



Agenda

Oxford City Council

Court House

TUESDAY, JUNE 18, 2013

EXECUTIVE SESSION

7:00 P.M.

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

MEETING PROCEDURE: Comments from the Public are welcome at two different times during the course of the meeting: (1) Comments on items not on the Agenda, and Consent Agenda items, will be heard under Public Comments – and (2) Comments on all Resolutions and Ordinances will be heard during Council consideration of said item. Please wait until you are recognized by the Mayor, proceed to the podium, state your name and address so that your comments may be properly recorded and limit your remarks to a period of five minutes or less.

REGULAR MEETING

7:30 P.M.

PLEDGE OF ALLEGIANCE

2. Approval of Agenda.

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

3. Public Participation.

A. Proclamation - 'Race Across America Day'.



Proclamation

B. Public Hearing - 2014 Tax Budget - Joe Newlin.

C. Appointments to Boards and Commissions.

D. Public Comments.

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

4. Consent Agenda.

A. Minutes of the June 4, 2013 City Council Meeting. (Mary Ann Eaton, Clerk of Council)



Minutes

B. Report regarding the June 5, 2013 Historic and Architectural Preservation Commission Meeting. (Jung-Han Chen, Community Development Director)



Report

C. Report regarding the June 5, 2013 Environmental Commission Meeting. (Jung-Han Chen, Community Development Director)



Report

5. Resolutions - None.

6. Ordinances.

A. First Reading.

1. An Ordinance Providing For The Submission To The Electorate Of An Amendment To Article Nine, Nominations And Elections, Section 9.03, Nominations, Amending Section 9.03 Of The Charter Of The City Of Oxford, Ohio, To Comply With The Current Laws Of The State Of Ohio, And To Place The Same On The Ballot At The General Election, November 5, 2013. (Doug Elliott, City Manager).



Staff Report/Ordinance

B. Second 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) (Amended).



Staff Report/Ordinance



Exhibit "A" 1 of 2



Exhibit "A" 2 of 2

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

WED - June 26 Environmental Commission Meeting 6:30 p.m. Municipal Building

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.

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

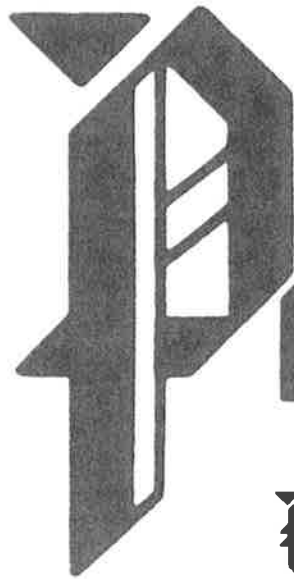
TUES - July 16 City Council Meeting 7:30 p.m.

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.



Office of the Mayor

Proclamation

Whereas:

Race Across America began in 1982 when four individuals raced from the Santa Monica Pier in Los Angeles to the Empire State Building in New York City; and

WHEREAS, with this adventure, they captured the attention of national television and the public took interest; and

WHEREAS, in 1992, teams were formed and quickly became the most popular and fastest growing segment of the race; enlisting teams from all across the globe; and

WHEREAS, it has now become the most respected and longest running endurance sports event in the world celebrating its 32nd year in 2013; and

WHEREAS, the competitors raise over two million dollars for charity each year with no financial rewards for winning; and

WHEREAS, The City of Oxford will host with the support of Oxford community members, one of two timing stations in the State of Ohio (the other being Blanchester, Ohio) from June 17-22.

NOW, THEREFORE, I, Richard A. Keebler, Mayor of the City of Oxford, Ohio, do hereby proclaim June 18, 2013 as:

"RACE ACROSS AMERICA DAY"

in the City of Oxford and urge all citizens to recognize this occasion.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Oxford to be affixed this 14th day of June, 2013.

RICHARD A. KEEBLER, MAYOR



A Regular meeting of the Oxford City Council was called to order by Mayor Richard Keebler on Tuesday, June 4, 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. Joe Newlin, Finance Director; Mr. John Detherage, Fire Chief; Mr. Jung-Han Chen, Community Development Director; Mr. Alan Kyger, Economic Development Director; Mr. Steve McHugh, Law Director, and Ms. Mary Ann Eaton, Clerk of Council.

PLEDGE OF ALLEGIANCE

Mayor Keebler requested the Pledge of Allegiance.

APPROVAL OF AGENDA

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

PUBLIC PARTICIPATION

PRESENTATION **SHAREFEST OXFORD**

Ms. Carol Michael, assisted by Andrew Wilson, Community Development Department, provided a PowerPoint presentation with regard to ShareFest Oxford's 2013 event. Ms. Michael noted ShareFest Oxford was a service and environmental event dedicated to the collection and redistribution of items donated by Miami University students at the end of the academic year. Ms. Michael advised collected items benefitted residents and agencies throughout the region. Ms. Michael noted the goals of ShareFest Oxford were to help individuals in need, teach a sharing ethic to young people, to help the City of Oxford dispose of unwanted items and clean the City quickly after student moved-out, and to protect the environment by preventing usable items from going to the landfill. Ms. Michael discussed the history of ShareFest Oxford noting it was founded in 2005 with the support of the City and had been held every year since then. Ms. Michael advised there was a dramatic increase in donations in 2013 and it was a record year. Ms. Michael noted the Planning Committee members consisted of City staff, Miami University staff and students and agency representatives which reflected the true partnership of the event. Ms. Michael advised the committee members were Rob Abowitz, Gena Bowles, Bobbe Burke, Kevin Bush, Jung-Han Chen, Sam Combs, Megan Donahue, Marilyn Elzey, Alysia Fischer, Ari Frum, Debbie Hurd, Kelsey Janning, Diane Ruther-Vierling, Missy Thompson, Rory Uhler, Andrew Wilson and herself. Ms. Michael noted the agencies involved this year included Butler County Children Services, the Lighthouse Food Pantry based in Hamilton and the Family Resource Center (FRC) in Oxford. Ms. Michael discussed the marketing strategies noting they were a major effort this year. Ms. Michael recapped the donation pickups, the donation inventory and how the donations impacted the agencies. Ms. Michael discussed the lessons learned from this year's event and plans to improve the event in the future.

Ms. Michael thanked the sponsors for their efforts including Butler County Children Services, the City of Oxford, the Lighthouse Food Pantry, M.U. Associated Student Government, M.U. Office of Community Engagement and Service, M.U. Office of Residence Life, M.U. Partnership Office, Oxford West Apartments and the Family Resource Center. Ms. Michael thanked the 84 volunteers who worked 691 hours noting those hours did not reflect the hours put in by the FRC special thrift store volunteers or the ShareFest Oxford Committee members. Ms. Michael also thanked City Council for their support, the Community Development Department, the Service Department, Dr. Kelly Spivey and Mary Smith of the Talawanda School District, LCNB National Bank, Oxford Branch, and all of the donors.

Mayor Keebler thanked Ms. Michael noting the report contained a lot of good information which showed the amount of organization it took to make the event successful. Mayor Keebler advised ShareFest Oxford was a win-win for the City, the citizens, the agencies and the people it helped. Mayor Keebler noted the committee should be extremely proud of their efforts including looking for ways to improve the event in the future.

Ms. Michael advised the committee worked very hard and thanked Andrew Wilson who helped create tonight's report.

PRESENTATION
MCCULLOUGH-HYDE
MEMORIAL HOSPITAL

Mr. Bryan Hehemann, FACHE, President and CEO, delivered the McCullough-Hyde Memorial Hospital 2012 annual report to City Council. Mr. Hehemann discussed the hospital's key programs/accomplishments in 2012 including improved patient quality/accreditation outcomes, new programs and services, capital improvements, education programs, and employee development, engagement and retention programs. Mr. Hehemann also discussed key financial indicators including patient care volume and revenues, total expenses, the hospital margin and donations to the hospital's trust. Mr. Hehemann discussed volunteer services and Auxiliary noting the hospital benefitted from the time and energy of 333 volunteers who provided 23,385 hours of service in 2012. Mr. Hehemann advised the Auxiliary operated the gift shop at the hospital on a volunteer basis and donated over \$58,000 towards equipment and educating benefitting many departments within the hospital. Mr. Hehemann updated Council with regard to members of the hospital's Board of Trustees and medical staff leadership. Mr. Hehemann discussed key objectives/incentives for 2013 noting their special key initiative was to formally investigate a form of affiliation with a larger health system based in the Cincinnati area. Mr. Hehemann outlined the guiding principles for such a process set by the Board.

Mr. Bogard advised the citizens of Oxford appreciated the health facility they had and its regional expansion and noted there were many opportunities for individuals to receive quality care.

Mayor Keebler advised for a town of this size Oxford was fortunate to have a community based hospital. Mayor Keebler noted he felt people understood with the future of the healthcare system that an affiliation may be necessary and the goals were in line with what the community would like to see which was the continuance of a viable community based hospital.

Mr. Hehemann noted the hospital had a wonderful medical staff who were amazing to work with and the Board was impressed with that relationship and wanted it to continue for the good of the community.

PUBLIC COMMENTS

There were no public comments.

CONSENT AGENDA

MINUTES

Minutes of the May 21, 2013 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

REPORTS

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

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

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

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

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

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

ORDINANCES

FIRST READING

ORDINANCE

2014 TAX BUDGET

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)

Mr. Newlin advised the Tax Budget was the first step in front of Council of the 2014 budget process and approval of Council. Mr. Newlin noted approval by Council was required by July 15th and it was due to the county by July 20th. Mr. Newlin noted the tax budget provided the first glimpse at 2014's General Fund budget.

Mr. Newlin advised this budget was prepared with an approximate 0% change from the 2013 budget except for a few items. Mr. Newlin outlined the exceptions as detailed on page 22 of the agenda packet.

ORDINANCE
FINAL PLANNED DEVELOPMENT

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)

Mr. McKeehan recused himself from the discussion.

Mr. Chen advised the applicant was seeking Final Planned Development approval for a commercial/residential mixed-use development at the former Wal-Mart site. Mr. Chen noted a Preliminary Planned Development was approved by City Council in 2007 and since the approval of the Preliminary Development, a new developer took over the development of the site. Mr. Chen advised in 2008 the current applicant came before the Planning Commission with adjustments to the design layout which did not affect density or the square footage of the residential space and the Planning Commission approved the revised design. Mr. Chen noted in 2012 because the library chose this location for their new site, the applicant incorporated the library as part of the overall plan. Mr. Chen advised the original approval was for 40,000 square feet of commercial space and with the library it was increased to 47,500 square feet which the Planning Commission felt was appropriate. Mr. Chen noted staff analyzed the Final Planned Development application and identified concerns as listed on pages 45-51 of Council's packet and the developer modified the plan to reflect what staff was looking for. Mr. Chen advised after lengthy discussion and deliberation, the Planning Commission recommended Council's approval of the Final Planned Development subject to 15 conditions. Mr. Chen noted David Prytherch, Planning Commission Chair, and Robert Fiorita, Applicant, were in attendance and would address Council.

Mr. Robert Fiorita, New Village Communities, provided a PowerPoint presentation and outlined the proposed development as it was originally submitted in 2007, as it was revised in 2008 and as it was revised in 2012 to include additional commercial space for a library and address numerous concerns raised by staff and the Planning Commission. Mr. Fiorita noted the conditions set forth in the 2007 Preliminary Plan Ordinance had been met. Mr. Fiorita discussed the additional Final Plan Decision Standards that Council would consider as part of this approval process.

Mr. Larry Rankin, 610 French Drive, advised he felt this was a good plan and it would be good for Oxford. Mr. Rankin expressed his concerns with traffic congestion and traffic safety along S. Locust Street and at the intersection of Locust Street and Wells Mill Drive once the development was constructed.

Mr. David Prytherch, 6195 Contreras Road, Planning Commission Chair, advised there had been some questions regarding the Planning Commission's recommendations for this project and he wanted to address them. Mr. Prytherch noted the Planning Commission felt the Final Plan was substantially in conformance with the Preliminary Plan even though there were significant changes and the Planning Commission had to determine if those changes improved the plan or not and if the changes raised new issues that had to be addressed. Mr. Prytherch advised the Planning Commission felt this was a good plan and Mr. Fiorita addressed most of the Planning Commission's concerns readily. Mr. Prytherch noted this was an important project which was in the heart of the community and in the heart of a district specified in the Comprehensive Plan as being the focus of redevelopment. Mr. Prytherch advised the Comprehensive Plan's goal for this area was to redevelop with a mix of small and medium sized commercial uses with well defined streetscapes and public spaces and residential uses should be integrated within the area to create a 24 hour district and to create shopping and dining options within walking distance of surrounding neighborhoods. Mr. Prytherch noted that criteria was used for the Planning Commission's recommendation for the Preliminary Plan. Mr. Prytherch advised the project included 68 residential units with 4 residents in each one plus a new community library and more vehicular oriented uses such as potential drive-throughs. Mr. Prytherch noted that was why the Planning Commission conducted an in depth review of the project. Mr. Prytherch advised the Planning Commission knew that the current intersection of S. Locust Street and Wells Mill Drive was a problem and it was incumbent upon the City and the developer to work together to anticipate the traffic issues and remedy them now rather than later. Mr. Prytherch noted the southern entrance into the proposed development was an engineering concern and would require collaboration between the City and the developer. Mr. Prytherch advised the Planning Commission recommended that a marked crosswalk be provided connecting the north side of Wells Mill Drive to the southwestern corner of the project although more substantial improvements should be considered to provide pedestrian safety such as additional traffic signals, pedestrian signals, raised medians and speed reducing measures. Mr. Prytherch noted it was reasonable to ask the developer to partner with the City in finding a solution for this intersection through a cost sharing agreement.

Ms. Rousmaniere inquired if the library was confirmed as an anchor institution on the site. Mr. Fiorita noted a letter of intent was executed and a lease was being negotiated. Mr. Fiorita noted representatives from the library would be in attendance on June 18th and could address the matter then. Mayor Keebler referred to page 41 of Council's packet and advised the construction of the library building and the two story commercial building shall be in concurrence with or in advance of the construction of the residential development. Mr. Fiorita noted this was a complex project and advised the ground was owned by one owner and 12 parcels needed to be consolidated into two before New Village Communities could close with their bank. Mr. Fiorita noted immediately after closing they would start developing the entire site. Mr. Fiorita advised the library design would not be done until late this year and they would start construction after the first of the year. Mr. Fiorita noted his hope was to start the student housing immediately to meet the goal of renting the units in the fall of 2015. Mayor Keebler stated that could be a problem and noted there had to be a commitment. Mr. Bogard noted the goal for renting the student housing was 2015 and the library would begin construction in 2014. Mr. Bogard inquired what the timeline was for construction of the out lots facing Locust Street. Mr. Fiorita advised there weren't tenants for those yet and he was more concerned with the second layer of buildings, the library and commercial space. Mr. Bogard suggested setting a time-table for the development of the put lots.

Mayor Keebler advised there may be a desire for drive-throughs on the out lots and the Planning Commission wanted to address the out lots once the right tenants came on board. Mayor Keebler noted the tenants may not be a restaurant. Mayor Keebler advised the Planning Commission's goal was to make sure the exteriors of the facilities substantial and in accordance with the renderings. Mr. Fiorita advised New Village Communities would probably not construct the library noting the library was a public entity and would go through the competitive bid process. Mr. Fiorita advised once the pad was ready for the library the library would reimburse New Village Communities for those costs and he expected that to happen in November prior to the construction of the student housing. Mayor Keebler inquired if New Village Communities would have a contract in place with the library prior to construction and Mr. Fiorita advised yes. Mr. Fiorita referred to the concern that residential space would be complete before the construction of commercial space and suggested tying that to the ability to obtain certificates of occupancy. Mr. Snyder inquired what the timing of the lot consolidation was. Mr. Fiorita advised in 30-60 days. Mr. McHugh advised the lot consolidation could occur 30 days after the adoption of the proposed Ordinance. Mr. Snyder inquired what the timing of the lot consolidation was. Mr. Fiorita advised engineering had to be done and approved by the City engineer prior to closing with the bank that was funding the student housing portion of the project. Mr. Fiorita noted the bank had to have a legal description of the parcel and it had to have a separate tax ID number. Mr. Fiorita noted his hope it would be in approximately 60 days and they would begin development immediately. Mr. McHugh advised once the proposed Ordinance was adopted the lot consolidation could occur. Mayor Keebler asked Mr. McHugh to incorporate language in the Ordinance stating that a contract between the developer and the library for the construction of the library had to be in place before any building permits would be issued. Ms. Rousmaniere inquired where the 10,000 square feet of commercial space fit in the construction sequence. Mr. Fiorita advised they would start with parking lots, sanitary and storm sewers and gas and everything underground would be done first and then a pad for the library would be installed by November. Mr. Fiorita noted the project would take 14-16 months to complete. Mayor Keebler referred to condition number 6 on page 41 of Council's packet and advised it needed to be modified to provide the City safeguards. Mayor Keebler referred to condition number 8 on page 41 of Council's packet and requested that City Council be added to the review and approval process and the words 'at a future date prior to construction'. Mayor Keebler also requested language to read that the out lots were to be curbed and grassed until developed. Mr. Bogard inquired if the developer would have a commitment from the library by June 18th and Mr. Fiorita noted he expected to. Mayor Keebler referred to condition number 3 on page 40 of Council's packet and noted this area contained a very busy business at one time with two entrances and with the same traffic signal and to the best of his knowledge it did not cause any major problems. Mayor Keebler requested staff and the developer to provide revised language for the next meeting to ensure a safe crossing at Wells Mill Drive and Locust Street. Mayor Keebler noted he was not in favor of more student housing but this property had been vacant for 8 years and the development would contain 27% green space. Mayor Keebler advised the Preliminary Plan was approved in 2007 and it met the zoning requirements. Mayor Keebler noted Council was not in the business of deciding whether or not there was enough housing they were in the business of deciding if there was enough zoning to meet the City's needs. Mayor Keebler advised staff's review of the project was thorough and the developer addressed the concerns very well.

Mayor Keebler referred to condition number 1 on page 41 of Council's packet and noted it read 'All aspects of the presentation made by the applicant shall be included as part of this final development approval'. Ms. Rousmaniere advised Mr. Fiorita attended a Housing Advisory Commission (HAC) meeting and a lot of senior citizens were present who felt Oxford did not have enough senior housing or affordable housing. Ms. Rousmaniere noted Mr. Fiorita was asked if the project could be changed to incorporate senior housing. Ms. Rousmaniere advised the only way the developer could afford to do the project was by offering student housing and this was a very expensive lot. Ms. Rousmaniere noted the HAC and City Council were aware that Oxford had a shortage of family housing, affordable housing and housing for retirement in place and other lots were available for those purposes. Ms. Rousmaniere advised she felt this proposal would provide a great economic boost for the City and fit well with the Comprehensive Plan. Mr. Blackburn suggested 'ripple cut' sidewalks for the development to improve safety. Mr. Blackburn noted he felt the Planning Commission and staff did a great job in presenting this project and it would increase the City's tax base and be good for the City. Mr. Blackburn inquired if there could be a different finish on the buildings besides red brick. Mr. Fiorita advised the buildings would be multi-colored brick. Mr. Blackburn advised he felt constructing a 'parent unit' would create a variety of problems. Mayor Keebler advised Council would vote on the proposed Ordinance at the next meeting.

ANNOUNCEMENTS

Mr. Elliott advised when he was the City Manager in Hudson, Ohio he was involved with the redevelopment of a downtown industrial site which became a 200,000 square foot mixed use site with office, retail and residential space. Mr. Elliott noted the center piece was a new library and Historical Society. Mr. Elliott advised he was excited about the redevelopment project in Oxford with the library serving as a magnet to the site.

Mr. Elliott advised there was a major fire property loss in Oxford on May 25, 2013 at the FIGI House on E. High Street. Mr. Elliott thanked Fire Chief John Detherage and his staff for their efforts and staff from the Water Distribution Department, Street Department and Police Department. Mr. Elliott also thanked the Butler County regional Fire Departments who also responded noting it was a splendid example of regional cooperation. Mr. Elliott advised the City was fortunate that the semester was over and not many students were living in the house.

Mr. McKeegan thanked the City employees and area agencies that responded to the Figi House fire for their hard work.

Ms. Rousmaniere advised two weeks from now 200 athletes would ride their bicycles through town as participants in Race Across America which started in California and ended in Maryland. Ms. Rousmaniere noted Oxford had been fortunate enough to host a timing station for the riders in the former Wal-Mart parking lot for the past few years and a Proclamation would be presented at the next Council meeting in honor of the event. Ms. Rousmaniere advised the timing station would be open 24 hours a day from June 17th through June 22nd and volunteers were needed to man the station. Ms. Rousmaniere noted this was an international event and it was a major fundraiser for a lot of charities across the country.

Mr. Blackburn reminded everyone that the summer Music Festival would begin this Thursday and every Thursday through August 29th except for July 4th.

Mayor Keebler advised the City had vacancies on Boards and Commissions and thanked Bob Ratterman for the excellent article in last week's Oxford Press. Mayor Keebler noted applications were needed for the Housing Advisory Board, Civil Service Commission, Recreation Board, Environmental Commission and the Building and Housing Board of Appeals. Mayor Keebler encouraged interested citizens to apply for these Boards and Commissions or any other Boards or Commissions they were interested in.

Mayor Keebler advised Council's annual retreat would be held Thursday, June 13th from 4:00 to 8:00 p.m.

Mayor Keebler encouraged everyone to support Relay for Life on June 29th at Millett Hall.

ADJOURN

Mr. Bogard moved to adjourn at 9:16 p.m. Ms. Rousmaniere seconded. The motion passed 7-0-0.

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: June 18, 2013

Sam Perry
Prepared By

Account Code No. #:

Budgeted Amount:

June 12, 2013
Date Prepared

HAPC MEETING REPORT – June 5, 2013 (REGULAR)

Request for Review: None

Historic Marker Applications:

14 North Poplar Street, Oxford United Methodist Church: Approved

131 W. Chestnut Street, H.S. Thobe House, Tallawanda Administration Bldg: Approved

Public Comments:

George Simonds came to give an update to the HAPC about the Phi Gamma Delta house fire at 130 E. High Street. Mr. Simonds said that their desire is for the fraternity to stay at the current location. However, insurance officials and preservation architects are not done analyzing the damaged structure. It has not yet been determined whether any of the building can be preserved or not. Mr. Simonds brought building renderings that they had previously drawn.

Several HAPC members commented that they appreciated any effort to preserve the main façade, and thanked Mr. Simonds for the voluntary update.

Old Business:

Chair Mike Smith commented that Preservation Month activities, particularly the weekly walking tours, were successful.

Upcoming Events:

Sam Perry announced that the Ohio Historic Preservation Office was interested in using Oxford as a half-day workshop venue in October. The topic would be “how to conduct building surveys.” A potential date is October 3rd. A walking tour may be part of the workshop. Some volunteers may be needed. More details will follow.

Administrative Approvals

ADM-HAPC-05-2013, 36 E. High Street, outdoor patio alteration, Mark Weisman, Applicant, Owner: Removal of steel bars: Approved administratively

Department Head:
City Attorney:
City Manager:

JHC 6/14/13
DRE 6/14/13

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting of: June 18, 2013

Service Department
Originating Department

Account Code #: N/A

David Treleaven
Prepared By

Budgeted Amount: N/A

June 7, 2013
Date Prepared

Agenda Title: Environmental Commission Meeting of June 5, 2013

Recommendation: For Review and Consideration

Discussion:

Environmental Commission members present at the Wednesday, June 5, 2013 meeting were: Chair, Mr. Vince Hand; City Council Representative, Ms. Kate Rousmaniere; Planning Commission Representative, Mr. Ted Wong, and Mr. Wright Gwyn. Vice-Chair, Mr. Kevin Armitage had previously informed the Commission that he would be unable to attend the June meeting. Oxford residents Ms. Suzanne Zazycki, Outreach Coordinator with Miami University's Institute for the Environment and Sustainability Department (IES); Dr. Thomas Crist, Director for IES; and Mr. Jason Kline were also in attendance.

Minutes from the May 1, 2013 Commission meeting was unanimously accepted as presented.

Ms. Zazycki had previously requested the Commissioners consider a Professional Service Project (PSP) be undertaken by IES graduate students during the 2013-2014 academic year. Commissioners discussed three options for a storm water-related PSP: 1) Design and implement a storm water run-off capture and re-use system for a local automobile business' car wash; 2) Research and evaluate other communities' storm water public education program to identify what worked (or didn't work) to assist in Oxford's public education programs; and 3) Survey and inventory existing storm water best management practices that are already in place in Oxford at commercial, university, church, and residential properties, prepare a summary of their effects, and develop a public education program based upon this information. Ms. Zazycki and Dr. Crist informed Commissioners of the structure and timeframe for the PSPs, and potential PSP limitations based upon the graduate students' backgrounds and education. Commissioners and the IES Staff concluded that the PSP researching other communities' public education programs and incorporating those findings into Oxford's storm water public education program was likely the most productive PSP of the three. Mr. Wright Gwyn volunteered to prepare a formal client request for the PSP for submittal to the IES Department.

Mr. Jason Kline updated the Commissioners on his Boy Scouts of America (BSA) Eagle-rank public service project to label approximately 300 storm water curb-side catch basins in the northwestern portion of Oxford (excluding those along College Corner Pike). The formal approval by the local BSA Council Committee was scheduled for Thursday, June 6, 2013; all indications were that the project would receive
(Continued)

Approved By:

Department Head:
City Manager:

Initial MB Date 6/13/13
2135 6/14/13

approval by the local BSA Council. Mr. Kline anticipated completing the labeling of the catch basins with the "Drains to Waterway" medallions (to be provided by Oxford) by the end of July 2013. Commissioners offered suggestions for the public information door hangers that are to be distributed as part of the catch basin labeling project.

Commissioners were updated on the status of the re-development of the former Wal-Mart property on South Locust Street by Mr. Wong and Ms. Rousmaniere. The incorporation of pedestrian and bicycle safety features were discussed by both the Planning Commission and City Council.

Mr. Wong informed the Commissioners that his last meeting as a Planning Commissioner would be on June 11, 2013. Mr. Wong's final Environmental Commission meeting as the Planning Commission Representative would be the next Environmental commission meeting.

The Commission adjourned at 7:55 p.m. Due to the first Wednesday in July being day before the Fourth of July Holiday, the next scheduled meeting of the Environmental Commission was moved to Wednesday, June 26, 2013 at 6:30 p.m. in the Municipal Building's Second Floor Conference Room.

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Manager

Originating Department

Council Meeting Of: June 18, 2013

Mary Ann Eaton

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

June 12, 2013

Date Prepared

Agenda Title: An Ordinance Providing For The Submission To The Electorate Of An Amendment To Article Nine, Nominations And Elections, Section 9.03, Nominations, Amending Section 9.03 Of The Charter Of The City Of Oxford, Ohio, To Comply With The Current Laws Of The State Of Ohio, And To Place The Same On The Ballot At The General Election, November 5, 2013. 2007.

Recommendation: n/a

Discussion:

The Charter of the City of Oxford requires nominating petitions for City Council candidates to be filed with the Butler County Board of Elections at least 75 days prior to the General Election. The Ohio Revised Code requires nominating petitions to be filed at least 90 days prior to the General Election.

Section 3501.39 of the Ohio Revised Code reads in part as follows: 'If a petition is filed for the nomination or election of a candidate in a charter municipal corporation with a filing deadline that occurs after the ninetieth day before the day of the election, a board of elections may invalidate the petition within fifteen days after the date of that filing deadline.'

City Council and staff believe it is in the best interest of the City to amend the filing deadline in the City's Charter to comply with the state law for filing nominating petitions.

Approved By:

Initial Date

Department Head:

City Manager:

 6/14/13

ORDINANCE NO.

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORATE OF AN AMENDMENT TO ARTICLE NINE, NOMINATIONS AND ELECTIONS, SECTION 9.03, NOMINATIONS, AMENDING SECTION 9.03 OF THE CHARTER OF THE CITY OF OXFORD, OHIO, TO COMPLY WITH THE CURRENT LAWS OF THE STATE OF OHIO, AND TO PLACE THE SAME ON THE BALLOT AT THE GENERAL ELECTION, NOVEMBER 5, 2013.

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

SECTION 1: Council, having reviewed the report and recommendation submitted by the City Manager, determines that an amendment to Article Nine, Nominations and Elections, Section 9.03, Nominations, amending Section 9.03 of the Charter should be submitted to the electors of the City.

SECTION 2: Article XVIII, Section 9 of the Ohio Constitution and Section 10.05 of the Charter provide that amendments to the Charter may be submitted to the electors of the municipality by a vote of at least five (5) of the members of Council.

SECTION 3: The question of the amendment of the Charter of the City of Oxford shall be submitted to a vote of the electors of the municipality at the general election to be held on Tuesday, the 5th day of November, 2013, at the regular places of voting in the City between the hours of 6:30 a.m. and 7:30 p.m. to determine whether Article Nine, Section 9.03 of the Charter shall be amended to read as follows:

SECTION 9.03 NOMINATIONS

No primary election shall be held for the nomination of candidates for the Council. Nominations for the office of Council member shall be made by petition signed by not less than 50 nor more than 100 electors of the City. Petitions shall be the standard forms for the nomination of individual nonpartisan candidates for such office. Group petitions shall not be used. Petitions shall be filed with the Board of Elections ~~at least 75 days before the day of the election~~ **in accordance with the current laws of the State of Ohio.** An elector may sign only as many petitions as there are Council members to be elected at the municipal election for which the nominations are made.

SECTION 4: That the ballots for said election shall, at the top thereof, be entitled "Proposed Charter Amendment" "City of Oxford" and the question to be submitted shall be separately stated on said ballot in the following words: "Shall Section 9.03 Of Article Nine Of The Charter Of The City Of Oxford Be Amended To Comply With The Current Laws Of The State Of Ohio.

The full text of the proposed amendment to said Charter shall appear on the ballot and at the appropriate place for marking said question shall appear the words "YES" and "NO" and each voter shall include his or her vote by making a mark as provided in the place so provided.

SECTION 5: A majority vote shall be necessary for adoption of this question. If adopted, this amendment will be effective on adoption.

SECTION 6: Notice of the time and place of holding such election shall be given as required by law. The full text of the proposed amendment shall be published one (1) time per week for not less than two (2) consecutive weeks in a newspaper of general circulation in the City of Oxford, with the first publication being not less than fifteen (15) days prior to the election at which the amendment is to be submitted to the electors.

SECTION 7: The Clerk of Council shall certify this Ordinance to the Butler County Board of Elections by 4:00 p.m. on August 7, 2013.

SECTION 8: 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 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 15th 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 18th.

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

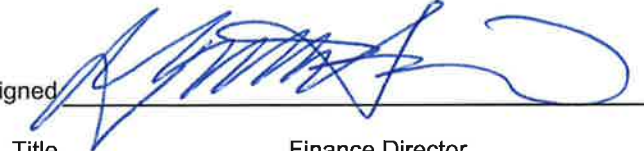
Year

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 (Include only those funds which are requesting general property tax revenue)	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
GOVERNMENT FUNDS					
GENERAL FUND	979,823				
SPECIAL REVENUE FUNDS					
DEBT SERVICE FUNDS					
CAPITAL PROJECTS FUNDS					
PROPRIETARY FUNDS					
FIDUCIARY FUNDS					
AGENCY FUNDS					
TOTAL OF ALL FUNDS	979,823	0	0	0	0

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 (1)	For 2011 Actual (2)	For 2012 Actual (3)	Current Year Estimated for 2013 (4)	Budget Year Estimated for 2014 (5)
REVENUES				
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				
TOTAL REVENUES	10,730,920.00	12,614,196.00	12,616,774.00	10,098,797.00

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

EXHIBIT I - B

DESCRIPTION (1)	For 2011 Actual (2)	For 2012 Actual (3)	Current Year Estimated for 2013 (4)	Budget Year Estimated for 2014 (5)
EXPENDITURES				
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 (1)	For 2011 Actual (2)	For 2012 Actual (3)	Current Year Estimated for 2013 (4)	Budget Year Estimated for 2014 (5)
EXPENDITURES				
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
TOTAL EXPENDITURES	10,198,978.00	12,141,717.00	12,607,177.00	10,091,563.00
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 List All Funds Individually Unless Reported on Exhibit I or II	Estimated Unencumbered Fund Balance 1/1/2014	Budget Year Estimated Receipt	Total Available For Expenditures	Personal Services	Other	Total	Estimated Unencumbered Fund Balance 12/31/2014
GOVERNMENTAL: 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
TOTAL SPECIAL REVENUE FUNDS	2,377,696.49	3,330,893.00	5,708,589.49	2,103,234.00	1,185,541.00	3,288,775.00	2,419,814.49

EXHIBIT II - B

FUND List All Funds Individually Unless Reported on Exhibit I or II	Estimated Unencumbered Fund Balance 1/1/2014	Budget Year Estimated Receipt	Total Available For Expenditures	Personal Services	Other	Total	Estimated Unencumbered Fund Balance 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 List All Funds Individually Unless Reported on Exhibit I or II	Estimated Unencumbered Fund Balance 1/1/2014	Budget Year Estimated Receipt	Total Available For Expenditures	Personal Services	Other	Total	Estimated Unencumbered Fund Balance 12/31/2014
PROPRIETARY:							
ENTERPRISE FUNDS							
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
TOTAL ENTERPRISE FUNDS	11,041,474.31	8,877,152.00	19,918,626.31	2,725,990.00	6,851,919.00	9,577,909.00	10,340,717.31

EXHIBIT II - D

FUND List All Funds Individually Unless Reported on Exhibit I or II	Estimated Unencumbered Fund Balance 1/1/2014	Budget Year Estimated Receipt	Total Available For Expenditures	Personal Services	Other	Total	Estimated Unencumbered Fund Balance 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 Actual	For 2012 Actual	Adjusted Budget Year 2013	Explanation for Changes from prior year	
				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	0.00%
10% Rollback & Homestead, Trailer	95,222	96,307	96,777	96,777	0.00%
Tangible Personal Property Tax	8,974	56	0	0	0.00%
Municipal Income Tax	6,712,608	6,813,679	7,005,530	7,110,623	1.50%
Other Local Taxes (Hotel tax)	178,385	178,476	170,745	170,745	0.00%
Total Local Taxes	7,987,088	8,058,154	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	0.00%
Local Government	640,658	399,724	306,799	306,799	0.00%
Estate Tax	308,438	358,597	255,570	0	0.00%
Cigarette Tax	800	756	750	750	0.00%
License Tax					
Liquor and Beer Permits	40,604	37,424	34,000	34,000	0.00%
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	851,150	637,015	381,445	-40.12%
(255,570)					
Total Intergovernmental Revenues					
Federal Grants or Aid	13,954	35,287	8,000	8,000	0.00%
State Grants or Aid	19,289	16,910	15,219	15,219	0.00%
Other Grants or Aid	42,316	31,223	25,000	25,000	0.00%
Total Intergovernmental Revenues	75,559	83,420	48,219	48,219	0.00%
0					
Special Assessments					
Charges for Services	396,177	422,552	409,285	409,285	0.00%
Fines, Licenses, and Permits	643,349	593,569	613,650	613,650	0.00%
Miscellaneous	178,543	268,313	148,451	148,451	0.00%
Other Financing Sources:					
Proceeds from Sale of Debt					
Transfers	136,131	137,038	139,779	139,779	0.00%
Advances	245,000	2,200,000	2,367,500	0	-100.00%
Other Sources					
TOTAL REVENUE	10,730,920	12,614,196	12,616,774	10,098,797	-19.96%
(150,477)					
Security of Persons & Property					
			4,626,933	4,626,933	
			133,616	133,616	
			1,358,691	1,358,691	
			830,743	830,743	
			1,826,806	1,724,942	
			1,384,888	1,338,638	
			2,367,500	0	
			78,000	78,000	
			12,607,177	10,091,563	
TOTAL EXPENSES			9,597	7,234	
NET GAIN/(LOSS)					

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

EXPENDITURES

Increase over PRIOR YR: 0.00% 0.00%
revision to the % increase

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

2011 Actual				2012 Actual				2013 Estimate				2014 Tax Budget				
Dept	Personal Services	Operating	Capital Outlay	total	Personal Services	Operating	Capital Outlay	total	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	3,188,594	307,450	0	3,496,044	3,188,594	307,450	0	3,496,044
120	31,491	38,061	0	69,552	32,719	34,863	0	67,582	35,554	38,250	0	73,804	35,554	38,250	0	73,804
130	50,616	14,480	0	65,096	49,397	13,775	0	63,172	48,806	14,388	0	63,194	48,806	14,388	0	63,194
140	718,963	133,600	0	852,563	730,446	111,816	0	842,262	782,713	137,278	0	919,991	782,713	137,278	0	919,991
150	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
151	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
160	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
170	0	74,890	0	74,890	0	75,196	0	75,196	0	73,900	0	73,900	0	73,900	0	73,900
Total	3,616,053	512,258	600	4,128,911	3,688,777	495,684	0	4,184,461	4,055,667	571,266	0	4,626,933	4,055,667	571,266	0	4,626,933
Public Health & Welfare																
210	0	10,484	0	10,484	0	9,325	0	9,325	0	10,200	0	10,200	0	10,200	0	10,200
220	0	6,574	0	6,574	0	6,419	0	6,419	0	6,500	0	6,500	0	6,500	0	6,500
221	0	107,146	0	107,146	0	111,949	0	111,949	0	116,916	0	116,916	0	116,916	0	116,916
Total	0	124,204	0	124,204	0	127,693	0	127,693	0	133,616	0	133,616	0	133,616	0	133,616
Leisure Time Activities																
290	25,466	18,469	0	43,935	24,387	25,189	0	49,576	27,039	23,525	0	50,564	27,039	23,525	0	50,564
291	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
610	53,663	46,497	0	100,160	54,109	49,435	0	103,544	59,110	46,150	0	105,260	59,110	46,150	0	105,260
620	422,349	180,483	0	602,832	443,669	195,277	0	638,946	465,338	194,500	0	659,838	465,338	194,500	0	659,838
630	237,455	114,204	0	351,659	258,473	116,331	0	374,804	254,778	122,865	0	377,643	254,778	122,865	0	377,643
680	149,518	6,140	0	155,658	153,996	7,763	0	161,759	156,736	8,650	0	165,386	156,736	8,650	0	165,386
Total	888,451	365,793	0	1,254,244	934,634	393,995	0	1,328,629	963,001	395,690	0	1,358,691	963,001	395,690	0	1,358,691
Community Environment																
310	307,325	27,000	5,482	339,807	293,594	17,745	0	311,339	341,529	24,350	0	365,879	341,529	24,350	0	365,879
320	60,220	241,915	3,900	306,035	62,018	247,977	0	309,995	64,782	250,953	0	315,735	64,782	250,953	0	315,735
330	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
335	0	23,000	0	23,000	0	22,500	0	22,500	0	14,000	0	14,000	0	14,000	0	14,000
345	0	26,560	0	26,560	0	33,347	0	33,347	0	32,500	0	32,500	0	32,500	0	32,500
360	95,614	20,862	0	116,476	95,329	1,825	0	97,154	97,529	5,100	0	102,629	97,529	5,100	0	102,629
Total	463,159	339,337	9,382	811,878	450,941	323,394	0	774,335	503,840	326,903	0	830,743	503,840	326,903	0	830,743
General Government																
408	0	90,175	0	90,175	0	99,533	0	99,533	0	104,284	0	104,284	0	104,284	0	104,284
410	181,701	6,816	0	188,517	186,707	8,786	0	195,493	188,874	8,800	0	197,674	188,874	8,800	0	197,674
411	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
420	173,379	186,954	0	360,333	170,914	144,268	0	315,182	183,241	220,710	0	403,951	183,241	114,627	0	297,868
421	0	314,394	0	314,394	0	264,829	0	264,829	0	281,252	0	281,252	0	285,471	0	285,471
430	96,928	39,772	0	136,700	100,207	35,521	0	135,728	103,299	37,500	0	140,799	103,299	37,500	0	140,799
450	37,754	44,682	0	82,436	40,226	22,879	0	63,105	41,680	21,400	0	63,080	41,680	21,400	0	63,080
465	74,018	10,485	0	84,503	76,711	8,413	0	85,124	81,481	11,350	0	92,831	81,481	11,350	0	92,831
470	18,363	5,699	0	24,062	18,626	6,457	0	25,083	18,759	6,800	0	25,559	18,759	6,800	0	25,559
480	53,273	72,727	0	126,000	55,752	68,847	0	124,599	57,255	86,104	0	143,359	57,255	86,104	0	143,359
481	78,759	25,495	0	104,254	81,069	23,406	0	104,475	86,934	31,792	0	118,726	86,934	31,792	0	118,726
483	0	32,861	0	32,861	0	23,066	0	23,066	0	40,127	0	40,127	0	40,127	0	40,127
490	99,288	16,959	0	116,247	103,663	28,527	0	132,210	107,807	31,874	0	139,681	107,807	31,874	0	139,681
500	0	65,841	0	65,841	0	63,884	0	63,884	0	75,483	0	75,483	0	75,483	0	75,483
Total	813,463	912,860	0	1,726,323	833,895	798,416	0	1,632,311	869,330	957,476	0	1,826,806	869,330	855,612	0	1,724,942
Transfers																
Transfers	1,461,919	0	0	1,461,919	1,894,288	0	0	1,894,288	1,384,888	0	0	1,384,888	1,384,888	0	0	1,384,888
Advances																
Advances	0	645,000	0	645,000	0	2,200,000	0	2,200,000	2,367,500	0	0	2,367,500	2,367,500	0	0	2,367,500
Contingency																
Contingency	0	46,499	0	46,499	0	0	0	0	78,000	0	0	78,000	78,000	0	0	78,000
tot gen fund	5,781,126	4,407,870	9,982	10,198,978	5,908,247	6,233,470	0	12,141,717	6,391,838	6,215,339	0	12,607,177	6,391,838	3,699,725	0	10,091,563

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

DESCRIPTION

	For 2011 Actual	For 2012 Actual	Adjusted Budget Year 2013	Estimate for Budget 2014
REVENUES TRANSFERS-IN				
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
REVENUES ADVANCES-IN				
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	-
EXPENDITURES TRANSFERS-OUT				
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
EXPENDITURES ADVANCES-OUT				
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 18, 2013

(2nd Reading)

Account Code No. #:

Jung-Han Chen

Prepared By:

Budgeted Amount:

Revised 6/14/2013,

Date Prepared:

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

Recommendation: Approval with Conditions

Discussion:

Based on the discussion during the regular Council meeting on June 4, 2013, staff revised some conditions to reflect the concerns raised from that meeting, specifically #3, #6 and #8. Additionally, staff also added #16 for council consideration.

Condition #3 covers the traffic issue, vehicular and pedestrian traffic, brought forward at the meeting concerning the crosswalks at Locust St and Wells Mill Drive.

Condition #6 addresses the concerns related to the Lane Public Library decision to locate the proposed library at this development site and the sequencing of the construction of commercial and residential buildings. Additionally, it also stipulates that the occupancy of any residential dwelling on the site will be tied with the building construction of two-story commercial and the library building.

Condition #8 stipulates the two westernmost outbuilding pads and the conditions for developing these outbuilding pads. It also provides other stipulations for these two outbuilding pads.

Condition # 16 is to eliminate overnight parent-stay hotel room to avoid any confusion in the future related to rental units.

In summary, the conditions for approval of this Final Planned Development for this site are as follows for your consideration.

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 Mill to the southwest corner of the project, in accordance with City Standards. The City Engineer may require, at the developer's expense, additional off-site signage to increase awareness and safety of this marked crosswalk.

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 two lots contingent on review and approval of the City Attorney. The residential portion of the site shall be approximately 7.6 acres and the commercial portion shall be approximately 4 acres. The approval of this Final Planned Development shall be effective upon agreement between the Lane Public Library Board of Directors and New Village Communities LLC. to locate a new library building within the PUD. No building permits for any structures on the site will be issued until such agreement between the Lane Public Library and New Village Communities, LLC. is signed and a copy filed with the City Clerk. The construction of the library building and the two-story commercial building shall be in concurrence with the construction of residential development. No occupancy of any residential dwellings on the site shall be granted until there is substantial completion of the two-story commercial structure exterior shell, the library building exterior shell, and the commercial area site improvements.
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 outbuildings shall substantially conform with the perspective aerial and ground views presented to the Planning Commission and is subject to Planning Commission and/or City Council review and approval at a future date prior to the construction. No drive-through for these two outbuildings are approved for this Final Plan Development at this time. All site improvements, including parking spaces shown on the plan submitted to the Planning Commission shall be constructed and completed at the same time and the pads for the two westernmost outbuildings shall be curbed and grassed for future commercial tenant build-outs.
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.
16. The overnight stay parent-unit shall not be allowed.

Approved By:

Department Head:

City Attorney:

City Manager:

JHC / 6-14-13

DRE / 6-14-13

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 on May 14, 2013 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 at the developer's expense connecting the north side of Wells Mill Drive to the southwest corner of the project, in accordance with City standards. The City Engineer may require, at the developer's expense, additional off-site signage to increase awareness and safety of this marked crosswalk.**

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 two lots contingent on review and approval of the City Attorney. The residential portion of the site shall be approximately 7.6 acres and the commercial portion shall be approximately 4 acres. The approval of this Final Planned Development shall be effective upon agreement between the Lane Public Library Board of Directors and New Village Communities, LLC to locate a new library building within the Planned Development. No building permits for any structures on the site will be issued until such agreement between the Lane Public Library Board of Directors and New Village Communities, LLC is signed and a copy filed with the City Clerk. The construction of the library building and the two-story commercial building shall be in concurrence with the construction of residential development. No occupancy of any residential dwellings on the site shall be granted until there is substantial completion of the two-story commercial structure exterior shell, the library building exterior shell, and the commercial area site improvements.**
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 outbuildings 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 and/or City Council review and approval at a future date prior to the construction. No drive-through for these two outbuildings are approved for this Final Planned Development at this time.**

All site improvements, including parking spaces shown on the plan submitted to the Planning Commission on May 14, 2013 shall be constructed and completed at the same time and the pads for the two westernmost outbuildings shall be curbed and grassed for future commercial tenant build-outs.

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.
- 16. The overnight parent-unit shall not be allowed.**

SECTION 4: 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)

EXHIBIT “A”

IS AVAILABLE AT CITY HALL DURNING NORMAL BUSINESS HOURS.

IT IS ALSO AVAILABLE ON THE CITY’S WEBSITE

www.cityofoxford.org

(click on ‘Oxford on Demand’ on right side of page)

Certification of Action Oxford Planning Commission Recommendation to City Council

<u>Report Date</u>	June 11, 2013
<u>Case Number</u>	PC-08-2013
<u>Applicant Information</u>	Robert Fiorita, New Village Communities, LLC
<u>Requested Action</u>	Final Planned Development
<u>Summary of Request</u>	Approval of a Final Planned Development for a commercial/residential, mixed-use development.
<u>Public Hearing Information</u>	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.
<u>Commission Action</u>	The Planning Commission voted 7-0-0 recommending approval of the Final Planned Development with 15 conditions.
<u>Commission Findings and Conclusions</u>	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.
<u>Exhibits Submitted to the Commission</u>	1. Staff Report Dated May 3, 2013 2. Interoffice Review Transmittal Sheets 3. Property Notifications Map 4. Citizen Review and Comment Form 5. Letter of Agency 6. Financial Evidence Dated February 19, 2013 7. Final Planned Development Application Dated April 26, 2012 8. Supporting Documents 9. Ordinance #2958 Preliminary Planned Development Approval 10. Site Plan 11. Initial PowerPoint Presentation of May 14, 2013 12. Legal Description 13. Letter of Intent from Lane Public Library 14. Detention Strategy and Analysis 15. Traffic Impact Study, Executive Summary 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

City of Oxford
Community Development Department
STAFF REPORT

Planning Commission

Case # PC-08-2013

Date – May 14, 2013

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

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 Height (feet)	Proposed Width (feet)	Type	Sq. Ft. Per side.	Sides	Total 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
Total						1317

	Linear frontage	Allowable signage
Locust	425.64	851.28
Spring	152.3	304.6
College	87.24	174.48
Total		1330.36

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.

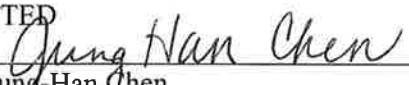
8. There are two restaurants with drive-thru's shown on the plan. The applicant has oriented the drive-thru's away from Locust Street. The noise issue may be a potential concern to residents on the south. However, given that another fast-food restaurant has a multi-lane drive-through that is closer to 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

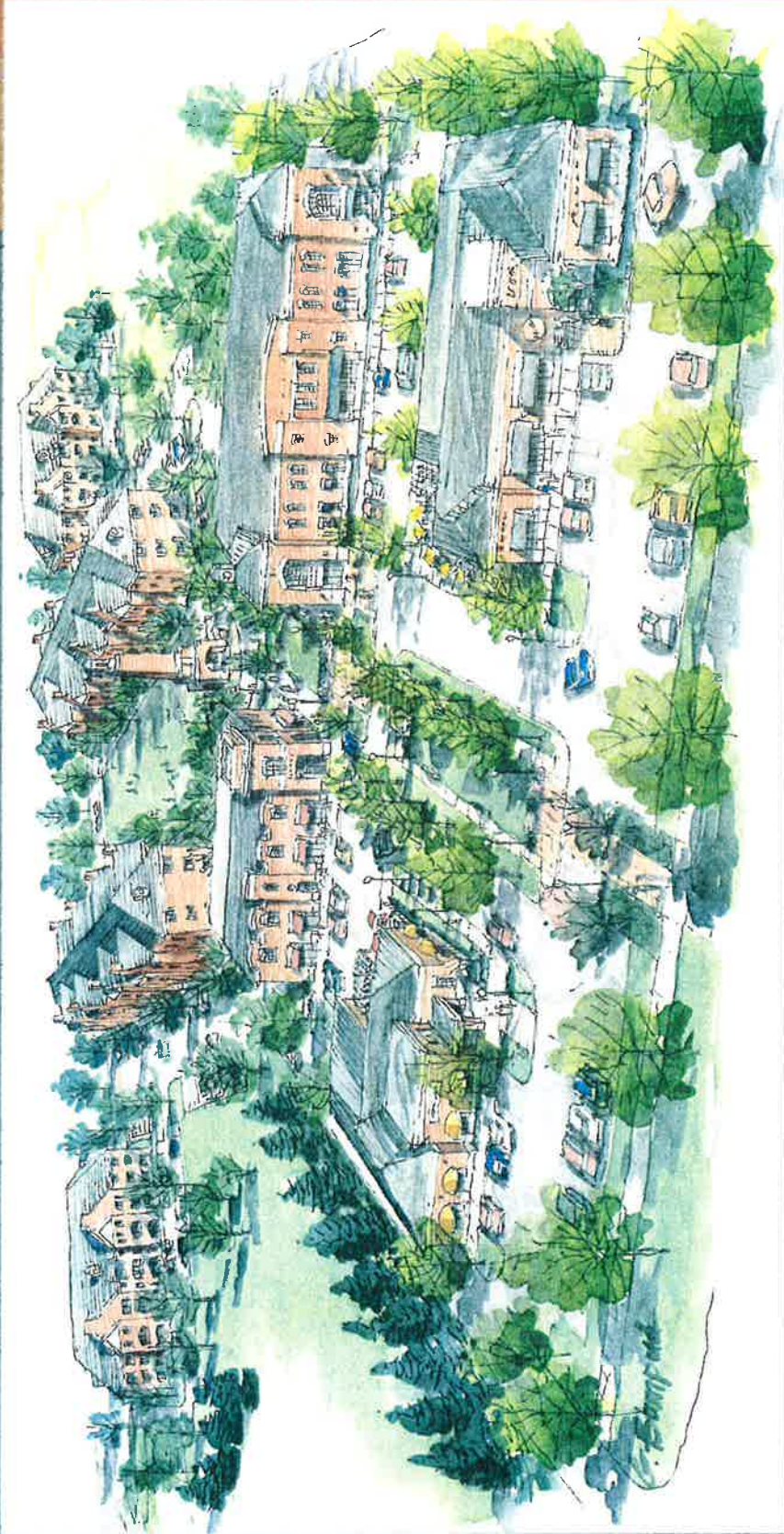
General Decision Standards. All planned developments shall satisfy these general decision standards:

- (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.

Final Plan Submission Perspective Aerial

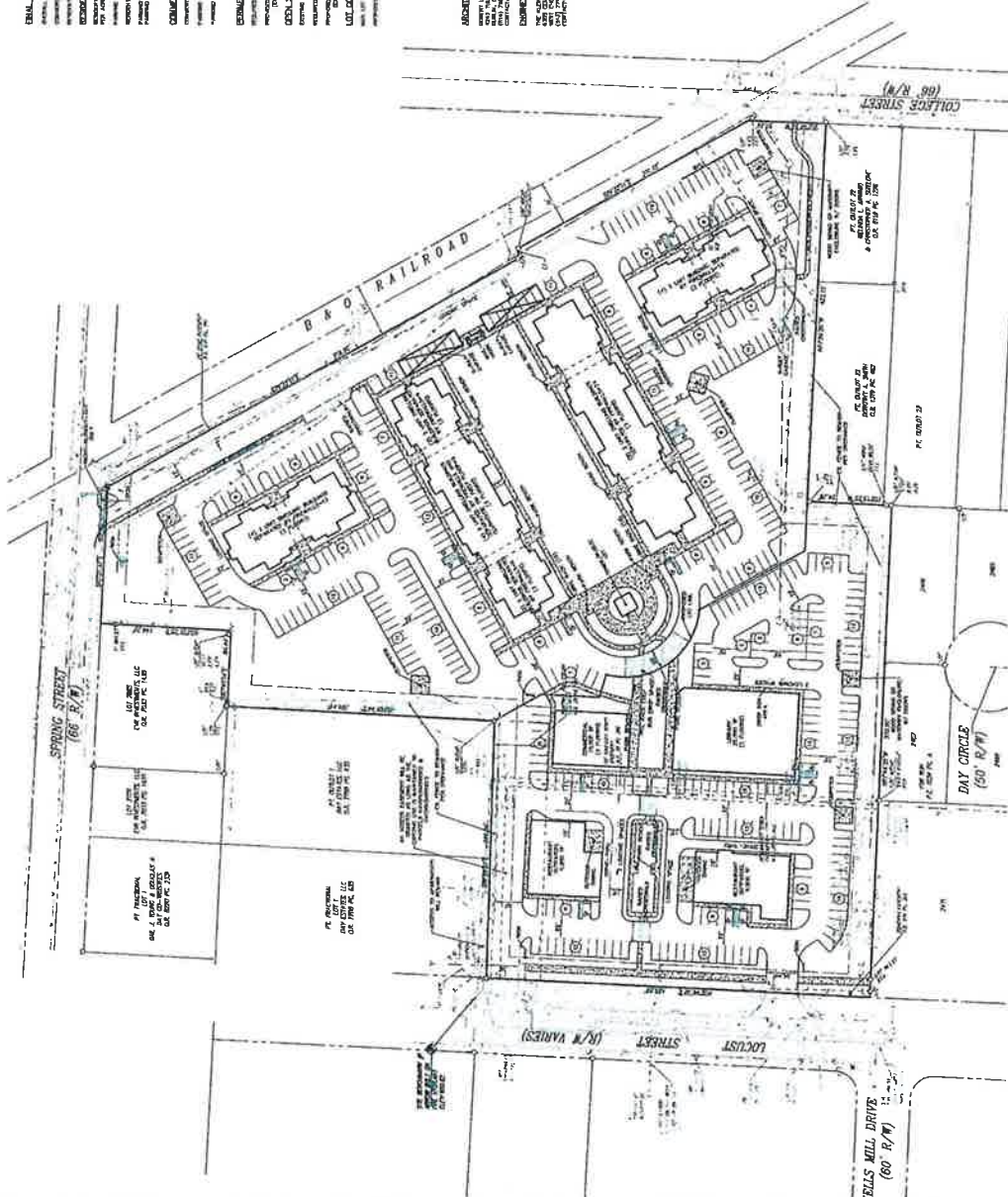


Final Plan Submission Perspective Ground View



Final Plan Submission Site Plan With Staff Revisions

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- FINAL DEVELOPMENT PLAN**
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Final Plan Submission Site Plan With Staff Revisions

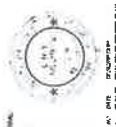
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TREE REQUIREMENTS

LOCATION	REQUIRED	PROPOSED
LOCUST STREET	1 TREE REQUIRED	1 TREE PROVIDED
SPRING STREET	1 TREE REQUIRED	1 TREE PROVIDED
COMMERCIAL AREA	48 TREES REQUIRED	48 TREES PROVIDED
RESIDENTIAL AREA	15 TREES REQUIRED	15 TREES PROVIDED
RESIDENTIAL, RETAIL AND LAKE ON SITE	50 TREES REQUIRED	50 TREES PROVIDED
RESIDENTIAL, RETAIL AND LAKE ON SITE	15 TREES REQUIRED	15 TREES PROVIDED

NOTES:

1. ALL TREES SHOWN ALONG LOCUST STREET AND SPRING STREET SHALL BE PLANTED ALONG THE SIDEWALKS OF THE STREET.
2. ALL TREES SHOWN ALONG THE LAKE SHALL BE PLANTED ALONG THE LAKE FRONTAGE.
3. ALL TREES SHOWN ALONG THE LAKE SHALL BE PLANTED ALONG THE LAKE FRONTAGE.



REDEVELOPMENT OF WALDMART SITE
SITING: 1000 & 1001
CITY OF CHICAGO
JANUARY 2011

LANDSCAPE PLAN
L100



EXHIBIT "A"

Final Planned Development

419 S. Locust Street

Ordinance No. _____

June 2013

Certification of Action Oxford Planning Commission Recommendation to City Council

<u>Report Date</u>	June 11, 2013
<u>Case Number</u>	PC-08-2013
<u>Applicant Information</u>	Robert Fiorita, New Village Communities, LLC
<u>Requested Action</u>	Final Planned Development
<u>Summary of Request</u>	Approval of a Final Planned Development for a commercial/residential, mixed-use development.
<u>Public Hearing Information</u>	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.
<u>Commission Action</u>	The Planning Commission voted 7-0-0 recommending approval of the Final Planned Development with 15 conditions.
<u>Commission Findings and Conclusions</u>	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.
<u>Exhibits Submitted to the Commission</u>	1. Staff Report Dated May 3, 2013 pg3 2. Interoffice Review Transmittal Sheets pg11 3. Property Notifications Map pg16 4. Citizen Review and Comment Form pg17 5. Letter of Agency pg18 6. Financial Evidence Dated February 19, 2013 pg19 7. Final Planned Development Application Dated March 29, 2013 pg22 8. Supporting Documents pg25 9. Ordinance #2958 Preliminary Planned Development Approval pg38 10. Site Plan pg40 11. Initial PowerPoint Presentation Submitted for the Planning Commission Packet for the May 14, 2013 Meeting pg41 12. Legal Description pg63 13. Letter of Intent from Lane Public Library pg64 14. Detention Strategy and Analysis pg 68 15. Traffic Impact Study, Executive Summary pg81 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

City of Oxford
Community Development Department
STAFF REPORT

Planning Commission

Case # PC-08-2013

Date – May 14, 2013

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

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 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 Height (feet)	Proposed Width (feet)	Type	Sq. Ft. Per side.	Sides	Total 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
Total						1317

	Linear frontage	Allowable signage
Locust	425.64	851.28
Spring	152.3	304.6
College	87.24	174.48
Total		1330.36

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

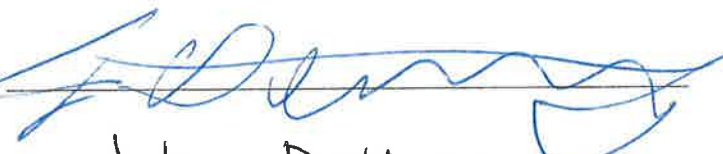
Comments or status update requested by: Lynn Taylor

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 Business Occupancy	Retail Sites	Available 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

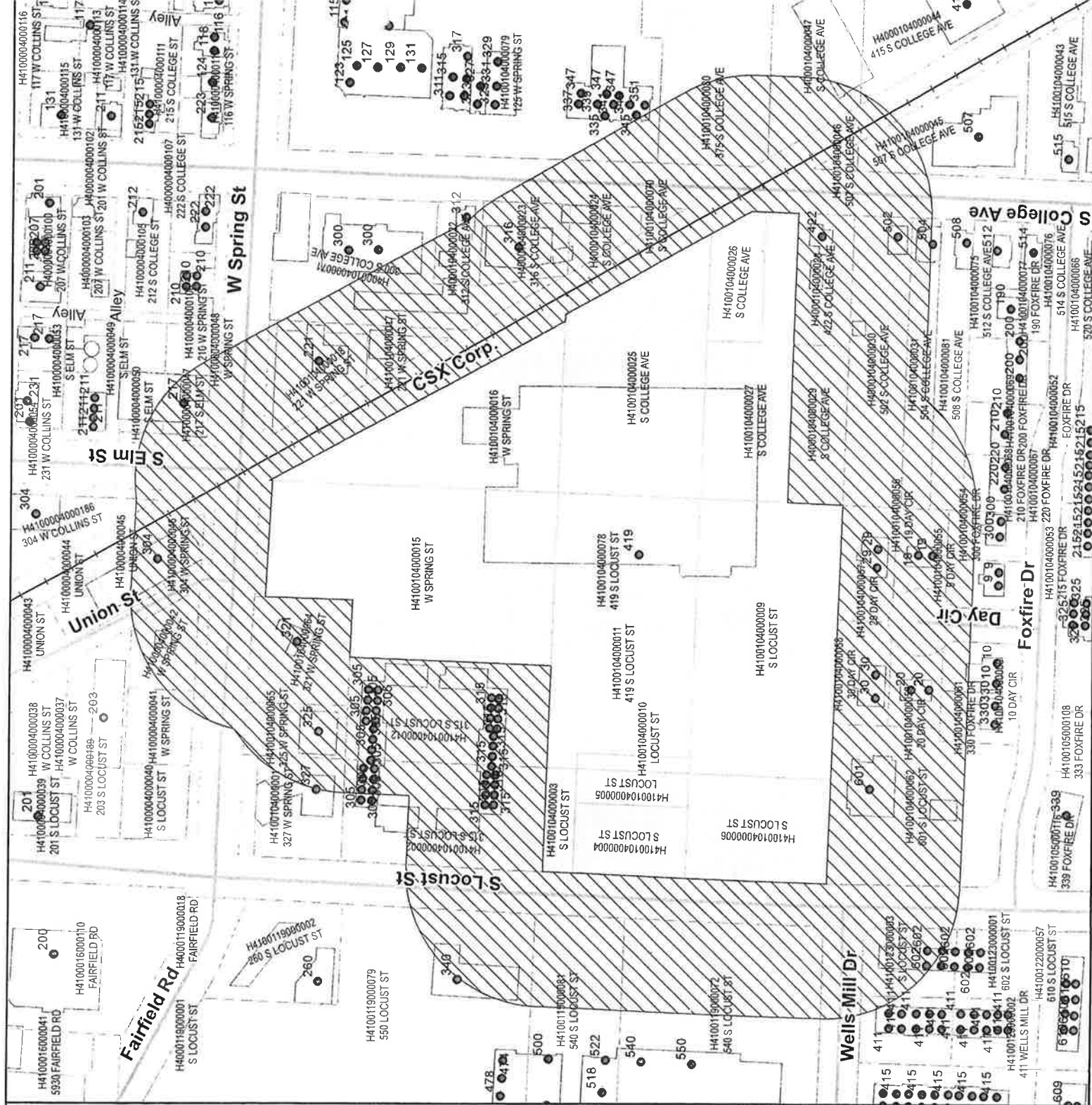


1 inch = 200 feet

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,

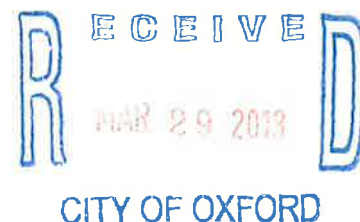
Carol Smith
Senior Vice President
Advantage Bank

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.

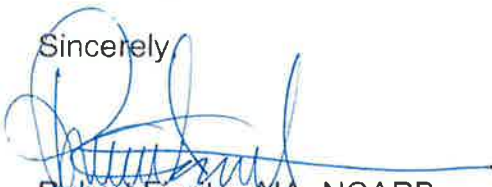
Over the course of several years the Applicant has had several roundtable work sessions lead by the City Economic Development Director, Alan Kyger and The Community Development Director, Jung-Han Chen. The meetings were among City Leaders including City Mayor, City vice-Mayor, City Manager, City Services 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 MART 419 SOUTH LOCUST ST.
Legal Description: IN APPLICATION
Zoning District: GB - 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) 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.

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.

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
Attn: 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							
		Square Feet							
Sign Key	Signs	Square Feet of Allowable Signage in Development per 1151.05 (3.) (A.)							
		Max Height	Max Width	Proposed Height	Proposed Width				
		Type	Sided	Sq. Ft. Size	Total Square Feet				
1	Locust Street	12'	12'	6	8	Free Standing	2	48	96
2	Spring Street	12'	12'	6	8	Free Standing	2	48	96
3	South College Street (two Gate Posts)	12'	12'	6	3.5	Wall	1	21	42
4	Entrance to/from Student Housing (two Gate Posts)	12'	12'	6	3.5	Wall	2	6	84
5	North 1 Story Out Parcel ~ Locust (Max)	3'	n/a	3	48	Wall	1	144	144
6	South 1 Story Out Parcel ~ Locust	3'	n/a	3	90	Wall	1	270	270
7	North 2 Story Locust	9.5'	n/a	5.5	** 50	Wall	1	275	275
8	South 2 Story Locust	9.5'	n/a	5.5	40	Wall	1	220	220
9	Student Housing Clubhouse Canopy	9.5'	n/a	3	30	Wall	1	90	90

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



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.

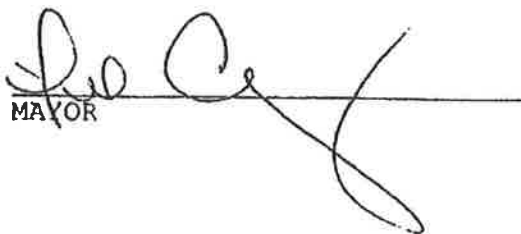
SECTION 2: The Planning Commission, after due deliberation found the application satisfies the code requirements in Chapter 1145 of the Oxford Zoning Code and recommended approval of the Preliminary Plan application for the former Wal-Mart site (419 South Locust Street).

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).

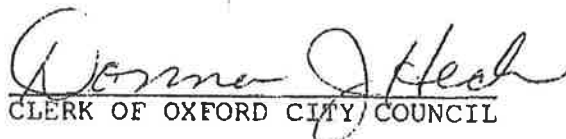
- f. That, the Final Development Plan should be clearly marked indicating the location of the required loading spaces per §1149.05(e)(2).
- g. The Final Development Plan shall show the location of the required 35 bike rack spaces per §1145.12(i)(2)
- h. That, §1149.05(e)(4)B & F are satisfied in regard 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 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

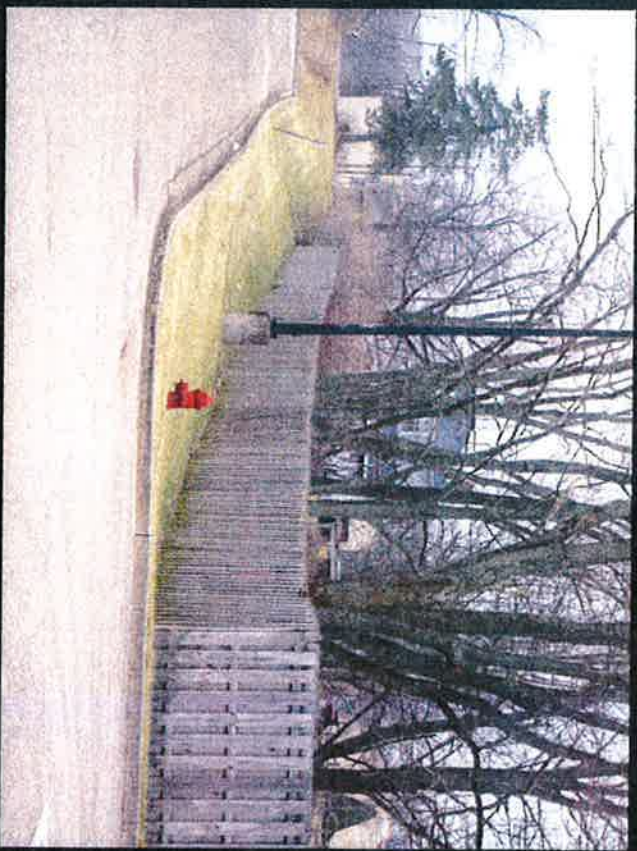


South Boundary at
Apartments

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

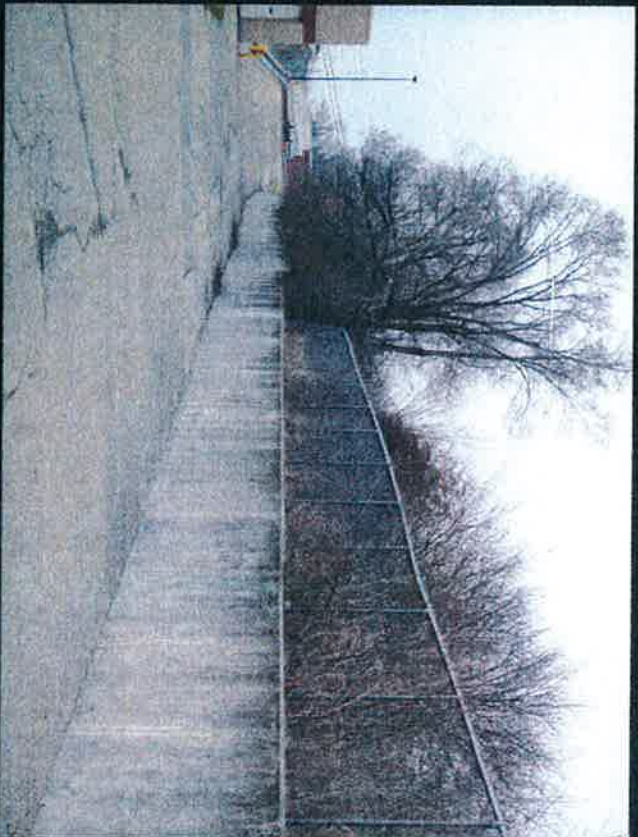


East Boundary Looking
Across R.R. Tracks



Eastern Boundary

Boundaries

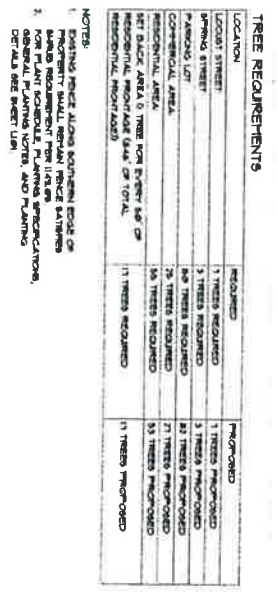


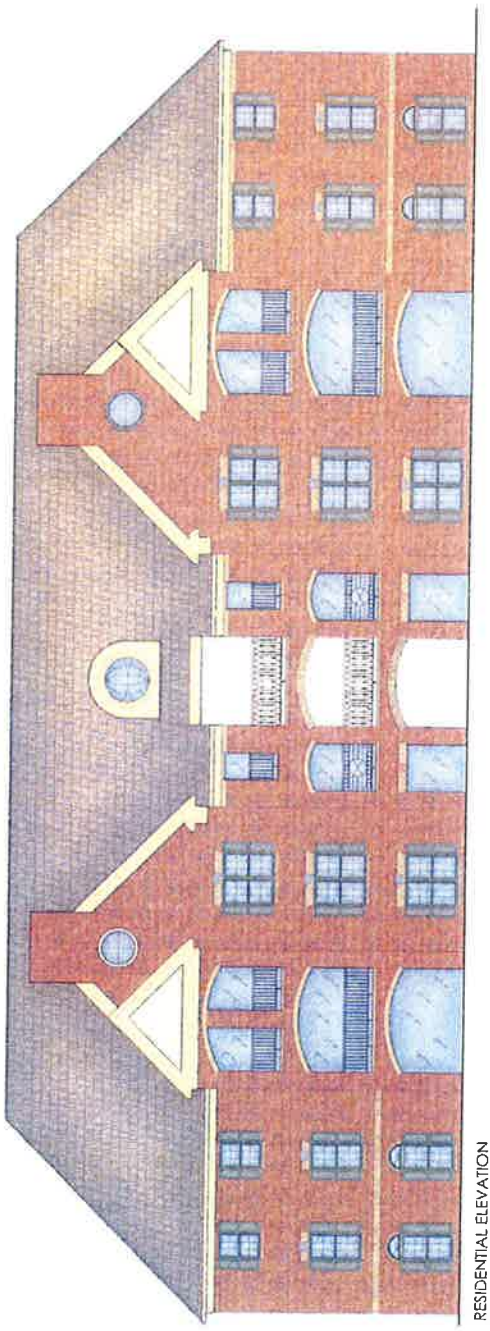
East Boundary Looking
Towards Spring Street



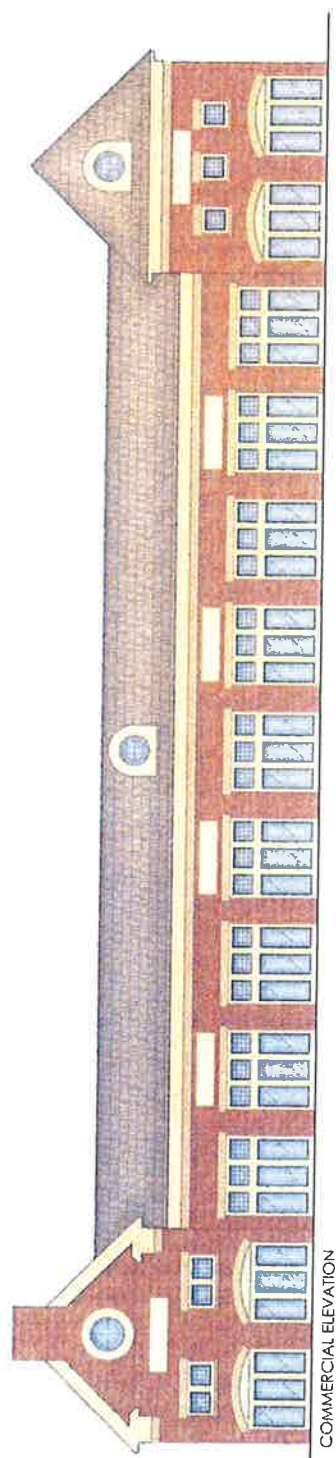
Eastern Boundary Looking
South

Boundaries





RESIDENTIAL ELEVATION



COMMERCIAL ELEVATION

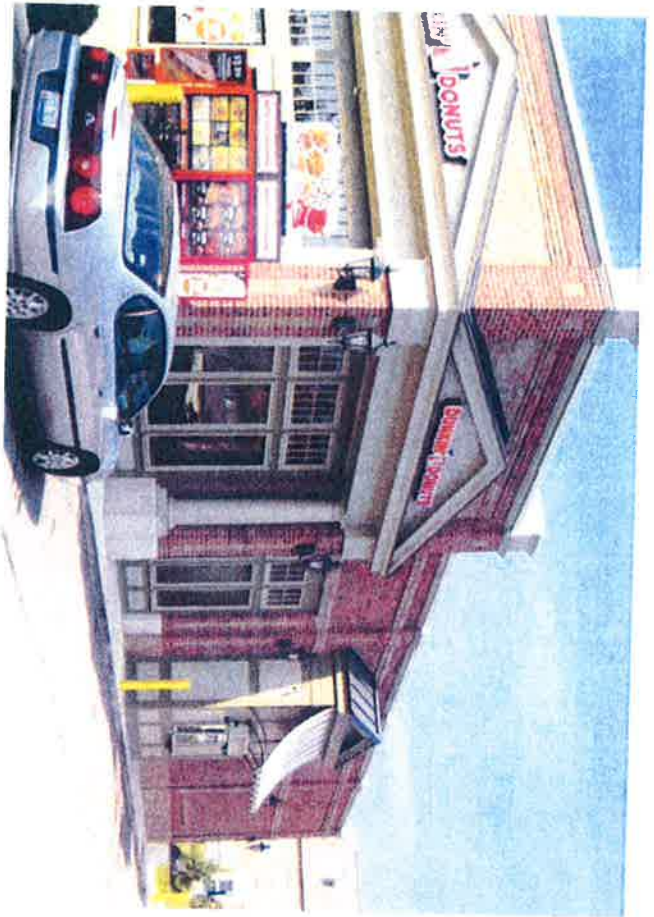
COMMERCIAL ELEVATION











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

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

500.479.2951
fax 500.479.1502

LETTER OF INTENT

March 25, 2013

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

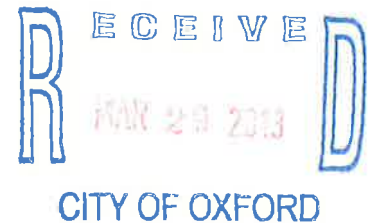
March 12, 2013

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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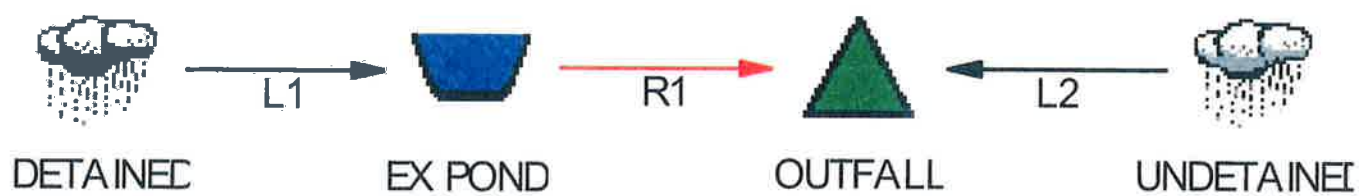


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MASTER DESIGN STORM SUMMARY

Network Storm Collection: BUTLER

Return Event	Total Depth in	Rainfall 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 Event	HYG Vol ac-ft	Trun	Qpeak hrs	Qpeak cfs	Max WSEL ft	Max Pond Storage 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 ac-ft	Trun	Qpeak hrs	Qpeak cfs	Max WSEL ft	Max Pond Storage 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

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

.....
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

RUNOFF CURVE NUMBER DATA

.....

Soil/Surface Description	CN	Area acres	Impervious Adjustment		Adjusted 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

Page 3.02

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RUNOFF CURVE NUMBER DATA

.....

Soil/Surface Description	CN	Area acres	Impervious Adjustment		Adjusted 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 (ft)	Planimeter (sq.in)	Area (sq.ft)	A1+A2+sqr(A1*A2) (sq.ft)	Volume (ac-ft)	Volume Sum (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

Page 5.01

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

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

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

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.

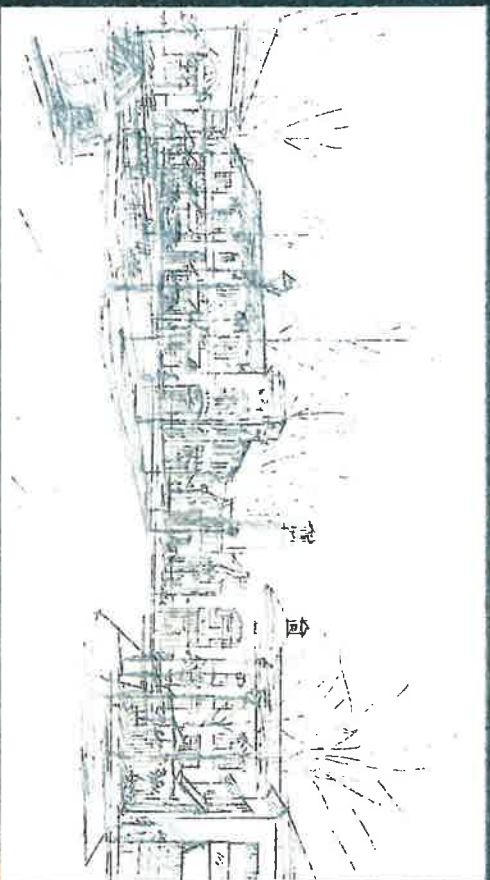
**PowerPoint Presentation Made by the Applicant at the May 14, 2013 Planning
Commission Meeting Reflecting Issues/Concerns Discussed with City Staff
Before the May 14 Public Hearing**

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).

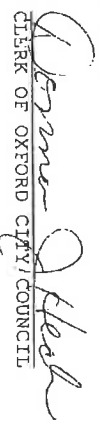
Ordinance 2958

- 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.

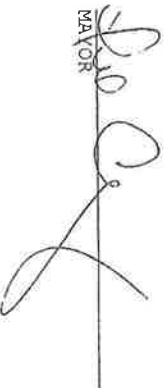
ADOPTED: May 15, 2007

ATTEST:

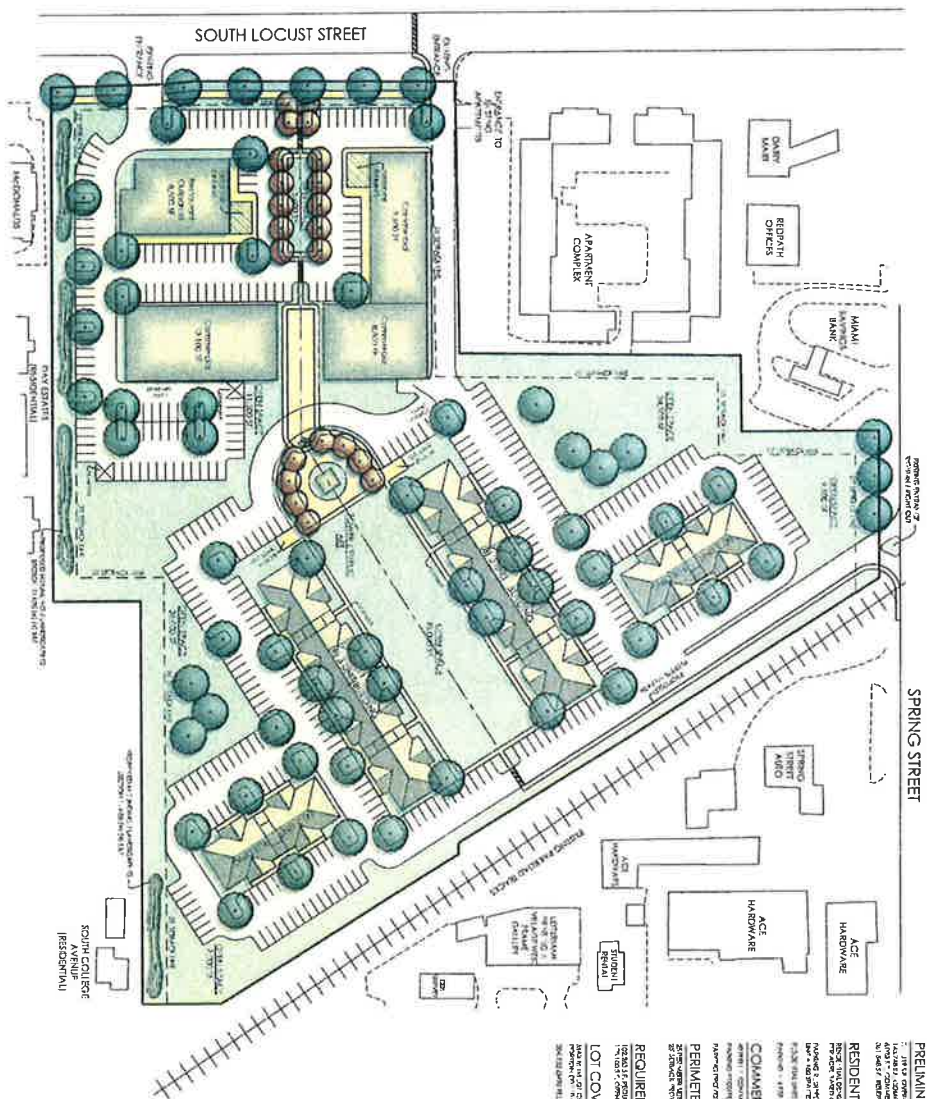

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: DAVE PROWS

PREPARED BY: LAW (STAFF)


MAYOR

October 2008 Conformance Plan

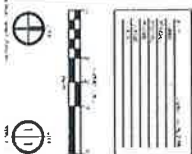


PRELIMINARY DEVELOPMENT PLAN	
1. PROJECT LOCATION	2. PROJECT DESCRIPTION
3. PROJECT AREA	4. PROJECT AREA
5. PROJECT AREA	6. PROJECT AREA
7. PROJECT AREA	8. PROJECT AREA
9. PROJECT AREA	10. PROJECT AREA
11. PROJECT AREA	12. PROJECT AREA
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97. PROJECT AREA	98. PROJECT AREA
99. PROJECT AREA	100. PROJECT AREA

REDEVELOPMENT OF WAL-MART SITE Oxford, Ohio

FINAL
DEVELOPMENT
PLAN

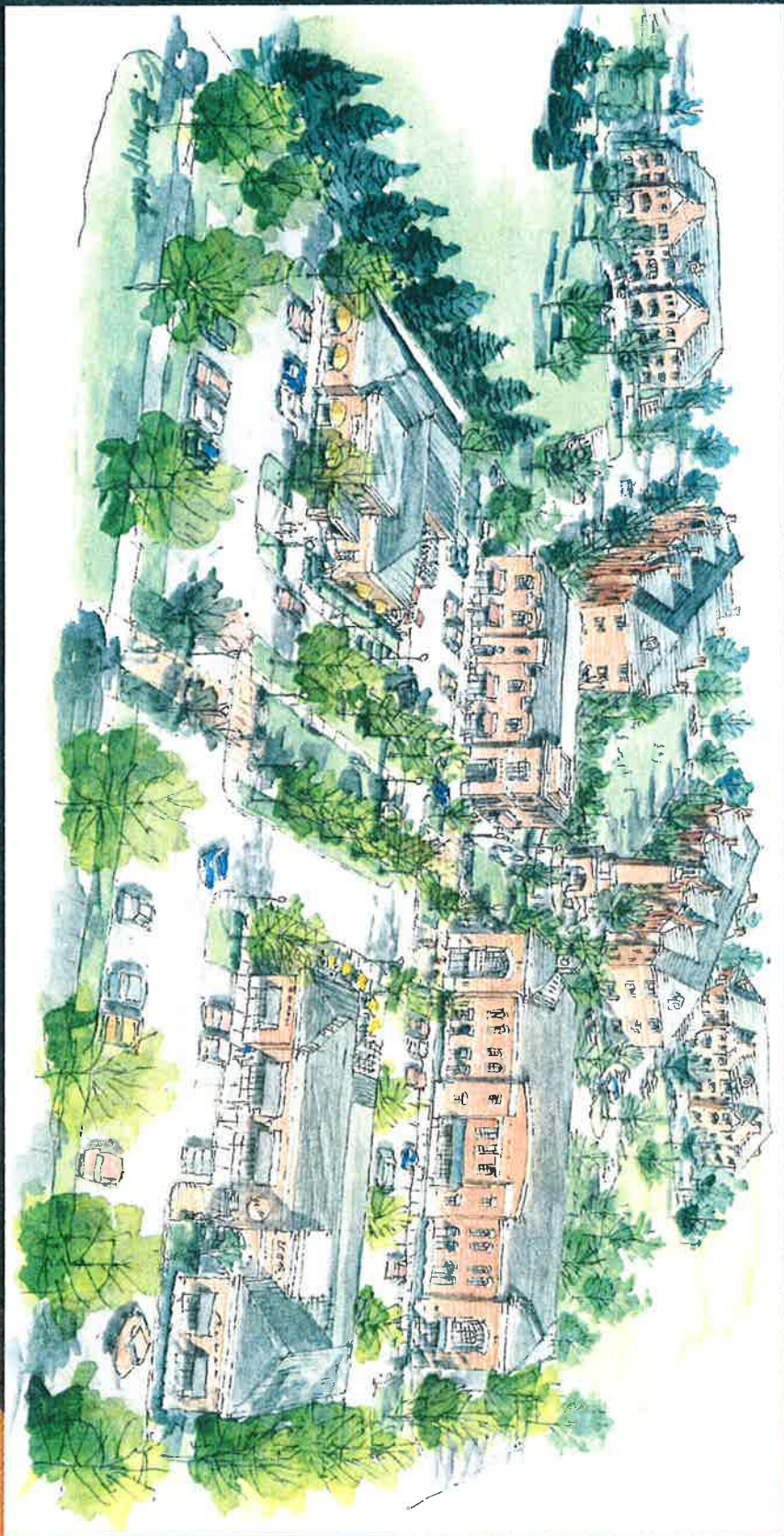
New Village Communities LLC
4422 Erie Road
Dublin, Ohio 43017



October 2008 Conformance Plan Perspective



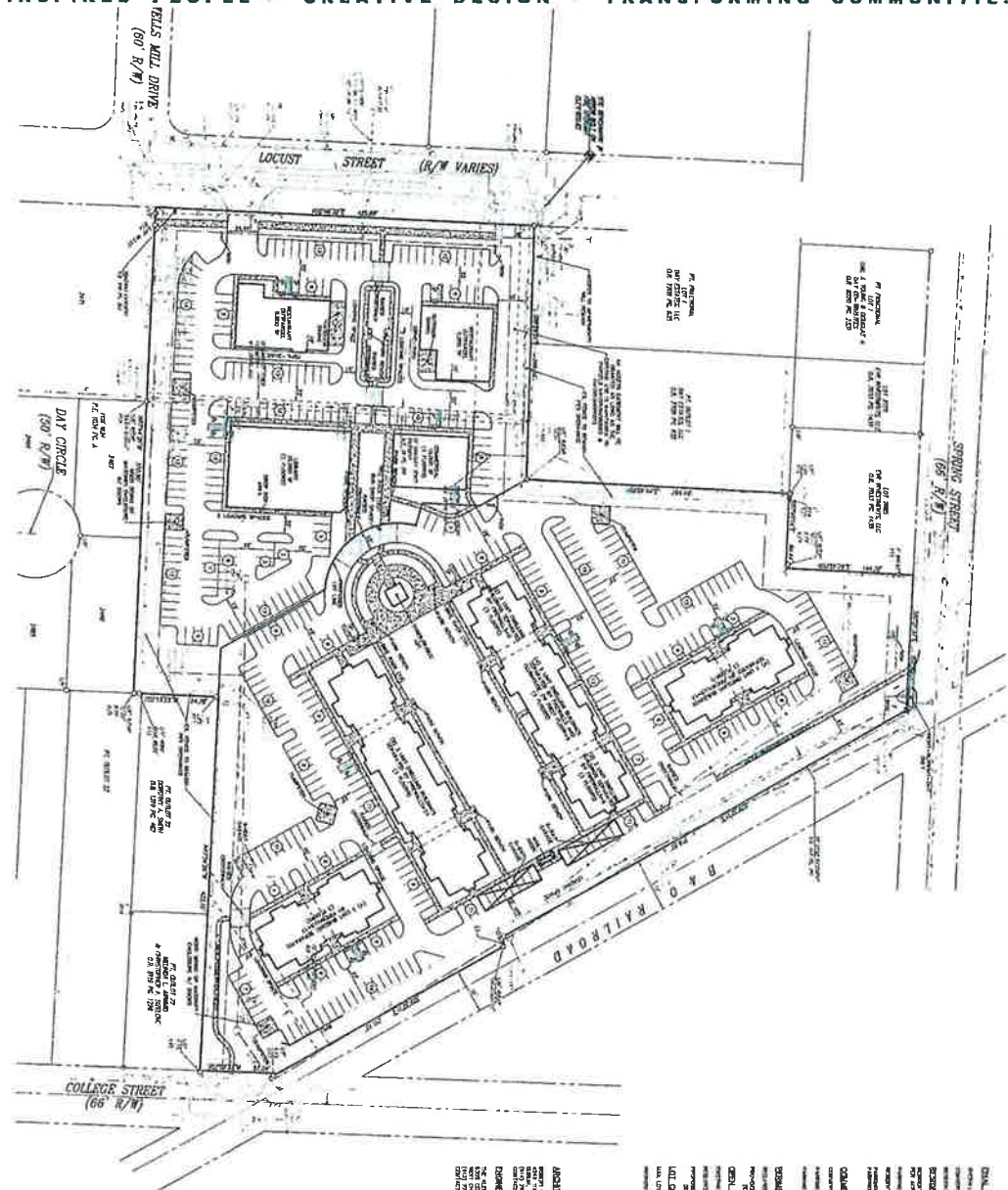
Final Plan Submission Perspective Aerial



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 SHOWN AND Labeled.
6. ALL NEW STRUCTURES ARE TO BE SHOWN AND Labeled.
7. ALL PARKING AREAS ARE TO BE SHOWN AND Labeled.
8. ALL LANDSCAPING ARE TO BE SHOWN AND Labeled.
9. ALL SIGNAGE ARE TO BE SHOWN AND Labeled.
10. ALL FENCE ARE TO BE SHOWN AND Labeled.
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76. ALL SIGNAGE ARE TO BE SHOWN AND Labeled.
77. ALL LIGHTING ARE TO BE SHOWN AND Labeled.
78. ALL SECURITY ARE TO BE SHOWN AND Labeled.
79. ALL ACCESS ARE TO BE SHOWN AND Labeled.
80. ALL EGRESS ARE TO BE SHOWN AND Labeled.
81. ALL ENTRANCES ARE TO BE SHOWN AND Labeled.
82. ALL EXITS ARE TO BE SHOWN AND Labeled.
83. ALL STAIRS ARE TO BE SHOWN AND Labeled.
84. ALL ELEVATORS ARE TO BE SHOWN AND Labeled.
85. ALL RAMP ARE TO BE SHOWN AND Labeled.
86. ALL CURB ARE TO BE SHOWN AND Labeled.
87. ALL DRIVEWAY ARE TO BE SHOWN AND Labeled.
88. ALL ALLEY ARE TO BE SHOWN AND Labeled.
89. ALL SIDEWALK ARE TO BE SHOWN AND Labeled.
90. ALL BIKEWAY ARE TO BE SHOWN AND Labeled.
91. ALL TRAIL ARE TO BE SHOWN AND Labeled.
92. ALL PATH ARE TO BE SHOWN AND Labeled.
93. ALL BRIDGE ARE TO BE SHOWN AND Labeled.
94. ALL TUNNEL ARE TO BE SHOWN AND Labeled.
95. ALL GATE ARE TO BE SHOWN AND Labeled.
96. ALL WALL ARE TO BE SHOWN AND Labeled.
97. ALL FENCE ARE TO BE SHOWN AND Labeled.
98. ALL SIGNAGE ARE TO BE SHOWN AND Labeled.
99. ALL LIGHTING ARE TO BE SHOWN AND Labeled.
100. ALL SECURITY ARE TO BE SHOWN AND Labeled.

ARCHITECT:
 JAMES L. LEE, ARCHITECT & ASSOCIATES, INC.
 1000 N. 10TH STREET, SUITE 100
 DENVER, CO 80202
 TEL: 303.733.1111
 FAX: 303.733.1112
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 WWW.JLLA.COM

RE DEVELOPMENT OF MARKET SITE
 1000 N. 10TH STREET, SUITE 100
 DENVER, CO 80202
 TEL: 303.733.1111
 FAX: 303.733.1112
 WWW.JLLA.COM

LOCATION PLAN
 1000 N. 10TH STREET, SUITE 100
 DENVER, CO 80202
 TEL: 303.733.1111
 FAX: 303.733.1112
 WWW.JLLA.COM

C130

Final Plan Submission Site Plan With Staff Revisions

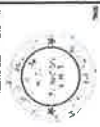


TREE REQUIREMENTS

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



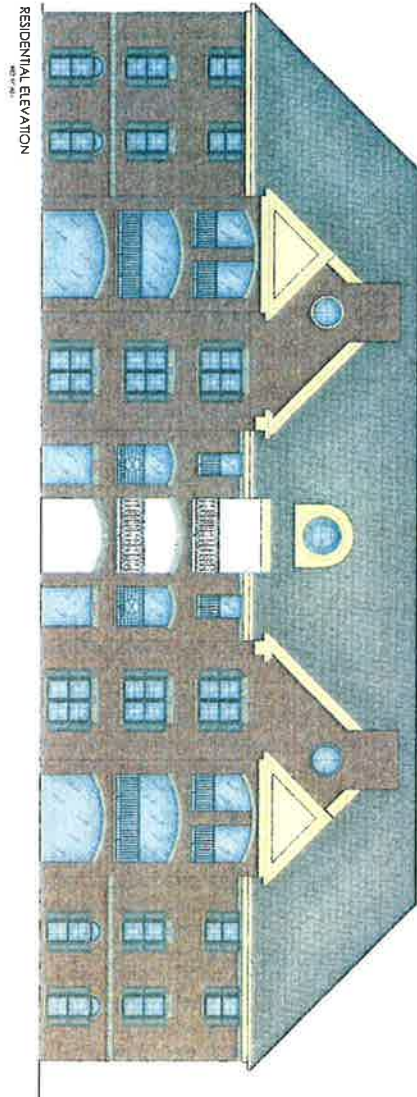
REDEVELOPMENT OF WALMART SITE
 1. 10" DBH
 2. 12" DBH
 3. 14" DBH
 4. 16" DBH
 5. 18" DBH
 6. 20" DBH
 7. 22" DBH
 8. 24" DBH
 9. 26" DBH
 10. 28" DBH
 11. 30" DBH
 12. 32" DBH
 13. 34" DBH
 14. 36" DBH
 15. 38" DBH
 16. 40" DBH
 17. 42" DBH
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 29. 66" DBH
 30. 68" DBH
 31. 70" DBH
 32. 72" DBH
 33. 74" DBH
 34. 76" DBH
 35. 78" DBH
 36. 80" DBH
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 38. 84" DBH
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 40. 88" DBH
 41. 90" DBH
 42. 92" DBH
 43. 94" DBH
 44. 96" DBH
 45. 98" DBH
 46. 100" DBH



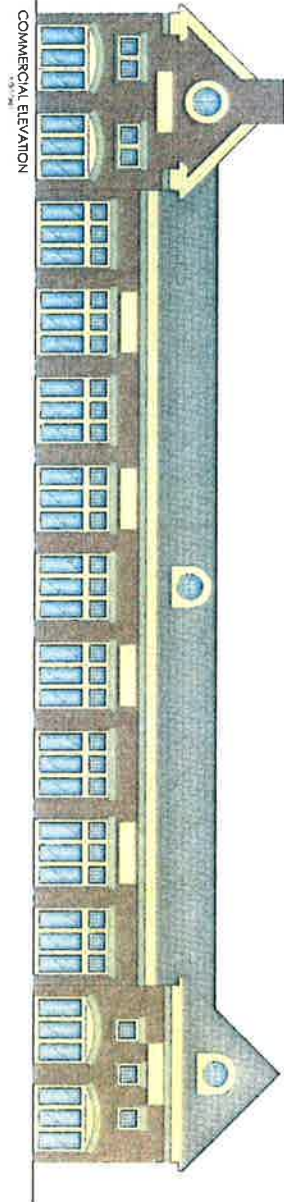
View From Commercial Towards Residential



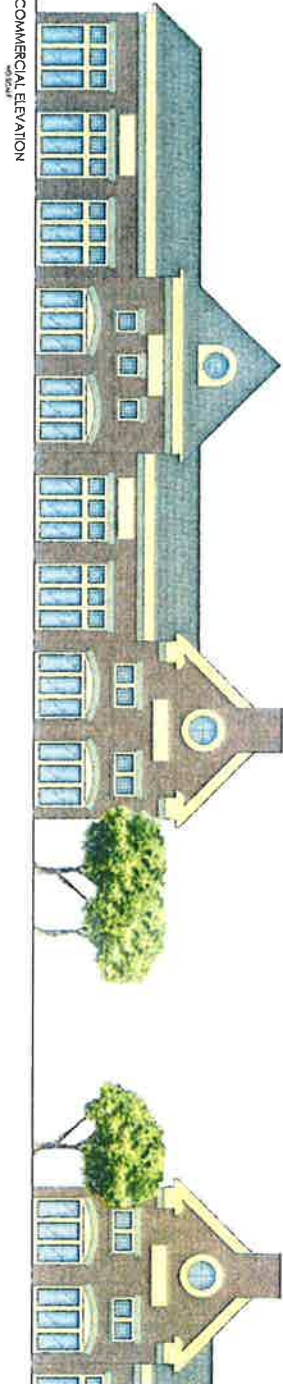
Residential Elevation and Commercial Architectural Elevation Style



RESIDENTIAL ELEVATION
Sheet 1 of 2



COMMERCIAL ELEVATION
Sheet 2 of 2



COMMERCIAL ELEVATION
Sheet 3 of 2

REDEVELOPMENT OF
WAL-MART SITE
Oxford, Ohio

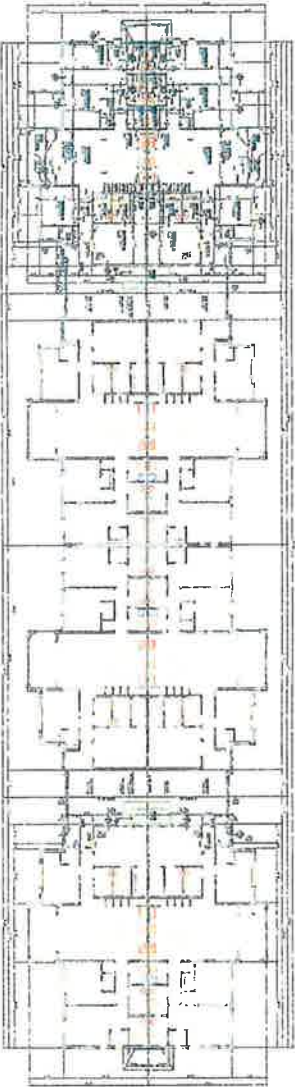
ARCHITECTURAL
ELEVATIONS

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

EMHT
Environmental Management
Health & Safety
Technology
2000 North Main Street, Suite 200
Dublin, Ohio 43017
Phone: 614.233.1100
Fax: 614.233.1101
www.emht.com



Building First Floor Plan Residential



TYPICAL 8 UNIT BUILDING - FIRST FLOOR PLAN

32'0" x 11'0"

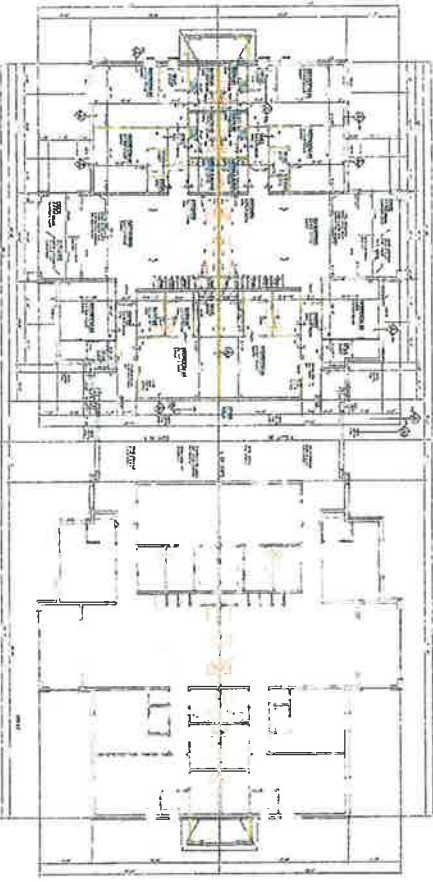
- LEGEND:
- APARTMENT LOCATIONS OF STAIRS AND JANITORIAL
 - COMMON
 - APARTMENT TYPICAL WALL FINISHING BY TYPICAL WALL
 - APARTMENT TYPICAL WALL FINISHING BY TYPICAL WALL
 - APARTMENT TYPICAL WALL FINISHING BY TYPICAL WALL

BRICK VENEER GENERAL NOTES:

BRICK VENEER	BRICK VENEER	BRICK VENEER
BRICK VENEER	BRICK VENEER	BRICK VENEER
BRICK VENEER	BRICK VENEER	BRICK VENEER

WINDOW & DOOR ROUGH OPENINGS

DESCRIPTION	FINISH	ROUGH OPENING SIZE
WINDOW	FINISH	ROUGH OPENING SIZE
DOOR	FINISH	ROUGH OPENING SIZE



TYPICAL 4 UNIT BUILDING - FIRST FLOOR PLAN

32'0" x 11'0"

- LEGEND:
- APARTMENT LOCATIONS OF STAIRS AND JANITORIAL
 - COMMON
 - APARTMENT TYPICAL WALL FINISHING BY TYPICAL WALL
 - APARTMENT TYPICAL WALL FINISHING BY TYPICAL WALL
 - APARTMENT TYPICAL WALL FINISHING BY TYPICAL WALL

SEE SHEET 12 FOR GENERAL NOTES AND SPECIFICATIONS

OXFORD APARTMENTS
FIRST FLOOR PLANS - 4 & 8 UNITS/FLOOR

ROBERT LOUIS FLORITA
ARCHITECTS & ASSOCIATES
INCORPORATED

NEW VILLAGE CONSTRUCTION
4242 TOLLER ROAD - SUITE A
DUBLIN, OHIO 43017

DATE	12.0
BY	12.0
CHECKED	12.0
APPROVED	12.0
DATE	12.0
BY	12.0
CHECKED	12.0
APPROVED	12.0
DATE	12.0
BY	12.0
CHECKED	12.0
APPROVED	12.0

TYPICAL ONE HALF BUILDINGS - FIRST FLOOR PLAN
1298 S.F.

LEGEND:
 - 1/2" = 1'-0"
 - DIMENSIONS TO FACE UNLESS NOTED OTHERWISE
 - YELLOW: EXISTING WALLS
 - WHITE: EXISTING WALLS
 - WHITE: EXISTING WALLS

BRICK VENEER GENERAL NOTES:

WINDOW & DOOR HOUGH OPENINGS
 - 1/2" = 1'-0"
 - DIMENSIONS TO FACE UNLESS NOTED OTHERWISE
 - YELLOW: EXISTING WALLS
 - WHITE: EXISTING WALLS

FLOOR PLAN KEY:
 - 1/2" = 1'-0"
 - DIMENSIONS TO FACE UNLESS NOTED OTHERWISE
 - YELLOW: EXISTING WALLS
 - WHITE: EXISTING WALLS

OXFORD APARTMENTS
 PARTIAL FIRST FLOOR PLAN - 4 UNITS/FLOOR

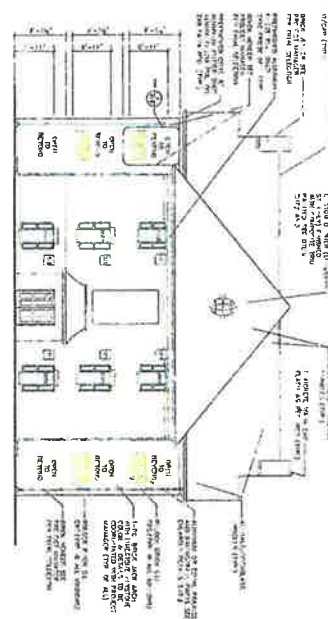
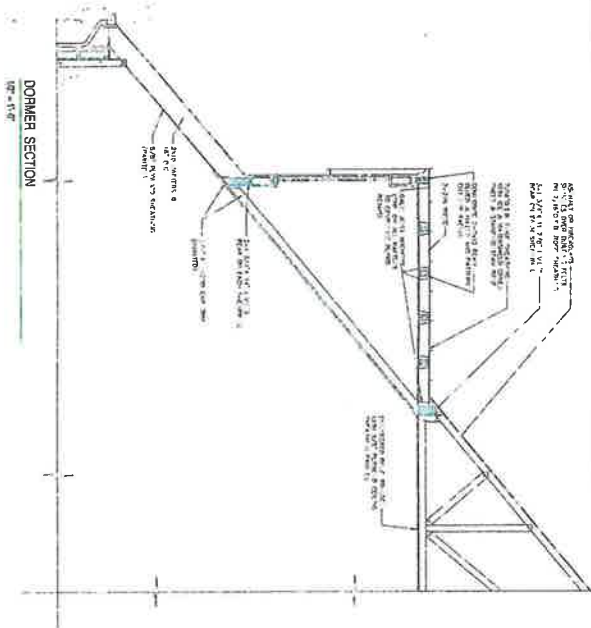
ROBERT LOUIS FLORITA
 ARCHITECT & ASSOCIATES
 INCORPORATED

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

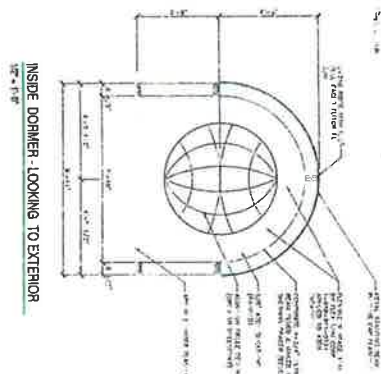
Residential Unit Elevation

[illegible]

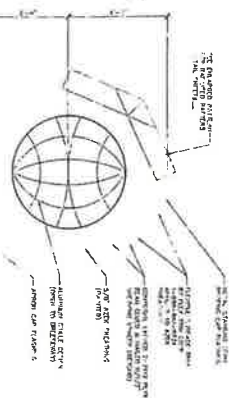
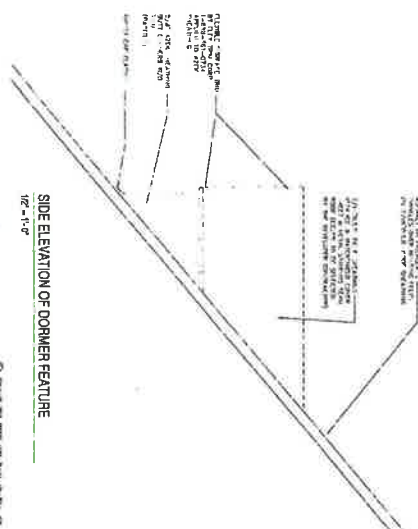
Residential End Elevation Facing Commercial



TYPICAL 4 APT. UNITS PER FLOOR BUILDING - SIDE ELEVATION
1/8" = 1'-0"



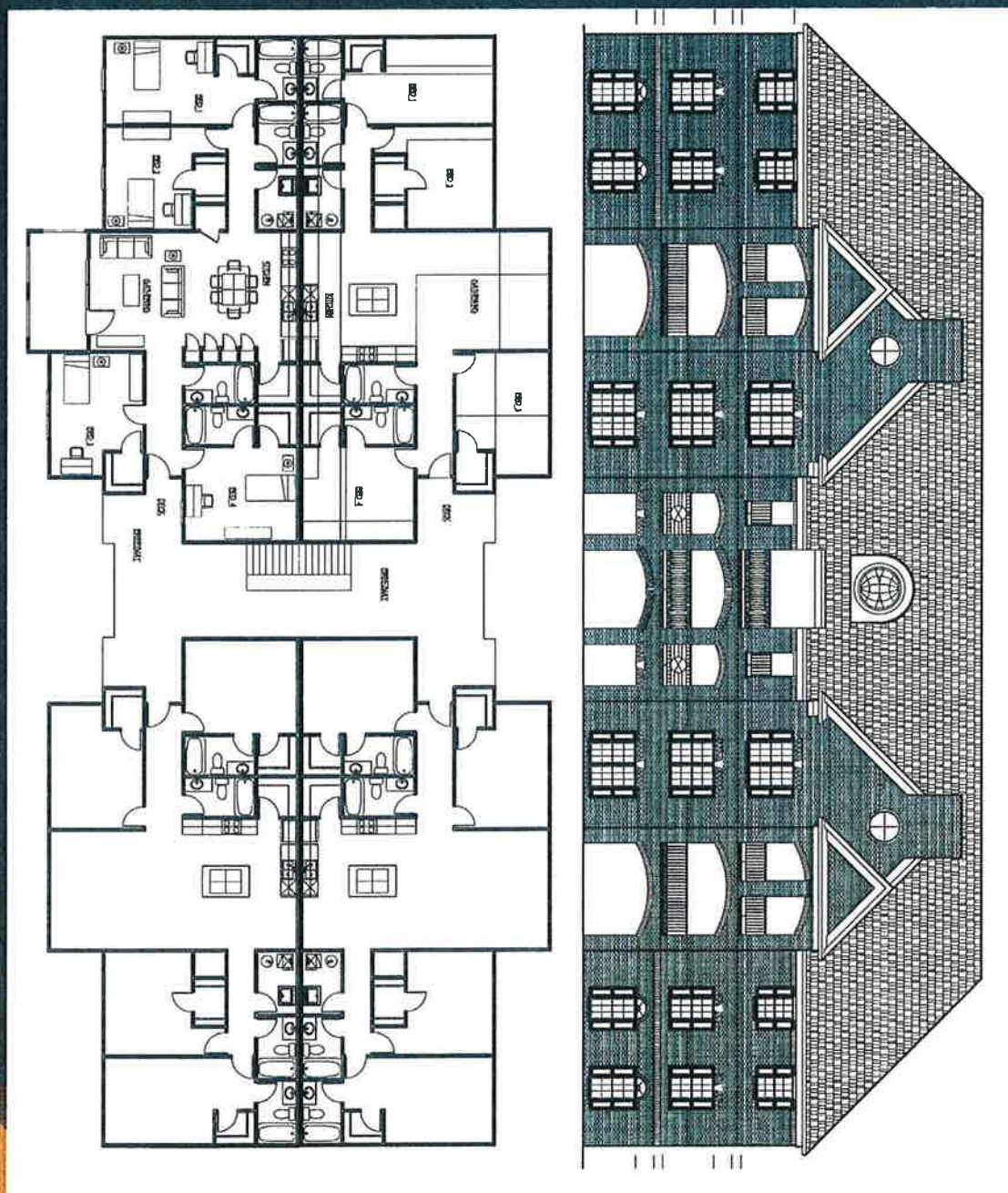
INSIDE DORMER - LOOKING TO EXTERIOR

ELEVATION - FRONT OF DOOR/FRONT FEATURE
 1/2" = 1'-0"

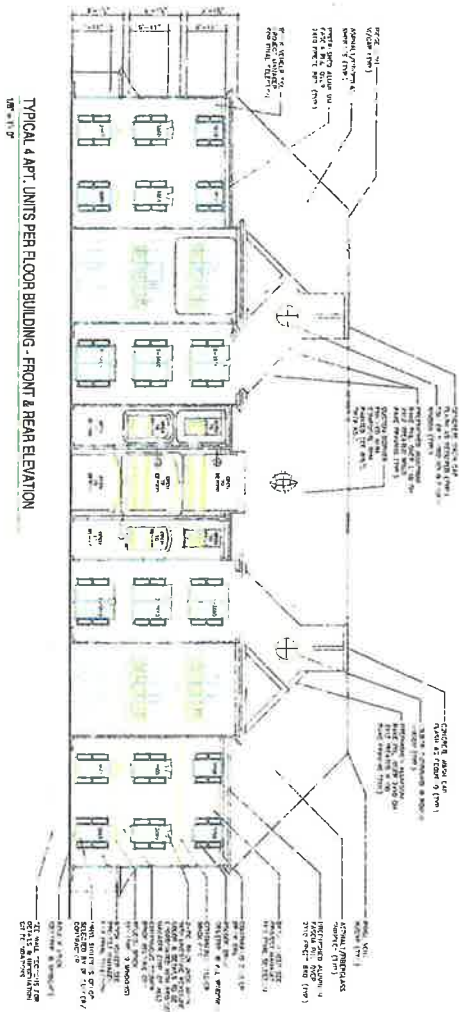
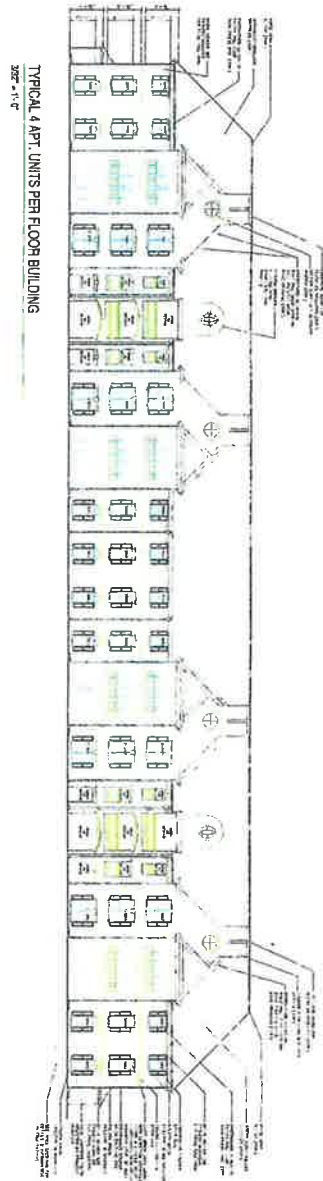
SIDE ELEVATION OF DORMER FEATURE
1/2" = 1'-0"

NEW VILLAGE CONSTRUCTION
4242 TOLLER ROAD - SUITE A
DUBLIN, OHIO 43017

Residential Unit Layout



Residential Building Elevations



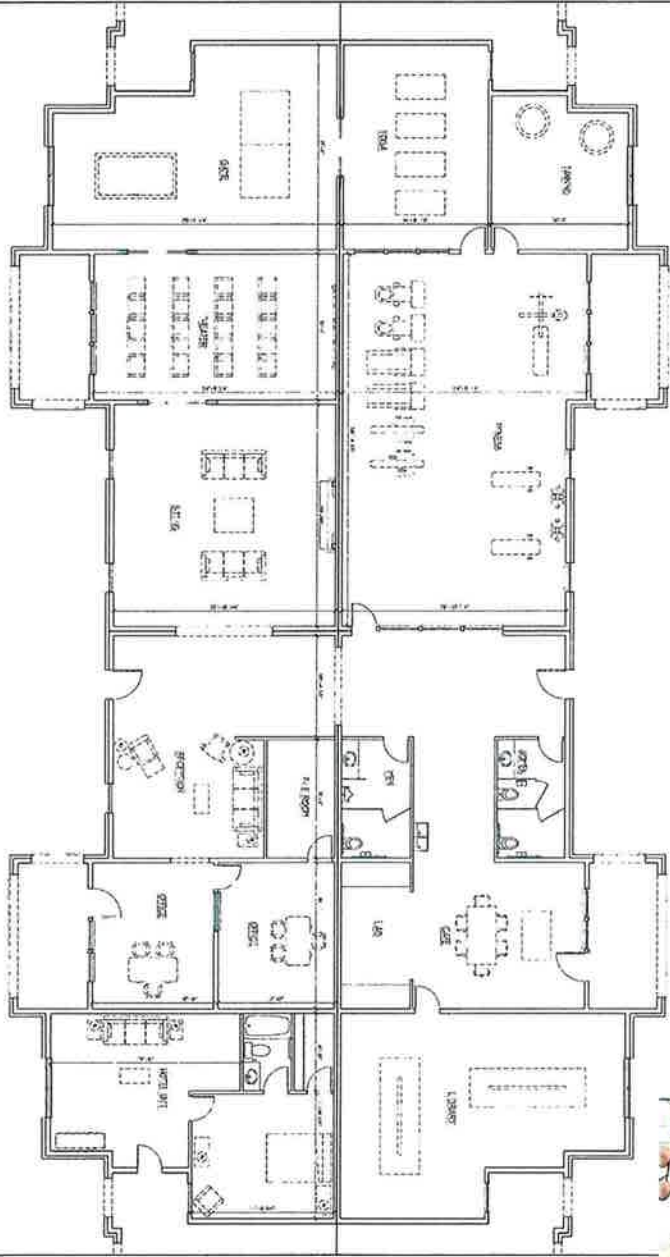
NEW VILLAGE CONSTRUCTION
 4242 TULLER ROAD • SUITE A
 DUBLIN, OHIO 43017

ROBERT
 LOUIS
 FLORIDA
 ARCHITECTS
 & ASSOCIATES
 INCORPORATED

OXFORD APARTMENTS
 EXTERIOR ELEVATIONS & DETAILS

DATE	10/1/77
BY	JL
CHECKED	JL
SCALE	1/8" = 1'-0"
PROJECT	OXFORD APARTMENTS
DATE	10/1/77
BY	JL
CHECKED	JL
SCALE	1/8" = 1'-0"
PROJECT	OXFORD APARTMENTS
DATE	10/1/77
BY	JL
CHECKED	JL
SCALE	1/8" = 1'-0"
PROJECT	OXFORD APARTMENTS

First Floor Plan Clubhouse

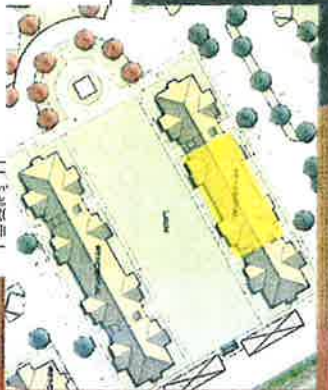
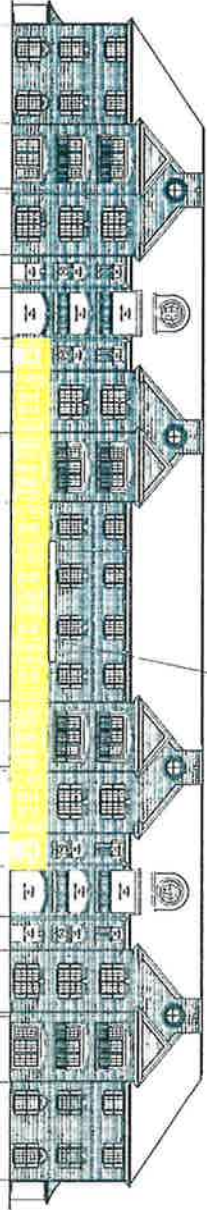


CLUBHOUSE

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

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TYPICAL RESIDENTIAL WALL SIGN



OXFORD APARTMENTS CLUBHOUSE NEW VILLAGE COMMUNITY, INC. 4242 TULLER ROAD DUBLIN, OHIO ROBERT LOUIS FORNITA ARCHITECTS & ASSOCIATES, INCORPORATED	CLUB CLUB
--	--------------------------------

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

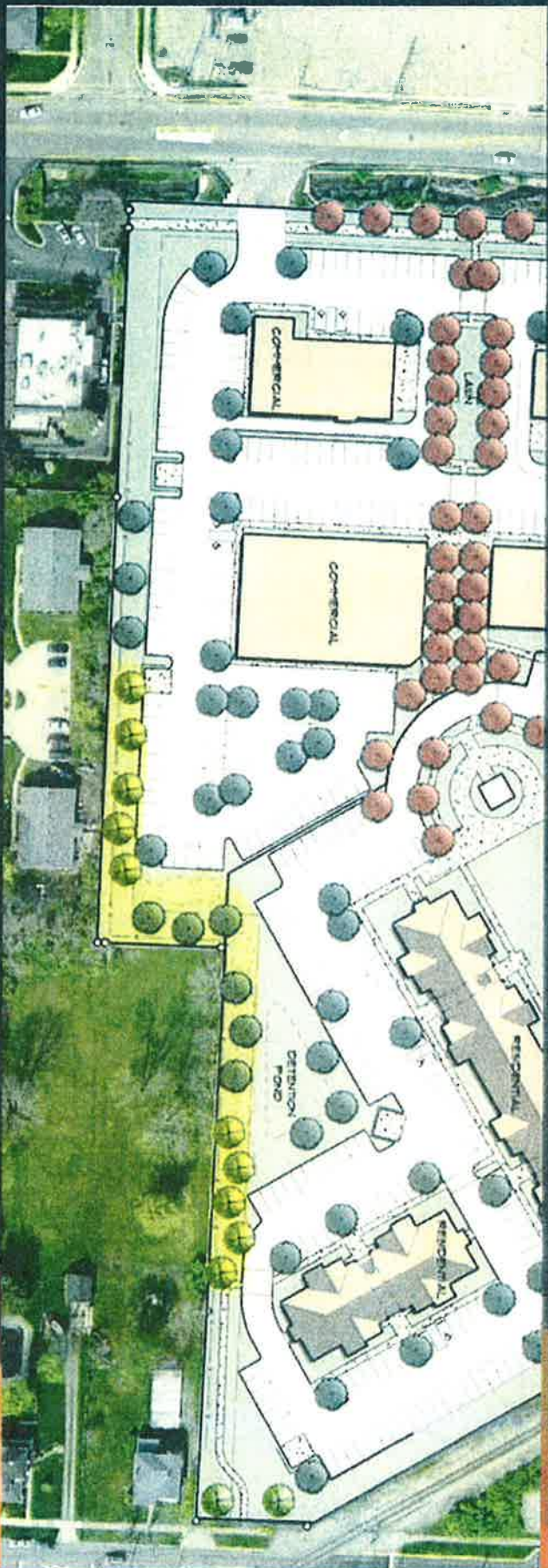
- Show Clubhouse Layout for 1 Parent Hotel Unit/ No Kitchen
- Cost Sharing Agreement
- Per Traffic Study
- On Site Plan
- Earthen Mounds Added/ Shown
- Lot Split / Typically Addressed in Development Text with Dev. Plan
- Shown on Plans
- Drive Through Landscape Screening
- Cross Walk Connections/ Railing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

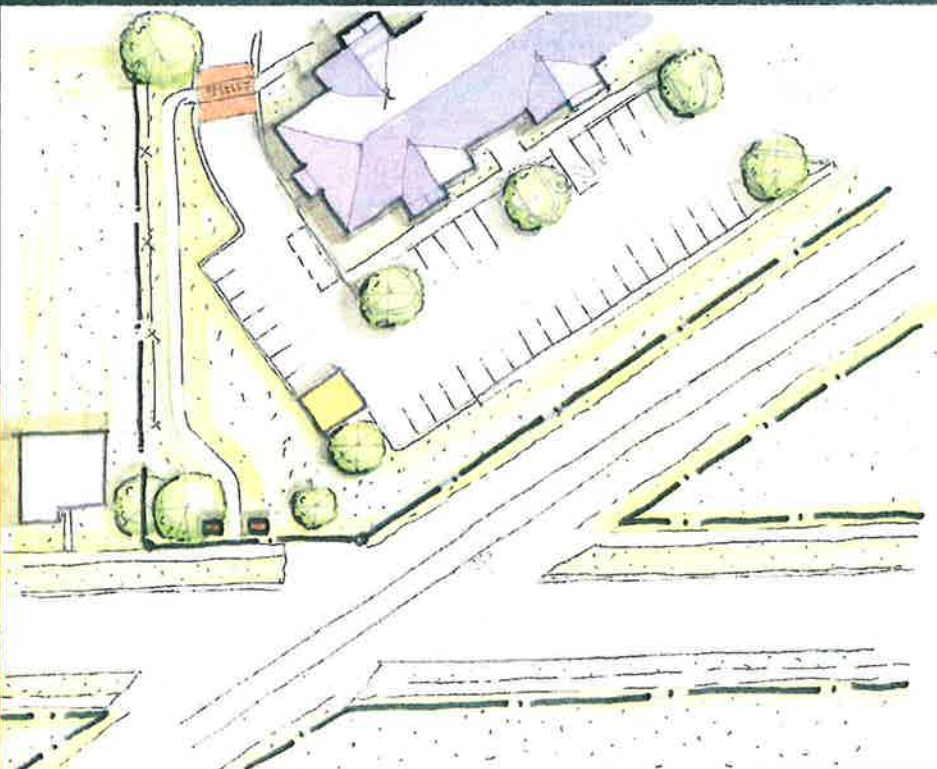
Ramp Detail/ Landscaping/ Guard Rail



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.”

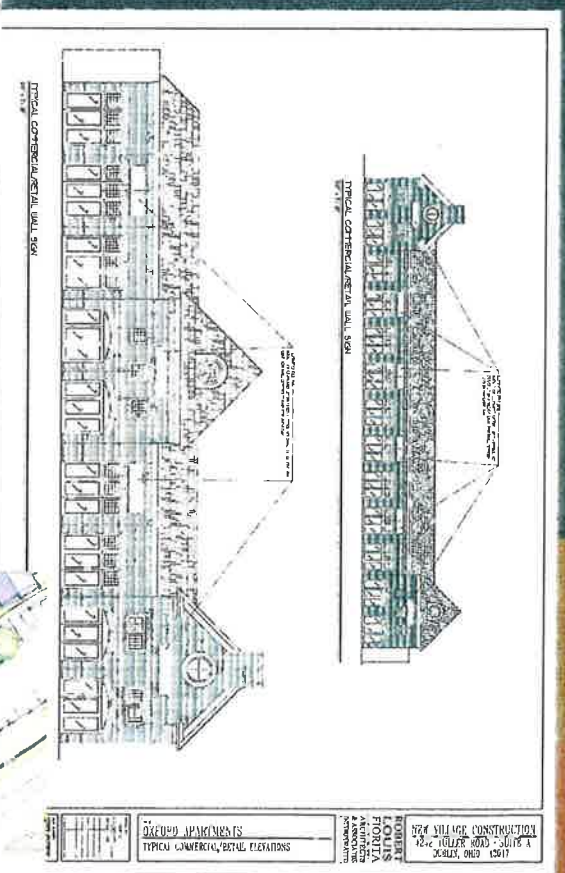
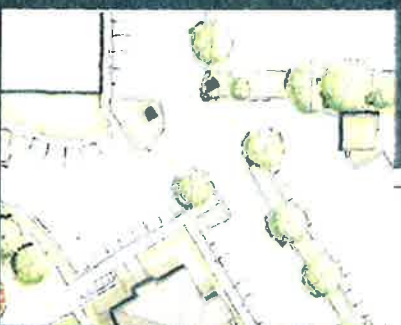
Add 25 trees



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

“The allowable sign height is GB is six (6) feet tall. The table shows six feet in height, but the drawing shows the sign is eight feet high. ”

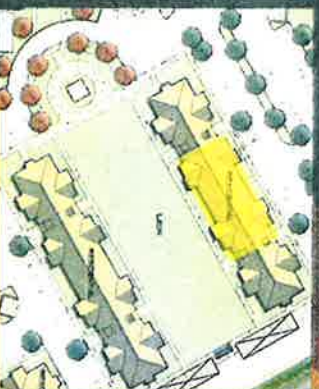
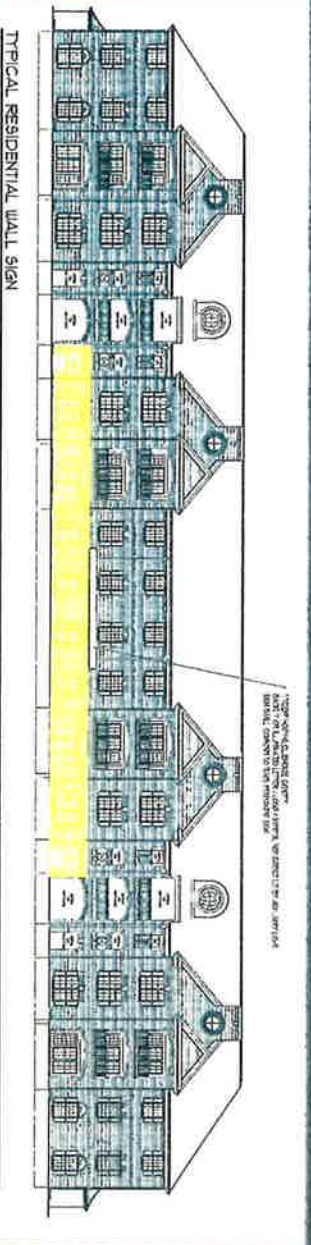
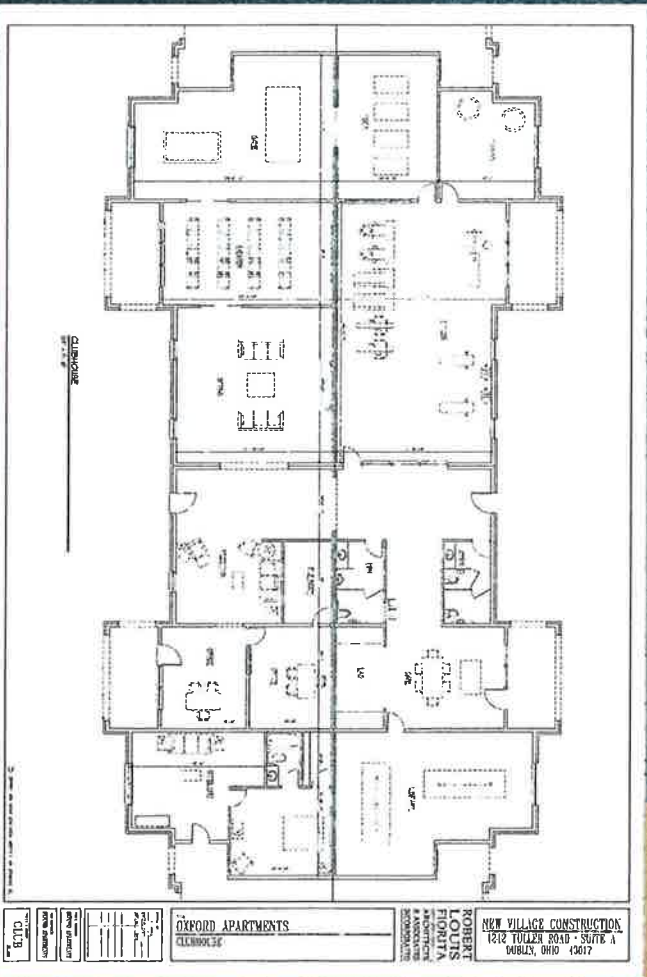
Signage table was submitted to illustrate allocation of allowable square foot location and dimension of signage... applicant is seeking variance for an additional freestanding sign.



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.