

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: July 1, 2014

Jung-Han Chen

Account Code No. #:

Prepared By:

Budgeted Amount:

June 19, 2014

Date Prepared:

PC-2014-06 ZONING CODE TEXT AMENDMENT - to Amend Chapter 1143 District, Section 1143.10(b)1.E.3.a., Uptown District Sidewalk Uses; Eliminating the Provision that the Use May not Extend More than five Feet into the Right-of-Way, Alan Kyger, City of Oxford, Applicant

Recommendation: Approval

Discussion:

The Applicant wishes to remove the restriction of the 5 foot encroachment into the right of way to encourage and promote the use of sidewalks in front of Uptown businesses.

The rationale provided by Alan Kyger, Economic Development Director, for a Sidewalk Use permit is to allow first floor merchants to extend their business onto the sidewalk in a safe and inviting manner and enhance the ambience of the Uptown experience. Throughout the year, for a minimal fee, we have approximately 25 merchants who participate, taking advantage of this permit to extend their business as long as their business insurance covers the sidewalk portion and holds the City harmless, should injuries take place within the sidewalk portion they operate.

The proposal is to remove one stipulation from the code, so that the language is more in favor of businesses in the Uptown District. The existing language only allows for a five foot business extension into the right of way and requires a minimum five feet of unimpeded sidewalk adjacent to the sidewalk use. The recommended language is to remove the limitation of a five feet extension into the right of way, but keep the minimum five feet of unimpeded sidewalk.

No other public comments were received. The Planning Commission spent a decent amount of time discussing the verbiage of the amendment. The changes recommended by the Planning Commission are highlighted in a different color for clarification purposes. After the public hearing, the Commission voted 4-0-0 to approve the requested text amendment application.

Approved By:

Department Head:

City Manager:

JHC 6/24/14
JRC 6/27/14

ORDINANCE NO.

ORDINANCE REPEALING OXFORD CODIFIED ORDINANCE SECTION 1143.10
ENTITLED UPTOWN DISTRICT, AND ADOPTING NEW OXFORD CODIFIED
ORDINANCE SECTION 1143.10 ENTITLED UPTOWN DISTRICT.

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

SECTION I: Council hereby finds that the City of Oxford Planning Commission held a public hearing on June 10, 2014 and that following the public hearing did deliberate and as a result of that deliberation, the Planning Commission recommended repealing Oxford Codified Ordinance Section 1143.10 entitled Uptown District, and adopting new Oxford Codified Ordinance Section 1143.10 entitled Uptown District.

SECTION II: Council hereby repeals Section 1143.10 of the Oxford Codified Ordinances and adopts new Section 1143.10 as follows: (deletions are struck through and additions are bolded)

1143.10 UPTOWN DISTRICT.

(a) Purpose. The purpose of this district is to preserve and encourage the continued vitality of the City's historic central business and civic activity area. Selected uses and regulatory standards are provided to guide development so as to achieve a mixture of appropriate uses in a functional, aesthetic and pedestrian compatible manner.

(b) Uses.

(1)

Permitted uses.

- A. Any combination of residential dwelling types as defined in Section 1159.05(8), A through E., on the second floor or higher.
- B. Retail services shall not exceed 10,000 square feet of floor area on any given floor.
 - 1. Apparel and jewelry.
 - 2. Bars and establishments serving alcohol.
 - 3. Books, stationery, newspapers, magazines, office equipment and office supply stores.
 - 4. Drugs and pharmaceuticals.
 - 5. Food products, including groceries, meat, fish, baked goods, confectionary, and beverages.
 - 6. Flowers, potted plants, and garden supplies.
 - 7. Hardware, paint, home furnishings, and other home improvements products.
 - 8. Optical aids.
 - 9. Photography, bicycles, gifts and toys, pets, music, sporting goods, and other hobby and craft supplies.
 - 10. Restaurants, not including drive-in.
 - 11. Other similar establishments engaged in retail trade except those included as Conditional Uses in subsection (b)(2) hereof.
- C. Personal and professional services shall not exceed 10,000 square feet of floor area on any given floor.
 - 1. Accounting, advertising, architectural, auditing, bookkeeping, legal, and medical offices, and offices for other similar professional service providers.
 - 2. Banks, credit agencies, investment firms, real estate, insurance offices, and other similar establishments engaged primarily in financial services.

3. Barber and beauty shops.
4. Cleaners, including dry cleaning and laundromats.
5. Home improvement services, including carpentry, electrical, heating, plumbing, and decorating.
6. Offices for nonprofit, charitable, labor, and other service organizations.
7. Repair establishments for bicycles, household appliances, locksmiths, shoes, and motor vehicles (if no gasoline is sold).
8. Theaters, not including drive-ins.
9. Other similar personal and professional services, such as employment agencies, travel bureaus, and ticket offices.

D. Accessory buildings incidental to the principal use.

E. Sidewalk uses.

1. This section is intended to provide for active use of private and public property in the Uptown District for outdoor cafes and retail sales. A sidewalk use requires a permit, shall be operated according to the provisions of this section, and is valid for one year and only for the location, design, and use approved.
2. A sidewalk use may include outdoor activity on both private and public property as follows:
 - a. Private property in the front setback area or any courtyard or other partially enclosed area adjacent to a right-of-way may be utilized only for the same commercial activity as the principal use on the first floor of the principal structure.
 - b. The public sidewalk and other paved portions of the right-of-way that are designed and constructed to accommodate pedestrians may be utilized only for the same commercial activity as the principal use on the first floor of an immediately adjacent principal structure.
3. A sidewalk use permit application shall include a fee, a scaled site plan, and other information sufficient to determine compliance with all of the following provisions:
 - a. ~~The use may not extend more than five feet into the right-of-way; and~~
 - a.b. The use may not result in less than five feet of **open and unobstructed public** ~~unimpeded~~ sidewalk adjacent to the sidewalk use. ~~(street trees, parking meters, street sign poles, and the like are impediments); and~~
 - b.e. The adjacent property owner and the operator of the use have a liability insurance policy that covers accidents and injuries on the public right-of-way for a minimum of one hundred thousand dollars (\$100,000) per person and three hundred thousand dollars (\$300,000) per accident, premiums are fully paid for the calendar year of the permit, and the City of Oxford **shall be** ~~is~~ **a named as an additional** insured upon such liability policy; and
 - c.d. The use shall employ only displays, counters, tables, chairs, umbrellas, and planters that are moveable; and
 - d.e. Nothing related to the operation of the use shall be permanently installed on public or private property except anchors that do not protrude above the adjacent sidewalk surface and do not otherwise create a trip hazard; and
 - e.f. All materials shall be lightweight and easily

- removable; and
 - f.g. All roofs shall be made of a flame-resistant (per Ohio Basic Building Code and Ohio Fire Code), nonstructural material such as treated canvas or vinyl fabric; and
 - g.h. All illumination shall be confined within the perimeter of the use; and
 - h.i. All partitions shall be transparent 3 feet above the adjacent sidewalk surface.
 - 4. The City Manager or designee shall require removal of anything or correction of any condition associated with a sidewalk use that threatens the public health, safety, or general welfare and shall revoke an approved permit if its holder fails to comply with any such order in a timely manner.
 - 5. The City Manager shall reinstate a revoked permit if the holder removes the immediate threat and provides sufficient proof that the threat will not recur.
 - 6. If a sidewalk use permit is revoked more than once during the year that the permit is valid, the permit shall not be reinstated and a new permit shall not be issued until after the original expiration date of the revoked permit.
- (2) Conditional Uses. The following Conditional Uses are subject to review and regulation in accordance with Chapter 1147.
 - A. Retail services:
 - 1. Any permitted retail use that exceeds 10,000 sq. ft. on any given floor.
 - 2. Banks with drive-through facilities.
 - 3. Building supplies, garden supplies.
 - 4. Temporary or outdoor sales of plants and garden supplies.
 - 5. Retail uses which do not provide a minimum ratio of 0.7:1 of the lot area.
 - 6. Additional retail uses above the street level which would cause the maximum permitted gross floor area ratio to exceed the 3:1 ratio.
 - B. Personal and public services:
 - 1. Any permitted personal or public service that exceeds 10,000 sq. ft. on any given floor.
 - 2. Cultural institutions, including libraries, art galleries and museums.
 - 3. Hotels and motels.
 - 4. Places of worship.
 - 5. Funeral homes.
 - 6. Night clubs, discotheques, and other entertainment facilities.
 - 7. Personal and Professional Services which do not provide a minimum of 0.7:1 of the lot area.
 - 8. Additional personal and professional services above the street level which would cause the maximum permitted gross floor area ratio to exceed the 3:1 ratio.
 - C. Other uses.
 - 1. Any combination of dwelling types as defined in Section 1159.05(8), A through E, on the first floor or basement.
 - 2. Community-Oriented Residential Social Service Facilities (CORSSF's).
 - 3. Shared Housing and Congregate Housing for the elderly.
 - 4. Government owned and/or operated parks and recreation facilities.
 - 5. Bed and breakfast homes.
 - 6. Publicly owned and operated neighborhood recreation centers.

7. Day care facilities, including Day Care for child, Day Care Center for child, Day Care Home Type A family, and Day Care Home Type B family.
 8. Schools: primary, intermediate, and secondary, both public and private.
 9. Hospitals
- (c) Site Development Regulations. (Unless superseded by Conditional Use Requirements)
- (1) Lot requirements.
 - A. Minimum Lot Area:
 1. Lots in the Uptown District shall be a minimum of three thousand (3,000) square feet.
 - (2) Yard requirements.

Front Yard 16.5 feet minimum except	* On High Street - at least 70 percent of building must meet the right-of- way line
Rear Yard none except	* Adjacent to a residential district 10 feet minimum
Side Yard none except	* Adjacent to a residential district 6 feet minimum
 - (3) Structural requirements.
 - A. Building height:

Minimum - 23 feet and a minimum of 2 stories above street grade
Maximum - 48 feet and 4 stories maximum above street grade.
 - B. Gross Floor Area Ratio:
 1. The maximum permitted gross floor area ratio of a structure at or above grade in the Uptown District shall be 3. (Lot area x 3 = total bldg. sq. ft.)
 - a. Commercial space shall provide a minimum ratio of 0.7:1 of the lot area on the street level subject to the following:
 - i. The basement of a structure may be used for retail, personal and professional uses but shall not be computed into the minimum 0.7:1 ratio.
 - ii. Uncovered outdoor areas shall:
 - a. Be associated with the first floor commercial occupant,
 - b. Be located on the property and/or on the public sidewalk, only with a valid sidewalk permit.
 - c. Be computed into the minimum 0.7:1 ratio, but not the overall 3:1 ratio.
 - b. Residential space shall provide a maximum ratio of 2:1 of the lot area subject to the following:
 - i. Outdoor patios, decks and balconies for residential use shall be computed into the maximum 2:1 ratio.
 - (4) Maximum Residential Density.
 - A. Occupancy shall be limited to one person per 200 square feet of lot area.

SECTION III:

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW (STAFF)

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

<u>Report Date</u>	July 1, 2014
<u>Case Number</u>	PC-2014-06
<u>Applicant Information</u>	Alan Kyger
<u>Requested Action</u>	Zoning Code Text Amendment
<u>Summary of Request</u>	PC-2014-06 ZONING CODE TEXT AMENDMENT to Amend Chapter 1143 Districts, Section 1143.10(b)(1)E.3.a., Uptown District sidewalk uses; eliminating the provision that the use may not extend more than five feet into the right of way, Alan Kyger, Applicant
<u>Public Hearing Information</u>	On June 10, 2014 a Public Hearing took place at 118 W. High Street. A Public Hearing notice was published in the Oxford Press on May 9, 2014.
<u>Commission Action</u>	The Planning Commission voted 4-0-0 recommending approval to City Council.
<u>Commission Findings and Conclusions</u>	The Planning Commission recommended this Zoning Code Text Amendment for approval. After much discussion, the Planning Commission agreed to remove the five foot encroachment into the right-of-way, but that the language also state "that the public sidewalk, adjacent to the sidewalk use, is unobstructed".
<u>Exhibits Submitted to the Commission</u>	1. Staff Report dated May 28, 2014, with Original Proposed Language 2. Proposed Language to City Council 3. Interoffice Reviews 4. Zoning Code Text Amendment Application dated April 23, 2014

City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2014-06

Date – June 10, 2014

APPLICATION

Applicant: City of Oxford
Action Request: **ZONING CODE TEXT AMENDMENT** to Amend Chapter 1143 Districts, Section 1143.10(b)1.E.3.a., Uptown District Sidewalk Uses; Eliminating the Provision that the Use May Not Extend More than Five Feet into the Right of Way, **Alan Kyger, City of Oxford, Applicant**

DESCRIPTION

The Applicant wishes to remove the restriction of the 5 foot encroachment into the right of way to encourage and promote the use of sidewalks in front of Uptown businesses.

ZONING CODE

The attached text amendment illustrates changes to Chapter 1143.10(b)1.E.3.a., for your information.

COMPREHENSIVE PLAN

Not applicable

AGENCY REVIEWS

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

Police:	No comment
Fire:	Comment received. See attached.
Engineering:	No comment
Econ. Dev.	No comment

DECISION CRITERIA

A copy of the Text Amendment Decision Criteria is attached.

ANALYSIS

The rationale provided by Alan Kyger, Economic Development Director, for a Sidewalk Use permit is to allow first floor merchants to extend their business onto the sidewalk in a safe and inviting manner and enhance the ambience of the Uptown experience. Throughout the year, for a minimal fee, we have approximately 25 merchants who participate, taking advantage of this permit to extend their business as long as their business insurance covers the sidewalk portion and holds the City harmless, should injuries take place within the sidewalk portion they operate.

Alan Kyger, Economic Development Director, sampled similar regulations from other communities and found that other communities have a less stringent regulation in place. This prompted a text amendment to be considered by the Planning Commission.

The proposal is to remove one stipulation from the code, so that the language is more in favor of businesses in the Uptown District. The existing language only allows for a five feet business extension into the right of way and requires a minimum five feet of unimpeded sidewalk adjacent to the sidewalk use. The recommended language is to remove the limitation of a five feet extension into the right of way, but keep the minimum five feet unimpeded sidewalk.

The Fire Chief raised some concerns about unobstructed access to a public way. Please see his comment attached.

RECOMMENDATION

Staff does not have any objections to the proposed amendment.

SUBMITTED

BY: Jung-Han Chen
Jung-Han Chen
Community Development Director

DATE: May 28, 2014

ATTACHMENT

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

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

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

Text Amendments

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

1143.10 Uptown District

E.

Sidewalk uses.

1. This section is intended to provide for active use of private and public property in the Uptown District for outdoor cafes and retail sales. A sidewalk use requires a permit, shall be operated according to the provisions of this section, and is valid for one year and only for the location, design, and use approved.
2. A sidewalk use may include outdoor activity on both private and public property as follows:
 - a. Private property in the front setback area or any courtyard or other partially enclosed area adjacent to a right-of-way may be utilized only for the same commercial activity as the principal use on the first floor of the principal structure.
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 - ~~a.b. The use may not result in less than five feet of unimpeded sidewalk adjacent to the sidewalk use (street trees, parking meters, street sign poles, and the like are impediments); and~~
 - ~~b.e. The adjacent property owner and the operator of the use have a liability insurance policy that covers accidents and injuries on the public right-of-way for a minimum of one hundred thousand dollars (\$100,000) per person and three hundred thousand dollars (\$300,000) per accident, premiums are fully paid for the calendar year of the permit, and the City of Oxford is a named insured upon such liability policy; and~~
 - ~~c.d. The use shall employ only displays, counters, tables, chairs, umbrellas, and planters that are moveable; and~~
 - ~~d.e. Nothing related to the operation of the use shall be permanently installed on public or private property except anchors that do not protrude above the adjacent sidewalk surface and do not otherwise create a trip hazard; and~~
 - ~~e.f. All materials shall be lightweight and easily removable; and~~
 - ~~f.g. All roofs shall be made of a flame-resistant (per Ohio Basic Building Code and Ohio Fire Code), nonstructural material such as treated canvas or vinyl fabric; and~~
 - ~~g.h. All illumination shall be confined within the perimeter of the use; and~~
 - ~~h.i. All partitions shall be transparent 3 feet above the adjacent sidewalk surface.~~
4. The City Manager or designee shall require removal of anything or correction of any condition associated with a

sidewalk use that threatens the public health, safety, or general welfare and shall revoke an approved permit if its holder fails to comply with any such order in a timely manner.

5. The City Manager shall reinstate a revoked permit if the holder removes the immediate threat and provides sufficient proof that the threat will not recur.
6. If a sidewalk use permit is revoked more than once during the year that the permit is valid, the permit shall not be reinstated and a new permit shall not be issued until after the original expiration date of the revoked permit.

Planning Commission Changes June 10, 2014

1143.10 Uptown District

E. Sidewalk uses.

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 - b.e. The adjacent property owner and the operator of the use have a liability insurance policy that covers accidents and injuries on the public right-of-way for a minimum of one hundred thousand dollars (\$100,000) per person and three hundred thousand dollars (\$300,000) per accident, premiums are fully paid for the calendar year of the permit, and the City of Oxford shall ~~be~~ is a named as an additional insured upon such liability policy; and
 - c.d. The use shall employ only displays, counters, tables, chairs, umbrellas, and planters that are moveable; and
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 - e.f. All materials shall be lightweight and easily removable; and
 - f.g. All roofs shall be made of a flame-resistant (per Ohio Basic Building Code and Ohio Fire Code), nonstructural material such as treated canvas or vinyl fabric; and
 - g.h. All illumination shall be confined within the perimeter of the use; and
 - h.i. All partitions shall be transparent 3 feet above the adjacent sidewalk surface.

sidewalk use that threatens the public health, safety, or general welfare and shall revoke an approved permit if its holder fails to comply with any such order in a timely manner.

5. The City Manager shall reinstate a revoked permit if the holder removes the immediate threat and provides sufficient proof that the threat will not recur.
6. If a sidewalk use permit is revoked more than once during the year that the permit is valid, the permit shall not be reinstated and a new permit shall not be issued until after the original expiration date of the revoked permit.

PRINTED NAME

Memo

To: Community Development
From: John Detherage, Fire Chief
CC: N/A
Date: 5/27/2014
Re: PC-2014-06

Since this change could result in increased obstacles being added to the right-of-way, please be aware of the following Ohio Fire Code sections that could be of concern.

1027.6 Access to a public way. The exit discharge shall provide a direct and unobstructed access to a public way.

(There can be no obstructions between the exit door and the clear path of the sidewalk)

912.3 Access. Immediate access to fire department connections shall be maintained at all times and without obstruction by fences, bushes, trees, walls or any other fixed or moveable object. Access to fire department connections shall be approved by the fire *code official*.

(The fire department connection cannot be blocked by any object)

City of Oxford
Inter-Office Review Transmittal Sheet

Date: May 15, 2014

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

PC-2014-06 ZONING CODE TEXT AMENDMENT to Amend Chapter 1143 Districts, Section 1143.10(b)(1)E.3.a., Uptown District sidewalk uses; eliminating the provision that the use may not extend more than five feet into the right of way, **Alan Kyger, Applicant**

 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **06/02/2014** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by: 

Date: 5-19-14

VICTOR POPESCU

PRINTED NAME





City of Oxford
Inter-Office Review Transmittal Sheet

Date: May 15, 2014

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

PC-2014-06 ZONING CODE TEXT AMENDMENT to Amend Chapter 1143 Districts, Section 1143.10(b)(1)E.3.a., Uptown District sidewalk uses; eliminating the provision that the use may not extend more than five feet into the right of way, **Alan Kyger, Applicant**

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Comments or status update requested by: Lynn Taylor

Please return no later than: **06/02/2014** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by:



Date: 5/19/2014

ROBERT B. HOLZWORTH
PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: May 15, 2014

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

PC-2014-06 ZONING CODE TEXT AMENDMENT to Amend Chapter 1143 Districts, Section 1143.10(b)(1)E.3.a., Uptown District sidewalk uses; eliminating the provision that the use may not extend more than five feet into the right of way, **Alan Kyger, Applicant**

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Comments or status update requested by: Lynn Taylor

Please return no later than: **06/02/2014** Note: If no comments are received, we will assume the project meets your department's standards.

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

Drawings reviewed by: 

Date: 5-19-2014

G. ALAN KYGER
PRINTED NAME

Zoning Code Text Amendment Application
City of Oxford, Ohio

REQUIRED INFORMATION

Name of Applicant: G. ALAN KYGER
(Attach a Letter of Agency if the applicant is not the property owner.)
Mailing Address: 6164 CONTRERAS RD.
OXFORD OH 45056
Telephone Number(s): 513-523-1453
Email Address: AKYGER64@GMAIL.COM

SUBMISSION REQUIREMENTS

A written, detailed description, where applicable, is required for each subsection.

All applications must include:

- A. A general description of the proposed amendment.
- B. A narrative statement that describes how the proposed amendment relates to the Comprehensive Plan.
- C. A statement that identifies potential negative consequences of the proposed amendment.
- D. Any existing section number and text that is proposed to be deleted or amended.
- E. Any new or amended text as it is proposed to be codified including its proposed location in the Code. (section numbers)
- F. A narrative statement that describes the expected effects of the proposed text.
- G. A narrative statement that compares the expected effects of the proposed text with any existing text that it will replace, if applicable.

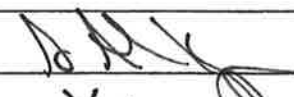
Planning Commission and Council Review The Planning Commission shall base its recommendation on a proposed Zoning Code amendment upon the complete application, upon any staff report, and upon any relevant and credible public comment presented during the public hearing. Council shall base its decision on the same materials and shall consider the Planning Commission recommendation. If the Planning Commission or Council finds that the information provided is insufficient to make a determination, it may suspend its review until sufficient information has been provided.

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

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

All materials and the application fee in the amount of **\$150.00 plus actual postage**, payable to the City of Oxford must be delivered to the office of Community Development, 101 East High Street, Oxford, Ohio 45056 45 days prior to the proposed meeting date. Any questions should be directed to the Community Development Department at (513) 524-5204.

NOTE: Incomplete applications will not be processed. 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: 4-23-14

PRINTED NAME: G. ALAN KYGER

FEE / RECEIPT

\$150 Fee plus Actual Postage Paid / Receipt Number: 19814.20

Zoning Code Text Amendment Application

I am requesting line item 1143.10 (b)¹E. 3. a. be eliminated.

1143.10 Uptown District

(b) Uses

E. Sidewalk Uses

3. A sidewalk use permit application shall include a fee, a scaled site plan, and other information sufficient to determine compliance with all of the following provisions.

a. ~~The use may not extend more than five feet into the right of way;~~
and

b. The use may not result in less than five feet of unimpeded sidewalk adjacent to the sidewalk use. (street trees, parking meters, street sign poles, and the like are impediments); and

Background: The sidewalk and setback area in the Uptown District is typically 16 ½ feet. Most of High Street consists of 16 ½ feet of public ROW sidewalks. On the side streets the 16 ½ foot area is typically a public ROW sidewalk with either a private sidewalk or green space area.

This change will further encourage and promote the use of the sidewalks in front of Uptown businesses by increasing the usable space, while still requiring a minimum five feet of un-obstructed open area for pedestrian traffic.

The rational for my request is twofold.

1. While 1143.10 (b) E 3 a. & b. are not in direct conflict with each other, they don't seem to both be needed.
 - a. States the use may not extend more than five feet into the right of way. This leaves approximately eleven and a half feet of open area, (less trees, signs, etc.).
 - b. States five feet of open sidewalk must remain. This leaves approximately eleven and a half feet of area for side walk use, (less trees, signs, ect.).

So while you can possibly use up to eleven & a half feet of the sidewalk for commercial use, you cannot use over five feet abutting the building. When a chair is pulled out from a table so that both exceed five feet it is in violation, even if there is eight to ten feet of open sidewalk beyond the chair. This also applies if a six foot umbrella is placed over the table.

2. A quick sampling of other communities sidewalk use permits did not reveal the double standard provided in Oxford's code.

Bowling Green, OH	Minimum 5' un-obstructed area.
Athens, OH	Occupied area needs to be within 5' of the building.
Bloomington, IN	Clear pathway of 54" (4' 4")
St Charles, IL	Minimum 5' un-obstructed area.
Wyoming, OH	Minimum 5' un-obstructed area.
Harrisburg, VA	Minimum 5' un-obstructed area.
Hyannis, MA	Minimum 6' between café and curb.
	Minimum 5' between café and trees, signs trash ect.

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: July 1, 2014

Account Code No. #:

Jung-Han Chen
Prepared By

Budgeted Amount:

June 18, 2014
Date Prepared

PLANNING COMMISSION MEETING REPORT – June 10, 2014

Election of Planning Commission Chair Pro Tem

Planning Commission members elected the Chair Pro Tem since the Chair and Vice Chair were on vacation. Robert Bell was elected as the Chair Pro Tem for this meeting.

Reports from Commissions, Boards and Committees and Staff

Robert Benson reported that the Oxford Community Arts Center received a grant from the State of Ohio to renovate the front porch facing College Avenue. Work has begun on the project. It was a great collaboration between the OCAC and the HAPC to move forward with this project.

Robert Bell reported that the Environment Commission worked with Staff to update the Storm Water manual.

Public Hearing

PC-2014-05 Zoning Map Amendment, to amend the zoning designation of certain property, approximately 33.55 acres of area located along U.S. 27 North, Todd and Ringwood Roads from Butler County classification to General Business (GB) District. This includes the Right-of-Way of Ringwood and northern half of U.S. 27 and western half of Todd Road, adjacent to parcel H3610016000002, **City of Oxford, Applicant**

The application is to modify the zoning classification of those parcels that were recently annexed into the City from Butler County classification to City classification.

Staff provided background information and recommended the Planning Commission approve the zoning designation and forward to City Council for legislative action. A neighbor came before the Planning Commission seeking clarification. After the Public Hearing, the Planning Commission voted 4-0-0 to approve the request to this rezoning application.

PC-2014-06 Zoning Text Amendment, to amend Chapter 1143 Districts, Section 1143.10(b)(1)E.3.a., Uptown District sidewalk uses, eliminating the provision that the use may not extend more than five feet into the right-of-way. **Alan Kyger, Applicant**

Staff provided background information and followed up the discussion with a presentation by Alan Kyger as to why the recommended language was proposed. The purpose was to allow the Uptown merchants the ability to utilize the public sidewalk and provide an inviting environment and enjoyable experience while visiting.

The Planning Commission spent a fair amount of time discussing this and how to craft the language to better reflect the intent and purpose of the sidewalk use permit. Several minor changes were made to the draft language that seemed to cover all of the discussion. After the Public Hearing, the Planning Commission voted 4-0-0 to approve the modified language to City Council for consideration.

Items Under Consideration for Future Discussion

Staff will work with the Planning Commission Chair to schedule meetings for the various Planning Commission Subcommittees to continue work on Commercial District, Alternative Transportation and Parking and Parking Lot Design topics.

Next Meeting

The next regularly scheduled Planning Commission meeting will take place July 8, 2014.

Approved by:

	Initial	Date
Department Head:	<u>JHC</u>	<u>6/19/14</u>
City Attorney:	<u>DRE</u>	<u>6/27/14</u>
City Manager:		

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Clerk of Council

Originating Department

Council Meeting Of: July 15, 2014

Mary Ann Eaton

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

June 17, 2014

Date Prepared

Agenda Title: Ordinance To Approve Current Replacement Pages To The Oxford Codified Ordinances.

Recommendation:

Discussion:

The Oxford Codified Ordinances are updated once each year to incorporate all Ordinances passed by City Council as well as any changes in State laws. This Ordinance is to approve the update.

The update includes legislation adopted through May 20, 2014.

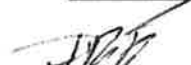
*** Copies of the replacement pages (Exhibit "A") are available at City Hall during normal business hours ***

Approved By:

Initial Date

Department Head:

City Manager:

  6/27/14

ORDINANCE NO.

AN ORDINANCE TO APPROVE CURRENT REPLACEMENT PAGES OF THE OXFORD CODIFIED ORDINANCES.

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

SECTION 1: Council has determined that certain provisions within the Codified Ordinances should be amended to conform with current State law as required by the Ohio Constitution. Various ordinances of a general and permanent nature have been passed by Council which should be included in the Codified Ordinances. The City has heretofore entered into a contract with Walter H. Drane Co. to prepare and publish revisions which are before Council.

SECTION 2: The Ordinances of the City of Oxford, Ohio, of a general and permanent nature, as revised, recodified, rearranged and consolidated into component codes, titles, chapters and sections within the 2014 Replacement Pages so the Codified Ordinances are hereby approved and adopted.

SECTION 3: The following sections and chapters are hereby added, amended or repealed and respectfully indicated in order to comply with the current State law:

Traffic Code

301.04	Bicycle. (Amended)
301.161	Highway Maintenance Vehicle. (Added)
301.162	Highway Traffic Signal. (Added)
303.04	Road Workers, Motor Vehicles and Equipment Excepted. (Amended)
303.041	Emergency, Public Safety and Coroner's Vehicles Exempt. (Amended)
313.03	Traffic Signal Indications. (Amended)
333.01	Driving or Physical Control While Under the Influence. (Amended)
333.03	Maximum Speed Limits. (Amended)
333.031	Approaching a Stationary Public Safety, Emergency or Road Service Vehicle. (Amended)
337.16	Number of Lights; Limitations on Flashing. (Amended)
339.01	Oversize or Overweight Vehicle on State Routes. (Amended)
339.03	Maximum Width, Height and Length. (Amended)
341.01	Commercial Vehicle Definitions. (Amended)
341.03	Prerequisites to Operation of a Commercial Motor Vehicle. (Amended)
351.04	Parking Near Curb; Handicapped Parking. (Amended)

General Offenses Code

505.071	Cruelty to Companion Animals. (Amended)
517.01	Gambling Definitions. (Amended)
517.02	Gambling. (Amended)
525.01	Law Enforcement and Public Office Definitions. (Amended)
525.05	Failure to Report a Crime, Injury or Knowledge of Death. (Amended)
529.01	Liquor Control Definitions. (Amended)
529.07	Open Container Prohibited. (Amended)
537.03	Assault. (Amended)
537.12	Misuse of 9-1-1 System. (Amended)
537.17	Criminal Child Enticement. (Amended)
545.01	Theft and Fraud Definitions. (Amended)
545.05	Petty Theft. (Amended)
545.18	Receiving Stolen Property. (Amended)
553.03	Duties of Locomotive Engineer. (Amended)

SECTION 4: The complete text of the Traffic and General Offenses Code sections listed above are set forth in full in the current replacement pages to the Codified Ordinances which are attached hereto and incorporated herein by reference as Exhibit A. Any summary publication of this Ordinance shall include a complete listing of these sections. Notice of adoption of each new section by reference to its title shall constitute sufficient publication of new matter contained therein.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW (STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting of: July 1, 2014

Account Code #: N/A

Budgeted Amount: \$ N/A

Service Department
Originating Department

Michael Dreisbach, Service Director
Prepared By

June 24, 2014
Date Prepared

Agenda Title: Pedestrian Safety Improvement for the Intersection of Maple St. and Spring St. and Installation of Bicycle Lanes on Spring St. from Patterson Ave. to Beech St.

Recommendation: Approve

Discussion: City Staff has worked with officials from Miami University and their professional engineering consultant to design and construct safety improvements for the intersections of Patterson Ave (aka US 27), Oxford-Trenton Rd (aka SR 73) and Spring St. as well as for the Spring St. corridor from Patterson Ave. to Campus Ave.

Planned improvements include new traffic control signals (inc. poles and mast arms); engineered timing controls that may be adjusted to anticipate high pedestrian counts during class changes and times with high vehicle volumes; emergency back-up power supply to the traffic control signals; significant improvements to storm sewers; and significant quantities of new curbing, gutters, and sidewalks. The City will follow Miami's improvements in late July with the rehabilitation of Spring St. from Patterson Ave. (US 27) to Main St (SR 732). The new pavement will include striping and signage for bicycle lanes running east/west on Spring St.

As part of the safety improvements for this corridor, the traffic engineer has recommended an "All Way" stop at the intersection of Spring St. with Maple St. This recommendation, in concurrence with Miami University's *Campus Circulation Master Plan*, will provide another specific and predictable crossing point on Spring St. reducing random crossings and associated vehicle flow interruptions. This crossing will be very important in moving pedestrians across Spring St. to the new Armstrong Student Center on the north side of the road. It is also anticipated that significant crossings will be made by residents from the new dormitories and dining hall on Western Campus to the east of the intersection.

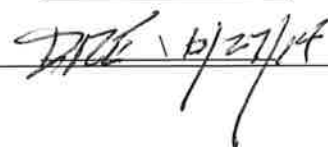
As previously noted, Spring Street's new pavement will be striped to accommodate bicycle lanes to Campus Ave. Staff recommends the continuation of these lanes to the west to Beech St. While this will result in areas of no parking zones on the north curb of Spring St, it will greatly enhance the safety of cyclists using this east / west corridor along Spring St. This issue has been discussed in detail over the past several months, and if approved, the striping and signage will be installed in concurrence with the street rehabilitation project on Spring St.

Approved By:

Department Head:

City Manager:

Initial Date
MBD 6/24/14

 6/27/14

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE INSTALLATION OF STOP SIGNS AT THE INTERSECTION OF SPRING AND MAPLE STREETS.

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

SECTION 1: A traffic analysis was performed by a traffic engineer regarding the traffic along Spring Street in Oxford; that analysis concluded that based on an application of engineering judgment, a three-way stop should be installed at the intersection of Spring and Maple Streets.

SECTION 2: The Oxford City Engineer agrees that based on an application of engineering judgment, a three-way stop should be installed at the intersection of Spring and Maple Streets.

SECTION 3: Council hereby accepts the recommendation of the City Engineer and authorizes the installation of stop signs at the "T" intersection of Spring and Maple Streets making it a three way stop.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW (STAFF)

Baker

Michael Baker Jr., Inc.
A Unit of Michael Baker Corporation

1228 Euclid Avenue, Suite 1050
Cleveland, OH 44115
216-664-6493 Phone
216-664-6532 Fax

May 30, 2014

Vincent Cirrito, RLA
Miami University
123 Cole Service Building
Oxford, OH 45056

Re: Traffic Analysis of Patterson Avenue/Spring Street – Oxford -Trenton Road (OH-73)

Dear Mr. Cerrito:

Per your request, we have analyzed traffic operations at the intersection of Patterson Avenue (US 27)/Spring Street and Patterson Avenue (US 27)/Oxford-Trenton Road (OH-73). With the proposed modification of signal operations, this off-set intersection will be controlled as a single signalized intersection. We have analyzed traffic operations for the proposed signal modification during the AM, midday PM peak hours with the existing roadway approach configuration. We also assessed the proposed intersection performance if the configuration of the Spring Street approach is reduced to a single lane. With the reconfiguration of Spring Street and the addition of bike lanes, the Spring Street/Maple Street intersection will be converted to all-way stop control. This change will improve pedestrian safety by providing a safer crossing location and reducing the random pedestrian crossings along Spring Street between Patterson Avenue and Oak Street.

The attached document summarizes the traffic analysis results. Signalized control of Patterson Avenue/Spring Street and Patterson Avenue/Oxford-Trenton Road as a single intersection, with the provision of an all-pedestrian phase, will function acceptably. Reconfiguration of the eastbound approach (Spring Street) to a single lane would cause a reduction in intersection performance with measureable increases in average delay and associated degradation in levels of service on the eastbound approach and an increase in average queue on the eastbound approach during all three peaks. Additionally, reducing the eastbound approach to a single lane would likely complicate bicycle accommodations, as left turning bicyclists should intermingle with the vehicular traffic stream to avoid being clipped by right turning vehicles. This would necessitate termination of the bike lane in advance of the intersection, which may confuse and frustrate both bicyclists and drivers.

Please contact me if you have questions or would like to discuss the traffic analysis.

Very truly yours,

MICHAEL BAKER JR., INC.

Nancy Lyon-Stadler, P.E., PTOE
Project Manager

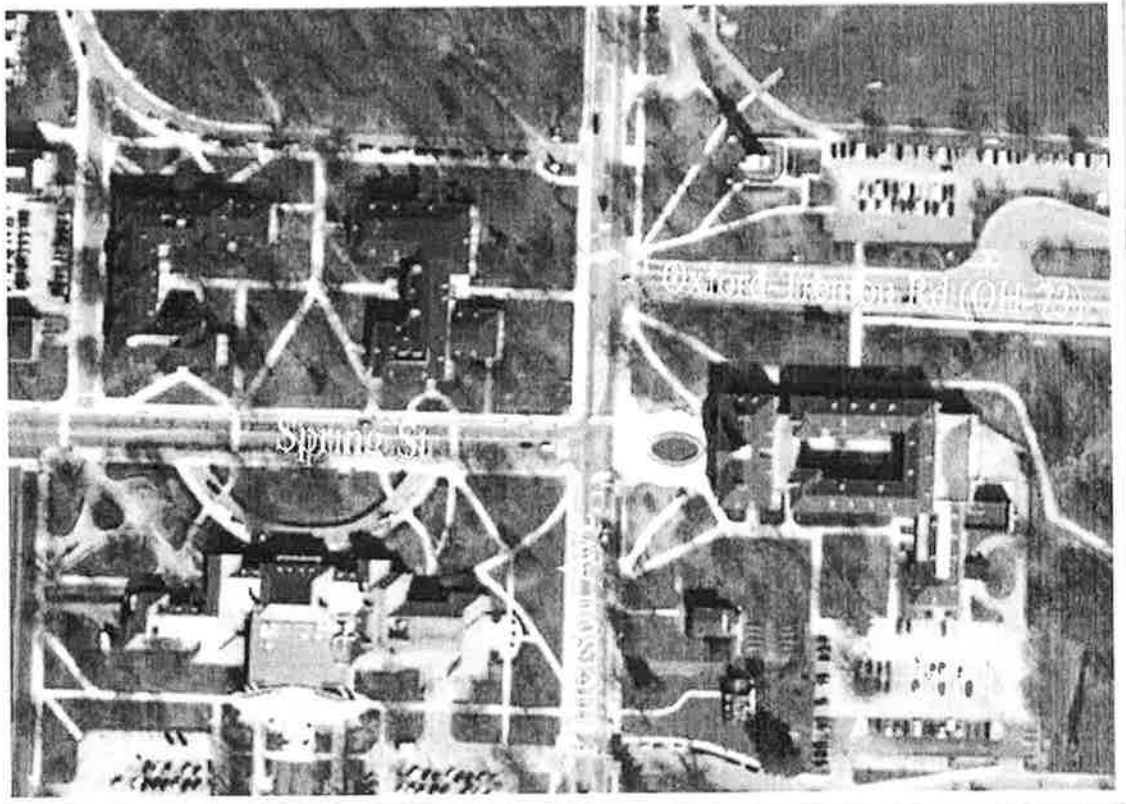


Figure 1: Project Area

Background

Miami University is located within the city of Oxford, Ohio, just east of the downtown core. Campus-area streets serve as access to both the campus buildings and services as well as traveled ways through Oxford. The compact size of the campus makes it ideal for walking and bicycling as a mode of transportation. However, there are conflicts between travel modes because pedestrians, bicyclists, motor vehicles, and buses traverse some of the roadways. The intersection of Patterson Avenue/Spring Street and Patterson Avenue/Oxford-Trenton Road (OH-73) is one such location, as it carries measurable traffic volume and accommodates substantial pedestrian volume.

Patterson Avenue (US-27) and Oxford-Trenton Road (OH-73) are both on the state highway system. Both of these routes serve as major vehicle thoroughfares for traffic destined for the City of Oxford or outside the area, bringing additional motor vehicle as well as truck traffic through the campus area. ODOT reports that in 2011, the Average Daily Traffic (ADT) on these routes was 9,070 vehicles per day (vpd) on US-27 and 7,190 vpd on OH-73. Patterson Avenue is a north-south two-lane roadway, with turn lanes at some locations, that runs along the eastern edge of the Miami University campus. Spring Street is a T-intersection that intersects Patterson Avenue from the west; Oxford-Trenton Road is a T-

intersection that intersects Patterson Avenue from the east, approximately 200 feet north of the Spring Street intersection.

The majority of academic facilities are located west of Patterson Avenue, however a few key facilities are located to the east in the vicinity of the Spring Street and Oxford-Trenton Road intersections that generate significant pedestrian traffic, including Bachelor Hall, Western Campus, Cook Field, and the Cole Services Building. Additionally, new residence halls are under construction on the Western Campus. Of note, the signalized intersections at Spring Street and Oxford-Trenton Road provide the only signalized crossing for pedestrians traveling between the Western Campus and the core of Miami University. The next closest signalized intersection is approximately 0.5 miles south at Chestnut Street.

The proximity of Spring Street and Oxford-Trenton Road and the current signal operations creates challenges to motorists traveling through the intersections. Regular queuing is observed as vehicles stack in the space between the intersections, interfering with efficient operations. Pedestrian traffic layers in additional congestion, particularly during times of class change when pedestrians descend on the crossings in great numbers, creating conflicts between the pedestrians, bicyclists, motor vehicles, trucks, and buses.

Based on a recommendation in Miami University's Circulation Master Plan, Miami University and the City of Oxford are collaborating on a project that will include conversion of the Patterson Avenue/Spring Street/Oxford-Trenton Road intersection to a single signalized intersection. It is anticipated that this change will function more safely and efficiently, better accommodating motorized and non-motorized traffic. This analysis examines the performance of the change in traffic control,

The purpose of the traffic analysis and evaluation is to assess the performance of the recommended changes in signalization. Two major areas for improvement to signal operations were identified for vehicles and pedestrians. The first is to run the Patterson Avenue/Oxford-Trenton Road and Patterson Avenue/Spring Street intersections as a single signalized intersection, with split phasing for the east-west approaches and without storing vehicles between the intersections. The second is to include an all-pedestrian phase within the signal cycle to better and more safely accommodate pedestrian crossings. The revised signal timing and phasing will essentially provide separate green time for each of the competing uses, thereby enhancing operational safety.

Traffic Volumes

Peak period turning movement volumes were collected on November 21, 2013. Morning peak data was collected from 7:30- 8:30 AM; mid-day peak data was collected from 12:15-1:15 PM; and evening peak data was collected from 3:45-4:45 PM. Traffic volume data were collected while classes at Miami University were in session. The peak hour traffic volumes are illustrated in Figure 2.

The AM, mid-day, and PM peak hour traffic volumes were analyzed to assess intersection operations and to determine the performance of the corridor with the existing conditions. The traffic analysis is based on the existing traffic volumes, as recorded by the traffic data collection, and optimized signal timing and phasing. Additionally, the two intersections were analyzed as a network.

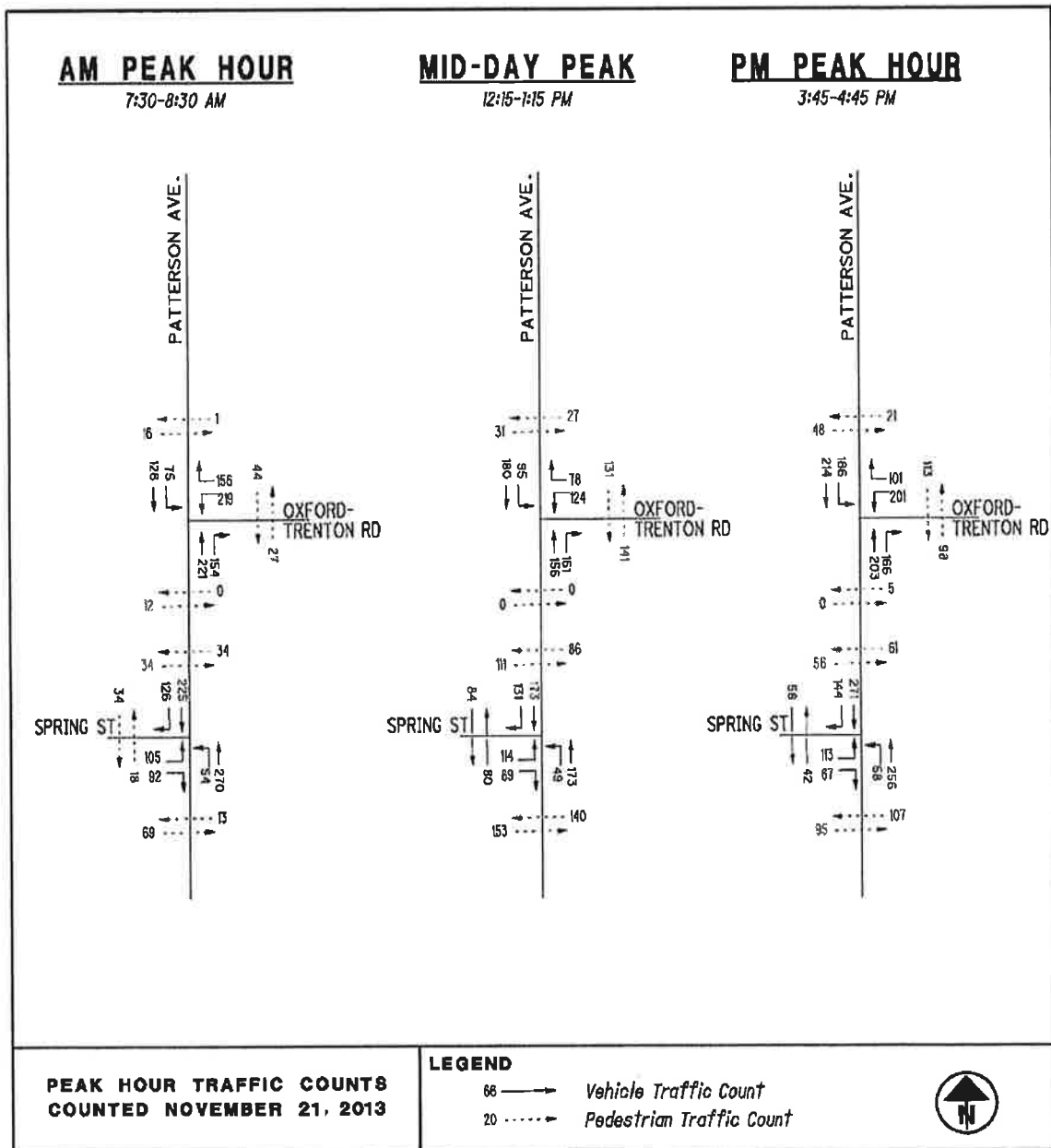


Figure 2: Peak Hour Traffic Volumes

Traffic Analysis

Traffic operations were analyzed using Synchro Version 8, a microsimulation traffic model, to assess the traffic performance and operational efficiency. The analysis results include the approach delay (measured in seconds of delay), volume-capacity (v/c) ratio, and level of service (LOS) for each approach as well as the overall intersection. Average delay is an indication of the expected delay that would typically be experienced in the lane, on the approach, or at the intersection. A v/c ratio that is less than 1.0 indicates that the lane is operating below capacity. A v/c ratio of 1.0 indicates that the lane is operating at capacity and a v/c greater than one indicates over-capacity conditions. Level of service (LOS) is a grading scale based upon average delay, with LOS A representing free-flow conditions, LOS E representing operational capacity and LOS F being over-capacity. The specific delay thresholds for assessing intersection performance are provided by the Transportation Research Board in the Highway Capacity Manual, as shown in Table 1.

Table 1: Intersection Levels of Service (Highway Capacity Manual)

LEVEL OF SERVICE (LOS)		
LOS	Signalized Intersection Average Delay (sec/veh)	Unsignalized Intersection Average Delay (sec/veh)
A	$x \leq 10$	$x \leq 10$
B	$10 < x \leq 20$	$10 < x \leq 15$
C	$20 < x \leq 35$	$15 < x \leq 25$
D	$35 < x \leq 55$	$25 < x \leq 35$
E	$55 < x \leq 80$	$35 < x \leq 50$
F	$80 < x$	$50 < x$

The results of capacity analysis for the 2-lane and 1-lane approach on Spring Street are given in Table 2. The proposed reconfiguration, with two eastbound approach lanes, operates acceptably. However, the westbound approach (Oxford-Trenton Road) operates at LOS E during the AM peak due to the volume of vehicles heading to Miami University and Oxford. The westbound approach operates acceptably during the midday and PM peak hours. The other three intersection approaches operate acceptably during all three peak hours with the existing intersection configuration. Note that the impact of bus operations and dwelling in front of Shriver Hall was not included in the traffic analysis.

LOS D is considered the design standard or threshold for urban areas; performance at LOS E or LOS F is considered unacceptable for overall intersection operations, although it can be tolerated for an approach level of service. Signal operations at this intersection are affected by the provision of an all-pedestrian phase. This accommodation is appropriate for pedestrian safety, particularly considering the current pedestrian volumes and with the construction of new residence halls and the associated increase in pedestrian traffic at this location. The all-pedestrian phase requires an appropriate balancing of green time between pedestrian needs and vehicular needs. The amount of green time that is needed to accommodate pedestrian crossings and the all-pedestrian signal phase fits into the overall cycle length, which is the total time available for all vehicles and pedestrians to travel through the intersection.

The cycle length, signal phases and signal timing have been optimized for the configuration of the intersection. Given the intersection geometry, the level of service for the westbound approach cannot feasibly be improved because adjustments to the westbound approach are not feasible (short of major intersection reconstruction). The westbound approach is served by exclusive left and right turn lanes; double turn lanes are not possible as Patterson Avenue is a two-lane road so there would not be possible to receive a double turn lane without widening Patterson.

Reducing Spring Street to a single lane has a negative impact on traffic operations. It causes measurable increases in delay on the eastbound approach during all three peaks, and it causes the approach to operate at capacity (LOS E) during the AM and PM peak hours. There is a predicted increase in average delay of approximately 34 sec, 17 sec and 35 sec, during the AM, midday and PM peaks, respectively.

Table 2: Capacity Analysis Results

Intersection Approach		AM Peak Hour	Midday Peak Hour	PM Peak Hour
2-Lane Approach on Eastbound Spring				
Northbound Patterson Ave	LOS delay (sec)	D 38.1	C 31.6	D 52.4
Southbound Patterson Ave	LOS delay (sec)	C 29.8	C 32.3	D 37.9
Eastbound Spring Street	LOS delay (sec)	C 27.5	C 28.5	D 36.2
Westbound Oxford-Trenton Road	LOS delay (sec)	E 60.3	C 30.7	D 46.9
1-Lane Approach on Eastbound Spring				
Northbound Patterson Ave	LOS delay (sec)	D 38.2	C 31.7	E 55.8
Southbound Patterson Ave	LOS delay (sec)	C 29.8	C 32.4	D 36.1
Eastbound Spring Street	LOS delay (sec)	E 61.1	D 45.7	E 71.0
Westbound Oxford-Trenton Road	LOS delay (sec)	E 60.6	C 30.8	D 44.3

Average approach queues were also assessed using Synchro. The predicted results are provided in Table 3. Not surprisingly, the average queues are expected to increase on the eastbound approach. In addition to consolidating all eastbound traffic into a single lane, the ability for right turn on red opportunities will be diminished, as a left turning vehicle will block the opportunity for right turns on red. The greatest average queues for the eastbound approach are expected during the PM peak. With two lanes, the average queue of 79 ft represents an average queue of approximately 4 vehicles. The average queue is expected to increase to about 110 ft, 6 vehicles, with the single lane approach. There is minimal impact to the queues on the other approaches.

Operationally, reducing the eastbound approach to a single lane could negatively impact bicycle safety. Since Spring Street ends at Patterson Avenue so all vehicles and bicyclists will turn either right or left. As a result, the bicycle treatments become complicated. The bike lane should terminate in advance of the intersection to facilitate intermingling of bicycles and vehicles. In order to avoid being clipped by a right turning vehicle, left turning bicyclists should “take the lane” and intermingle with the vehicular traffic stream. However, bicyclists may be uncomfortable mixing with traffic and may choose to stay toward the right side of the road. Drivers would have no way of knowing if the bicyclist wants to turn left or right until they are both at the intersection, and this could result in an unsafe condition.

Table 3: Average Queues (ft)

Intersection Approach	AM Peak Hour	Midday Peak Hour	PM Peak Hour
2-Lane Approach on Eastbound Spring			
Northbound Left (Patterson Ave)	45	38	55
Northbound Through (Patterson Ave)	136	87	157
Southbound Left (Patterson Ave)	53	53	99
Southbound Through (Patterson Ave)	62	86	103
Eastbound Left (Spring Street)	68 (max queue = 150)	65 (max queue = 151)	79 (max queue = 187)
Eastbound Right (Spring Street)	61 (max queue = 128)	46 (max queue = 120)	49 (max queue = 137)
Westbound Left (Oxford-Trenton Rd)	129	76	115
Westbound Right (Oxford-Trenton Rd)	90	52	63
1-Lane Approach on Eastbound Spring			
Northbound Left (Patterson Ave)	41	39	53
Northbound Through (Patterson Ave)	128	89	151
Southbound Left (Patterson Ave)	48	55	85
Southbound Through (Patterson Ave)	63	89	93
Eastbound Left/Right (Spring Street)	109 (max queue = 204)	89 (max queue = 187)	110 (max queue = 239)
Westbound Left (Oxford-Trenton Rd)	128	77	122
Westbound Right (Oxford-Trenton Rd)	96	49	62

Note: Average and Max queue lengths are as reported by the SimTraffic microsimulation visualization analysis.

Spring Street/Maple Street Intersection

With the reconfiguration of Spring Street and the addition of bicycle facilities, the intersection of Spring Street/Maple Street will be converted to an all-way stop. Currently, this T-intersection only requires northbound vehicles to stop. This change in traffic control will more safely accommodate pedestrians crossing the street. Knowing that vehicles traveling on Spring Street will stop at the Maple Street intersection will encourage pedestrians to cross at that intersection, with an associated expected

reduction in random pedestrian crossings along the Spring Street corridor between Patterson Avenue and Oak Street.

The conversion of the Spring/Maple intersection to all-way stop control is not a traffic volume or capacity-based recommendation. Rather, it is driven by pedestrian safety. Spring Street between Oak and Patterson experiences high pedestrian volumes, as numerous residence halls are located south of Spring Street and academic facilities are located to the north. Additionally, the new Armstrong Student Center located on the north side of the Spring/Maple intersection is a significant generator of pedestrian traffic. There is a natural pedestrian demand along this section of the Spring Street corridor. The current pedestrian behaviors result in random pedestrian crossings of Spring Street that are unpredictable to drivers. During site visits that were part of the development of Miami University's Campus Circulation Master Plan, the project team observed random and numerous pedestrian crossings across Spring Street. This random mixing of cars, truck, buses and pedestrians contributes to a less than optimal condition for pedestrians and motorized travelers, particularly considering that pedestrians are often distracted by texting and talking on cell phones while walking. One objective of the Campus Circulation Master Plan is to consolidate pedestrian crossings across the busier streets (High and Spring Streets), focusing them at specific, predictable locations. Providing an all-way stop at Spring/Maple will help achieve that. Knowing that motorized vehicles will stop at that intersection will encourage pedestrians to cross at that location, even if it involves a diversion from their direct pedestrian desire lines, since it will feel better and safer to cross the street at the stop-controlled intersection.

Another recommendation of the Campus Circulation Master Plan is the reconfiguration of Spring Street as a complete street. The term 'complete street' means that the needs of all travelers within the corridor are addressed, and one mode of travel is not given undue preference over other modes. Provision of bike lanes will help achieve this balance for bicycles, and modification of Spring/Maple to an all-way stop will improve walkability and pedestrian and safety, which is important in a complete street.

Conversion of the Spring/Maple intersection to all-way stop control is not a capacity or congestion driven recommendation. It is based on improving pedestrian safety by better organizing and controlling driver and pedestrian behaviors. If traffic operations with the conversion to an all-way stop are considered a potential concern, peak hour traffic operations could be evaluated to assess performance and vehicular level of service, based on vehicular and pedestrian volumes collected when classes are in session. However, traffic operations are expected to function at acceptable levels of service with the conversion to an all-way stop based on field observations. As a comparison, the all-way stop intersection at Spring/Oak appears to function well. Given its proximity to the Spring/Maple intersection and likely very similar Spring Street traffic volumes, it is reasonable to expect similar operational functions at the Spring/Maple intersection as the Spring/Oak intersection.





Memo

Service Department
Engineering Division

513/524-5208 fax 513/524-5267

TO: Michael Dreisbach
Director of Service

FROM: Victor Popescu, P.E.
City Engineer

RE: Spring and Maple Stop Sign

DATE: June 26, 2014

Baker Engineering has recommended the installation of additional "Stop" signs at the intersection of Spring Street with Maple Avenue. The recommendation will turn the intersection into a three-way stop intersection.

Section 1A.09 of the Ohio Manual of Uniform Traffic Control Devices allows such decisions to be made based on the "... application of engineering judgment."

I concur with the recommendation for the traffic control at the subject intersection.

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting of: July 1, 2014

Account Code #: N/A

Budgeted Amount: \$ N/A

Service Department
Originating Department

Michael Dreisbach, Service Director
Prepared By

June 24, 2014
Date Prepared

Agenda Title: Pedestrian Safety Improvement for the Intersection of Maple St. and Spring St. and Installation of Bicycle Lanes on Spring St. from Patterson Ave. to Beech St.

Recommendation: Approve

Discussion: City Staff has worked with officials from Miami University and their professional engineering consultant to design and construct safety improvements for the intersections of Patterson Ave (aka US 27), Oxford-Trenton Rd (aka SR 73) and Spring St. as well as for the Spring St. corridor from Patterson Ave. to Campus Ave.

Planned improvements include new traffic control signals (inc. poles and mast arms); engineered timing controls that may be adjusted to anticipate high pedestrian counts during class changes and times with high vehicle volumes; emergency back-up power supply to the traffic control signals; significant improvements to storm sewers; and significant quantities of new curbing, gutters, and sidewalks. The City will follow Miami's improvements in late July with the rehabilitation of Spring St. from Patterson Ave. (US 27) to Main St (SR 732). The new pavement will include striping and signage for bicycle lanes running east/west on Spring St.

As part of the safety improvements for this corridor, the traffic engineer has recommended an "All Way" stop at the intersection of Spring St. with Maple St. This recommendation, in concurrence with Miami University's *Campus Circulation Master Plan*, will provide another specific and predictable crossing point on Spring St. reducing random crossings and associated vehicle flow interruptions. This crossing will be very important in moving pedestrians across Spring St. to the new Armstrong Student Center on the north side of the road. It is also anticipated that significant crossings will be made by residents from the new dormitories and dining hall on Western Campus to the east of the intersection.

As previously noted, Spring Street's new pavement will be striped to accommodate bicycle lanes to Campus Ave. Staff recommends the continuation of these lanes to the west to Beech St. While this will result in areas of no parking zones on the north curb of Spring St, it will greatly enhance the safety of cyclists using this east / west corridor along Spring St. This issue has been discussed in detail over the past several months, and if approved, the striping and signage will be installed in concurrence with the street rehabilitation project on Spring St.

Approved By:

Department Head:

Initial MBD Date 6/24/14

City Manager:

DRB 6/27/14

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE INSTALLATION OF STRIPED BICYCLE LANES ON SPRING STREET FROM PATTERSON AVENUE TO BEECH STREET.

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

SECTION 1: City Staff has worked with officials from Miami University and their professional engineering consultant to design safety improvements along the Spring Street corridor from Patterson Avenue to Campus Avenue.

SECTION 2: City Staff recommends certain improvements, including the installation of striped bicycle lanes on Spring Street from Patterson Avenue to Beech Street.

SECTION 3: Council hereby accepts the City Staff recommendations and authorizes the installation of striped bicycle lanes on Spring Street from Patterson Avenue to Beech Street which will result in the elimination of on-street parking on Spring Street from Campus Avenue to Beech Street.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW (STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting of: July 1, 2014

Account Code #: N/A

Budgeted Amount: N/A

Service Department
Originating Department

Michael Dreisbach, Service Director
Prepared By

June 25, 2014
Date Prepared

Agenda Title: Release of Performance Bonds (Liens on Lots 3323, 3324, and 3460) for Long Meadow Subdivision – Section 5.

Recommendation: Approval

Discussion:

The Engineering Division has inspected the Long Meadow Subdivision, Section 5, and determined that the subdivision is being constructed in conformance with the plans and specifications.

Muskopf, Inc. (Developer) has requested approval to complete the sidewalk system in the entire subdivision to hasten the release of Performance Bonds. Said Performance Bonds include City liens on Lots # 3323, 3324, and 3460. With completion of the sidewalk system, the only remaining obligation of the Developer will be planting trees in the tree lawn area of the public ROW. The developer will guarantee the plant installation with a Cashier's Check from a local bank.

The Developer has entered into a construction contract with a local contractor to begin sidewalk installation. This work should be completed in the next 60 days. Typically, the City would wait to release a performance bond until all work is completed. However, in this case, the Developer has a buyer for one of the lots in question, and must have a release on the lien prior to July 15, 2015 to sell the property. Given that the Developer is completing the entire sidewalk system prior to the construction of all of the homes in the subdivision, and given the reputation and past history with the Developer, Staff sees little risk in releasing the liens on these properties. Staff's estimate to complete all outstanding items in the subdivision is \$34,675 of which the sidewalk construction is \$30,425.

Staff recommends City Council authorize the City Manager to release the Performance Bond for Longmeadow Subdivision – Section 5 including the release of liens for Lots 3323, 3324, and 3460.

Approved By:

Department Head:

City Manager:

Initial MD Date 6/25/14

DRE 6/27/14

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE BONDS
RECORDED IN VOLUME 8105, PAGE 2171 AND VOLUME 8175, PAGE 2315 OF
THE LIEN RECORDS OF THE BUTLER COUNTY, OHIO, RECORDER'S OFFICE
FOR LONG MEADOW SUBDIVISION, SECTION 5.

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

SECTION 1: The Engineering Division has inspected the
Long Meadow Subdivision, Section 5, and determined that the
subdivision is being constructed in conformance with the plans
and specifications.

SECTION 2: The Clerk of Council and City Manager are
hereby authorized to execute the necessary paperwork, releasing
the performance bonds and to cause the developer to record the
same and submit the recorded release back to the City.

SECTION 3: The release of the performance bonds is
conditioned upon the developer filing a cashier's check with the
Clerk of Council in the amount of four thousand two hundred fifty
and 00/100 dollars (\$4,250.00) for the planting of trees in the
tree lawn area of the public right-of-way in Long Meadow
Subdivision, Section 5.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW(STAFF)

PERFORMANCE BOND

Know All Men By These Presents, That **Muskopf, Inc.**, an Ohio corporation, hereinafter called "Obligor", is held and firmly bound unto the **City of Oxford**, hereinafter called "Obligee", in the amount of Forty-five Thousand and No/100 Dollars (\$45,000.00), for the payment whereof Obligor is bound, expressly binding its successors and assigns, by these presents:

Whereas, Obligor is the developer of Long Meadow Subdivision, Section 4, in the City of Oxford, Butler County, Ohio; and

Whereas, Obligor remains obligated to install 1,178 lineal feet of sidewalk, and plant twenty (20) trees in said subdivision;

Now, Therefore, the condition of this obligation is that Obligor, until March 31, 2010, shall complete the other said improvements in Long Meadow Subdivision, Section 4.

Obligor, for itself, its successors and assigns, pledges the following described real estate as security for this obligation, hereby warranting and covenanting that title to said real estate is vested solely in Obligor, and that the same is free, clear and unencumbered, and that this pledge constitutes a first and best lien upon said real estate, and upon failure of Obligor to fully and completely perform the required obligations, Obligee may levy execution or foreclosure, so as to cause said real estate to be sold and the proceeds applied to the satisfaction of this monetary obligation in the principal sum of Forty-five Thousand and No/100 Dollars (\$45,000.00) plus interest, and all costs of Court, including the costs of proceedings necessary to enforce collection, to-wit:

Lots numbered Three Thousand Three Hundred Twenty-three (3323), and Three Thousand Three Hundred Twenty-four (3324), as the same are known and designated on the recorded plat of Muskopf Farm Subdivision, in the City of Oxford, Butler County, Ohio.

If Obligor shall well and truly perform the obligations hereof, then this Instrument shall be void; otherwise the same, notwithstanding any default or failure of performance on the part of Obligor, shall remain in full force and effect until canceled of record of Obligee. Further, Obligor agrees that said premises not be used as security on any further obligations without written approval of the City of Oxford.

TRANSFER NOT NECESSARY
ROGER REYNOLDS, CPA
BY 4-20-09 RF DEPT
AUDITOR, BUTLER CO., OHIO


Image ID: 000007288231 Type: OFF
Kind: PERF BOND
Recorded: 04/20/2009 at 11:44:36 AM
Fee Amt: \$0.00 Page 1 of 2
Workflow# 0000025952-0004
Butler County, Ohio
Dan Crank COUNTY RECORDER
File# 2009-00019656
BK **8105** PG **2171**

In Witness Whereof, Emery Allen Muskopf, President of Muskopf, Inc. has hereunto set his hand this thirty-first (31st) day of March, 2009.



Image ID: 000007288232 Type: OFF
Kind: PERF BOND

Page 2 of 2
File# 2009-00019656

BK **8105** PG **2172**

Muskopf, Inc.

by Emery Allen Muskopf, Pres.
Emery Allen Muskopf

State of Ohio, County of Butler, ss.

Be It Remembered, That on this thirty-first (31st) day of March, 2009, before me, a notary public in and for said State, personally came Emery Allen Muskopf, President of Muskopf, Inc., the Obligor in the foregoing instrument, and acknowledged the signing thereof to be his voluntary act and deed.

In Testimony Thereof, I have hereunto subscribed my name and affixed my official seal on the day and year last aforementioned.



DAN E. HUSS
Notary Public, State of Ohio
My Commission Has No Expiration Date
Sec. 147.03 R.C.

Dan E. Huss
Notary Public, State of Ohio.

HUSS
BOX

This instrument was prepared by Dan E. Huss, Attorney at Law, Oxford, Ohio.


Image ID: 000007457691 Type: OFF
Kind: PERF BOND
Recorded: 11/30/2009 at 10:27:49 AM
Fee Amt: \$28.00 Page 1 of 2
Workflow# 0000047097-0002
Butler County, Ohio
Dan Crank COUNTY RECORDER
File# 2009-00057925
BK **8175** PG **2315**

PERFORMANCE BOND

Know All Men By These Presents, That **Muskopf, Inc.**, an Ohio corporation, hereinafter called "Obligor", is held and firmly bound unto the **City of Oxford**, hereinafter called "Obligee", in the amount of Twenty Thousand and No/100 Dollars (\$20,000.00), for the payment whereof Obligor is bound, expressly binding its successors and assigns, by these presents:

Whereas, Obligor is the developer of Long Meadow Subdivision, Section 5, in the City of Oxford, Butler County, Ohio; and

Whereas, Obligor remains obligated to maintain the improvements required for Long Meadow Subdivision, to install four hundred fifty (450) lineal feet of sidewalk, and plant nineteen (19) trees in said subdivision;

Now, Therefore, the condition of this obligation is that Obligor, until December 1, 2010, shall complete the other said improvements in Long Meadow Subdivision, Section 5.

Obligor, for itself, its successors and assigns, pledges the following described real estate as security for this obligation, hereby warranting and covenanting that title to said real estate is vested solely in Obligor, and that the same is free, clear and unencumbered, and that this pledge constitutes a first and best lien upon said real estate, and upon failure of Obligor to fully and completely perform the required obligations, Obligee may levy execution or foreclosure, so as to cause said real estate to be sold and the proceeds applied to the satisfaction of this monetary obligation in the principal sum of Twenty Thousand and No/100 Dollars (\$20,000.00) plus interest, and all costs of Court, including the costs of proceedings necessary to enforce collection, to-wit:

Lots numbered Three Thousand Four Hundred Sixty (3460), as the same are known and designated on the recorded plat of Long Meadow Subdivision, Section 5, in the City of Oxford, Butler County, Ohio.

If Obligor shall well and truly perform the obligations hereof, then this Instrument shall be void; otherwise the same, notwithstanding any default or failure of performance on the part of Obligor,

shall remain in full force and effect until canceled of record of Obligee. Further, Obligor agrees that said premises not be used as security on any further obligations without written approval of the City of Oxford.

In Witness Whereof, Emery Allen Muskopf, President of Muskopf, Inc. has hereunto set his hand this 19th day of November, 2009.

Muskopf, Inc.

by Emery Allen Muskopf, Pres.
Emery Allen Muskopf

State of Ohio, County of Butler, ss.

Be It Remembered, That on this 19th day of November, 2009, before me, a notary public in and for said State, personally came Emery Allen Muskopf, President of Muskopf, Inc., the Obligor in the foregoing instrument, and acknowledged the signing thereof to be his voluntary act and deed.

In Testimony Whereof, I have hereunto subscribed my name and affixed my official seal on the day and year last aforementioned.



DAN E. HUSS
Notary Public, State of Ohio
My Commission Has No Expiration Date
Sec. 147.03 R.C.

Dan E. Huss
Notary Public, State of Ohio.

This instrument was prepared by Dan E. Huss, Attorney at Law, Oxford, Ohio.

HUSS
BOX
,

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: July 1, 2014

Jung-Han Chen

Account Code No. #:

Prepared By:

Budgeted Amount:

June 18, 2014

Date Prepared:

PC-2014-05 ZONING MAP AMENDMENT - Zoning Map Amendment to amend the zoning designation of certain property, approximately 33.55 acres of continuous area located along U.S 27 North, north and west of the intersections of Todd and Ringwood Roads from Butler County classification to General Business (GB) District. This includes the Right-of-Way of Ringwood and the northern half of U.S. 27 and western half of Todd Road, adjacent to parcel H3610016000002. City of Oxford, Applicant

Recommendation: Approval

Discussion:

This is part of City Council's goal to capture City income tax revenue from sites that are contiguous to the City's corporate boundary and have been receiving City water and/or sanitary services. This is one of the areas that was identified as a potential area for annexation along U.S. 27 North.

City Council approved the annexation petition of this area on May 6, 2014, with the passage of Ordinance # 3272. Please note that these parcel numbers will eventually be different after the Butler County Auditor's Office receives an official copy of the annexation approval from the Clerk of Council.

These parcels are generally known as Gillman Home Centers and Rentals and Koenig Equipment, along with a vacant lot at the intersection of Todd Road and U.S. 27. It is the goal of City Council to capture income tax revenue from sites that are contiguous to the corporate boundary who have been receiving municipal water and/or sanitary services. This was one of the areas identified as eligible to be annexed into the City. This Map Amendment merely changes the zoning designation from Township zoning to Municipal zoning; no other changes are expected to occur. Therefore, the new zoning will be "GB" General Business District

A neighbor came to the meeting for clarification regarding whether her property was annexed into the city and whether the road would be maintained as it had been before. The City Attorney will consult with the Service Director on this matter.

No other public comments were received. After the public hearing, the Commission voted 4-0-0 to approve the request rezoning application.

Approved By:

Department Head:

City Manager:

JH Chen 6/24/14
DGE 6/27/14

ORDINANCE NO.

AN ORDINANCE ACCEPTING THE PLANNING COMMISSION'S RECOMMENDATION AND GRANTING A ZONING MAP AMENDMENT FOR APPROXIMATELY 33.55 ACRES OF LAND LOCATED ALONG U.S. 27 NORTH, NORTH AND WEST OF THE INTERSECTION OF TODD ROAD AND RINGWOOD ROAD, INCLUDING THE RIGHT-OF-WAY OF RINGWOOD ROAD AND THE NORTHERN HALF OF U.S. 27 AND THE WESTERN HALF OF TODD ROAD, ADJACENT TO PARCEL H3610016000002 IN OXFORD, OHIO, AND REZONING THE PROPERTY FROM BUTLER COUNTY ZONING CLASSIFICATION TO GENERAL BUSINESS (GB) DISTRICT.

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

SECTION 1: Council finds in accordance with Section 1125.01 of the Codified Ordinances of the City of Oxford, the Oxford Planning Commission held a public hearing on June 10, 2014 at 7:30 p.m., on the City of Oxford's application for a Zoning Map Amendment for approximately 33.55 acres of land located along U.S. 27 North, north and west of the intersection of Todd Road and Ringwood Road, including the right-of-way of Ringwood Road and the northern half of U.S. 27 and the western half of Todd Road, adjacent to parcel H3610016000002 in Oxford, Ohio, and rezoning the property from Butler County Zoning Classification to General Business (GB) District.

SECTION 2: The Oxford Planning Commission, after due deliberation, recommended granting the Zoning Map Amendment, and found that the proposed rezoning request was consistent with the zoning designations as assigned to the property by Butler County.

SECTION 3: The Planning Commission found the request does comply with the intent of the Oxford Codified Ordinances and the Oxford Comprehensive Plan.

SECTION 4: Council hereby accepts the report of the Oxford Planning Commission, and after due deliberation, finds for the granting of the Zoning Map Amendment rezoning the property located along U.S. 27 North, north and west of the intersection of Todd Road and Ringwood Road, including the right-of-way of Ringwood Road and the northern half of U.S. 27 and the western half of Todd Road, adjacent to parcel H3610016000002 in Oxford, Ohio, and rezoning the property from Butler County Zoning Classification to General Business (GB) District.

SECTION 5: Council hereby grants the rezoning request for the property as requested by the applicant, incorporating the application and documents submitted by the applicant as a term and condition of the granting of this rezoning request and orders that the official zoning map be amended.

SECTION 6: This Ordinance shall take effect at the earliest time allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW (STAFF)

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

<u>Report Date</u>	July 1, 2014
<u>Case Number</u>	PC-2014-05
<u>Applicant Information</u>	City of Oxford
<u>Requested Action</u>	Zoning Map Amendment
<u>Summary of Request</u>	Zoning Map Amendment to amend the zoning designation of certain property, approximately 33.55 acres of continuous area located along U.S. 27 North, north and west of the intersections of Todd and Ringwood Roads from Butler County classification to General Business (GB) District. This includes the Right-of-Way of Ringwood and northern half of U.S. 27 and western half of Todd Road, adjacent to parcel H3610016000002.
<u>Public Hearing Information</u>	On June 10, 2014 a Public Hearing took place at 118 W. High Street. A Public Hearing notice was published in the Oxford Press on May 9, 2014. Public Hearing notices were mailed out to surrounding properties on May 6, 2014.
<u>Commission Action</u>	The Planning Commission voted 4-0-0 recommending approval to City Council.
<u>Commission Findings and Conclusions</u>	The Planning Commission voted to approve the Zoning Map Amendment, agreeing with City Council's goal to capture revenue from properties that receive city water and/or sanitary services. The Planning Commission understood that this area was identified as eligible to be annexed into the City.
<u>Exhibits Submitted to the Commission</u>	1. Staff Report Dated May 27, 2014 2. Zoning Map Amendment Application Dated April 7, 2014 3. Inter-Office Review Transmittal Sheets 4. Annexation Plat 5. Ordinance No. 3272 Accepting the Annexation Petition and Exhibits A, B, and C 6. Legal Description 7. Property Notifications Map

City of Oxford
Community Development Department
STAFF REPORT

Planning Commission

Case # PC-05-2014

Date – June 10, 2014

APPLICATION

Applicant:	City of Oxford
Action Request:	Zone Map Amendment to amend the zoning designation of certain property, approximately 33.55 acres of continuous area located along U.S 27 North, north and west of the intersections of Todd and Ringwood Roads from Butler County classification to General Business (GB) District. This includes the Right-of-Way of Ringwood and northern half of U.S. 27 and western half of Todd Road, adjacent to parcel H3610016000002.
Address:	
Parcels:	Currently H3610016000040, and H3610016000002, and H3610016000043 and related Right-of-Way.

DESCRIPTION

This is part of City Council's goal to capture City income tax revenue sources from sites that are contiguous to the City's corporate boundary and have been receiving City water and/or sanitary services. This is one of the areas that were identified as a potential area for annexation along U.S. 27 North.

City Council approved the annexation petition of this area on May 6, 2014, with the passage of Ordinance # 3272. Please note that these parcel numbers will eventually be different after the Butler County Auditor's Office receives an official copy of the annexation approval from the City Clerk of Council.

Please refer to the attached map for the location of these parcels and the related Right-of-Way.

SURROUNDING NEIGHBORHOOD

The municipal zoning in the vicinity of this site is "GB" District along U. S. 27 North.

COMPREHENSIVE PLAN

Continue to Manage Growth

To maintain the community's small college town character will be preserved and enhanced.

Future growth at the edge of the city will preserve open space; protect the area's rural character in consideration of township land use.

AGENCY COMMENTS

Fire	Returned without comment
Police	Returned without comment

Engineering
Economic Development

Returned without comment
Returned with comment in agreement with the recommended
classification

PUBLIC COMMENT FORMS

No comments have been received to date.

STAFF ANALYSIS

These parcels are generally known as Gillman Home Centers and Rentals and Koenig Equipment, along with a vacant lot at the intersection of Todd Road and U.S. 27. It is the goal of City Council to capture income tax revenue from sites that are contiguous to the corporate boundary who have been receiving municipal water and/or sanitary services. This was one of the areas identified as eligible to be annexed into the City. This Map Amendment merely changes the zoning designation from Township zoning to Municipal zoning; no other changes are expected to occur. Therefore, the new zoning will be "GB" General Business District.

RECOMMENDATION

Not Applicable.

SUBMITTED

BY:



Jung-Han Chen

Community Development Department

DATE: May 27, 2014

Zoning Map Amendment Application
City of Oxford, Ohio

REQUIRED INFORMATION

Name of Applicant: City of Oxford
(Attach a Letter of Agency if the applicant is not the property owner.)
Mailing Address: 101 E High Street
Telephone Number(s) _____ Email Address _____
Location of Property: _____
(Indicate address if there is an existing structure or subdivision name and lot number if subdivided.)
Legal Description: _____
Total Area: _____ Acres / Square Feet (circle one)
Existing Use of Property: _____
Current Zoning: County
Proposed Zone(s): GB
Proposed Use: _____

SUBMISSION REQUIREMENTS

Please submit a vicinity map, at scale and a metes and bounds description of the property, the statement described below and the required fee of **\$150.00 plus actual postage**, made payable to the City of Oxford. The entire submission must be prepared in accordance with Chapter 1135, Zoning Code Amendments, of the City of Oxford Zoning Code.

On a separate sheet of paper, provide the names and addresses of all adjoining property owners within 200 feet of the site, including those across streets, roads, alleys and highways. NOTE: The Butler County website (www.butlercountyoio.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 provided in the agenda packet.

Attach a statement which responds to the following questions:

- What is the relationship of the proposed zone change to the City of Oxford's Comprehensive Plan?
- How will the zone change affect the neighborhood in which the property is located? Briefly describe any impacts of the change as proposed.
- How will the zone change affect public facilities such as sewer and water service, drainage, schools and roads, if applicable?
- What mitigating actions might be suggested to offset problems resulting from adverse impacts on private property and public facilities (e.g., landscape screening, drainage improvements, changes in traffic signalization, provision of additional turn lanes).
- Why is the current zoning classification of the property no longer appropriate?

All materials and application fee must be delivered to the office of Community Development, Municipal Building, 101 East High Street, Oxford, Ohio 45056. Any questions should be directed to the Community Development Department at (513) 524-5204. Submit materials 45 days prior to the proposed meeting date.

NOTE: Incomplete applications will not be processed. 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: 4/7/14

PRINTED NAME: Jung-Han Chen

FEE / RECEIPT

\$150 Fee plus Actual Postage Paid / Receipt Number: NA

REQUIRED SUBMISSION DOCUMENTS TABLE

Zoning Map Amendment

#	REQUIRED ITEM DESCRIPTION	HAVE	NEED
1	The name, mailing address, and telephone number of the applicant.		
2	Letter of Agency.		
3	Vicinity map showing general location in City.		
4	A general description of the proposed amendment.		
5	Description of existing use(s).		
6	North point, scale and date.		
7	Metes and bounds description of the property to be rezoned (Legal Description).		
8	Map including the property lines, streets, existing and proposed zoning.		
9	The proposed zoning of the area.		
10	Required Fee.		
11	Provide the names and addresses of all adjoining property owners within 200 feet of every parcel proposed to be rezoning, including those across streets, roads, alleys and highways.		
12	Such other information regarding the proposed amendment as may be pertinent to the application or required by Planning Commission or Council.		
13	Attach a statement which responds to the following questions:		
	1) What is the relationship of the proposed zone change to the City of Oxford's Comprehensive Plan?		
	2) How will the zone change affect the neighborhood in which the property is located? Briefly describe any impacts of the change as proposed.		
	3) How will the zone change affect public facilities such as sewer and water service, drainage, schools and roads, if applicable?		
	4) What mitigating actions might be suggested to offset problems resulting from adverse impacts on private property and public facilities (e.g., landscape screening, drainage improvements, changes in traffic signalization, provision of additional turn lanes).		
	5) Why is the current zoning classification of the property no longer appropriate?		
14	Annexation Agreement (If Applicable)		

City of Oxford
Inter-Office Review Transmittal Sheet

Date: May 15, 2014

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

A rezoning of lands to be annexed into the City of Oxford, currently zoned Butler County zoning designations, is proposed to be zoned City of Oxford General Business District ("GB"). The land is 33.55 acres, located along U.S. 27 North, north and west of the intersections of Todd and Ringwood Roads. The area to be zoned extends from U.S. 27 North along Ringwood Road 879.06 feet, extends from U.S. 27 North along Todd Road 1,004.85 feet, and along U.S. 27 North 1,761.51 feet from the intersection of Todd Road. The complete survey description is available upon request in the office of the City of Oxford Community Development Department, **City of Oxford, Applicant**

 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **06/02/2014** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments without/comments

Drawings reviewed by:



John Detherage
PRINTED NAME

Date: 5-20-14



Basis of Bearing:
ASSUMED

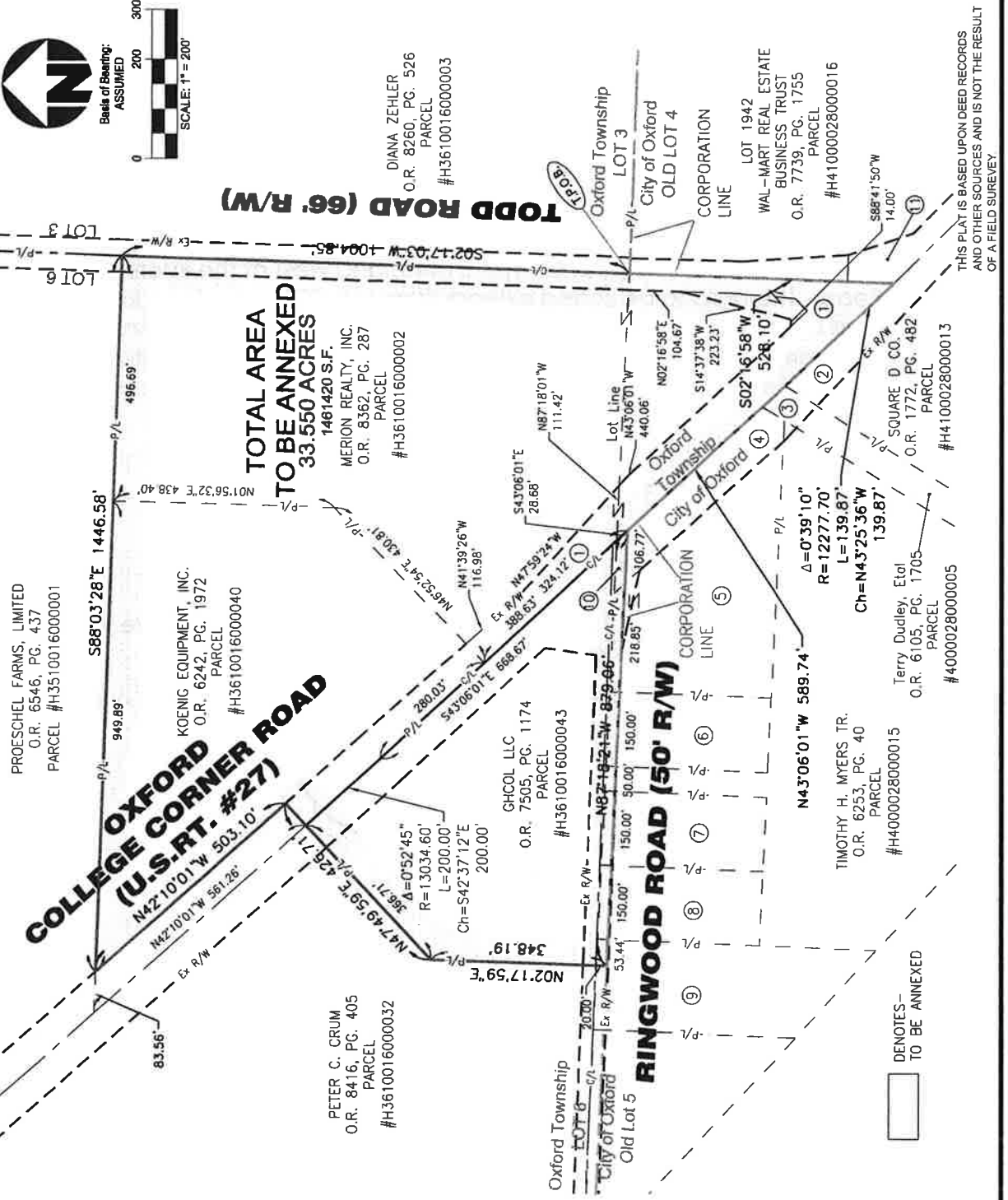


bayer
318 S. College Avenue
Oxford, OH 45056 - 513.523.4270

**OXFORD-COLLEGE CORNER RD.
U.S. ROUTE #27, TODD RD. AND RINGWOOD RD.
PART OF ORIGINAL LOTS #5 AND #6
SECTION 16, TOWN 5, RANGE 1
OXFORD TOWNSHIP, BUTLER COUNTY, OHIO**

ANNEXATION PLAT

Drawing:	120048-000 AX
Scale:	1" = 200'
Drawn by:	DDS
Checked by:	BRJ
Issue Date:	9-03-13



THIS PLAT IS BASED UPON DEED RECORDS
AND OTHER SOURCES AND IS NOT THE RESULT
OF A FIELD SURVEY

DENOTES-
TO BE ANNEXED

PROESCHEL FARMS, LIMITED
O.R. 6546, PG. 437
PARCEL #H3510016000001

KOENIG EQUIPMENT, INC.
O.R. 6242, PG. 1972
PARCEL
#H36100160000040

PETER C. CRUM
O.R. 8416, PG. 405
PARCEL
#H36100160000032

GHCOL LLC
O.R. 7505, PG. 1174
PARCEL
#H36100160000043

TIMOTHY H. MYERS TR.
O.R. 6253, PG. 40
PARCEL
#H40000280000015

Terry Dudley, Etol
O.R. 6105, PG. 1705
PARCEL
#40000280000005

SQUARE D CO.
O.R. 1772, PG. 482
PARCEL
#H41000280000013

LOT 1942
WAL-MART REAL ESTATE
BUSINESS TRUST
O.R. 7739, PG. 1755
PARCEL
#H410000280000016

DIANA ZEHLER
O.R. 8260, PG. 526
PARCEL
#H36100160000003

**TOTAL AREA
TO BE ANNEXED
33.550 ACRES**
1461420 S.F.
MERION REALTY, INC.
O.R. 8362, PG. 287
PARCEL
#H36100160000002

City of Oxford
Inter-Office Review Transmittal Sheet

Date: May 15, 2014

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

A rezoning of lands to be annexed into the City of Oxford, currently zoned Butler County zoning designations, is proposed to be zoned City of Oxford General Business District ("GB"). The land is 33.55 acres, located along U.S. 27 North, north and west of the intersections of Todd and Ringwood Roads. The area to be zoned extends from U.S. 27 North along Ringwood Road 879.06 feet, extends from U.S. 27 North along Todd Road 1,004.85 feet, and along U.S. 27 North 1,761.51 feet from the intersection of Todd Road. The complete survey description is available upon request in the office of the City of Oxford Community Development Department, **City of Oxford, Applicant**

 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **06/02/2014** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

PC-05-2014

Drawings reviewed by: H. Popescu

Date: 5-19-14

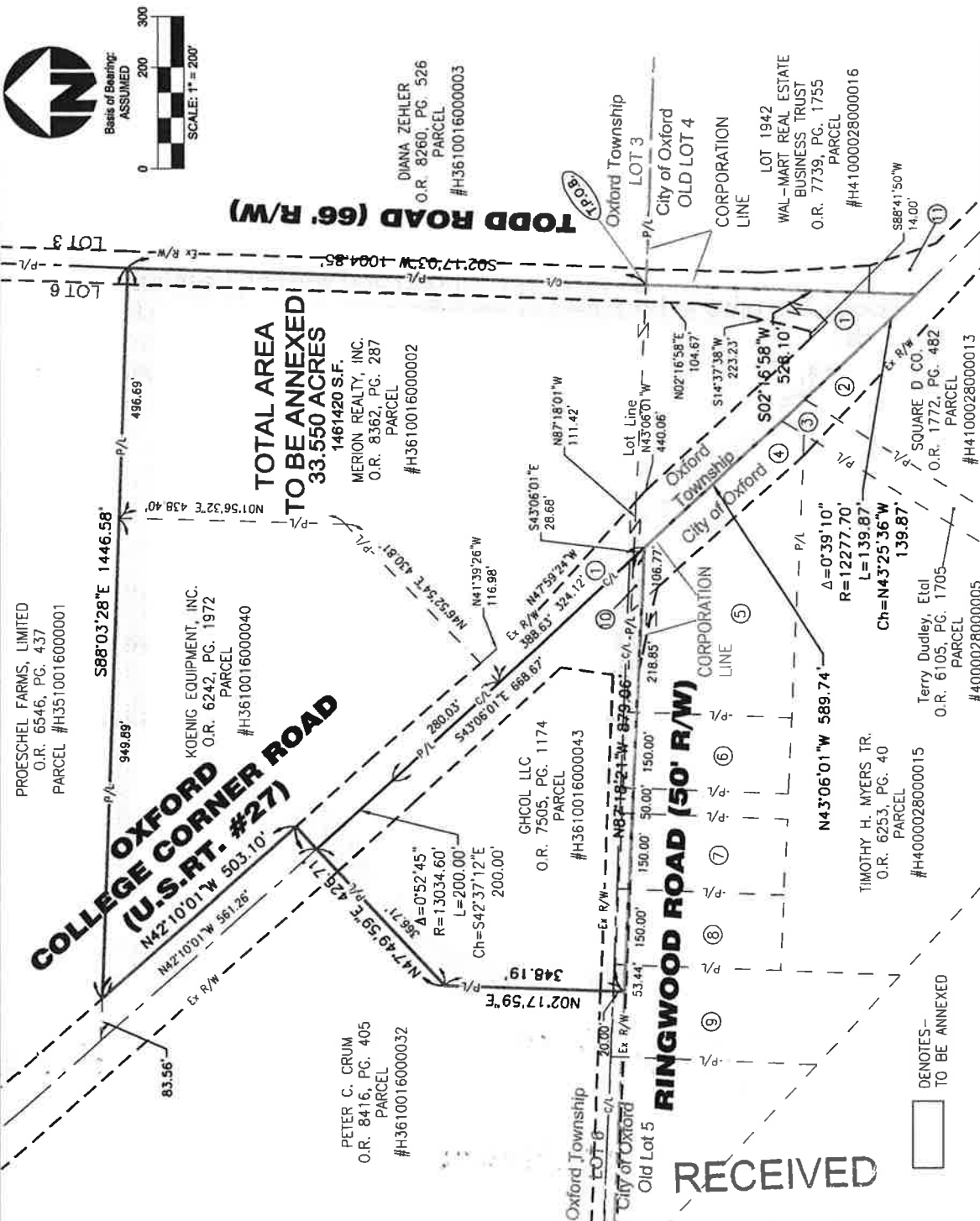
VICTOR POPESCU

PRINTED NAME

PART OF ORIGINAL LOTS #6 AND #6
SECTION 16, TOWN 5, RANGE 1
OXFORD TOWNSHIP, BUTLER COUNTY, OHIO

Drawing:	12D048-000 AX
Scale	1" = 200'
Drawn by:	DDS
Checked By:	BRJ
Issue Date:	9-03-13

SHEET 1



THIS PLAT IS BASED UPON DEED RECORDS
AND OTHER SOURCES AND IS NOT THE RESULT
OF A FIELD SURVEY.

RECEIVED

MAY 15 2014

City of Oxford
Service Department

City of Oxford
Inter-Office Review Transmittal Sheet

Date: May 15, 2014

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

A rezoning of lands to be annexed into the City of Oxford, currently zoned Butler County zoning designations, is proposed to be zoned City of Oxford General Business District ("GB"). The land is 33.55 acres, located along U.S. 27 North, north and west of the intersections of Todd and Ringwood Roads. The area to be zoned extends from U.S. 27 North along Ringwood Road 879.06 feet, extends from U.S. 27 North along Todd Road 1,004.85 feet, and along U.S. 27 North 1,761.51 feet from the intersection of Todd Road. The complete survey description is available upon request in the office of the City of Oxford Community Development Department, **City of Oxford, Applicant**

☒ Review ☐ Revisions ☐ Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **06/02/2014** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments without/comments

Drawings reviewed by:



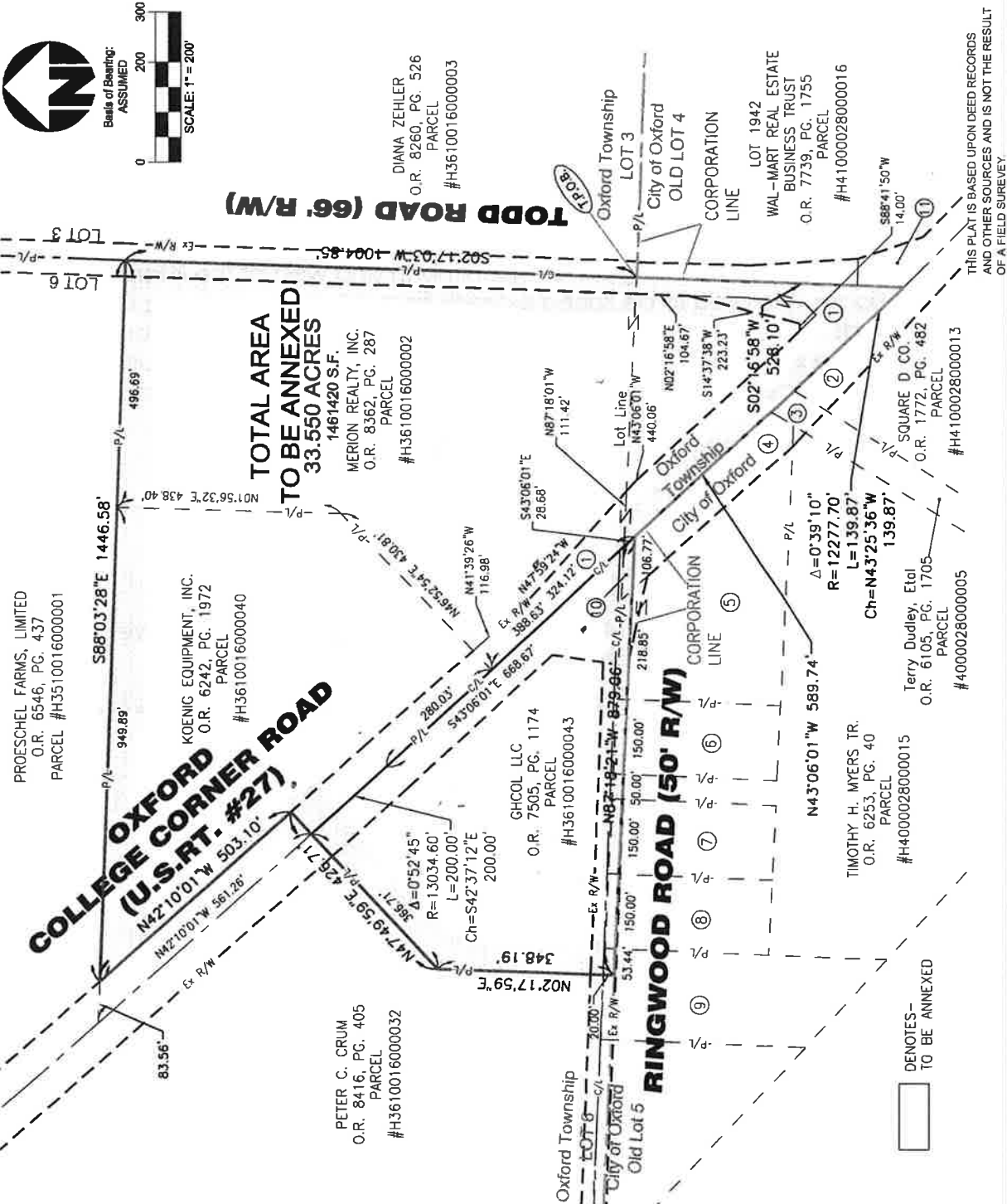
Date: 5/19/2014

ROBERT B. HOLZWORTH
PRINTED NAME

**PART OF ORIGINAL LOTS #5 AND #6
SECTION 16, TOWN 5, RANGE 1
OXFORD TOWNSHIP, BUTLER COUNTY, OHIO**

Drawing:

9-03-13



THIS PLAY IS BASED UPON DEED RECORDS
AND OTHER SOURCES AND IS NOT THE RESULT
OF A FIELD SURVEY.

City of Oxford
Inter-Office Review Transmittal Sheet

Date: May 15, 2014

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

A rezoning of lands to be annexed into the City of Oxford, currently zoned Butler County zoning designations, is proposed to be zoned City of Oxford General Business District ("GB"). The land is 33.55 acres, located along U.S. 27 North, north and west of the intersections of Todd and Ringwood Roads. The area to be zoned extends from U.S. 27 North along Ringwood Road 879.06 feet, extends from U.S. 27 North along Todd Road 1,004.85 feet, and along U.S. 27 North 1,761.51 feet from the intersection of Todd Road. The complete survey description is available upon request in the office of the City of Oxford Community Development Department, **City of Oxford, Applicant**

 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **06/02/2014** Note: If no comments are received, we will assume the project meets your department's standards.

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

I AGREE.

Drawings reviewed by: *[Signature]*

Date: 5-19-14

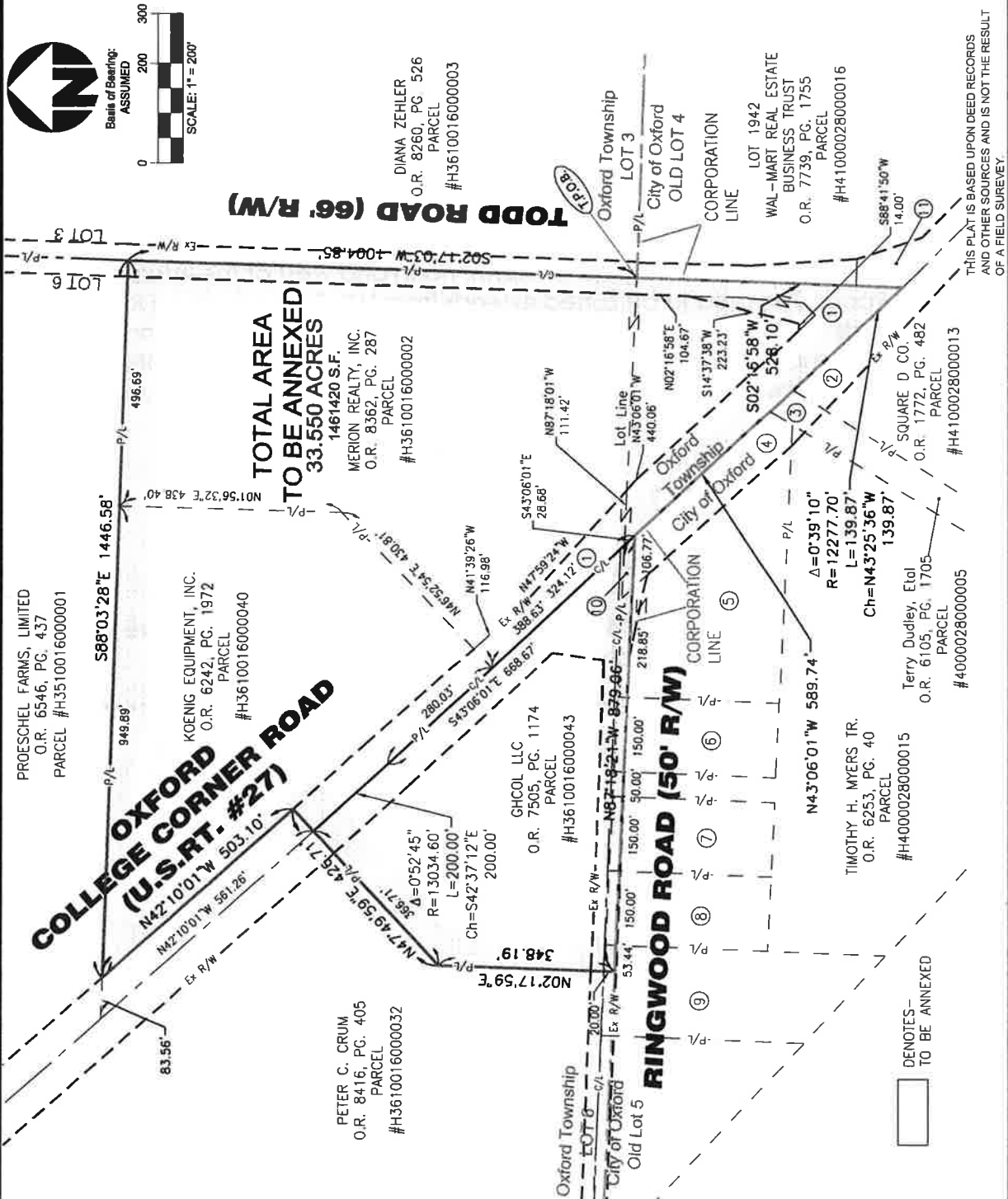
G. Allen Ryan
PRINTED NAME

SECTION 16, TOWN 3, RANGE 1
OXFORD TOWNSHIP, BUTLER COUNTY, OHIO

ANNEXATION PLAT

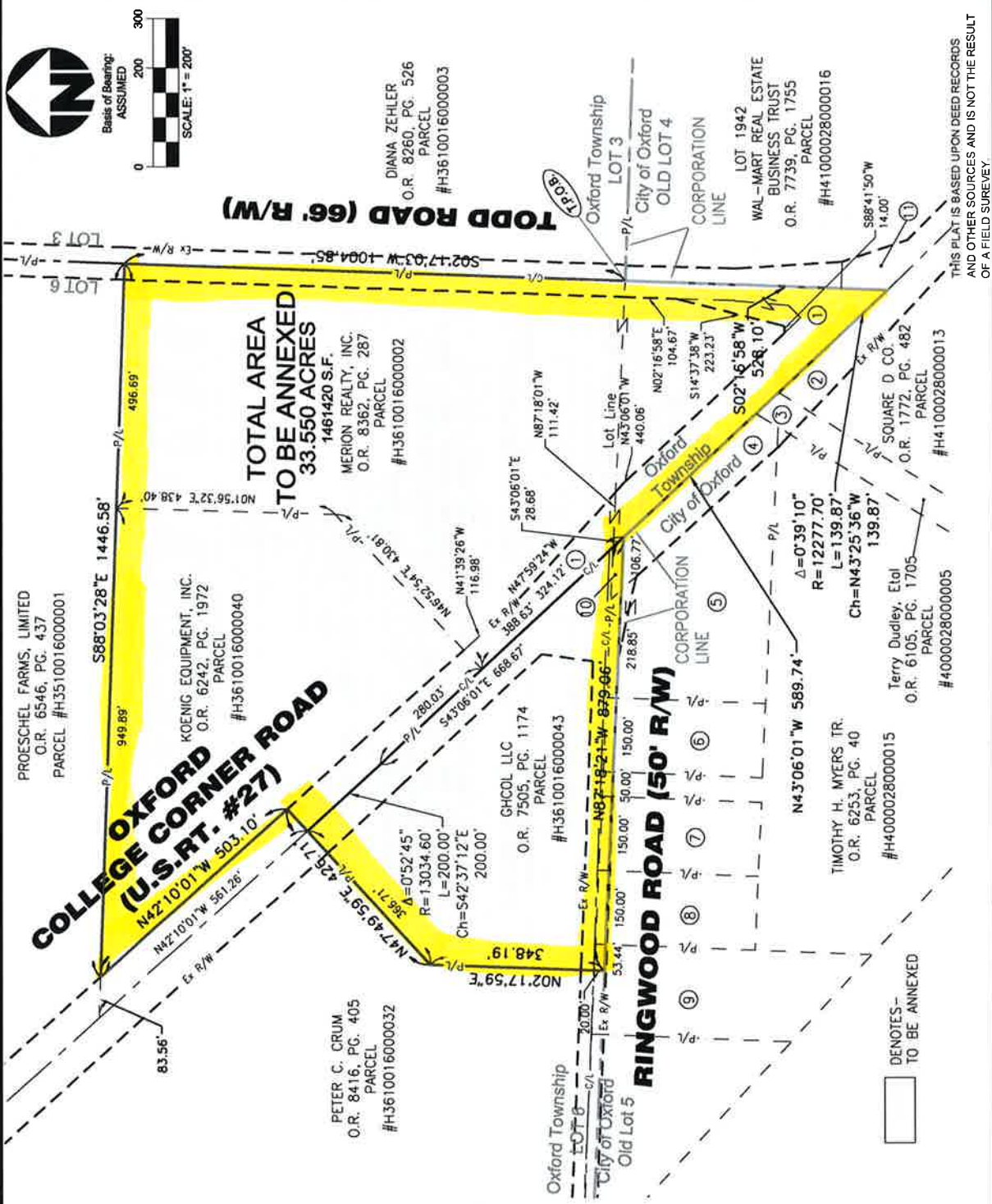
Drawing:	12D048-000 AX
Scale	1" = 200'
Drawn by:	DDS
Checked By:	BRJ
Issue Date:	

SHEET 1



THIS PLAT IS BASED UPON DEED RECORDS
AND OTHER SOURCES AND IS NOT THE RESULT
OF A FIELD SURVEY.

Drawing:	12D048-000 AX
Scale:	1" = 200'
Drawn by:	DDS
Checked by:	BRJ
Issue Date:	9-03-13





318 S. College Avenue
Oxford, OH 45056 - 513.523.4270

ANNEXATION PLAT

SECTION 16, TOWN 5, RANGE 1

PART OF ORIGINAL LOTS #5 AND #6

OXFORD-COLLEGE CORNER RD.

U.S. ROUTE #27, TODD RD. AND RINGWOOD RD.

OXFORD TOWNSHIP, BUTLER COUNTY, OHIO

Drawing:	12D048-000 AX
Scale:	1" = 200'
Drawn by:	DDS
Checked By:	BRJ
Issue Date:	9-03-13

ADJOINERS	
② CITY OF OXFORD O R 8209, PG 707 PARCEL #H4100028000023 ③ CITY OF OXFORD O R 8229, PG 879 PART OF LOT 1943 CITY OF OXFORD PARCEL #H4000028000024 ④ CITY OF OXFORD O R 8113, PG 2303 PART OF LOT 1943 CITY OF OXFORD PARCEL #H4000028000018 FIRST BAPTIST CHURCH OF OXFORD O R 6971, PG 1245 PART OF LOT 1943 CITY OF OXFORD PARCEL #H4000028000006 JAMES E & CAROLYN A. RATLIFF O R 6401, PG 1768 PART OF LOT 1943 CITY OF OXFORD PARCEL #H4100028000014 RINGWOOD PROPERTIES LTD. O R 7278, PG 1348 PART OF LOT 1943 CITY OF OXFORD PARCEL #H4100028000012 RINGWOOD PROPERTIES, LTD. O R 8191, PG 1665 PART OF LOT 1943 CITY OF OXFORD PARCEL #H4100028000010 IRVING MATERIALS INC. D.B. 1741, PG 373 PART OF LOT 1943 CITY OF OXFORD PARCEL #H4100028000011	WAL-MART REAL ESTATE BUSINESS TRUST O R 7739, PG 1755 LOT 1942 PARCEL #H4000028000016 PETER C. CRUM O R 8416, PG 405 PARCEL #H3610016000032 ① PROESCHEL FARMS LIMITED O R 6546, PG 437 PARCEL #H3510016000001 DIANA ZEHLER O R 8260, PG 526 PARCEL #H3610016000003 CITY OF OXFORD O R 8153, PG 436 PART OF LOT 1942 CITY OF OXFORD PARCEL #H4000028000022

THIS PLAT IS BASED UPON DEED RECORDS
AND OTHER SOURCES AND IS NOT THE RESULT
OF A FIELD SURVEY.

OWNER INFORMATION	
① OWNER: CITY OF OXFORD O R 8300, PG 352 PARCEL #H3610016000044 2.252 ACRES ⑤ OWNER: FIRST BAPTIST CHURCH O R 6971, PG 1245 PART OF LOT 1943 CITY OF OXFORD PARCEL #H4000028000006 0.096 ACRES ⑥ OWNER: JAMES E. & CAROLYN A. RATLIFF O R 6401, PG 1768 PART OF LOT 1943 CITY OF OXFORD PARCEL #H4100028000014 0.069 ACRES ⑦ OWNER: RINGWOOD PROPERTIES LTD. O R 7278, PG 1348 PART OF LOT 1943 CITY OF OXFORD PARCEL #H4100028000012 0.069 ACRES ⑧ OWNER: RINGWOOD PROPERTIES O R 8191, PG 1665 PART OF LOT 1943 CITY OF OXFORD PARCEL #H4100028000010 0.069 ACRES	⑨ OWNER: IRVING MATERIALS INC. D.B. 1741, PG 373 PART OF LOT 1943 CITY OF OXFORD PARCEL #H4100028000011 0.025 ACRES OWNER: KOENIG EQUIPMENT, INC. O R 6242, PG 1972 PARCEL #H3610016000040 9.662 ACRES OWNER: MERION REALTY, INC. O R 8362, PG 287 PARCEL #H3610016000002 14.428 ACRES OWNER: GHCOL LLC O R 7505, PG 1174 PARCEL #H3610016000043 6.756 ACRES ⑩ OWNER: CITY OF OXFORD O R 8113, PG 2303 PART OF LOT 1943 CITY OF OXFORD PARCEL #H4000028000018 0.049 ACRES OWNER: TIMOTHY H. MYERS TR. O R 6253, PG 40 PART OF LOT 1943 CITY OF OXFORD PARCEL #H4000028000015 0.005 ACRES

PERCENTAGE OF CONTIGUOUS = 36.0%

ORDINANCE NO. 3272

AN ORDINANCE ACCEPTING THE ANNEXATION PETITION FROM DOUGLAS R. ELLIOTT, JR. FOR 33.550 ACRES OF LAND IN THE TOWNSHIP OF OXFORD, BUTLER COUNTY OHIO, AND ACCEPTING SAID TERRITORY TO BE ANNEXED.

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

SECTION 1: On December 30, 2013 Douglas R. Elliott, Jr., Agent for the petitioners, filed a petition with the Board of County Commissioners of Butler County, Ohio, to obtain annexation to the City of Oxford, Butler County, Ohio, territories consisting of 33.550 acres of land contiguous to the City of Oxford and the existing corporation line of the Township of Oxford, Ohio. Said petition was filed with the consent of all parties utilizing the annexation procedure set forth in Sections 709.021 and 709.023 of the Ohio Revised Code.

SECTION 2: The Board of County Commissioners did, by Resolution No.14-01-00490 adopted on January 30, 2014, approve the annexation of the proposed territory to the City of Oxford as hereinafter described. Such approval was subject to the terms and conditions contained in the Statement of Services Resolution No. 4806 a copy of which is attached hereto as Exhibit "A" and incorporated herein by reference.

SECTION 3: The Board of County Commissioners did, through the Clerk of the Board of County Commissioners, Butler County, Ohio, certify a transcript of the proceedings in connection with the map and petition required herein to the Clerk of Oxford City Council who received the same on or about January 31, 2014.

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

SECTION 5: The proposed annexation, as applied for in the petition of the owners of the real estate in the territory sought to be annexed and filed with the Board of County Commissioners, Butler County, Ohio, in which the petition prayed for annexation to the City of Oxford, Ohio, of certain territory adjacent thereto as hereinafter described, be and the same is hereby accepted and deemed annexed to the City of Oxford, subject to all the terms and conditions provided herein and contained within the Statement of Services Resolution No. 4806 attached hereto and incorporated herein as Exhibit "A". The territory to be annexed is more particularly described in Exhibits "B" and "C," attached hereto and incorporated herein.

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

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


MAYOR

ADOPTED: May 6, 2014

ATTEST:


CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW (STAFF)

RESOLUTION NO. 4806

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

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

SECTION 1: Council, having received the notification of a petition for annexation from First Baptist Church, John T. Ratliff, Ringwood Properties Ltd., Irving Materials Inc., Koenig Equipment, Inc., Merion Realty, Inc., GHCOL LLC., and Timothy H. Myers Tr. of the Ernest A. Myers Trust for 33.550 acres of land in the Township of Oxford, Butler County, Ohio hereby accepts said petition.

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

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

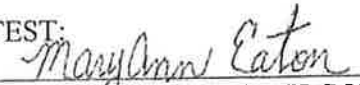
SECTION 4: The Clerk is hereby directed to forward a certified copy of this resolution to the Board of County Commissioners of Butler County, Ohio.

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


MAYOR

ADOPTED: January 7, 2014

ATTEST:


CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW (STAFF)

EXHIBIT 'B'

1 of 2

Date: December 10, 2013

Description: 33.550 Acres
Annexation

Location: U.S. Route. # 27, Todd Road and
Ringwood Road
Oxford Township, Butler County



Situated in Part of Original Lots 5 and 6, Section 16, Town 5, Range 1, Oxford Township, being parts of the lands of the Koenig Equipment, Inc., as recorded in Official Record 6242, Page 1972 and part of the lands of Merion Realty Inc., as recorded in Official Record 8362, Page 287 and part of the lands of the City of Oxford, as recorded in Official Record 8300, Page 352 and being part of the lands of City of Oxford, as recorded in Official Record 8113, Page 2303, and part of the lands of First Baptist Church of Oxford, as recorded in Official Record 6971, Page 1245 and part of the lands of Timothy H. Myers Tr. of the Ernest A. Myers Trust Agreement dated June 10, 1988., as recorded in Official Record 6253, Page 40, being part of the lands of John T. Ratliff, as recorded in Official Record 8635, Page 1681, and part of the lands of Ringwood Properties LTD., as recorded in Official Record 7278, Page 1348 and Official Record 8191, Page 1665, being part of the lands of Irving Materials, Inc., as recorded in Deed Book 1741, Page 373, and all of the lands of GHCOL LLC., as recorded in Official Record 7505, Page 1174 all of the Butler County, Ohio Recorder's Office and being more particularly described as follows:

Beginning at the northeast corner of said Lot 5, and being on the centerline of Todd Road, and on the City of Oxford corporation line and also being the northwest corner of the lands of Wal-Mart Real Estate Business Trust as recorded in Official Record 7739, Page 1755 of the Butler County Recorder's Office and the True Point of Beginning;

thence, with the east line of said Lot 5, with the west line of said lands of Wal-Mart Real Estate Business Trust and with said City of Oxford corporation line, South 02° 16' 58" West, 528.10 feet to the southwest corner of said lands of Wal-Mart Real Estate Business Trust and being on the north line of the lands of the City of Oxford as recorded in Deed Book 8209, Page 707 of the Butler County Recorder's Office and being on the centerline of Oxford College Corner Road (U.S. RT. #27);

thence, leaving said east line of said Lot 5, and said west line of said lands of Wal-Mart Real Estate Business Trust, with said City of Oxford corporation line, with the centerline of Oxford College Corner Road (U.S. RT. #27) and with said north line of the City of Oxford as recorded in Deed Book 8209, Page 707, with a curve to the right, having a central angle of 00° 39' 10", a radius of 12277.70 feet, an arc length of 139.87 feet, and a chord bearing North 43° 25' 36" West, 139.87 feet;

thence, continuing with said City of Oxford corporation line, with said centerline of Oxford College Corner Road (U.S. RT. #27) and with said north line of the City of Oxford as recorded in Deed Book 8209, Page 707 and with the north line of the lands of the City of Oxford as recorded in Deed Book 8229, Page 879, and the lands of the City of Oxford as recorded in Official Record 8113, Page 2303 of the Butler County Recorder's Office, North 43° 06' 01" West, 589.74 feet to a point and being South 43° 06' 01" East, 388.63 feet from the northwest corner of said lands of the City of Oxford as recorded in Official Record 8300, Page 352;

(b) (5) DPP, (b) (5) ACP, (b) (5) AWP

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

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

318 South College Avenue
Oxford, Ohio 45058
513-523-4270

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

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

EXHIBIT 'B'

2 of 2

thence, leaving said centerline of Oxford College Corner Road (U.S. RT. #27), along said City of Oxford corporation line and being 20.00 feet south of the centerline of Ringwood Road and through said lands of City of Oxford as recorded in Official Record 8113, Page 2303 and said lands of First Baptist Church of Oxford and said lands of John T. Ratliff and said lands of Timothy H. Myers Tr. of the Ernest A. Myers Trust Agreement dated June 10, 1988 and said lands of Ringwood Properties Ltd. and said lands of Irving Materials, Inc., North 87° 18' 21" West, 879.06 feet;

thence, leaving said City of Oxford corporation line and through the right of way of said Ringwood Road and continuing with the east line of the lands of Peter C. Crum as recorded in Official Record 8416, Page 405 of the Butler County Recorder's Office, North 02° 17' 59" East, 348.19 feet;

thence, continuing with said east line of Peter C. Crum, North 47° 49' 59" East, 426.71 feet to the northeast right of way of said Oxford College Corner Road (U.S. RT. #27) being in said lands of Koenig Equipment, Inc.;

thence, along said northeast right of way of Oxford College Corner Road (U.S. RT. #27) and through said lands of Koenig Equipment, Inc., North 42° 10' 01" West, 503.10 feet to the south line of the lands of Proeschel Farms, LLC. as recorded in Official Record 6546, Page 437 of the Butler County Recorder's Office;

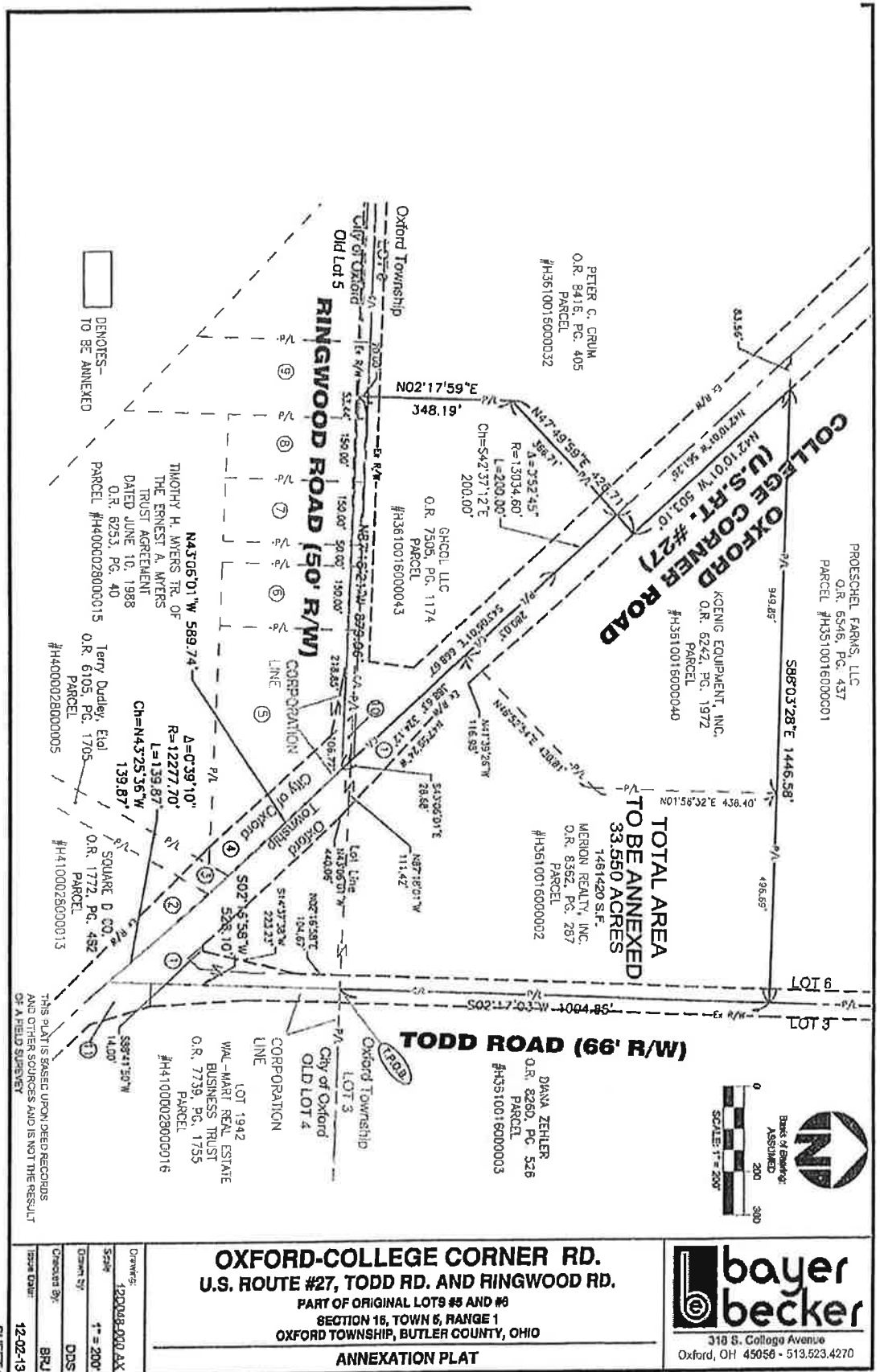
thence, with said south line of Proeschel Farms, LLC, South 88° 03' 28" East, 1446.58 feet to the centerline of said Todd Road, being the west line of the lands of Diana Zehler as recorded in Official Record 8260, Page 526 of the Butler County Recorder's Office;

thence, with said centerline of Todd Road and with said west line of the lands of Diana Zehler, South 02° 17' 03" West, 1004.85 feet to west line of the lands of Diana Zehler the **True Point of Beginning** containing 33.550 acres more or less and being subject to all legal highways, easements, restrictions and agreements of record.

The above description was prepared from an annexation plat by Bayer Becker, David Douglas Smith, Registered Surveyor #7121 in the State of Ohio, December 10, 2013.

EXHIBIT 'C'

1 of 3



OWNER INFORMATION

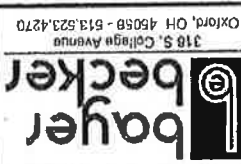
- ① OWNER: CITY OF OXFORD
O.R. 8300, PG. 352
PARCEL #H361001800004
2.262 ACRES
- ⑤ OWNER: FIRST BAPTIST CHURCH
O.R. 8971, PG. 1245
PART OF LOT 1943 CITY OF OXFORD
PARCEL #H4000028000009
0.096 ACRES
- ⑥ OWNER: JOHN T. RATLIFF
O.R. 8635, PG. 1681
PART OF LOT 1943 CITY OF OXFORD
PARCEL #H4100028000014
0.069 ACRES
- ⑦ OWNER: RINGWOOD PROPERTIES LTD.
O.R. 7276, PG. 1348
PART OF LOT 1943 CITY OF OXFORD
PARCEL #H4100028000012
0.069 ACRES
- ⑧ OWNER: RINGWOOD PROPERTIES
O.R. 8191, PG. 1666
PART OF LOT 1943 CITY OF OXFORD
PARCEL #H4100028000010
0.069 ACRES
- ⑨ OWNER: IRVING MATERIALS INC.
D.B. 1741, PG. 373
PART OF LOT 1943 CITY OF OXFORD
PARCEL #H4100028000011
0.025 ACRES
- ⑩ OWNER: KOENIG EQUIPMENT, INC.
O.R. 6242, PG. 1972
PARCEL #H3610018000040
9.662 ACRES
- OWNER: MERION REALTY, INC.
O.R. 9382, PG. 287
PARCEL #H3610018000002
14.428 ACRES
- OWNER: GHCOL LLC
O.R. 7505, PG. 1174
PARCEL #H3610018000043
6.756 ACRES
- ⑪ OWNER: CITY OF OXFORD
O.R. 8113, PG. 2303
PART OF LOT 1943 CITY OF OXFORD
PARCEL #H4000028000019
0.049 ACRES
- OWNER: TIMOTHY H. MYERS TR.
OF THE ERNEST A. MYERS TRUST
AGREEMENT DATED JUNE 10, 1988
O.R. 6259, PG. 40
PART OF LOT 1943 CITY OF OXFORD
PARCEL #H4000028000015
0.005 ACRES

ADJOINERS

- ⑫ CITY OF OXFORD
O.R. 8209, PG. 707
PARCEL #H4100028000023
- ⑬ CITY OF OXFORD
O.R. 8228, PG. 879
PART OF LOT 1943 CITY OF OXFORD
PARCEL #H4000028000024
- ⑭ CITY OF OXFORD
O.R. 8113, PG. 2303
PART OF LOT 1943 CITY OF OXFORD
PARCEL #H4000028000018
- ⑮ FIRST BAPTIST CHURCH OF OXFORD
O.R. 8971, PG. 1245
PART OF LOT 1943 CITY OF OXFORD
PARCEL #H4000028000006
- ⑯ JOHN T. RATLIFF
O.R. 8635, PG. 1681
PART OF LOT 1943 CITY OF OXFORD
PARCEL #H4100028000014
- RINGWOOD PROPERTIES LTD.
O.R. 7276, PG. 1348
PART OF LOT 1943 CITY OF OXFORD
PARCEL #H4100028000012
- RINGWOOD PROPERTIES, LTD.
O.R. 8191, PG. 1666
PART OF LOT 1943 CITY OF OXFORD
PARCEL #H4100028000010
- IRVING MATERIALS INC.
D.B. 1741, PG. 373
PART OF LOT 1943 CITY OF OXFORD
PARCEL #H4100028000011
- ⑰ CITY OF OXFORD
O.R. 8159, PG. 436
PART OF LOT 1942 CITY OF OXFORD
PARCEL #H4100028000022
- TIMOTHY H. MYERS TR.
OF THE ERNEST A. MYERS TRUST
AGREEMENT DATED JUNE 10, 1988
O.R. 6253, PG. 40
PART OF LOT 1943 CITY OF OXFORD
PARCEL #H4000028000015
- DIANA ZEHLER
O.R. 8260, PG. 526
PARCEL #H3610018000003
- ⑱ WAL-MART REAL ESTATE
BUSINESS TRUST
O.R. 7739, PG. 1755
LOT 1942
PARCEL #H4100028000016
- PETER C. CRUM
O.R. 8416, PG. 405
PARCEL #H3610018000032
- PROESCHEL FARMS LLC
O.R. 6546, PG. 437
PARCEL #H3510016000001

PERCENTAGE OF CONTIGUOUS = 36.0%

OXFORD-COLLEGE CORNER RD.
U.S. ROUTE #27, TODD RD. AND RINGWOOD RD.
PART OF ORIGINAL LOTS #8 AND #9
SECTION 16, TOWN 5, RANGE 1
OXFORD TOWNSHIP, BUTLER COUNTY, OHIO
ANNEXATION PLAT



Drawing	120048-000 AX
Scale	1" = 200'
Drawn by	DDS
Checked by	BRJ
Issue Date	12-02-13

SHEET 2

THIS PLAT IS BASED UPON DEED RECORDS
AND OTHER SOURCES AND IS NOT THE RESULT
OF A FIELD SURVEY.

List of Parcels Across the Road from Annexation Territory

Square D Co.

Mailing Address:

1415 S Roselle Rd
Palatine, IL 60067 7337

Parcel #H4100028000013

Terry Dudley, Etal

Mailing Address:

6744 Contreras Rd
Oxford, OH 45056

Parcel #H4000028000005

Date: September 3, 2013

Description: 33.550 Acres
Annexation

Location: U.S. Route. # 27, Todd Road and
Ringwood Road
Oxford Township, Butler County



Situated in Part of Original Lots 5 and 6, Section 16, Town 5, Range 1, Oxford Township, being parts of the lands of the Koenig Equipment, Inc., as recorded in Official Record 6242, Page 1972 and part of the lands of Merion Realty Inc., as recorded in Official Record 8362, Page 287 and part of the lands of the City of Oxford, as recorded in Official Record 8300, Page 352 and being part of the lands of City of Oxford, as recorded in Official Record 8113, Page 2303, and part of the lands of First Baptist Church of Oxford, as recorded in Official Record 6971, Page 1245 and part of the lands of Timothy H. Myers Tr., as recorded in Official Record 6253, Page 40, being part of the lands of James E. and Carolyn A. Ratliff, as recorded in Official Record 6401, Page 1768, and part of the lands of Ringwood Properties LTD., as recorded in Official Record 7278, Page 1348 and Official Record 8191, Page 1665, being part of the lands of Irving Materials, Inc., as recorded in Deed Book 1741, Page 373, and all of the lands of GHCOL LLC., as recorded in Official Record 7505, Page 1174 all of the Butler County, Ohio Recorder's Office and being more particularly described as follows:

Beginning at the northeast corner of said Lot 5, and being on the centerline of Todd Road, and on the City of Oxford corporation line and also being the northwest corner of the lands of Wal-Mart Real Estate Business Trust as recorded in Official Record 7739, Page 1755 of the Butler County Recorder's Office and the **True Point of Beginning**;

thence, with the east line of said Lot 5, with the west line of said lands of Wal-Mart Real Estate Business Trust and with said City of Oxford corporation line, South $02^{\circ} 16' 58''$ West, 528.10 feet to the southwest corner of said lands of Wal-Mart Real Estate Business Trust and being on the north line of the lands of the City of Oxford as recorded in Deed Book 8209, Page 707 of the Butler County Recorder's Office and being on the centerline of Oxford College Corner Road (U.S. RT. #27);

thence, leaving said east line of said Lot 5, and said west line of said lands of Wal-Mart Real Estate Business Trust, with said City of Oxford corporation line, with the centerline of Oxford College Corner Road (U.S. RT. #27) and with said north line of the City of Oxford as recorded in Deed Book 8209, Page 707, with a curve to the right, having a central angle of $00^{\circ} 39' 10''$, a radius of 12277.70 feet, an arc length of 139.87 feet, and a chord bearing North $43^{\circ} 25' 36''$ West, 139.87 feet;

thence, continuing with said City of Oxford corporation line, with said centerline of Oxford College Corner Road (U.S. RT. #27) and with said north line of the City of Oxford as recorded in Deed Book 8209, Page 707 and with the north line of the lands of the City of Oxford as recorded in Deed Book 8229, Page 879, and the lands of the City of Oxford as recorded in Official Record 8113, Page 2303 of the Butler County Recorder's Office, North $43^{\circ} 06' 01''$ West, 589.74 feet to a point and being South $43^{\circ} 06' 01''$ East, 388.63 feet from the northwest corner of said lands of the City of Oxford as recorded in Official Record 8300, Page 352;

127045-001 120003 120003

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

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

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

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

thence, leaving said centerline of Oxford College Corner Road (U.S. RT. #27), along said City of Oxford corporation line and being 20.00 feet south of the centerline of Ringwood Road and through said lands of City of Oxford as recorded in Official Record 8113, Page 2303 and said lands of First Baptist Church of Oxford and said lands of James E. and Carolyn A. Ratliff and said lands of Timothy H. Myers, Tr. and said lands of Ringwood Properties Ltd. and said lands of Irving Materials, Inc., North 87° 18' 21" West, 879.06 feet;

thence, leaving said City of Oxford corporation line and through the right of way of said Ringwood Road and continuing with the east line of the lands of Peter C. Crum as recorded in Official Record 8416, Page 405 of the Butler County Recorder's Office, North 02° 17' 59" East, 348.19 feet;

thence, continuing with said east line of Peter C. Crum, North 47° 49' 59" East, 426.71 feet to the northeast right of way of said Oxford College Corner Road (U.S. RT. #27) being in said lands of Koenig Equipment, Inc.;

thence, along said northeast right of way of Oxford College Corner Road (U.S. RT. #27) and through said lands of Koenig Equipment, Inc., North 42° 10' 01" West, 503.10 feet to the south line of the lands of Proeshel Farms, Limited. as recorded in Official Record 6546, Page 437 of the Butler County Recorder's Office;

thence, with said south line of Proeschel Farm, Limited, South 88° 03' 28" East, 1446.58 feet to the centerline of said Todd Road, being the west line of the lands of Diana Zehler as recorded in Official Record 8260, Page 526 of the Butler County Recorder's Office;

thence, with said centerline of Todd Road and with said west line of the lands of Diana Zehler, South 02° 17' 03" West, 1004.85 feet to west line of the lands of Diana Zehler the **True Point of Beginning** containing 33.550 acres more or less and being subject to all legal highways, easements, restrictions and agreements of record.

The above description was prepared from an annexation plat by Bayer Becker, David Douglas Smith, Registered Surveyor #7121 in the State of Ohio, September 3, 2013.

PC-2014-05 Surrounding Property Owners Map

Legend

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



1 inch = 300 feet



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

