area, a statement from all owners that the applicant is entitled to apply on their behalf, and that they agree to be legally bound to any decision reached according to this Chapter.** There are no other owners. The Owner will be present at the meeting to go on public record to validate this issue.
4. **Name, mailing address, and telephone number of any planner, engineer, surveyor, or other design professional who assisted with preparation of the plans.**
  - a. **Architect/Planner:**  
Robert Fiorita  
4242 Tuller Road  
Dublin, OH 43017
  - b. **Surveyor/Civil Engineer:**  
Troy Messer  
Senior Engineer, Kleingers  
6305 Center Park Drive  
West Chester, OH 45069
  - c. **Consulting Architect Lane Library:**  
Mike Dingeldein  
SHP Leading Design  
236 High Street  
Hamilton, OH 45011
5. **Description and Use of Site. A written detailed description shall include the following information. A separate response is required for each submission.**
  - a. **A legal description of the site, including all separate lots.** A legal Description of the site is being submitted under separate cover.
  - b. **A description of the existing uses of the site.** The subject site is a 11.7 acre parcel assemblage with a 104,000 square foot Abandoned Wal-Mart building situated on it that has been out of use since 2007.
  - c. **The zoning district in which the site is located.** The existing Zoning District is GB General Business

d. ***A description of the proposed planned development.*** The proposed Mixed-Use planned development is seeking Final Plan Approval of Ordinance 2958 which provided for 68 Residential Units and 40,000 square feet of Commercial space. The applicant has received subsequent Planning Commission plan approval for "Substantial Conformance" on October 14, 2008 for site plan modifications. Additionally, applicant further received Planning Commission approval and comment increasing square footage of the Commercial portion to 47,500, adding a Public Library as a Conditional Use and proposal to include drive throughs and a Library drop box window on August 14, 2012.

- i. ***The number of housing units by size and type proposed within each phase.*** The residential portion of the site will be one phase containing 68 residential units and a clubhouse facility situated in 4 residential structures. The building/structures are comprised of 2 Structures containing (4) 3 Dwelling Unit Buildings, 1 Structure contains (8) 3 Dwelling Unit Buildings and 1 Structure containing (4) 3 Dwelling Unit Buildings with (4) 2 Dwelling Unit Buildings and a Clubhouse Facility. In total the 68 Units are approximately 1,500 square feet each for a total residential component of 102,000 total square feet of living area and a Clubhouse facility of approximately 6,000. The residential units will have 4 bedrooms, 4 bathrooms, a living room, dining area, kitchen and exterior patio or deck. The clubhouse facility will contain a fitness facility, public gathering area, offices for leasing, theater, game room, study area and an overnight hotel room for parents of student residents of the property. The Residential structures shall be constructed in such a way as to adhere to the City Ordinance restricting no more than 3 dwelling Units per building within each structure and each shall be demised by a firewall per the most recent edition of the Ohio Building Code.
- ii. ***A description of any nonresidential operations, including type of goods sold, services performed, and expected number of customer, clientele, delivery, and service vehicles.*** The nonresidential portion of the site will be comprised of 47,500 square feet of Commercial space that will be built in three phases. The first phase will contain a two story Public Library with 25,000 square feet and a speculative two story Commercial building with 10,000 square feet and will be served by an elevator. The second /third phase will be comprised of two one story out parcels that will each contain approximately 6,000 square feet. Potential tenants for uses will be limited to GB uses and the Conditional Uses contained in (1147.03).
- iii. ***The hours of operation of any nonresidential use.*** The hours of operation will be typical retail store, restaurant, library and

commercial mixed uses similar to the surrounding businesses of this type locates in the adjacent GB district.

- iv. ***A phased development schedule, if applicable, that indicates the location and timing of phases and demonstrates that each completed phase would form a reasonably independent unit if succeeding phases were abandoned.*** The residential portion of the site will begin construction in 2013 as soon as building permits can be submitted and approved by the City of Oxford with hopes of having residents occupying the units by fall of 2015. The 25,000 square foot Library will begin construction in 2013 as soon as its Board finalizes the design and construction documents. The Library expects to select an Architectural Firm at its April Board meeting. Applicant and Library are engaged in a formal "Letter of Intent". Application for Building permits to begin construction of the 10,000 square foot speculative office building will occur sometime before the later of certificate of occupancy on the Library or the Residential. The two outparcels will begin construction as soon as users are found for these two 6,000 square foot pads. Until then the pads will be landscaped, graded, planted with vegetation and curbs with parking lots finished.

e. ***Narrative evaluating compatibility of proposed planned development with general vicinity and adjacent properties.***

- i. ***How the proposed uses are similar to or different from existing area uses and if there will be any interaction between the proposed site and adjacent sites.*** The properties longest contiguous boundary to the east is an active railroad with commercial uses, including Ace Hardware/Lumber, Spring Street Auto, and Letterman Printing just opposite the rails from the subject. To the south and north are compatible commercial uses with drive throughs, retail operations and multi-tenant residential of similar nature to the subject site. The sites primary street frontage is along South Locust Street to the west serves as the primary street arterial along the spine of Oxford's GB District. The site is situated such that all the bounded adjacencies are similar uses to those proposed in the Residential and Commercial portions of the site. The property fronts on to three public rights of way. The longest public access along South Locust Street will serve the sites two primary (preferably only) vehicular access points for the commercial portion of the site. The northernmost of the two also serves as 1 of 2 entrances for the vehicles to the Residential portion of the project. The second longest access point is along Spring Street where a right-in-right-out entrance will occur (a condition of Preliminary Plan Approval) serving as the other 1 of 2 vehicular entrances to the Residential portion of the site. The

Spring Street entrance should not be used by the Commercial. The shortest right of way on the eastern Boundary along South College Street will serve only as a pedestrian entrance (a plan revision since the original submission that addresses pedestrian thoroughfare traffic). The plan has a property sign with area light at that entrance for pedestrian safety.

- ii. How any existing structures, proposed structures, and the site design relate to adjacent structures and sites.** All existing structures, pavement and lighting will be demolished. The masonry material of the building and parking lot will be recirculated into the new project. The proposed buildings of the residential portion will be three stories of 9'-0" floor to ceiling height with pitched roofs and will abut the railroad to the east. Moving west towards South Locust Street, the next row of buildings containing the Public Library will be two stories of approximately 10'-0" floor to ceiling with pitched roofs. The buildings fronting on to South Locust Street will be one story structures similar to existing commercial uses along the Locust Street Corridor. The height of the buildings on the proposed site taper from three stories on the East to one story on the West. The height of three story structures will be mitigated by an existing retaining wall that is approximately 6-7 feet high along the eastern boarder and the sloping nature of the subject site that is lower than the adjacent rail road tracks.
- iii. If the proposed uses will involve any operations that create potential nuisances such as excessive noise, lighting, odor, fumes vibration, or emissions.** There are no proposed uses within this Mixed Used Development that will create any nuisances such as excessive noise, lighting, odor, fumes vibration or emission. The change in use from a 104,000 square foot Wal-Mart use to a residential, library and retail facility will be less of a nuisance than currently exists. The railroad on the eastern border is the source of fumes, vibration and emission.
- iv. How any potential negative effects on the adjacent land will be mitigated?** There are no negative effects to be mitigated. This project will be managed professionally by a staff of on-site personnel and is only 1 of the 3 properties in Oxford of its kind serving students; it will be the only property of this type in the Uptown Mile Square Area. This use will address concerns raised in Article 7.B Public Input of Oxfords Comprehensive Plan that concerns improving housing through better management using infill mixed-use sites.
- f. A statement about why the location proposed is appropriate for the planned development.** The proposed location for this development is appropriate because of several important reasons. At 11.7 acres this site is probably one of the last large assemblages of ground in the subset of the two overlapping Districts of the Uptown Mile Square Sub Area and

the Locust Street Commercial Sub Area. Being in the Commercial district along Locust, in time, if the commercial market were to ever return, the entire parcel could easily become all Commercial use within the GB zoning leaving it void of the desirable mixed-uses that are central in spirit to the guidelines of Oxford's Comprehensive Plan and the even more important Mile Square District. Along with Steward Square and the Kroger shopping area, this project should become a centerpiece to this part of the town drawing upon three distinct population bases that make up Oxford; the students, the residing community retail shoppers and a more regional draw of Public Library goers. Being close to campus, this will be the largest purpose built modern student housing project to date in Oxford that will allow students to walk to classes and on campus activities. Residing along the public spaces for Residential and Commercial designed within the property, students will animate and use the other Commercial/Retail and Library uses within the development. Community retail, with the convenience of drive-up parking is needed both in the Uptown Mile Square District and in the Locust Street Commercial Corridor. This project satisfies that need allowing it to attract national based tenants that require this parking and potential drive through model for its customers. Lastly, the Lane Public Library's desire to locate here speaks volumes of the citizens of Oxford desire to have the Library locate in this Mixed-Use development. After an exhaustive search starting with over 10 sites conducted by an Architectural firm hired as the Library's consultants and then later a public forum, sponsored by philanthropic group that supports the Library, a live vote was cast and the decision was unanimous that this is the place that both the Board and the Citizens of Oxford want the Library to be for the next 50 years. This is the best focus group that could be organized to decide the appropriateness of this site for this use.

- g. ***A statement of the necessity or desirability of the proposed planned development to the neighborhood or community.*** This proposed Mixed-Used Planned Development is both necessary and desirable to the community and the Comprehensive Plan of Oxford. Even when Wal-Mart was an active retail hub, its design, use and nature was incongruous with the vision and Comprehensive Plan that Oxford has created for itself. After over 5 years of sitting empty, with no pedestrian activity it is even more apparent that Big Box Retail in a sea of parking is not appropriate for a location within the Uptown Mile Square District. This project is necessary because it eliminates an inappropriate use, an unattractive building and it is desirable because it satisfies the important attributes of mixed uses of Residential and Commercial centered around public open spaces containing public art and a pedestrian circulation pattern traversing and connecting adjacent neighborhoods and public sidewalks of the three contiguous right-of-ways; this theme is an important component of the goals and objectives throughout the pertinent chapters of the Oxford Comprehensive Plan. The residential units are necessary to

satisfy a need for safe, modern, well located, highly amenitized, student dwellings each with a parking space for every resident that upgrade the quality, conditions and management of student residences within the Mile Square Area. For those that argue that there is too much student housing in Oxford, that Applicant would agree. What is needed for students, and the peace of mind for their parents is for the bar to be raised with safer, cleaner, more modern units that parents, will feel safe having their young adults occupy while away from home. This was a recurring opinion raised from research during a workshop for the Oxford Comprehensive Plan. The Commercial/Retail should be attractive to National tenants because it has the right balance of "suburban drive-up parking" and drive throughs while not having too much vehicular influence because it is integrated with outdoor pedestrian friendly outdoor dining and recreational spaces. Lane Library's vetting process among its active supporters the "Friends of the Library Group" and the Board have already indicated publically that this site is both necessary and desirable for them.

**h. *Proposals for the provision of public utilities and services, if sufficient or not available for the planned development, or for the provision of suitable private utilities and services.*** The site is presently served by all public and private utilities that will be required to facilitate this development and sufficient capacity is available for each with the exception of Sanitary Sewer. The utilities, roadways and all improvements within the rights of way of the property will be private. There are existing City utility lines that need to be rerouted and fall within easements that the Applicants Civil Engineers are aware of and have made accommodations for in the improvement drawings. The scope of this is very small in nature. A downstream offsite Sanitary Sewer needs improvements according the City Engineer. This is not work that will be associated with or prevent this property from moving forward. The City Manager, City Services Director and City Economic Development Director have agreed to access this project with a fee of \$125,000 to contribute its share for that improvement that will be performed under the City's direction by others. Storm water runoff will be considerably less than what presently exists (because the existing site is almost 100% impervious) but will be designed to the same standard as agreed to by the City Engineer. The site is presently illuminated by 30'-50' tall light poles, some at the property perimeter. These lights will be removed and be replaced with lights that are residential in style, size and character that are 13' high.

**i. *A general analysis of expected traffic impact, including vehicular and pedestrian safety, resulting from the proposed development.*** Practically, on a day-to-day basis, the general Traffic Impact that this project will have in Oxford will be very similar to what occurred when Stewart Square was built because it is similar in size and nature. A traffic analysis was conducted and the results are incorporated into the improvement drawings. Additionally, the applicant feels, that if

improvements are required to signaling and roadways that they will be similar in nature and scope to what was asked of the Stewart Square developer. Stewart Square was approximately 100,000 square feet of Commercial/Retail and 40,000 square feet of residential located on 6.8 acres and this project is approximately 100,000 square feet of residential and 48,000 square feet of retail on 11.7 acres. Existing pedestrian traffic patterns are virtually nonexistent. The proposed Mixed-Use Planned Development has internal circulation sidewalks along public open spaces connected to the public sidewalks on every right of way that bounds the property including a pedestrian only access point on the southeast corner of the site along South College Street introduced in the latest plan in an attempt to promote traversing foot and bicycle traffic to and through the site. Within the site walkways are situated along open spaces to emphasize foot traffic along the two major public green areas. Internal pedestrian crosswalks at vehicular intersections will be raised and have a color, material or textural change at three major locations within the site.

- j. *The substance of proposed covenants, easements and other restrictions on the land and structures.*** This project will be professionally managed by a third party management company employing a full-time onsite staff. It will be the only property of this type in the Uptown Mile Square Area. This project will provide cross easements, covenants and restrictions on the land and structures that will be conducive to the respective needs for uses of Residential and Commercial. The traffic patterns within the site are set up so that the southernmost entrance on South Locust Street will almost exclusively serve the commercial portion of the property. The northernmost entrance along South Locust Street and the limited access Spring Street entrance will technically be used for both the Residential and the Commercial portions of the property and each use will need to be allowed (but not promote) access across the opposing site for its traffic. Likewise there is an abundance of parking for the Residential (at 4 spaces per unit, this far exceeds what is required by zoning) and it is likely that it will not all be used. The applicant, expects that a cross use agreement may be used once parking and vehicular traffic patterns are established within the site. Contextually, the two uses of Residential and Commercial will be limited by the developer to a fixed pallet of siding and trim colors, brick choices and pitched roofing material so that there is a comprehensive approach and continuity of smaller pieces making up the entire 11.7 Mixed-Use Planned Development appearing to be a bigger project. The Facades of the Residential and Commercial will be substantially brick veneer. As a condition of preliminary plan approval item (j.), the adjacent apartment to the northwest (parcels H4100104000002 and H4100104000012) be granted ingress/egress for continuance of the existing use as an apartment and that this boundary is the only location where the internal circulation encroached into the 25' setback.

- k. A list of the names and mailing addresses of all landowners within 200 feet of the site.** A list of the names and mailing addresses of all landowners within 200 feet of the site is attached to this application.
- l. Such other information regarding the proposed uses, site design, or surrounding area as may be pertinent to the application or required by Planning Commission or Council.** *Section 1145.06 (a) Burden of Proof of the Oxford Zoning Code* States " This Zoning Code assumes that a planned development is appropriate only if an Applicant proves that the proposed uses and design will not be detrimental to the public health, safety or general welfare of the City or the neighborhood in which it is proposed". Further in *Section 1145.06 (b) General Decision Standards of the Oxford Zoning Code* lists 13 general decision standards and an additional 3 standards under *Section 1145.06 (c) Additional Final Plan Decision Standards* enumerate and outline the general decision standards that all planned developments shall satisfy.

The methodologies available to show how well a Planned Development satisfies the general decision standards are many. At this stage of Final Plan Approval and in the instance of this development, the Mixed-Use Development concept and plan has passed the statutory regulations outlined in the City of Oxford Zoning Code through the Preliminary Plan Approval process. Furthermore, the City Planning Staff, City Planning Commission, City Council and the various departments, of Fire, Engineering, and Police have all weighed in on this plan and its impact on the City of Oxford. That process created comments and concerns that were reduced to written form and passed by City Council by way of Ordinance 2958 and the (14) conditions outlined within it.

With the approved Ordinance and its Conditions as a guide, the Applicant also met with City Leaders in several round table discussions to gain insight as to how it could fill in any gaps or inconsistencies between the approved Ordinance 2958 and what they might want to see during the Final a Plan Approval process. The primary tenet was timing of the Commercial/Retail portion of the development. Although the subject of timing was not a listed condition of the Preliminary Plan Approval or the Ordinance nor was its discussion contained in any previous Staff Reports, Public Meeting notes or Minutes, The Applicant felt compelled to address the desire of the City's Leaders. This request delayed the start but the outcome it caused will serve all parties including the Library, The City, the Citizens and the Applicant better. With the addition of the Lane Public Library Oxford Branch to this development the amount and timing of Commercial development issue has been fully addressed and probably has exceeded expectations.

During the pendency of the Preliminary Plan Approval Final Plan Approval, the City of Oxford approved and adopted Comprehensive Plan

on November 4, 2008. An additional over-arching global test of how well this Planned Development satisfies the General Decision standards of 1145.06 (b) would be to look at how well the Mixed-Use Planned Development follows the vision the City has outlined for itself. The "Oxford Tomorrow: Community Update" that brought about this plan served as an expression of the residents stakeholder share in this open and transparent community process. This Mixed-Use Planned Development strikes the essence of the desires of the citizen's input and the conclusions for the Objectives and Goals of the Planning and Economic team that authored the Plan.

The site and attributes introduced in this project fulfill research input from citizen workshops and address final results from the Comprehensive Plan. This project is the only site in the Mile Square District being also a subset of the Locust Street Corridor that is considered a "Weak Place" in Oxford from one of the public workshops. Additionally the opportunity to redevelop a targeted weak infill site having upgraded student housing with better management ( also on the list of "Weak Places" ) in the context of a Mixed-Use Development connecting Residential and Commercial neighborhoods and districts traversed with pedestrian sidewalks along civic/recreational/green open spaces containing public art while supporting commercial redevelopment along the Locust Street Corridor is exactly what the Comprehensive plan suggests.

The design of this project is virtually unchanged since 2007 when "Substantial Conformance" was granted by Planning Commission. Its creation preceded the Oxford Comprehensive Plan but an evaluation analyzing its vital statistics would make it appear as if it was designed based on the recommendations contained in it. Now that the Comprehensive Plan is in place it is easy to cross check and enumerate its compliance (the compliance is so extensive that it's beyond the scope of this document). This project fulfills the Objectives and Goals of the major discussion points of all applicable Chapters of the Comprehensive Plan including, Executive Summary, Land Use, Urban Design, Housing University and Campus.

The attached Addendum contains the conceptual write up that was delivered to Planning Staff in the Application for the October 14, 2008 Planning Commission that granted "Substantial Conformance" (a "General Decision" 1145.06(c)(1.) condition of Final Plan Approval). Some plan nuances have changed but the Site Plan and Salient Statistics are almost identical and all (14) conditions of the Preliminary Plan are completely addressed.

The following Addendum contains in bold, all-cap italicized words the minor modifications.

## Addendum

***\*EXERPT BELOW FROM OCTOBER 14, 2008 PLANNING COMMISSION SUBMISSION NOW BEING USED FOR FINAL PLAN SUBMISSION MARCH 29, 2013. MODIFICATIONS FOR FINAL PLAN APPROVAL ARE BOLD, ALL-CAP AND ITALIZED***

**FORMAL** Review for **FINAL PLAN APPROVAL** Conformance and Substantial Compliance

**FOR** Final Plan Submission

City Ordinance 2985 Preliminary Plan Approval

Former Wal-Mart site

### CONCEPT OVERVIEW

This **FORMAL** submission is being made at the suggestion of City of Oxford Planning Staff to ensure the Final Development Plan, as submitted herein, substantially conforms the City Ordinance 1145.06C (c) items (1) and (2) (substantial compliance) before proceeding directly to Final Development Plan Approval; and, to receive feedback from Commission on what the Applicant believes are substantial improvements to the physical layout portion of the plan. If Commission feels, as applicant does, that the plan is ready for Final Submission, Applicant will immediately proceed with the formal application for Final Development Plan Approval preparing all the required exhibits and addressing all Ordinance 2985 Conditions in that process.

The attached plan's site criteria (unit count, parking spaces, square footage calculations etc.) as part of the Final Plan Submission are identical to or more compliant with City of Oxford codified ordinances than the Preliminary Plan approved under Ordinance 2985 (please refer to attached analysis). The physical layout of the site plan as part of the Final Plan Submission is substantially similar and improved over the Preliminary Plan.

The most notable improvement of better compliance over the Preliminary Plan is the increase of Open Space as a percentage to overall site area from 19% to 25% (27%). The quantity, quality and interrelationship of this Plans total Open Spaces have been improved. Most notable is the addition and central placement of a larger Residential Open Space Courtyard; second is a newly added Commercial Open Space Courtyard; and third is the pedestrian sidewalk and open space plaza connection linking the larger Open Spaces together. An important item not addressed in the previous plan pertained to the Staff recommendation (item (e) of the Ordinance 2985) of better integration of alternative modes of transportation to the Locust Street Sub-area.

The plan, as revised, places greater emphasis and integration of Public Open Spaces for the Residential and Commercial areas of the site promoting foot traffic for outdoor gathering, eating and shopping areas. The central park-like open-space of the Residential portion of the site exceeding 1 acre creates a campus like atmosphere akin to Miami University's Quadrangles. The applicant expects the size, shape and orientation of this 45,000 square foot area (approximately 130' x 350') to promote recreation and outdoor activities commonly seen in "Quad" spaces like this on University campuses.

An important improvement to the plan adds public open space to the Commercial portion of the site while pushing the Commercial buildings closer to Locust Street. The characteristics of the space are intended to create an outdoor pedestrian mall type atmosphere similar to the modern day outdoor malls like Market Street in New Albany, Ohio and Easton in Columbus, Ohio. **MARKET STREET IN NEW ALBANY, OHIO ALSO CONTAINS A PUBLIC LIBRARY THAT SERVES AS A CIVIC/CULTURAL USE ANCHOR FOR THE CENTER.** The new Retail and Restaurant space of the Commercial section should promote an inviting atmosphere of dining, shopping and social gathering. The plan, as submitted, integrates outdoor dining options for restaurant operators and still provides larger box spaces for Retail operators. **WITH THE ADDITION OF THE LANE PUBLIC LIBRARY, OXFORD BRANCH TO THE CENTRAL PART OF THE SITE PLAN THE CIVIC/CULTURAL ASPECTS OF OPEN SPACE ARE ENHANCED AND MORE IN KEEPING WITH THE COMPREHENSIVE PLAN.**

Open Space areas for the Residential and Commercial portions of the site are linked together by an Open Space plaza designed to promote interaction of the two uses and most importantly create a pedestrian linkage from Spring Street to Locust Street through means of a walking and bike path. A "Pedestrian Spine" has been created as a Final Plan addition and is central to addressing Staff's recommendation (condition (e) of the Ordinance) of introducing "alternate modes of transportation to better integrate the Locust Street Sub-area with adjacent neighborhoods per the Comprehensive Plan" as a connection between Spring and Locust streets. **AN ADDITIONAL FOOT/BIKE PATH HAS BEEN ADDED TO CONNECT SOUTH COLLEGE STREET TO LOCUST STREET.** Stepping along the walkways located in the Central Area of the Residential a pedestrian would experience, park benches, bike racks, and a central plaza with an "Iconic" small tower or public art plaza as a total project identifier for both the Residential and Commercial uses. Student Residents, shoppers and diners will enjoy this experience as part of a living, shopping or eating-out experience; passers-by will be able to enjoy the public Open Spaces passing through in route to campus going one direction while neighborhood residents will enjoy it in route to shopping or dining in the other direction.

Applicant believes not only that the statistical portion of the Final Plan as informally submitted herein for **FORMAL** approval as a precursor to Final Plan Approval is substantial similar to and in conformance with the Preliminary Plan but also the site plan portion of the Final Plan has been substantially improved. **THIS PLAN ALSO HIGHLIGHTS THE IMPORTANT THEMES, OBJECTIVES AND GOALS IN ALL THE APPLICABLE CHAPTERS OF OXFORD'S COMPREHENSIVE PLAN**

#### COMPLAINT WITH ORDINANCE 2985

Ordinance 2985 was approved with certain Conditions ((a) through (n); 14 in all) as enumerated in the Ordinance.

This Final Development plan as submitted **FORMALLY** by this application or by the entirety of the "formal" Final Development Plan Submission to **BEING FILED HEREBY ADDRESSES AND SATISFIES** all of the conditions required by Ordinance 2985. However, most of the Conditions contained in the Ordinance are specifically shown or addressed in the new Final Plan layout attached to this application. **ALL ITEMS ARE** specifically addressed by this submission **HAVING REQUIRED** a more extensive engineering, architectural or planning study and are enumerated and discussed as follows **OR ON THE ATTACHED PLANS:**

1. (a) Open Space has been increased from 19% to 25% (**27% - 3.16 ACRES**).
2. (b) Dumpster Locations are shown for Commercial. Locations need to be added for Residential and screening need defined. **LOCATIONS HAVE BEEN ADDED AND EITHER VEGETATION OR NATURAL SIDING SCREENING WILL BE USED.**
3. (c) The Final Development Plan **PROVIDES** a detailed landscape plan for the entire property detailing location, species, type, quantity and caliper.
4. (d) Landscape mounding has been added between site and residential properties. 7 trees are shown on Locust Street and 3 trees are shown on Spring Street. **THE EXISTING WOOD FENCE ON THE SUBJECT PROPERTY WILL BE MAINTAINED AS A VEHICULAR SCREEN.**
5. (e) Alternative modes of transportation have been shown on the plan and the pedestrian linkage between Spring Street and the Locust Sub-area **AND SOUTH COLLEGE STREET AND THE LOCUST STREET SUB-AREA** are this plans central theme revision to the Preliminary Plan.
6. (f) Loading Spaces are shown on plan.
7. (g) Two 18 bike bike-racks are shown in Residential Courtyard Open Space. Park benches (**LOCATIONS ADDED TO SITE PLAN**), public art and a small "tower" to identify the mixed use property are also shown on the plan. **BIKE RACKS HAVE BEEN ADDED TO THE COMMERCIAL PORTION OF THE PLAN.**
8. (h) Raised landscape and curbed islands have been added and are shown on the plan. Any areas not addressed to staff or commission's satisfaction will be added to formal submission. **ADDING ISLANDS PER 1149.05 (E) (4) B & F WILL REDUCE THE 4 CAR PER UNIT DESIGN. APPLICANT IS REQUESTING THAT THIS DESIGN ELEMENT BE GRANTED.**
9. (i) A total of 80 trees are shown on plan.
10. (j) Recorded easements for ingress/egress rights to neighboring parcels H4100104000002 and H41001040000012 (neighboring apartment complex at NW corner) will be recorded **BEFORE BUILDING PERMITS ARE ISSUED** and noted on Final Plan submission.
11. (k) A plan detailing all site signage, sign lighting, height, size, **IS** part of **THIS** Final Development Plan.
12. (l) All (12) parcels inside the boundary of the site will be consolidated and recorded to (2) parcels **BEFORE BUILDING PERMITS ARE GRANTED** (this will be a requirement for lenders financing the property); one for the Residential acreage and one for the Commercial acreage. Cross use ingress/egress easements will apply.
13. (m) Sidewalk and crosswalk connections will be provided at Spring Street and Locust Street entrances. Traffic lighting will be brought to current codes. **A PEDESTRIAN/BIKE PATH HAS BEEN ADDED TO CONNECT SOUTH COLLEGE STREET TO LOCUST STREET VIA. INTERNAL PEDESTRIAN THROUGHFARES AND OPENSACES.**
14. (n) A curved barrier regulating Right-in-Right-out traffic on Spring Street is shown on the plan. This will be designed to satisfy current codes on the Final Development Plan.

#### FINAL PLAN DEVELOPMENT SUBMISSION

If Commission, Staff **AND COUNCIL HAVE DECIDED THAT** revised and improved Final Development Plan, as submitted herein, is in conformance with and substantial similar to the Preliminary Plan under Ordinance 2985. Applicant **IS HEREBY PROCEEDING** immediately to Final Plan Submission.

| Street                                            |  | Lineal Feet                              |                |
|---------------------------------------------------|--|------------------------------------------|----------------|
| Locust street                                     |  | 425.64                                   |                |
| Spring Street                                     |  | 152.3                                    |                |
| South College Street                              |  | 87.24                                    |                |
|                                                   |  | 665.18                                   |                |
|                                                   |  | Multiply x 2 Square feet per 1151.05 (3) |                |
|                                                   |  | 1,330                                    |                |
| Sign Key                                          |  | Square Feet                              |                |
| Signs                                             |  | Type                                     | Sq. Ft. Size   |
| Max Height                                        |  | Proposed Height                          | Proposed Width |
| Max Width                                         |  | Total Square Feet                        |                |
| 1                                                 |  | 2                                        |                |
| Locust Street                                     |  | Free Standing                            |                |
| 2                                                 |  | 2                                        |                |
| Spring Street                                     |  | Free Standing                            |                |
| 3                                                 |  | 2                                        |                |
| South College Street (two Gate Posts)             |  | Wall                                     |                |
| 4                                                 |  | 1                                        |                |
| Entrance to/from Student Housing (two Gate Posts) |  | Wall                                     |                |
| 5                                                 |  | 2                                        |                |
| North 1 Story Out Parcel ~ Locust (Max)           |  | Wall                                     |                |
| 6                                                 |  | 1                                        |                |
| South 1 Story Out Parcel ~ Locust                 |  | Wall                                     |                |
| 7                                                 |  | 1                                        |                |
| North 2 Story Locust                              |  | Wall                                     |                |
| 8                                                 |  | 1                                        |                |
| South 2 Story Locust                              |  | Wall                                     |                |
| 9                                                 |  | 1                                        |                |
| Student Housing Clubhouse Canopy                  |  | Wall                                     |                |

Must Be Less Than or Equal to in Total Square Feet \* 1,330.36 1,317.00

\* Signage calculation excludes traffic signage, internal directional signage, address blocks and emergency signage. Signs are subject to change but shall remain in conformance with 1151.05 (permanent signage)

\*\* Changed width due to calculation error on submission drawing

RECEIVED  
APR 30 2013

CITY OF OXFORD

Signage revision

ORDINANCE NO. 2958

ORDINANCE APPROVING THE PLANNING COMMISSION RECOMMENDATION FOR PRELIMINARY PLAN APPROVAL OF THE PLANNED UNIT DEVELOPMENT AT THE FORMER WAL-MART SITE (419 SOUTH LOCUST STREET) TO ALLOW A DEVELOPMENT WITH COMMERCIAL AND RESIDENTIAL USES.

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

SECTION 1: Council hereby finds that the Planning Commission held a public hearing on March 8, 2007, in accordance with Section 1145 of the Codified Ordinances of the City of Oxford, on the application of Trammell Crow Company/Scott Webb, Architect, Agent, for approval of a Preliminary Plan at the former Wal-Mart site, corner of South Locust and West Spring Street (419 South Locust Street) to allow a Planned Unit Development of commercial and residential uses.

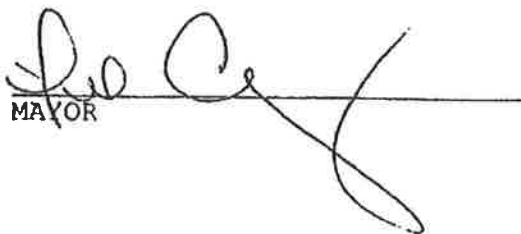
SECTION 2: The Planning Commission, after due deliberation found the application satisfies the code requirements in Chapter 1145 of the Oxford Zoning Code and recommended approval of the Preliminary Plan application for the former Wal-Mart site (419 South Locust Street).

SECTION 3: Council hereby accepts the recommendation of the Planning Commission and further approves the Preliminary Plan application for the former Wal-Mart Site, corner of South Locust and West Spring Street (419 South Locust Street) to allow a development with commercial and residential uses based on the submittals of the applicant that are incorporated and made a part of this approval with the following conditions:

- a. That, the open space calculations be adjusted to 19.2%.
- b. That, dumpster locations shall be shown on the Final Development Plans. No trash collection facility shall be stored in the front yard and shall conform to side and rear yard pavement setbacks of the applicable zoning district §1141.04(j)(2) and shall be screened so as to not be visible from a public right-of-way or an adjacent property §1141.04(j)(4).
- c. That, the Final Development Plan shall provide a detailed landscaping plan for the entire property detailing the location, species type, quantity and calibers per §1143.12(c)(2)A.
- d. That some mounding be incorporated in the landscape design between this site and the adjoining residential properties. Additionally, the minimum streetscape requirement should be satisfied, which requires seven trees along the Locust Street corridor and three trees along Spring Street per §1143.12(d)(2)(A) & (C).
- e. That, alternative modes of transportation are provided on the Final Development Plan to better integrate the Locust Street Sub-area with the adjacent neighborhoods per the Comprehensive Plan, §1143.12(d)(5) and §1145.12(i)(3).

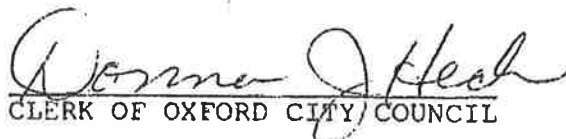
- f. That, the Final Development Plan should be clearly marked indicating the location of the required loading spaces per §1149.05(e)(2).
- g. The Final Development Plan shall show the location of the required 35 bike rack spaces per §1145.12(i)(2)
- h. That, §1149.05(e)(4)B & F are satisfied in regard to any parking spaces oriented in such a way as to have headlights shine into a residential structure and that 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 the ends of each row of parking spaces 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.
- i. That, a total of 80 trees are provided in the parking lot per §1149.05(e)(5)B.1.a.
- j. That, any recorded easements regarding to the ingress/egress rights to parcels H4100104000002 and H4100104000012 (neighboring apartment complex) are noted on the Final Development Plan.
- k. That, a detailed signage and lighting plan illustrating the location, height, type and photometric are provided with the Final Development Plan and in compliance with all applicable regulations of the zoning code.
- l. That, all 12 parcels that are included in the boundary of the site shall be consolidated and recorded prior to any permits being released for construction.
- m. That, sidewalk and crosswalk connections are provided at the Spring Street entrance and the north Locust Street entrance, and that all traffic lighting be brought up to current code.
- n. That, a curved barrier be put in place at the Spring Street entrance so there can only be a right out onto Spring Street and a right turn into the property from Spring Street with the design process to be determined by City Staff.

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

  
MAYOR

ADOPTED: May 15, 2007

ATTEST:

  
CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: DAVE PROWS

PREPARED BY: LAW(STAFF)



# Proposed Mixed Use Development

419 Locust Street  
Former Wal-Mart Site

New Village Communities, LLC  
4242 Tuller Road  
Dublin, Ohio 43107

## Existing Site Entrances and Boundaries

*ORIGINAL Presentation  
CONTINUED*



Spring Street Entrance



Spring Street Looking up  
Entrance Ramp

## Entrances



Spring Street Entrance  
Looking East



Spring Street Entrance  
Looking North

## Entrances



North Locust Street Entrance



North Locust Street Entrance  
Ramp (from Apartment  
shared entrance)

## Entrances



View of Existing Detention  
Area



South Locust Entrance Ramp  
Looking South

## Entrances



South College Street Looking  
West



South College Street Along  
Tracks

## Entrances



Existing retaining Wall  
along Eastern Border



Existing Pole Lights at  
Property Perimeter

## Boundaries



Looking South into Subject  
Property



View Along Boundary with  
Apartments

## Boundaries



View From Apartments onto  
Subject Property



View of Retaining Wall at  
Apartment Property

## Boundaries



View From Apartments onto  
Shared Entrance



View of Retaining Wall at  
Property Line

## Boundaries



South Boundary at  
Mc Donalds

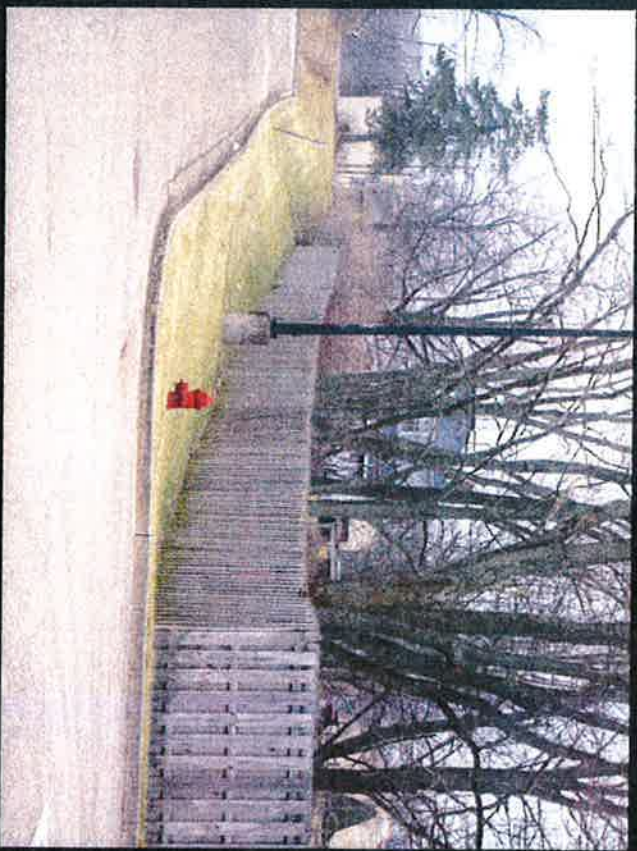


South Boundary at  
Apartments

## Boundaries



South Boundary



South Boundary Looking  
East to College Street

## Boundaries



South Boundary at South  
College Street



South Boundary Looking  
West at South College Street

## Boundaries

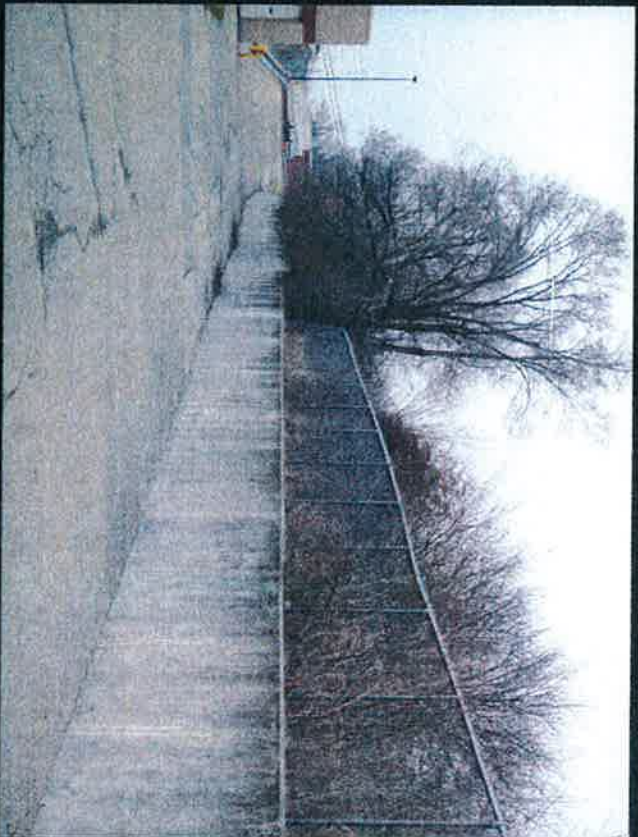


East Boundary Looking  
Across R.R. Tracks



Eastern Boundary

## Boundaries

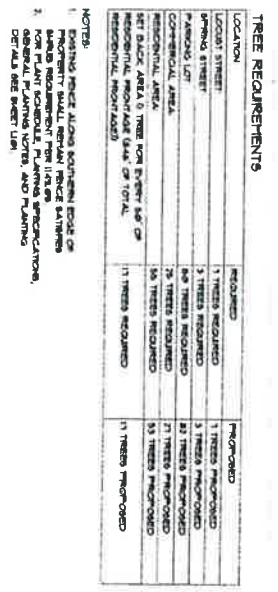


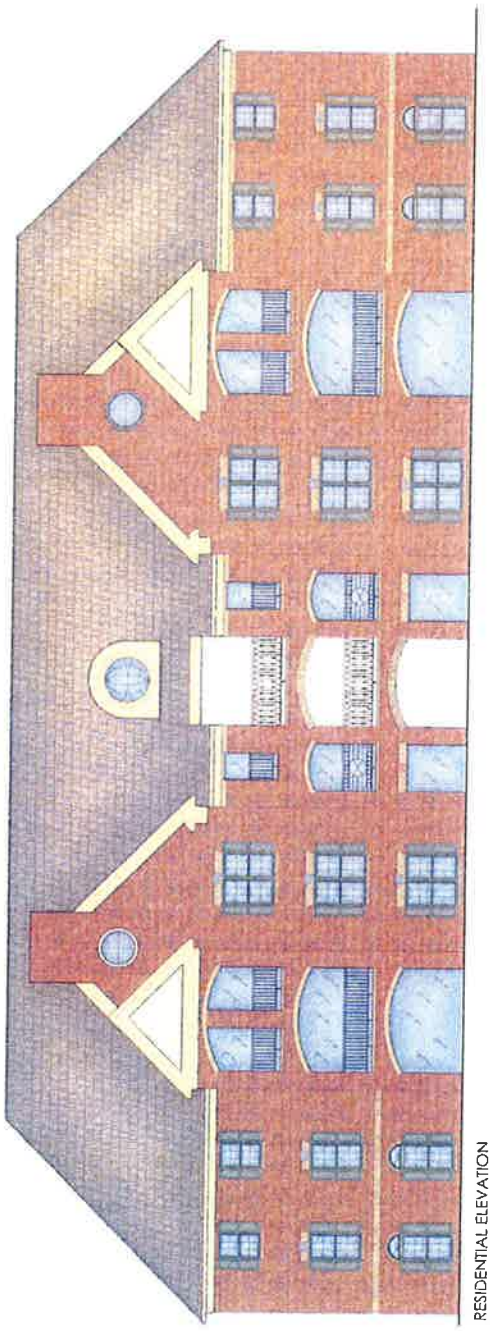
East Boundary Looking  
Towards Spring Street



Eastern Boundary Looking  
South

## *Boundaries*

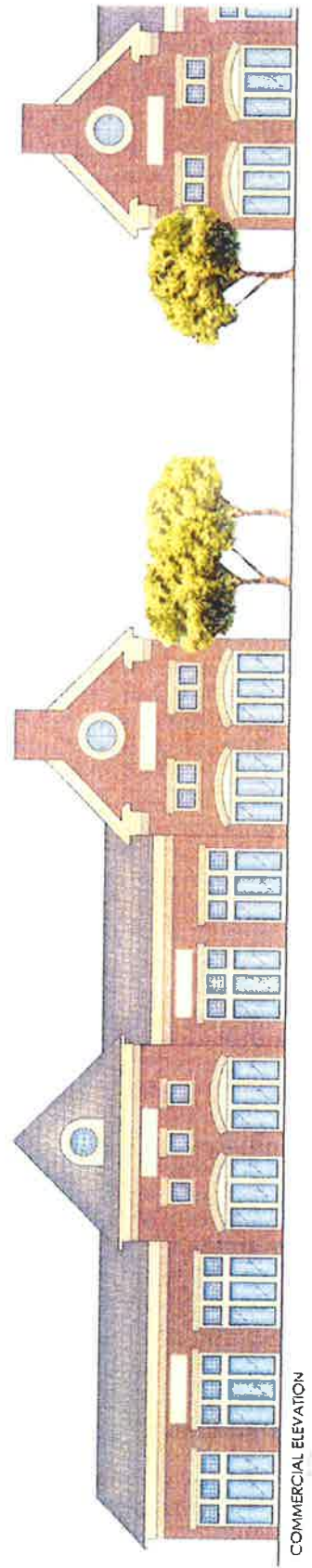




RESIDENTIAL ELEVATION



COMMERCIAL ELEVATION



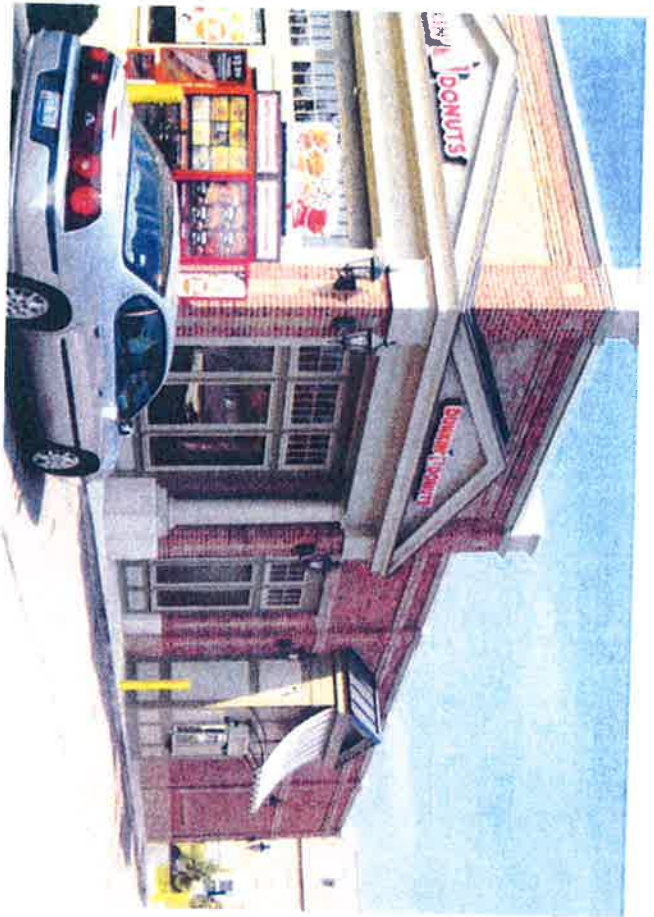
COMMERCIAL ELEVATION











February 7, 2013

**LEGAL DESCRIPTION  
11.704 ACRES**

Situated in Section 27, Town 5, Range 1, City of Oxford, Butler County, Ohio and being all of the tracts of land conveyed to EVR Investments, LLC in O.R. 7033 Page 1435 and being more particularly described as follows:

Beginning at the northwest corner of Lot 2471 of Fox Run Subdivision as recorded in P.E. 1034 Pg. A, also being in the east right-of-way line of Locust Street;

Thence along said right of way line, N02°46'32"E a distance of 425.69 feet;

Thence, S88°29'51"E a distance of 288.04 feet;

Thence, N03°01'44"E a distance of 294.44 feet;

Thence, S87°40'14"E a distance of 84.44 feet;

Thence N03°01'28"E a distance of 144.20 feet to a point in the south right of way line of Spring Street;

Thence along said right of way line, S87°21'37"E a distance of 152.30 feet to the west right of way line of the B & O Railroad;

Thence along said railroad, the following three (3) courses:

1. S29°32'11"E a distance of 518.20 feet;
2. S87°48'11"E a distance of 11.76 feet;
3. S29°32'11"E a distance of 291.15 feet to a point in the west line of College Street;

Thence along said west line, S02°02'51"W a distance of 87.24 feet;

Thence N87°24'26"W a distance of 422.10 feet;

Thence S02°15'25"W a distance of 94.28 feet to the north line of the aforesaid Fox Run Subdivision;

Thence with said north line, N87°44'35"W a distance of 550.90 feet to the Point of Beginning;

Containing 11.704 acres more or less.

Bearings are based on the Ohio State Plane Coordinate System (OSPC) – South Zone. The project coordinates are based on OSPC and have been scaled to ground by using a project adjustment factor of 1.0000994180 applied at a base point of N:556,424.96 E:1,333,949.16. Grid and ground coordinates are identical at the base point.

**Cincinnati, OH**

**Columbus, OH**

**Dayton, OH**

**Sierra Vista, AZ**

[www.kleingers.com](http://www.kleingers.com)

John C. Kleingers, Jr., P.E.  
West Chester, Ohio 43081

503.479.2551  
fax: 503.479.1502

**LETTER OF INTENT**

March 25, 2013

|                        |                                  |                                         |
|------------------------|----------------------------------|-----------------------------------------|
| <b><u>Parties:</u></b> | Lane Public Library ("Library")  | New Village Communities ("New Village") |
|                        | 1396 University Blvd             | 4242 Tuller Road                        |
|                        | Hamilton, OH 45011               | Dublin, OH 43017                        |
|                        | Contact: Joe Greenward, Director | Robert L. Fiorita                       |

**Introduction**

Reference is made to the previous conversations and meetings between representative of the Library and New Village regarding the proposed acquisition and construction of the Oxford Public Library Branch (the "Building") of the Library at the site presently located at 419 South Locust Street, Oxford, Ohio (the "Site"). This Letter of Intent will serve as a preliminary agreement concerning the lease-purchase ("Lease-Purchase") financing and construction of the Oxford Public Library Branch. The new Building will be the centerpiece in a unique pedestrian friendly plaza which will include a minimum of 15,000 square feet of additional commercial space (the "Commercial Space") along with Miami University upper-class student housing for approximately two hundred seventy-two (272) students ("Student Housing"). This new plaza combined with the already existing Stewart Square will continue to create a vibrant city center. The Lease-Purchase structure is described in more detail below. The basic structure will entail a lease purchase between the Library and New Village which will include a cooperative agreement (the "Cooperative Agreement") between the Library, New Village and the Butler County Port Authority (the "Port Authority"). The Cooperative Agreement would include provisions whereby the Port Authority will lease-purchase the Building from New Village and receive a ground lease of the Site from New Village and the Library will lease-purchase the Building from the Port Authority and receive a ground lease of the Site from the Port Authority. Other vehicles may be explored to facilitate the agreement between the Library and New Village for the construction and acquisition of the Building however the Cooperative Agreement arrangement with the Port Authority is the scenario contemplated thus far among the parties.

**Cooperative Agreement**

Should the Cooperative Agreement arrangement be used, the Library, the Port Authority and New Village will set forth the agreement among the Parties, including the Port Authority, to cooperate, and in the case of the public entities to share powers as appropriate, to enter into the Lease Purchase arrangements among other things, including indemnification of the Port Authority and the Library by New Village as appropriate and agreed upon. There will also be provision in the Cooperative Agreement that the underlying responsibility for making payments under the Lease Purchase agreements, which will be reflected in such agreements, will fall to the Library ultimately.

The Cooperative Agreement will additionally provide for the cooperation among the parties whereby New Village would agree to build the Library Building according to plans and



specifications provided by the Library through the Port Authority, including the plans and specifications provided by an architectural firm and/or a design firm to be selected by the Library, on a fee basis acceptable to both the Library and New Village.

### Lease Purchase

1. Lease Purchase: New Village to Port Authority and Port Authority to Library.

(a) New Village provides the Site and the Building (plans are not presently available) as a turnkey project as indicated on the site plan previously presented to the Library. The Port Authority will Lease-Purchase the Building from New Village. The Site, including the land and the pad for the Building upon which the library will be located, will be ground-leased to the Port Authority by New Village for a term of up to 40 years (see below).

(b) The Port Authority then in turn will Lease-Purchase the Building to the Library (pursuant to ORC 4582.38 without competitive bidding). The Port Authority will sub-ground lease (the "Ground Lease") the Site, including the land and the pad for the Building upon which the library will be located, to the Library for a term of up to 40 years.

2. Term. The Building Lease Purchase will be for five (5) years or a period acceptable to the Library with semiannual lease payments proposed to be May 1 and November 1.

3. Costs. New Village will pass through all costs including reasonable profit on the direct costs associated with the Site and improvements to the Site, including costs for utilities, soft costs, hard costs and any other soft or hard costs directly attributable to preparation and improvements to the Site. The expected costs for the preparation and improvements to the Site, including the pad for the Building, is approximately \$1,500,000, inclusive of a ten percent (10%) profit, with the final cost to be equal to actual costs incurred to prepare and improve the Site. Total estimated Site and Building costs are expected to be \$6,500,000, including the Site preparation and pad for the Building, including ten percent (10%) of such actual costs.

4. Financing. It is expected that obligations to make rental payments under the Lease Purchase Agreement will be sold by the Port Authority in a bond financing structure to a local or national bank preferably one of the participating banks New Village is using in the Student Housing development adjacent to the Site at an interest rate and term to be approved by the Library. Upon the initial financing a draw will be set aside to fund New Village for the preparation, improvements to the Site and profit expected to be approximately \$1,500,000. Draws for completion of construction of the Building will be made according to a draw schedule and a process for draws as agreed to by the Library, the Port Authority and New Village and in accordance with any financing terms in the Lease Purchase agreements and those terms negotiated, if any, with the bank.

5. Site and Ground Lease. The site upon which the Building is located will be ground leased for a 40 year period from New Village to the Port Authority and then from the Port authority to the Library. The Port Authority and the Library will have a 40 year option to renew the Ground Lease at the Library's direction the terms of which have not been discussed.

With respect to rent charges on the Ground Lease, the Library will be responsible for its pro-rata share of the underlying ground lease between New Village and Redpath, the land owner, at a fraction with the Library's total square footage of the Building as the numerator and the total square footage of the commercial property subject to the underlying ground lease as the denominator. That present ratio is 25,000 sq. ft. over 40,000 sq. ft., which is 63% multiplied by \$65,000, which equals \$40,625 as the Library's pro rata share of the underlying ground lease rent annually between New Village and Red Path. It is anticipated that such amount will be split into 12 monthly payments. The underlying ground lease rent will be due during the initial 40 year term and during any option term subject to commercially reasonable inflation along with an approximate \$1.50 per square foot cost for exterior common area maintenance ("CAM") charges.

### **Commercial Space and Student Housing**

It is expected that the Port Authority and New Village will enter into lease-purchase agreements for the respective portions of the Site or real property adjacent to the Site upon which the Student Housing and the Commercial Space will be constructed by New Village.

Under such an arrangement, the Port Authority and New Village are expected to enter into (i) a sublease-purchase agreement whereby New Village will act as the operator of the Commercial Space, for the use of the Commercial Space site and (ii) a sublease-purchase agreement with New Village whereby New Village will act as the operator of the Student Housing, for the use of the Student Housing site. It is expected that these agreements will be for a period of five (5) to seven (7) years.

It is anticipated that funds to pay for costs of construction of the Commercial Space and the Student Housing will be borrowed from a local or national bank or banks. The repayment of such borrowings will be secured by (i) the payments to be made by New Village under the lease-purchase agreement for the Commercial Space site, and (ii) the payments to be made by New Village under the lease-purchase agreement for the Student Housing Site.

[REMAINDER OF PAGE INTENTIONALLY BLANK]

### Approval and Acceptance

This Letter of Intent is subject to approval by the Lane Public Library Board of Trustees, the Port Authority and New Village pursuant to a Cooperative Agreement and Lease Purchase agreement that will include the final terms contained herein. The issuance of any bonds or debt obligations pursuant to the lease-purchase agreements referenced above will also be subject to the approval by all the parties described herein pursuant to such final documentation, due diligence and the sale of any bonds or obligations pursuant to the Lease Purchase agreements.

No payments, or pledge of funds or of taxes, will be made by the Port Authority. The Port Authority will only be responsible for transferring, and assigning interest in the payments, which will be characterized as "rental payments," made by the Library and New Village under the above described lease-purchase agreements, to the bank or banks participating.

This Letter of Intent is intended only to outline the initial terms for the Lease-Purchase and the construction of the Building and is in no manner intended to obligate any party contractually; no such contractual obligation shall arise unless and until the terms of the proposed financing and construction of the Building have been agreed upon by the parties hereto and a mutually satisfactory Lease-Purchase is fully executed.

Dated: March 25, 2013

NEW VILLAGE COMMUNITIES

By 

Robert L. Fiorita

LANE PUBLIC LIBRARY

By 

Joe Greenward, Director



CINCINNATI  
COLUMBUS  
DAYTON

6305 Centre Park Drive  
West Chester, OH 45069  
phone 513.779.7851  
fax 513.779.7852  
www.kleingers.com

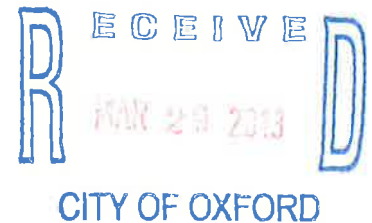
March 12, 2013

Attn: Mr. Victor Popescu, P.E.

City of Oxford

101 East High Street

Oxford, OH 45056-1887



Re: *Detention Strategy and Analysis for*  
**Final Development Plan for the Redevelopment of Wal-Mart Site**

According to the City of Oxford Storm Water Management Design Manual, "detention shall be provided to assure that the peak rate of runoff from the area after development does not exceed the peak rate of runoff from the same area before development for the 1-, 2-, 5-, 10-, 25-, 50-, and 100-year frequency." In order to determine the peak rates before redevelopment, we analyzed the existing pond and undetained areas. The existing pond has a 24" culvert that outlets into the road side ditch along Locust Street. However, our analysis determined that the 50- and 100-year storms overtop the pond and spill into the road side ditch. Our existing analysis has been attached to the end of this report. Below is a table with the pre-developed flow rates.

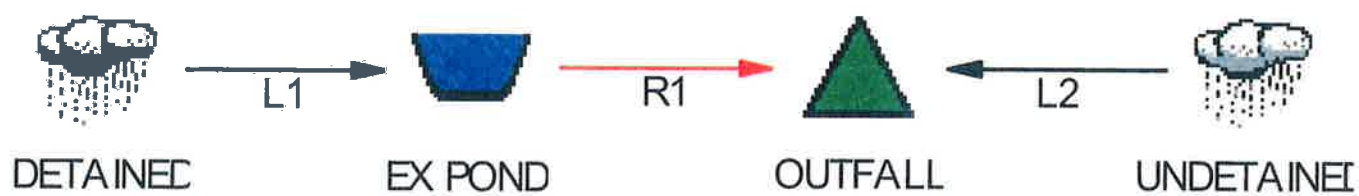
| Storm (yr)         | 1     | 2     | 5     | 10    | 25    | 50    | 100   |
|--------------------|-------|-------|-------|-------|-------|-------|-------|
| Release Rate (cfs) | 20.33 | 22.63 | 26.15 | 28.45 | 30.88 | 32.54 | 32.87 |

No water quality volume is needed since the open space has been increased by 20%. However, we intend on designing above ground detention ponds and underground detention facilities, if needed, to provide the required volume to control the release rates.

Sincerely,

Troy Messer, P.E.

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## MASTER DESIGN STORM SUMMARY

Network Storm Collection: BUTLER

| Return Event | Total<br>Depth<br>in | Rainfall<br>Type | RNF ID |      |
|--------------|----------------------|------------------|--------|------|
| 1            | 2.5000               | Synthetic Curve  | TypeII | 24hr |
| 2            | 2.9000               | Synthetic Curve  | TypeII | 24hr |
| 5            | 3.6000               | Synthetic Curve  | TypeII | 24hr |
| 10           | 4.1000               | Synthetic Curve  | TypeII | 24hr |
| 25           | 4.7000               | Synthetic Curve  | TypeII | 24hr |
| 50           | 5.2000               | Synthetic Curve  | TypeII | 24hr |
| 100          | 5.6000               | Synthetic Curve  | TypeII | 24hr |

MASTER NETWORK SUMMARY  
SCS Unit Hydrograph Method

(\*Node=Outfall; +Node=Diversion;)  
(Trun= HYG Truncation: Blank=None; L=Left; R=Rt; LR=Left&Rt)

| Node ID  | Type    | Return<br>Event | HYG Vol<br>ac-ft | Trun | Qpeak<br>hrs | Qpeak<br>cfs | Max WSEL<br>ft | Max<br>Pond Storage<br>ac-ft |
|----------|---------|-----------------|------------------|------|--------------|--------------|----------------|------------------------------|
| DETAINED | AREA    | 1               | 1.736            |      | 12.0000      | 26.57        |                |                              |
| DETAINED | AREA    | 2               | 2.106            |      | 12.0000      | 31.95        |                |                              |
| DETAINED | AREA    | 5               | 2.762            |      | 12.0000      | 41.33        |                |                              |
| DETAINED | AREA    | 10              | 3.236            |      | 12.0000      | 47.99        |                |                              |
| DETAINED | AREA    | 25              | 3.808            |      | 12.0000      | 55.95        |                |                              |
| DETAINED | AREA    | 50              | 4.286            |      | 12.0000      | 62.55        |                |                              |
| DETAINED | AREA    | 100             | 4.670            |      | 12.0000      | 67.82        |                |                              |
| EX POND  | IN POND | 1               | 1.736            |      | 12.0000      | 26.57        |                |                              |
| EX POND  | IN POND | 2               | 2.106            |      | 12.0000      | 31.95        |                |                              |
| EX POND  | IN POND | 5               | 2.762            |      | 12.0000      | 41.33        |                |                              |
| EX POND  | IN POND | 10              | 3.236            |      | 12.0000      | 47.99        |                |                              |
| EX POND  | IN POND | 25              | 3.808            |      | 12.0000      | 55.95        |                |                              |
| EX POND  | IN POND | 50              | 4.286            |      | 12.0000      | 62.55        |                |                              |
| EX POND  | IN POND | 100             | 4.670            |      | 12.0000      | 67.82        |                |                              |

MASTER NETWORK SUMMARY  
SCS Unit Hydrograph Method

(\*Node=Outfall; +Node=Diversion;)  
(Trun= HYG Truncation: Blank=None; L=Left; R=Rt; LR=Left&Rt)

| Node ID    | Type     | Return Event | HYG Vol<br>ac-ft | Trun | Qpeak<br>hrs | Qpeak<br>cfs | Max WSEL<br>ft | Max<br>Pond Storage<br>ac-ft |
|------------|----------|--------------|------------------|------|--------------|--------------|----------------|------------------------------|
| EX POND    | OUT POND | 1            | 1.736            |      | 12.1000      | 20.23        | 892.32         | .144                         |
| EX POND    | OUT POND | 2            | 2.106            |      | 12.1000      | 22.47        | 892.71         | .211                         |
| EX POND    | OUT POND | 5            | 2.762            |      | 12.1500      | 25.94        | 893.39         | .346                         |
| EX POND    | OUT POND | 10           | 3.236            |      | 12.1500      | 28.18        | 893.88         | .458                         |
| EX POND    | OUT POND | 25           | 3.808            |      | 12.1500      | 30.52        | 894.43         | .599                         |
| EX POND    | OUT POND | 50           | 4.403            |      | 12.1500      | 32.11        | 894.83         | .714                         |
| EX POND    | OUT POND | 100          | 4.850            |      | 12.1000      | 32.11        | 894.83         | .714                         |
| *OUTFALL   | JCT      | 1            | 1.745            |      | 12.1000      | 20.33        |                |                              |
| *OUTFALL   | JCT      | 2            | 2.120            |      | 12.1000      | 22.63        |                |                              |
| *OUTFALL   | JCT      | 5            | 2.787            |      | 12.1000      | 26.15        |                |                              |
| *OUTFALL   | JCT      | 10           | 3.270            |      | 12.1500      | 28.45        |                |                              |
| *OUTFALL   | JCT      | 25           | 3.854            |      | 12.1500      | 30.88        |                |                              |
| *OUTFALL   | JCT      | 50           | 4.460            |      | 12.1500      | 32.54        |                |                              |
| *OUTFALL   | JCT      | 100          | 4.916            |      | 12.1000      | 32.87        |                |                              |
| UNDETAINED | AREA     | 1            | .009             |      | 12.0500      | .11          |                |                              |
| UNDETAINED | AREA     | 2            | .015             |      | 12.0500      | .20          |                |                              |
| UNDETAINED | AREA     | 5            | .025             |      | 12.0000      | .37          |                |                              |
| UNDETAINED | AREA     | 10           | .034             |      | 12.0000      | .53          |                |                              |
| UNDETAINED | AREA     | 25           | .046             |      | 12.0000      | .73          |                |                              |
| UNDETAINED | AREA     | 50           | .057             |      | 12.0000      | .91          |                |                              |
| UNDETAINED | AREA     | 100          | .065             |      | 12.0000      | 1.06         |                |                              |

Type.... Tc Calcs  
Name.... DETAINED

Page 2.01

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.....  
TIME OF CONCENTRATION CALCULATOR  
.....

-----

Segment #1: Tc: User Defined

Segment #1 Time: .2000 hrs

-----

=====  
Total Tc: .2000 hrs  
=====

Type.... Tc Calcs  
Name.... UNDETAINED

Page 2.03

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.....  
TIME OF CONCENTRATION CALCULATOR  
.....

-----  
Segment #1: Tc: User Defined

Segment #1 Time: .1667 hrs  
-----

=====  
Total Tc: .1667 hrs  
=====

Type.... Runoff CN-Area

Page 3.01

Name.... DETAINED

File.... H:\Engineering2011-2012\P\120550\Design\Storm Drainage\120550EX-DET001.ppw

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RUNOFF CURVE NUMBER DATA

.....

-----

| Soil/Surface Description            | CN | Area<br>acres | Impervious<br>Adjustment |     | Adjusted<br>CN |
|-------------------------------------|----|---------------|--------------------------|-----|----------------|
|                                     |    |               | %C                       | %UC |                |
| Open space (Lawns,parks etc.) - Goo | 74 | .190          |                          |     | 74.00          |
| Open space (Lawns,parks etc.) - Goo | 61 | 1.430         |                          |     | 61.00          |
| Impervious Areas - Paved parking lo | 98 | 10.080        |                          |     | 98.00          |

COMPOSITE AREA & WEIGHTED CN --->            11.700            93.09 (93)

.....

Type.... Runoff CN-Area  
Name.... UNDETAINED

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RUNOFF CURVE NUMBER DATA

.....

-----

| Soil/Surface Description            | CN | Area<br>acres | Impervious<br>Adjustment |     | Adjusted<br>CN |
|-------------------------------------|----|---------------|--------------------------|-----|----------------|
|                                     |    |               | %C                       | %UC |                |
| Open space (Lawns,parks etc.) - Goo | 74 | .130          |                          |     | 74.00          |
| Open space (Lawns,parks etc.) - Goo | 61 | .250          |                          |     | 61.00          |
| COMPOSITE AREA & WEIGHTED CN --->   |    | .380          |                          |     | 65.45 (65)     |

.....

---

| Elevation<br>(ft) | Planimeter<br>(sq.in) | Area<br>(sq.ft) | A1+A2+sqr(A1*A2)<br>(sq.ft) | Volume<br>(ac-ft) | Volume Sum<br>(ac-ft) |
|-------------------|-----------------------|-----------------|-----------------------------|-------------------|-----------------------|
| 889.34            | -----                 | 0               | 0                           | .000              | .000                  |
| 890.00            | -----                 | 20              | 20                          | .000              | .000                  |
| 891.00            | -----                 | 1362            | 1547                        | .012              | .012                  |
| 892.00            | -----                 | 6416            | 10734                       | .082              | .094                  |
| 893.00            | -----                 | 8640            | 22501                       | .172              | .266                  |
| 894.00            | -----                 | 10722           | 28987                       | .222              | .488                  |
| 894.83            | -----                 | 12986           | 35508                       | .226              | .714                  |

---

## POND VOLUME EQUATIONS

\* Incremental volume computed by the Conic Method for Reservoir Volumes.

$$\text{Volume} = (1/3) * (\text{EL2} - \text{EL1}) * (\text{Areal} + \text{Area2} + \text{sq.rt.}(\text{Areal} * \text{Area2}))$$

where: EL1, EL2 = Lower and upper elevations of the increment  
 Areal, Area2 = Areas computed for EL1, EL2, respectively  
 Volume = Incremental volume between EL1 and EL2

Type.... Outlet Input Data  
Name.... Outlet 1

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REQUESTED POND WS ELEVATIONS:

Min. Elev.= 889.34 ft  
Increment = .10 ft  
Max. Elev.= 894.83 ft

\*\*\*\*\*  
OUTLET CONNECTIVITY  
\*\*\*\*\*

---> Forward Flow Only (UpStream to DnStream)  
<--- Reverse Flow Only (DnStream to UpStream)  
<---> Forward and Reverse Both Allowed

| Structure            | No.  |      | Outfall | E1, ft  | E2, ft  |
|----------------------|------|------|---------|---------|---------|
| -----                | ---- |      | -----   | -----   | -----   |
| Culvert-Circular     | C0   | ---> | TW      | 889.340 | 894.830 |
| TW SETUP, DS Channel |      |      |         |         |         |

Type.... Outlet Input Dat.  
Name.... Outlet 1

Page 5.02

File.... H:\Engineering2011-2012\P\120550\Design\Storm Drainage\120550EX-DET001.ppw

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OUTLET STRUCTURE INPUT DATA

Structure ID = C0  
Structure Type = Culvert-Circular

-----  
No. Barrels = 1  
Barrel Diameter = 2.0000 ft  
Upstream Invert = 889.34 ft  
Downstream Invert = 889.08 ft  
Horiz. Length = 34.00 ft  
Barrel Length = 34.00 ft  
Barrel Slope = .00765 ft/ft

OUTLET CONTROL DATA...

Mannings n = .0130  
Ke = .5000 (forward entrance loss)  
Kb = .012411 (per ft of full flow)  
Kr = .5000 (reverse entrance loss)  
HW Convergence = .001 +/- ft

INLET CONTROL DATA...

Equation form = 1  
Inlet Control K = .0098  
Inlet Control M = 2.0000  
Inlet Control c = .03980  
Inlet Control Y = .6700  
T1 ratio (HW/D) = 1.156  
T2 ratio (HW/D) = 1.303  
Slope Factor = -.500

Use unsubmerged inlet control Form 1 equ. below T1 elev.

Use submerged inlet control Form 1 equ. above T2 elev.

In transition zone between unsubmerged and submerged inlet control,  
interpolate between flows at T1 & T2...

At T1 Elev = 891.65 ft ---> Flow = 15.55 cfs  
At T2 Elev = 891.95 ft ---> Flow = 17.77 cfs

Type.... Outlet Input Dat  
Name.... Outlet 1

..age 5.03

File.... H:\Engineering2011-2012\P\120550\Design\Storm Drainage\120550EX-DET001.ppw

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OUTLET STRUCTURE INPUT DATA

Structure ID = TW  
Structure Type = TW SETUP, DS Channel  
-----

FREE OUTFALL CONDITIONS SPECIFIED

CONVERGENCE TOLERANCES...

Maximum Iterations= 40  
Min. TW tolerance = .01 ft  
Max. TW tolerance = .01 ft  
Min. HW tolerance = .01 ft  
Max. HW tolerance = .01 ft  
Min. Q tolerance = .00 cfs  
Max. Q tolerance = .00 cfs

This study was conducted to determine the anticipated traffic impacts for the redevelopment of a vacant Walmart site on Locust Street in the City of Oxford, Ohio. The proposed mixed-use development will include residential apartments (marketed to Miami University students), retail strip center, restaurants, and a public library. The proposed development will utilize the existing Walmart site access drives which include a signalized access onto Locust Street and two unsignalized access drives - one on Locust Street and one on Spring Street.

Traffic counts were collected at the agreed upon study area intersections:

- Locust Street with Church Street / US 27 (signal)
- Locust Street with Spring Street / Fairfield Road (signal)
- Locust Street with the main site access drive (signal)
- Locust Street with the south site access drive / shopping center access drive
- Locust Street with Wells Mills Drive
- Locust Street with Chestnut Street (signal)
- Spring Street with the site access drive (restricted access)
- Spring Street with College Avenue (signal)

Traffic volumes for a nearby TJ Maxx store that will open before the proposed development were added to the counted traffic volumes to estimate the no-build scenario volumes. A trip distribution was developed for the estimated development site traffic volumes which were projected according to the guidelines and data in the ITE publication *Trip Generation*. Site generated traffic volumes were added to the no-build scenario traffic volumes to derive the build scenario traffic volumes. The projected no-build and build scenario volumes were used to analyze the potential impacts for the proposed site.

A turn lane warrant analysis was performed and a southbound left turn lane is warranted at the unsignalized South Site Access drive on Locust street. A left turn lane is already provided at that location. A capacity analysis was performed and no significant level of service deficiencies are expected at any of the study area intersections. A queuing analysis was performed and turn lane storage deficiencies are anticipated for turning movements at some of the study area intersections. Recommendations are given to provide additional storage at some of these locations. Pedestrian access was analyzed and the existing pedestrian infrastructure was found to be adequate surrounding the development site.

Recommendations to provide adequate and safe access to the proposed development site are as follows:

1. The proposed site access drives in the preliminary site plan should be approved. The City has requested that the existing signal at the Main Site Access drive be upgraded to current City Standards. The developer should work with the City to make this requested upgrade.

2. Striping and signage should be provided on the exit approach of the Main Site Access drive to help deter drivers from blocking the drive that provides access to the residential site on the north side of the Access Drive. Signal detection for the approach should be provided in front of and behind the striping for drivers exiting the site.
3. As requested by the City, the site access drive onto Spring Street should be restricted to right-in and right-out turn movements only.
4. Re-stripe the southbound left turn lane on Locust Street at the Main Site Access drive to provide 125 feet of full width storage plus a 50-foot diverging taper.
5. Re-stripe the northbound left turn lane on Locust Street at the Fairfield Road / Spring Street intersection to provide 250 feet of full width storage plus a 50-foot diverging taper.
6. Re-Stripe the westbound left turn lane on Spring Street at the Locust Street intersection to provide 350 feet of full-width storage plus a 50-foot diverging taper.

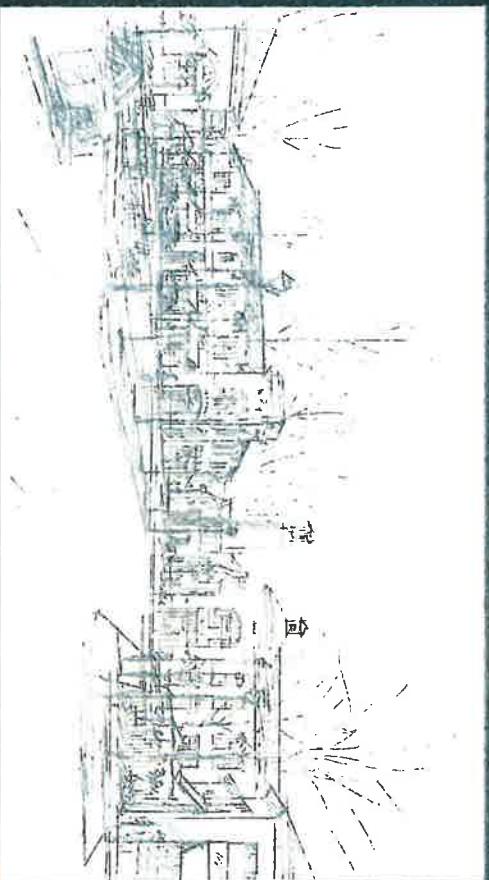
**PowerPoint Presentation Made by the Applicant at the May 14, 2013 Planning  
Commission Meeting Reflecting Issues/Concerns Discussed with City Staff  
Before the May 14 Public Hearing**

# Proposed Mixed Use Development

419 Locust Street  
Former Wal-Mart Site

New Village Communities, LLC  
4242 Tuller Road  
Dublin, Ohio 43107

**ROBERT  
LOUIS  
FIORITA**  
ARCHITECTS  
& ASSOCIATES  
INCORPORATED



Presented AT MAY 14, 2013  
MEETING

# Ordinance 2958

## ORDINANCE NO. 2958

ORDINANCE APPROVING THE PLANNING COMMISSION RECOMMENDATION FOR PRELIMINARY PLAN APPROVAL OF THE PLANNED UNIT DEVELOPMENT AT THE FORMER WAL-MART SITE (419 SOUTH LOCUST STREET) TO ALLOW A DEVELOPMENT WITH COMMERCIAL AND RESIDENTIAL USES.

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

SECTION 1: Council hereby finds that the Planning Commission held a public hearing on March 8, 2007, in accordance with Section 1145 of the Codified Ordinances of the City of Oxford, on the application of Trammell Crow Company/Scott Webb, Architect, Agent, for approval of a Preliminary Plan at the former Wal-Mart site, corner of South Locust and West Spring Street (419 South Locust Street) to allow a Planned Unit Development of commercial and residential uses.

SECTION 2: The Planning Commission, after due deliberation found the application satisfies the code requirements in Chapter 1145 of the Oxford Zoning Code and recommended approval of the Preliminary Plan application for the former Wal-Mart site (419 South Locust Street).

SECTION 3: Council hereby accepts the recommendation of the Planning Commission and further approves the Preliminary Plan application for the former Wal-Mart Site, corner of South Locust and West Spring Street (419 South Locust Street) to allow a development with commercial and residential uses based on the submittals of the applicant that are incorporated and made a part of this approval with the following conditions:

- a. That, the open space calculations be adjusted to 19.2%.
- b. That, dumpster locations shall be shown on the Final Development Plans. No trash collection facility shall be stored in the front yard and shall conform to side and rear yard pavement setbacks of the applicable zoning district §1141.04(j)(2) and shall be screened so as to not be visible from a public right-of-way or an adjacent property §1141.04(j)(4).
- c. That, the Final Development Plan shall provide a detailed landscaping plan for the entire property detailing the location, species type, quantity and calibers per §1143.12(c)(2)A.
- d. That some mounding be incorporated in the landscape design between this site and the adjoining residential properties. Additionally, the minimum streetscape requirement should be satisfied, which requires seven trees along the Locust Street corridor and three trees along Spring Street per §1143.12(d)(2)(A) & (C).
- e. That, alternative modes of transportation are provided on the Final Development Plan to better integrate the Locust Street Sub-area with the adjacent neighborhoods per the Comprehensive Plan, §1143.12(d)(5) and §1145.12(i)(3).

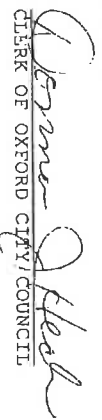
## Ordinance 2958

- f. That, the Final Development Plan should be clearly marked indicating the location of the required loading spaces per \$1149.05(e) (2).
- g. The Final Development Plan shall show the location of the required 35 bike rack spaces per \$1145.12(1) (2) That, \$1149.05(e) (4) B & F are satisfied in regard to any parking spaces oriented in such a way as to have headlights shine into a residential structure and that 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 the ends of each row of parking spaces 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.
- i. That, a total of 80 trees are provided in the parking lot per \$1149.05(e) (5) B.1.a.
- j. That, any recorded easements regarding to the ingress/egress rights to parcels M4100104000002 and M4100104000012 (neighboring apartment complex) are noted on the Final Development Plan.
- k. That, a detailed signage and lighting plan illustrating the location, height, type and photometric are provided with the Final Development Plan and in compliance with all applicable regulations of the zoning code.
- l. That, all 12 parcels that are included in the boundary of the site shall be consolidated and recorded prior to any permits being released for construction.
- m. That, sidewalk and crosswalk connections are provided at the Spring Street entrance and the north Locust Street entrance, and that all traffic lighting be brought up to current code.
- n. That, a curved barrier be put in place at the Spring Street entrance so there can only be a right out onto Spring Street and a right turn into the property from Spring Street with the design process to be determined by City Staff.

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

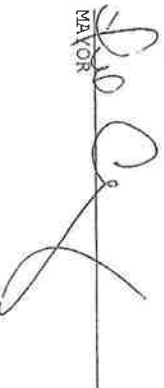
ADOPTED: May 15, 2007

ATTEST:

  
CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: DAVE PROWS

PREPARED BY: LAW (STAFF)

  
MAYOR

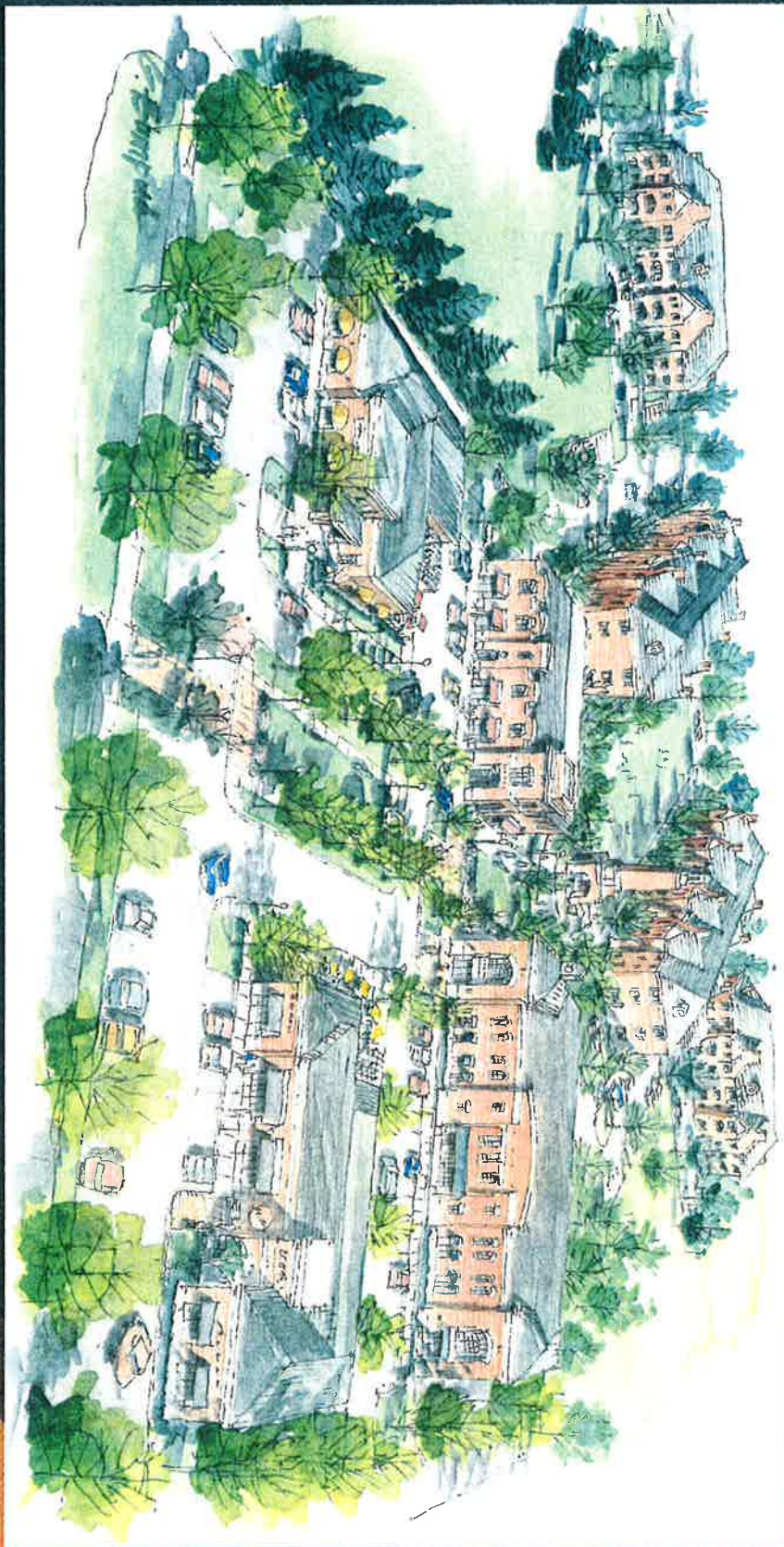




October 2008 Conformance Plan Perspective



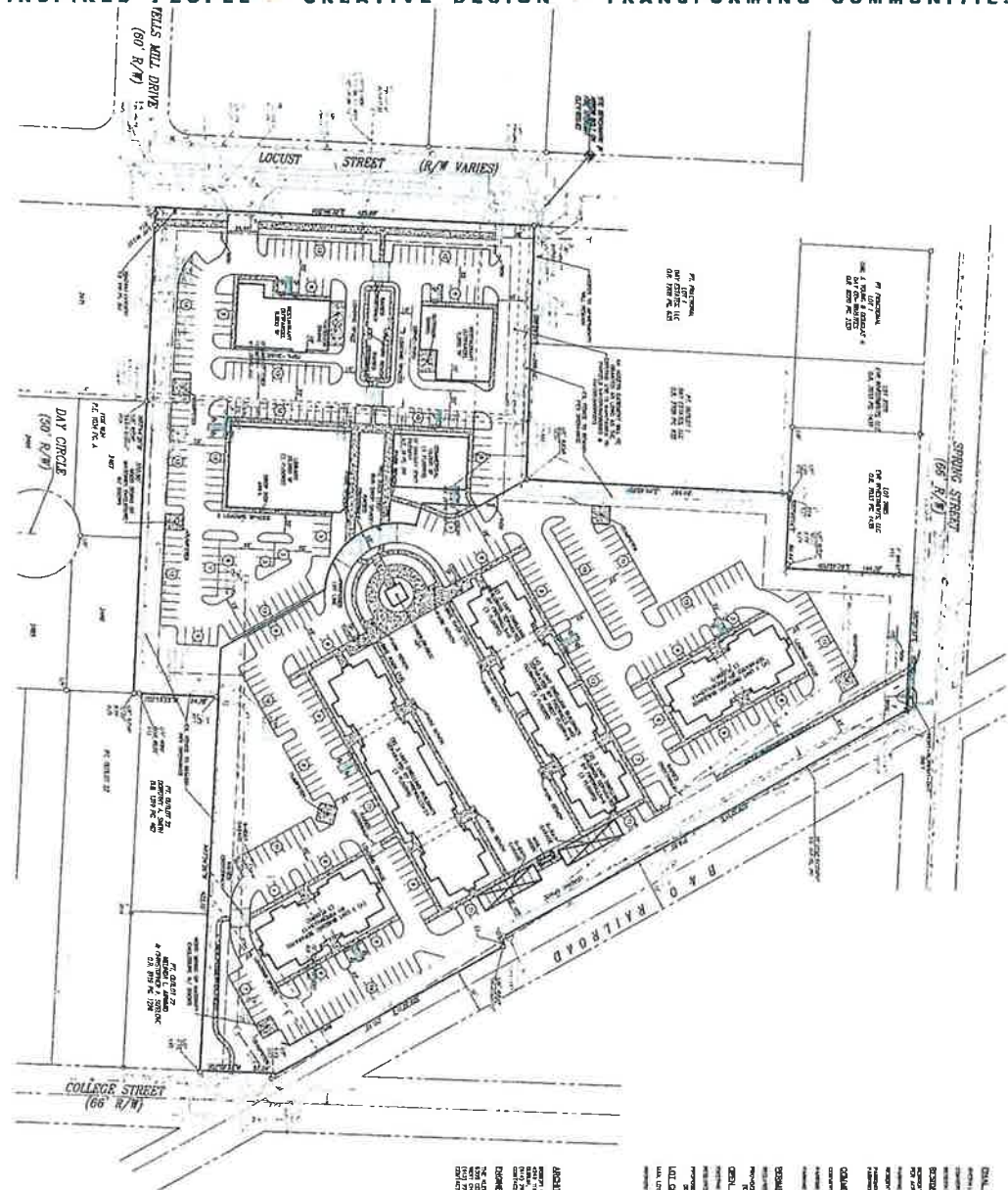
## Final Plan Submission Perspective Aerial



Final Plan Submission Perspective Ground View



# Final Plan Submission Site Plan With Staff Revisions



**GENERAL NOTES:**

1. ALL DIMENSIONS ARE IN FEET AND INCHES.
2. ALL SETBACKS ARE TO THE CENTERLINE OF THE ADJACENT STREET OR RAILROAD.
3. ALL EASEMENTS ARE TO BE SHOWN AND Labeled.
4. ALL UTILITIES ARE TO BE SHOWN AND Labeled.
5. ALL EXISTING STRUCTURES ARE TO BE REMOVED.
6. ALL NEW STRUCTURES ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF CHICAGO ZONING ORDINANCE.
7. ALL NEW STRUCTURES ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF CHICAGO BUILDING CODE.
8. ALL NEW STRUCTURES ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF CHICAGO FIRE CODE.
9. ALL NEW STRUCTURES ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF CHICAGO PLUMBING CODE.
10. ALL NEW STRUCTURES ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF CHICAGO MECHANICAL CODE.
11. ALL NEW STRUCTURES ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF CHICAGO ELECTRICAL CODE.
12. ALL NEW STRUCTURES ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF CHICAGO GAS CODE.
13. ALL NEW STRUCTURES ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF CHICAGO HAZARDOUS MATERIALS CODE.
14. ALL NEW STRUCTURES ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF CHICAGO ENVIRONMENTAL CODE.
15. ALL NEW STRUCTURES ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF CHICAGO LANDMARKS CODE.
16. ALL NEW STRUCTURES ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF CHICAGO HISTORIC PRESERVATION CODE.
17. ALL NEW STRUCTURES ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF CHICAGO CULTURAL RESOURCES CODE.
18. ALL NEW STRUCTURES ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF CHICAGO COMMUNITY DEVELOPMENT CODE.
19. ALL NEW STRUCTURES ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF CHICAGO ECONOMIC DEVELOPMENT CODE.
20. ALL NEW STRUCTURES ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF CHICAGO HOUSING CODE.
21. ALL NEW STRUCTURES ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF CHICAGO PUBLIC WORKS CODE.
22. ALL NEW STRUCTURES ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF CHICAGO TRANSPORTATION CODE.
23. ALL NEW STRUCTURES ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF CHICAGO UTILITIES CODE.
24. ALL NEW STRUCTURES ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF CHICAGO WATER SUPPLY CODE.
25. ALL NEW STRUCTURES ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF CHICAGO WASTE MANAGEMENT CODE.
26. ALL NEW STRUCTURES ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF CHICAGO AIR QUALITY CODE.
27. ALL NEW STRUCTURES ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF CHICAGO CLIMATE CHANGE CODE.
28. ALL NEW STRUCTURES ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF CHICAGO ENERGY CODE.
29. ALL NEW STRUCTURES ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF CHICAGO GREEN BUILDING CODE.
30. ALL NEW STRUCTURES ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF CHICAGO SUSTAINABLE DEVELOPMENT CODE.

**RE DEVELOPMENT OF FORMER MARKET SITE**

1. ALL DIMENSIONS ARE IN FEET AND INCHES.

2. ALL SETBACKS ARE TO THE CENTERLINE OF THE ADJACENT STREET OR RAILROAD.

3. ALL EASEMENTS ARE TO BE SHOWN AND Labeled.

4. ALL UTILITIES ARE TO BE SHOWN AND Labeled.

5. ALL EXISTING STRUCTURES ARE TO BE REMOVED.

6. ALL NEW STRUCTURES ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF CHICAGO ZONING ORDINANCE.

7. ALL NEW STRUCTURES ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF CHICAGO BUILDING CODE.

8. ALL NEW STRUCTURES ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF CHICAGO FIRE CODE.

9. ALL NEW STRUCTURES ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF CHICAGO PLUMBING CODE.

10. ALL NEW STRUCTURES ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF CHICAGO MECHANICAL CODE.

11. ALL NEW STRUCTURES ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF CHICAGO ELECTRICAL CODE.

12. ALL NEW STRUCTURES ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF CHICAGO GAS CODE.

13. ALL NEW STRUCTURES ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF CHICAGO HAZARDOUS MATERIALS CODE.

14. ALL NEW STRUCTURES ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF CHICAGO ENVIRONMENTAL CODE.

15. ALL NEW STRUCTURES ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF CHICAGO LANDMARKS CODE.

16. ALL NEW STRUCTURES ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF CHICAGO HISTORIC PRESERVATION CODE.

17. ALL NEW STRUCTURES ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF CHICAGO CULTURAL RESOURCES CODE.

18. ALL NEW STRUCTURES ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF CHICAGO COMMUNITY DEVELOPMENT CODE.

19. ALL NEW STRUCTURES ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF CHICAGO ECONOMIC DEVELOPMENT CODE.

20. ALL NEW STRUCTURES ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF CHICAGO HOUSING CODE.

21. ALL NEW STRUCTURES ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF CHICAGO PUBLIC WORKS CODE.

22. ALL NEW STRUCTURES ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF CHICAGO TRANSPORTATION CODE.

23. ALL NEW STRUCTURES ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF CHICAGO UTILITIES CODE.

24. ALL NEW STRUCTURES ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF CHICAGO WATER SUPPLY CODE.

25. ALL NEW STRUCTURES ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF CHICAGO WASTE MANAGEMENT CODE.

26. ALL NEW STRUCTURES ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF CHICAGO AIR QUALITY CODE.

27. ALL NEW STRUCTURES ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF CHICAGO CLIMATE CHANGE CODE.

28. ALL NEW STRUCTURES ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF CHICAGO ENERGY CODE.

29. ALL NEW STRUCTURES ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF CHICAGO GREEN BUILDING CODE.

30. ALL NEW STRUCTURES ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF CHICAGO SUSTAINABLE DEVELOPMENT CODE.

**LOCATION PLAN**

**C130**

Scale: 1" = 50'

North Arrow

City of Chicago

Department of Planning and Development

Division of Community Development

Office of Community Development

Office of Economic Development

Office of Environmental Development

Office of Health and Human Services

Office of Housing and Community Development

Office of Labor and Economic Development

Office of Law and Justice

Office of Professional Regulation

Office of Public Safety

Office of Transportation and Infrastructure

Office of Urban Development

Office of Water and Environmental Management

Office of Youth and Family Services

# Final Plan Submission Site Plan With Staff Revisions

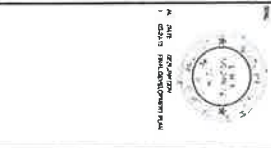


**TREE REQUIREMENTS**

| Tree Type    | Quantity | Notes    |
|--------------|----------|----------|
| 1. 10" DBH   | 1        | 10" DBH  |
| 2. 12" DBH   | 1        | 12" DBH  |
| 3. 14" DBH   | 1        | 14" DBH  |
| 4. 16" DBH   | 1        | 16" DBH  |
| 5. 18" DBH   | 1        | 18" DBH  |
| 6. 20" DBH   | 1        | 20" DBH  |
| 7. 22" DBH   | 1        | 22" DBH  |
| 8. 24" DBH   | 1        | 24" DBH  |
| 9. 26" DBH   | 1        | 26" DBH  |
| 10. 28" DBH  | 1        | 28" DBH  |
| 11. 30" DBH  | 1        | 30" DBH  |
| 12. 32" DBH  | 1        | 32" DBH  |
| 13. 34" DBH  | 1        | 34" DBH  |
| 14. 36" DBH  | 1        | 36" DBH  |
| 15. 38" DBH  | 1        | 38" DBH  |
| 16. 40" DBH  | 1        | 40" DBH  |
| 17. 42" DBH  | 1        | 42" DBH  |
| 18. 44" DBH  | 1        | 44" DBH  |
| 19. 46" DBH  | 1        | 46" DBH  |
| 20. 48" DBH  | 1        | 48" DBH  |
| 21. 50" DBH  | 1        | 50" DBH  |
| 22. 52" DBH  | 1        | 52" DBH  |
| 23. 54" DBH  | 1        | 54" DBH  |
| 24. 56" DBH  | 1        | 56" DBH  |
| 25. 58" DBH  | 1        | 58" DBH  |
| 26. 60" DBH  | 1        | 60" DBH  |
| 27. 62" DBH  | 1        | 62" DBH  |
| 28. 64" DBH  | 1        | 64" DBH  |
| 29. 66" DBH  | 1        | 66" DBH  |
| 30. 68" DBH  | 1        | 68" DBH  |
| 31. 70" DBH  | 1        | 70" DBH  |
| 32. 72" DBH  | 1        | 72" DBH  |
| 33. 74" DBH  | 1        | 74" DBH  |
| 34. 76" DBH  | 1        | 76" DBH  |
| 35. 78" DBH  | 1        | 78" DBH  |
| 36. 80" DBH  | 1        | 80" DBH  |
| 37. 82" DBH  | 1        | 82" DBH  |
| 38. 84" DBH  | 1        | 84" DBH  |
| 39. 86" DBH  | 1        | 86" DBH  |
| 40. 88" DBH  | 1        | 88" DBH  |
| 41. 90" DBH  | 1        | 90" DBH  |
| 42. 92" DBH  | 1        | 92" DBH  |
| 43. 94" DBH  | 1        | 94" DBH  |
| 44. 96" DBH  | 1        | 96" DBH  |
| 45. 98" DBH  | 1        | 98" DBH  |
| 46. 100" DBH | 1        | 100" DBH |



**REDEVELOPMENT OF WALMART SITE**  
 1. 10" DBH  
 2. 12" DBH  
 3. 14" DBH  
 4. 16" DBH  
 5. 18" DBH  
 6. 20" DBH  
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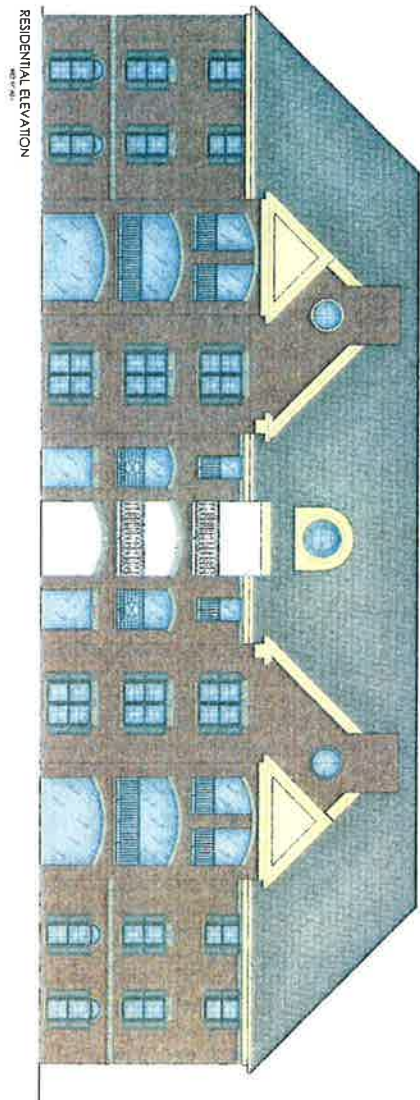


**THE KLEINGERS GROUP**  
 1000 N. 10TH AVE., SUITE 100  
 DENVER, CO 80202  
 303.733.1111  
 www.kleingersgroup.com

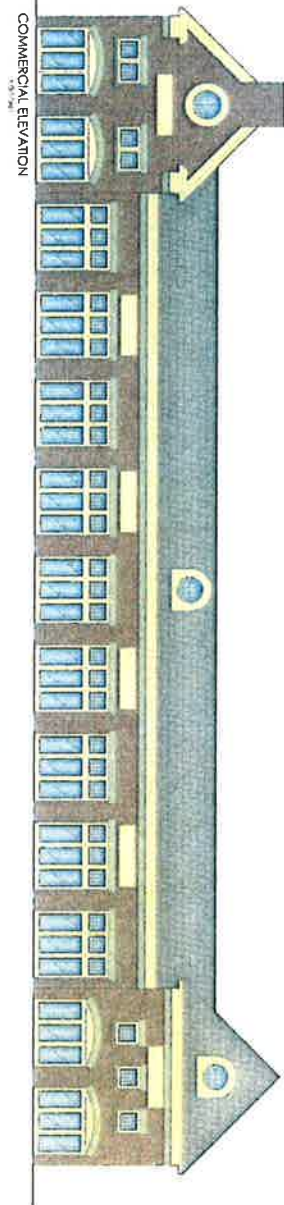
View From Commercial Towards Residential



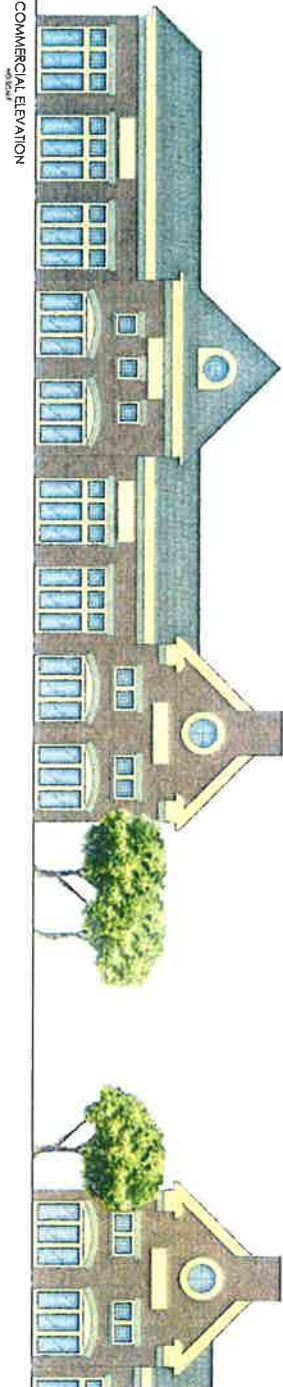
# Residential Elevation and Commercial Architectural Elevation Style



RESIDENTIAL ELEVATION  
1/8" = 1'-0"



COMMERCIAL ELEVATION  
1/8" = 1'-0"



COMMERCIAL ELEVATION  
1/8" = 1'-0"

REDEVELOPMENT OF  
WAL-MART SITE  
Oxford, Ohio

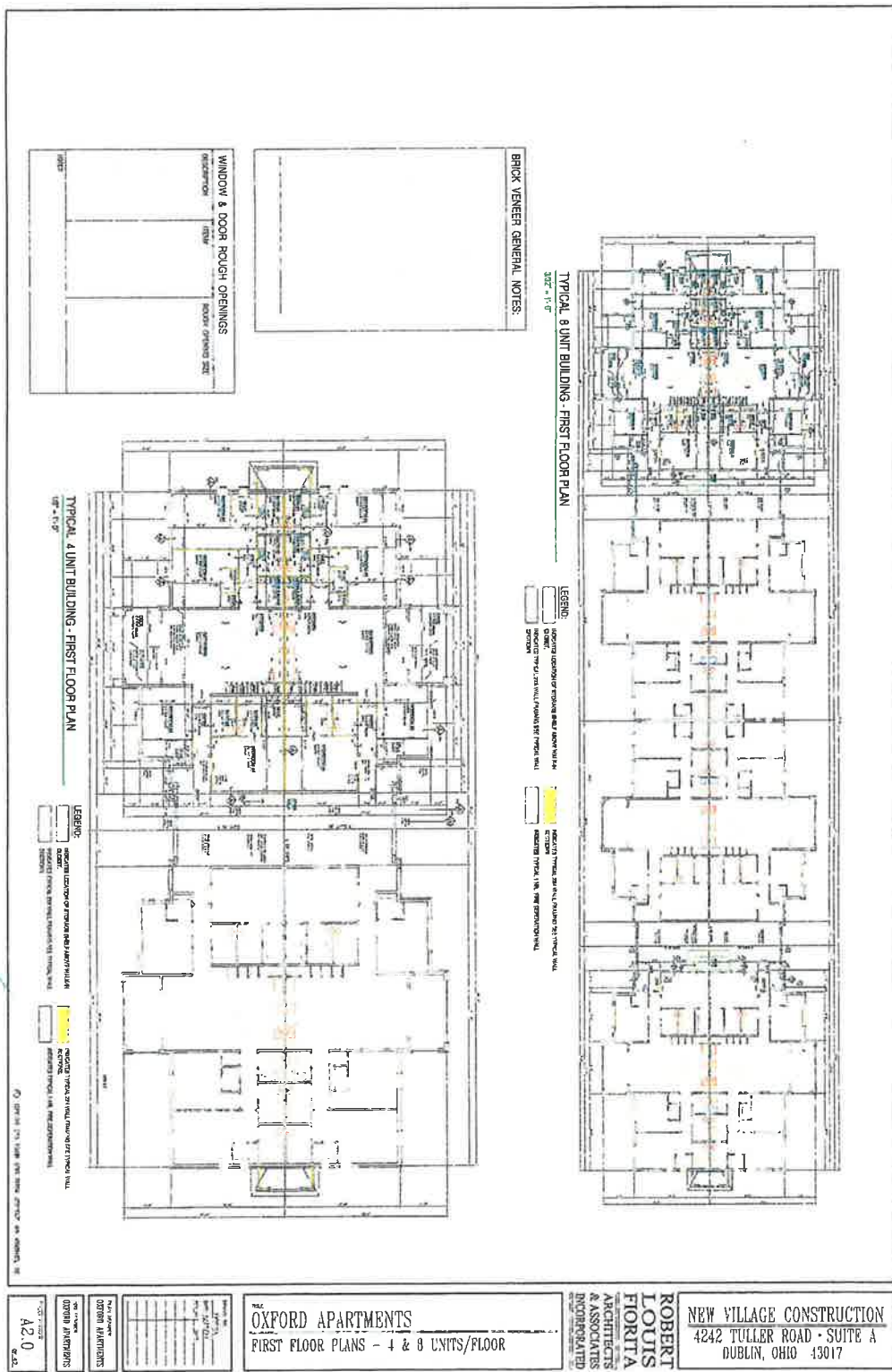
ARCHITECTURAL  
ELEVATIONS

New Village Communities, LLC  
4242 Teller Road  
Dublin, Ohio 43017

**EMHNT**  
Environmental Management  
and Natural Technology  
2000 North High Street, Suite 200  
Columbus, Ohio 43207  
614.291.1100  
www.emhnt.com



## 96



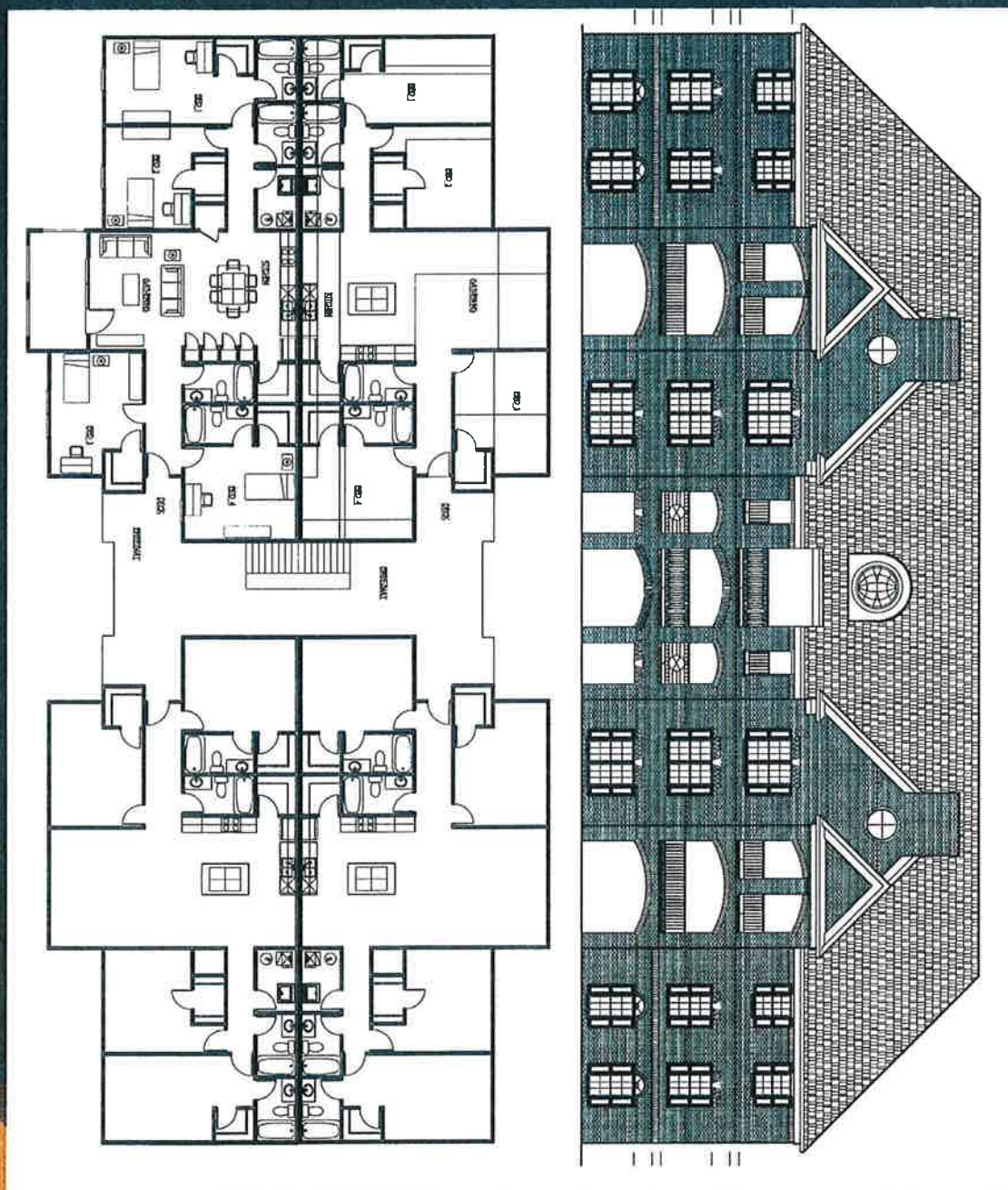
**TYPICAL ONE HALF BUILDING - FIRST FLOOR PLAN**  
1298 S.F.

**LEGEND:**  
 - 1/2" = 1'-0"  
 - 1/4" = 1'-0"  
 - 1/8" = 1'-0"  
 - 1/16" = 1'-0"  
 - 1/32" = 1'-0"  
 - 1/64" = 1'-0"  
 - 1/128" = 1'-0"  
 - 1/256" = 1'-0"  
 - 1/512" = 1'-0"  
 - 1/1024" = 1'-0"  
 - 1/2048" = 1'-0"  
 - 1/4096" = 1'-0"  
 - 1/8192" = 1'-0"  
 - 1/16384" = 1'-0"  
 - 1/32768" = 1'-0"  
 - 1/65536" = 1'-0"  
 - 1/131072" = 1'-0"  
 - 1/262144" = 1'-0"  
 - 1/524288" = 1'-0"  
 - 1/1048576" = 1'-0"  
 - 1/2097152" = 1'-0"  
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 - 1/8388608" = 1'-0"  
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 - 1/549755813888" = 1'-0"  
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 - 1/144115188075855872" = 1'-0"  
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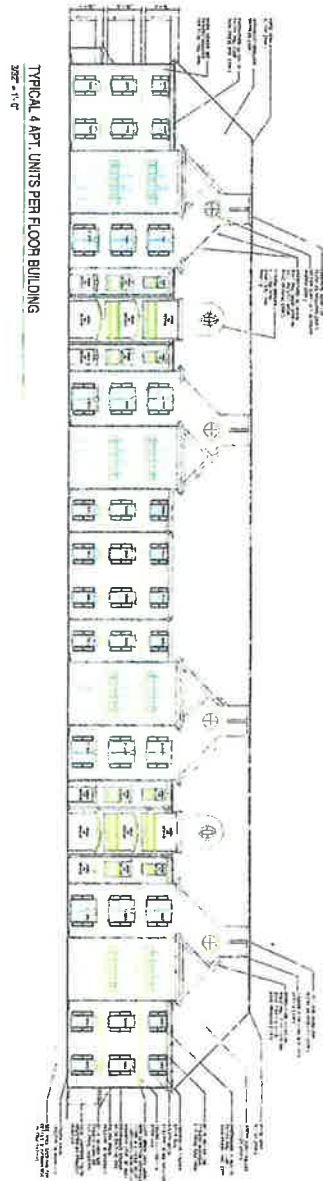




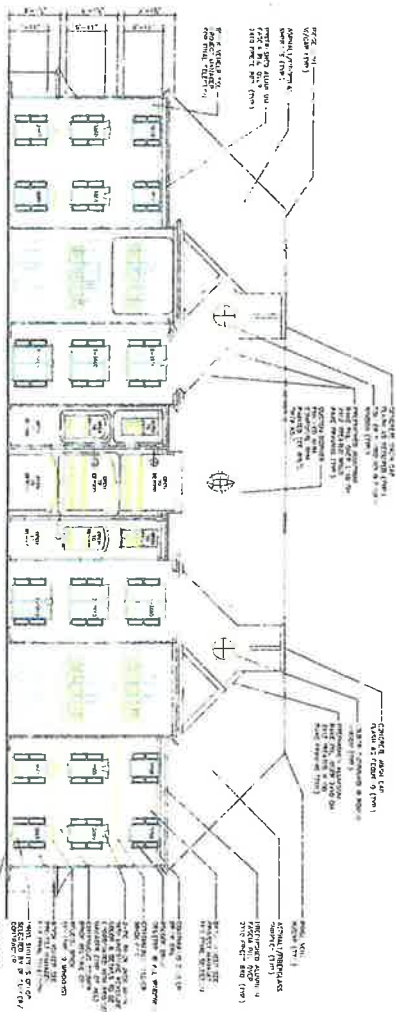
# Residential Unit Layout



# Residential Building Elevations



TYPICAL 4 APT. UNITS PER FLOOR BUILDING  
300' x 150'



TYPICAL 4 APT. UNITS PER FLOOR BUILDING - FRONT & REAR ELEVATION  
300' x 150'

NEW VILLAGE CONSTRUCTION  
4242 TULLER ROAD • SUITE A  
DUBLIN, OHIO 43017

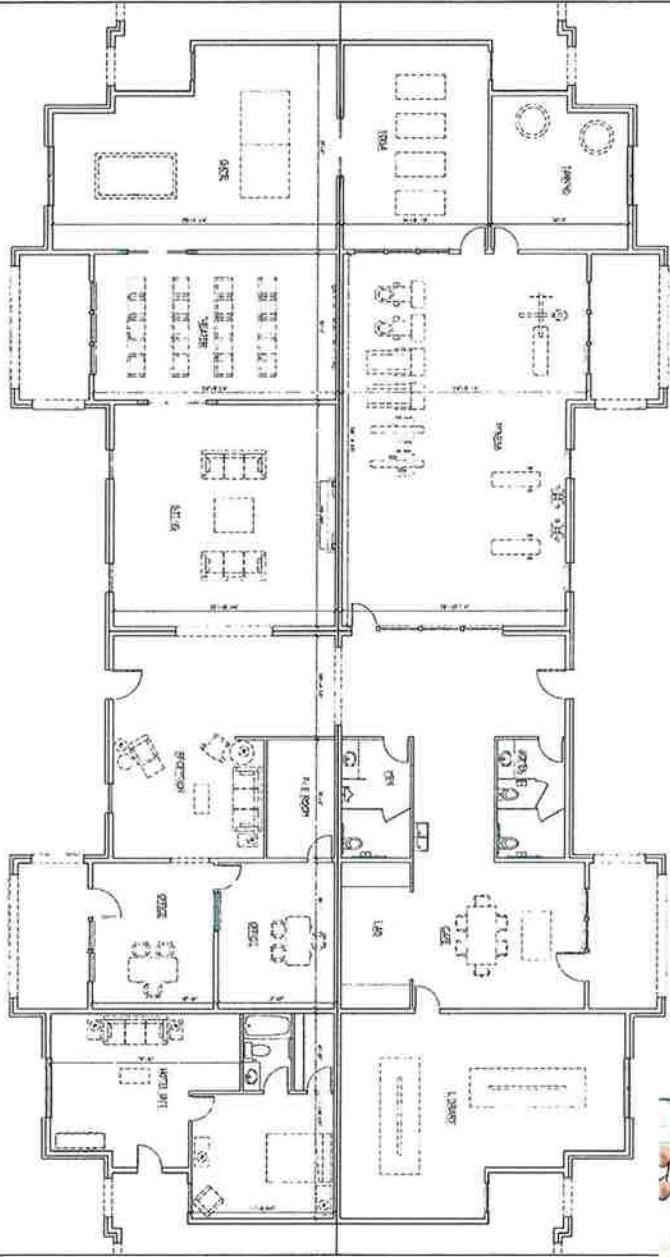
ROBERT  
LOUIS  
FLORIDA  
ARCHITECTS  
& ASSOCIATES  
INCORPORATED

OXFORD APARTMENTS  
EXTERIOR ELEVATIONS & DETAILS

Scale: 1/8" = 1'-0"  
DATE: 10/1/88  
BY: RLF

6.0

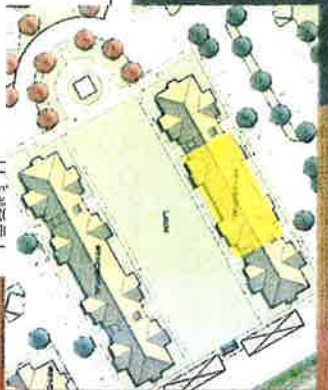
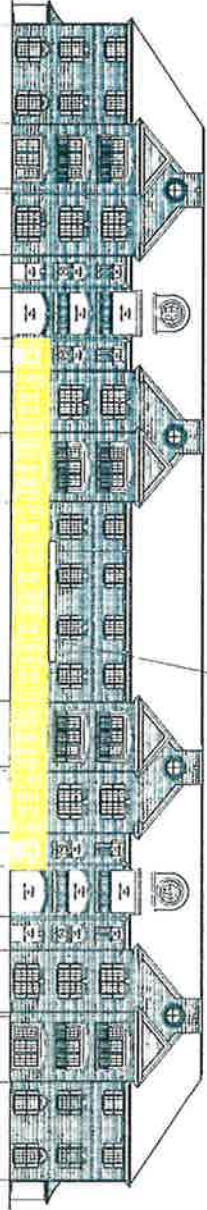
# First Floor Plan Clubhouse



CLUBHOUSE

NOTE: SEE CLIPPING FOR MORE INFORMATION. SEE CLIPPING FOR MORE INFORMATION.

TYPICAL RESIDENTIAL WALL SIGN



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CLUB

OXFORD APARTMENTS  
CLUBHOUSE

ROBERT  
LOUIS  
FORNITA  
ARCHITECTS  
& ASSOCIATES  
INCORPORATED

NEW VILLAGE CO.  
4242 TULLER RD.  
DUBLIN, OHIO

# Revisions to Final Plan Submission Based on Staff Report

► Revisions to Final Plan Submission Based on Staff Report:

Staff Finding

- General Discussion: Mounds
- 1141.04(j) - Environmental Regulations
- 1141.04 ( f ) ( 4 ) - Lighting and Glare
- 1143.12 ( d ) ( 5 ) - Spring Street Sidewalk
- 1143.12 ( d ) ( 5 ) - Pedestrian Movements
- 1143.12 ( d ) ( 5 ) - Locate Bus Stop
- 1143.12 ( d ) ( 2 ) ( c ) - College Ave. Trees
- 1149.05 ( e ) 4.F - Parking Islands
- 1149.05 ( e ) ( 5 ) B.1.a - Landscaping
- 1151.05 ( a ) ( 3 ) ( A ), ( B ) and ( C ) - Signage

Action

- Landscape Mounds Added Where Possible on South Side
- Location for expansion of Trash Compactor / Frequency
- Fix Lumens on Lighting Plan/ Adjacencies
- Ramp Detail/ Landscaping / Guard Rail
- Raise Side Walks/ Striping
- Central Bus Stop Shown on Arc
- Two Trees Added Along College
- What 1149 .05 ( e ) 4.F Would do to Parking Plan
- Add 25 Trees ( not 13 )
- Change Sign Drawing to 6'-0" High From 8'-0"

▶ 1145.07 Action by Planning Commission and City Council:

Staff Action/Discussion

- ▶ Parent Hotel Room in Clubhouse
- ▶ \$125,000 Off Site Sanitary Sewer
- ▶ South Locust Entrance
- ▶ Sidewalks/ Ramp / Crosswalk
- ▶ Earthen Mounds
- ▶ Lot Split from 12 to 2 or 3 Lots
- ▶ Internal Circulation Pattern
- ▶ Drive Through Screening
- ▶ Crosswalks for Residential
- ▶ Landscaping Requirements
- ▶ Variance of Additional Free Standing Sign
- ▶ Existing Fence on South Boarder

Action

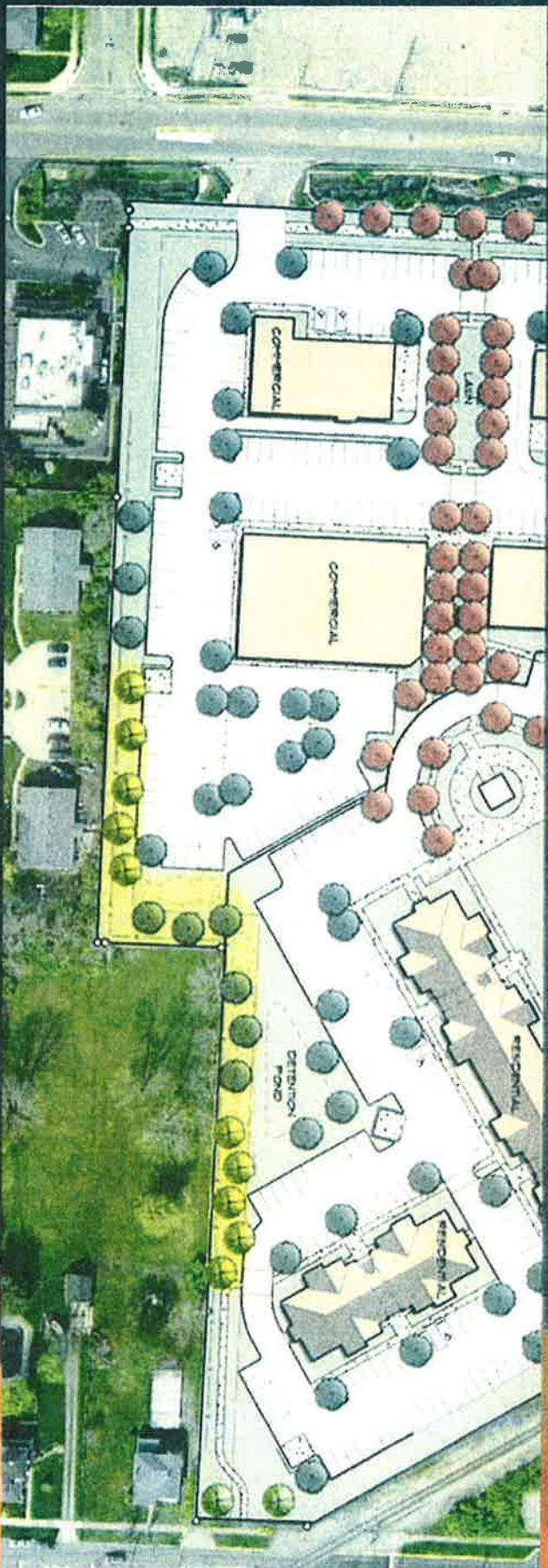
- Show Clubhouse Layout for 1 Parent Hotel Unit/ No Kitchen
- Cost Sharing Agreement
- Per Traffic Study
- On Site Plan
- Earthen Mounds Added/ Shown
- Lot Split / Typically Addressed in Development Text with Dev. Plan
- Shown on Plans
- Drive Through Landscape Screening
- Cross Walk Connections/ Railing
- Landscape Changes Addressed
- Signage Changes Made / Additional Free Standing Requested
- Existing Fence Language

## Location Plan

### General Discussion:

*“The final development plan does not show landscaping mounding between the site and the adjoining residential properties.”*

**Landscape mounds added where possible on south side**



**1141.04(i) Environmental Regulations:**

*“there might be a need in the future when the site is fully developed for the dumpster size to increase, specifically for commercial establishments.”*

**Location for expansion of trash compactor/frequency**



**1141.04(f)(4) Environmental Regulations: Lighting and glare from exterior lights:**

***“The lighting intensity in various locations exceeds the maximum illumination. The lighting and glare must be shielded/directed to reduce to meet the standards.”***

**Fix Lumens on Lighting Plan/ Adjacencies**



**1143.12(d)(5) General Business Direct  
Supplementary Regulations:**

*“Given that it was not clear on the submission related to the walkway from the site to Spring Street, staff recommends that this sidewalk shall be raised and has a color, material or textural changes...”*



**1143.12(d)(5) General Business Direct  
Supplementary Regulations:**

*"...staff also recommends the need for crosswalk markings between residential buildings to clearly delineate pedestrian movement within the complex, specifically, the Spring Street entrance entering the residential and commercial portion of the site."*

**Raise Side Walks/Striping**

- at bottom of ramp
- at rear entrance
- at cross between buildings  
(move island to accommodate)
- at Spring Street



1143.12(d)(5) General Business Supplementary Regulations:

*“Could there be any accommodations made to allow bus stops in this site away from public right-of-way?”*

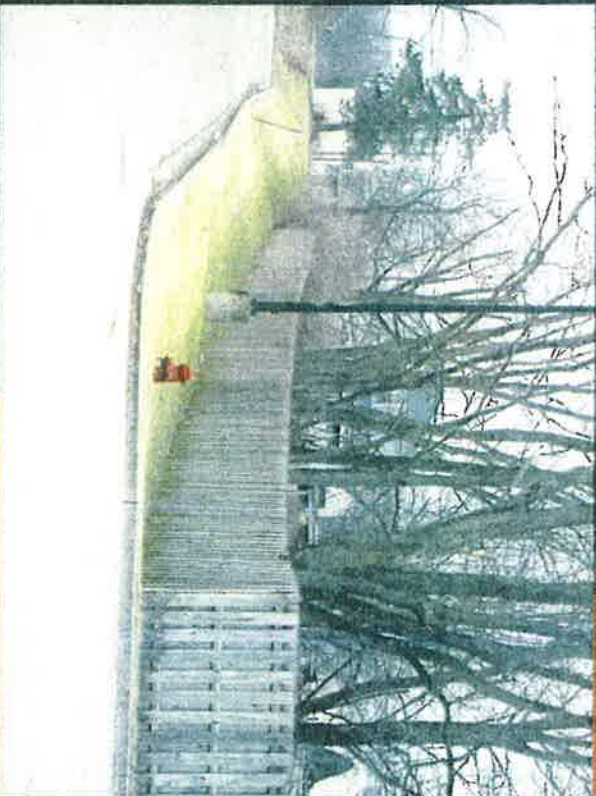
**Bus Stops**



**1143.12(d) Continued:**

*“Furthermore, the walkway from the site to the College Avenue entrance would require some safety measures in addition to the lighting fixtures the applicant has indicated in the narrative; there is also a need for safety railing since the grade drops off considerably on one side of the walk.”*

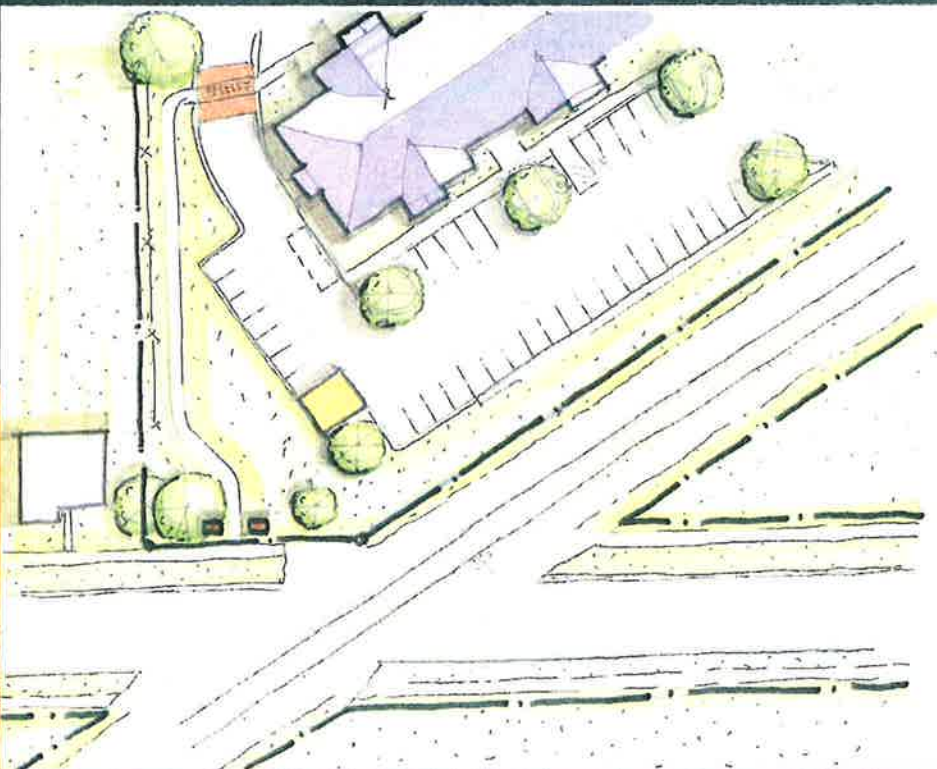
**Ramp Detail/ Landscaping/ Guard Rail**



**1143.12(d) Continued:**

*“Furthermore, the walkway from the site to the College Avenue entrance would require some safety measures in addition to the lighting fixtures the applicant has indicated in the narrative; there is also a need for safety railing since the grade drops off considerably on one side of the walk.”*

**Ramp Detail/ Landscaping/ Guard Rail**



**1143.12(d)(2)(C): General Business  
District Supplementary Regulations:**

*“The final plan shows the number of trees along Locust Street and Spring Street, but does not show any trees along College Avenue. Two trees shall be provided along College Avenue.”*

**Two trees added along College Avenue**



**1149.05(e)4.F. Parking Lot Design:**

*“The parking lot design of the final plan does not provide landscaped, raised and curbed island at every interval of 7 parking spaces in a row.”*

**What this would do to the parking plan**

Plan As Submitted



Plan Showing Islands



Plan Showing Islands With Grass Relief



**1149.05(e)(5)B.1.a Landscaping:**

**“an additional 13 trees are needed that can be dispersed in a meaning way throughout the parking lot.”**

**Add 25 trees**

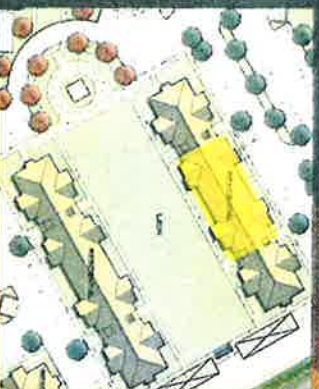
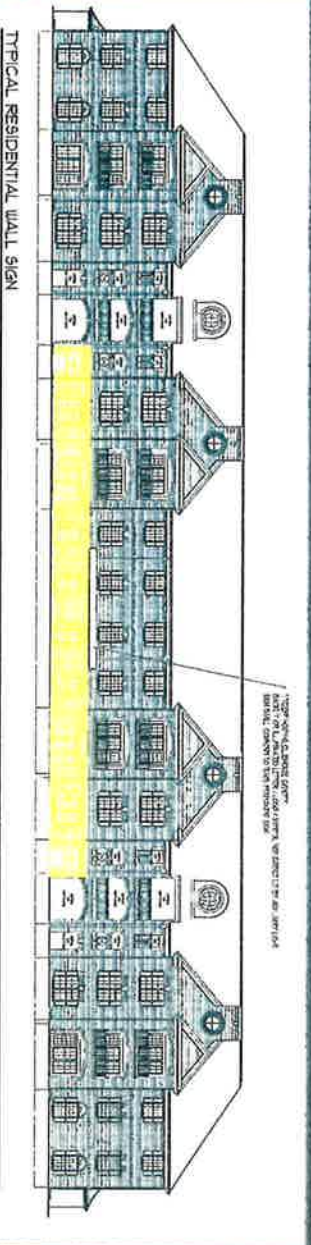
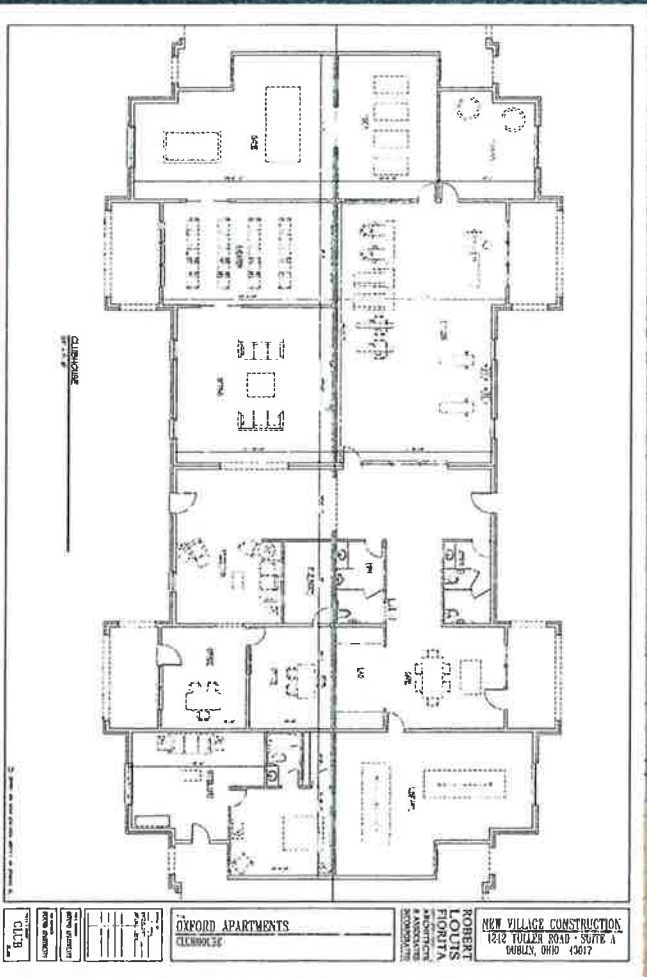




**1145.07 Action by Planning Commission and City Council:**

*“The General Business District does allow hotel/motel as a conditional use. However, this parent overnight hotel poses concerns from a staff perspective in terms of number of dwelling units.”*

**Parent hotel room has no kitchen, is not for extended stay, and would only be for parents of students residing in this complex.**



▶ **General Decision Standards.** All planned developments shall satisfy these general decision standards:

- ▶ ✓ The proposed planned development is in fact permitted in the zoning districts in which it is proposed.
- ▶ ✓ If the application is for the same site where a planned development application has been denied within one year, the plan is substantially different from the application so denied.
- ▶ ✓ The uses and site plan will satisfy the general intent of this Zoning Code.
- ▶ ✓ The uses and site plan will be compatible with the general intent of the Comprehensive Plan.
- ▶ The size and shape of the site are sufficient for the proposed planned development.
- ▶ ✓ The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district.
- ▶ ✓ 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.
- ▶ ✓ Accessory uses will be directly related to the operation of the principal uses and will not be operated independent of the principal uses.
- ▶ ✓ 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.
- ▶ ✓ Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services.
- ▶ ✓ The site will be designed, constructed, and maintained in a character harmonious in appearance and general character with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area. Structures to be constructed, reconstructed, or altered in a residential zoning district shall have the appearance of residential buildings permitted in the zoning district.
- ▶ ✓ The site is designed so that on-site traffic and traffic accessing the site will not adversely impact the movement or safety of all modes of traffic on adjacent public streets.
- ▶ ✓ Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.

## ▶ Additional Final Plan Decision Standards:

- ✔ ▶ The final planned development shall substantially conform to the preliminary plan.
  - ▶ Discussed in two previous planning commission meetings in October 2008 and August 2012.
- ✔ ▶ Any substantial changes from the preliminary plan improve the plan or were requested by Planning Commission or Council as a part of the preliminary plan approval process.
  - ▶ All items as conditions of ordinance 2958 and staff recommendations have been met
- ✔ ▶ If the final plan seeks approval of only a portion of the approved preliminary plan, the elements of the proposed phase are sufficient to stand alone if the remainder of the planned development is abandoned.
  - ▶ Applicant is seeking approval for all portions of the plan except out parcels- applicant has had several discussions with city leaders who have indicated a substantial portion of the commercial must be build. Applicant is beginning all residential and a substantial portion of the commercial (35,000 sq. ft. of 47,500 sq. ft.). This represents 88% of total square feet of residential and commercial, and 74% of commercial.