



Agenda

Oxford City Council

Court House

TUESDAY, JULY 2, 2013

EXECUTIVE SESSION

None.

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

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

REGULAR MEETING

7:30 P.M.

PLEDGE OF ALLEGIANCE

2. Approval of Agenda.

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

3. Public Participation.

- A. Notice to Legislative Authority - New permit for Dakotas of Oxford LLC DBA Dakotas of Oxford 325 S. College Avenue Oxford, Ohio 45056.



Staff Report/Notice

- B. Public Comments.

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

4. Consent Agenda.

- A. Minutes of the June 18, 2013 City Council Meeting. (Mary Ann Eaton, Clerk of Council)



Minutes

- B. Report regarding the June 11, 2013 Planning Commission Meeting. (Jung-Han Chen, Community Development Director)



Report

- C. Report regarding the June 19, 2013 Board of Zoning Appeals Meeting. (Jung-Han Chen, Community Development Director)



Report

- D. Report regarding the June 26, 2013 Civil Service Commission Meeting. (Donna Heck, Human Resources Director)



Report

5. Resolutions.

1. A Resolution authorizing the City Manager to enter into a pre-annexation agreement with Merion Realty, Inc. for land in the Township of Oxford, Butler County, Ohio, to be annexed into the City of Oxford, Butler County, Ohio, subject to the conditions stipulated in the pre-annexation agreement. (Alan Kyger, Economic Development Director).



Staff Report/Resolution

2. A Resolution amending Resolution No. 4752 and authorizing the City Manager to enter into a contract with Greve Chrysler Jeep Dodge for the purchase of three (3) Dodge Charger vehicles and specified options at state contract pricing at an amended cost not to exceed \$65,466.00. (Bob Holzworth, Police Chief).



Staff Report/Resolution

6. Ordinances.

A. First Reading.

1. An Ordinance Approving A Conditional Use Permit To Allow For The Expansion Of A Place Of Worship In A RO (Residential Office) District At 25 E. Walnut Street, Oxford, Ohio With Conditions. (Jung-Han Chen, Community Development Director).



Staff Report/Ordinance

2. An Ordinance To Approve Current Replacement Pages To The Oxford Codified Ordinances. (Mary Ann Eaton, Clerk of Council)



Staff Report/Ordinance

B. Second Reading.

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



Staff Report/Ordinance

7. A. Announcements & Communications. The comments expressed by individual members of Council or City staff during this portion of a City Council meeting do not necessarily reflect the views of the City of Oxford, The Oxford City Council, or the City staff.

1. Remarks from City Council and City Staff.

B. Future Meetings.

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

THUR - July 4 Holiday - City Offices Closed

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

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

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

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

THUR - July 18 Recreation Board Meeting 4:00 p.m. Oxford Community Park

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

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

TUES - Aug 6 City Council Meeting 7:30 p.m.

WED - Aug 7 Historic and Architectural Preservation Commission Meeting 6:00 p.m.

WED - Aug 7 Environmental Commission Meeting 6:30 p.m. Municipal Building

TUES - Aug 13 Planning Commission Meeting 7:30 p.m.

MON - Aug 19 Housing Advisory Commission Meeting 7:00 p.m. Municipal Building

WED - Aug 21 Board of Zoning Appeals Meeting 7:30 p.m.

FRI - Aug 23 Community Improvement Corporation Meeting 12:00 p.m. LCNB

WED - Aug 28 Civil Service Commission Meeting 7:00 p.m.

8. Adjourn.

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Clerk of Council

Originating Department

Council Meeting Of: July 2, 2013

Mary Ann Eaton

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

June 24, 2013

Date Prepared

Agenda Title: Legislative Authority Notice - New permit for Dakotas of Oxford LLC DBA Dakotas of Oxford 325 S. College Avenue Oxford, Ohio 45056

Recommendation: n/a

Discussion:

The permit is for:

D5I - Spirituous liquor for on premises consumption only, beer, wine and mixed beverages for on premises, or off premises in original sealed containers, until two thirty a.m. (Restaurant meeting certain criteria)

This permit will go through the normal process with all required inspections being conducted by the Ohio Liquor Commission.

Approved By:

Initial Date

Department Head:

City Manager:

DRE 6/28/13

NOTICE TO LEGISLATIVE
AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

1914727		NEW		DAKOTAS OF OXFORD LLC DBA DAKOTAS OF OXFORD 325 S COLLEGE AV OXFORD OH 45056	RECEIVED JUN 24 2013 City of Oxford
PERMIT NUMBER		TYPE			
ISSUE DATE					
06 20 2013					
FILING DATE					
D51		PERMIT CLASSES			
09	088	A	A15055		
TAX DISTRICT		RECEIPT NO.			

FROM 06/24/2013

PERMIT NUMBER		TYPE	
ISSUE DATE			
FILING DATE			
PERMIT CLASSES			
TAX DISTRICT		RECEIPT NO.	



MAILED 06/24/2013

RESPONSES MUST BE POSTMARKED NO LATER THAN. 07/25/2013

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES

A NEW 1914727

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD ☐ IN OUR COUNTY SEAT. ☐ IN COLUMBUS.

WE DO NOT REQUEST A HEARING. ☐

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)- ☐ Clerk of County Commissioner

(Date)

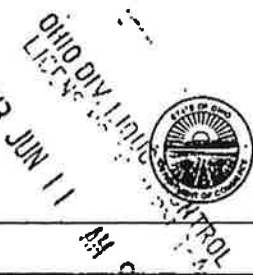
☐ Clerk of City Council

☐ Township Fiscal Officer

**CLERK OF OXFORD CITY COUNCIL
101 E HIGH ST
OXFORD OHIO 45056**

FOR OFFICE USE ONLY	
NEW	TRANSFER
PERMIT # 1914727	

OHIO DEPARTMENT OF COMMERCE
DIVISION OF LIQUOR CONTROL
 6606 Tussing Road, P.O. Box 4005, Reynoldsburg, Ohio 43068-9005
 Telephone: (614) 644-2431 http://www.com.ohio.gov/liqr



OFFICER/ SHAREHOLDERS DISCLOSURE FORM

SECTION A. (This form must accompany all applications of a corporate business entity)

Name of Corporation Dakota's of Oxford, LLC	DBA Name Dakota's of Oxford	
Permit Premises Address 325 South College Avenue	City, State Oxford, Ohio	Zip Code 43056
Township, if in Unincorporated Area	Tax Identification No (TIN) 46-2437514	

SECTION B.

- 1 Is stock publicly traded? ☐ YES ☐ NO
 If "YES", indicate exchange _____ & Do NOT complete SECTION D
- 2 Does any stockholder own 5% or more shares? If YES, complete SECTION D. ☐ YES ☐ NO
- 3 Total Number of shares issued **10**

Please be advised that any social security numbers provided to the Division of Liquor Control in this application may be released to the Ohio Department of Public Safety, the Ohio Department of Taxation, the Ohio Attorney General, or to any other state or local law enforcement agency if the agency requests the social security number to conduct an investigation, implement enforcement action, or collect taxes.

SECTION C. List the top five (5) officers of the captioned corporation. If an office is NOT held please indicate by writing NONE.

THE INDIVIDUALS LISTED BELOW MUST HAVE A BACKGROUND CHECK PERFORMED BY BCI&I AND SUBMIT A PERSONAL HISTORY BACKGROUND FORM. PLEASE READ "BACKGROUND CHECK INFORMATION" DLC4191

NAME OF OFFICER	SOCIAL SECURITY NUMBER	DATE OF BIRTH
1) CEO None		
2) President C. Patrick McAllister		3/17/1942
3) Vice-President David Wespiser		11/7/1960
4) Secretary Ed Steele		9/1/1964
5) Treasurer Ed Steele		9/1/1964

SECTION D. Stockholders holding 5% or more outstanding shares **Note: If you answered Question 1 YES, do not complete this section**

THE INDIVIDUALS LISTED BELOW MUST HAVE A BACKGROUND CHECK PERFORMED BY BCI&I AND SUBMIT A PERSONAL HISTORY BACKGROUND FORM. PLEASE READ "BACKGROUND CHECK INFORMATION" DLC4191. If none, please indicate by writing "NONE".

1) Stockholder's Name C. Patrick McAllister	Social Security No (if Individual) 482-220-1234	NUMBER OF SHARES HELD (NOT PERCENTAGE) 1
Residence Address 780 Summerhill Drive	Tax Identification No (if applicable) 32-0075797	
City and State Chillicothe, Ohio	Zip Code 45601	
Telephone No 740-773-3903	Date of Birth 3/17/1942	
2) Stockholder's Name Ed Steele	Social Security No (if Individual)	NUMBER OF SHARES HELD (NOT PERCENTAGE) 1
Residence Address 333 Foxhill Drive	Tax Identification No (if applicable) 32-0075797	
City and State Chillicothe	Zip Code 45601	
Telephone No 740-773-3903	Date of Birth 9/1/1964	

(PLEASE SEE REVERSE SIDE SHOULD YOU NEED ADDITIONAL SPACE TO LIST STOCKHOLDERS)

STATE OF OHIO,

COUNTYss

I, **C. Patrick McAllister** being first duly sworn, according to law, deposes and says that he/she is (Title) **Managing Member** of the **Dakota's of Oxford, LLC**, a corporation duly authorized by law to do business in the State of Ohio, and that the

statements made in the foregoing affidavit are true

(Signature) **C. Patrick McAllister** (Print Name and Corporate Title) **C. Patrick McAllister Managing Member**

Sworn to and subscribed to my presence this

JENNIFER L. BOGGS
 Notary Public State of Ohio
 My Commission Expires
September 25, 2017

(Notary Public)

(Notary Expiration)

DLC 4030 (OFFICER / SHAREHOLDERS DISCLOSURE FORM)

SECTION D.

(CONTINUED)

List Stockholders holding 5% or more outstanding shares. If none, please indicate by writing "NONE".

THE INDIVIDUALS LISTED BELOW MUST HAVE A BACKGROUND CHECK PERFORMED BY BCI&I AND SUBMIT A PERSONAL HISTORY BACKGROUND FORM. PLEASE READ "BACKGROUND CHECK INFORMATION" DLC4191.

3) Stockholder's Name	Robert Lee Ciampa	Social Security No (if Individual)		NUMBER OF SHARES HELD (NOT PERCENTAGE) .5
Residence Address	138 Stone Creek	Tax Identification No (if applicable)	34-1885671	
City and State	Oxford, Ohio	Zip Code	45056	
Telephone No	513-523-1863	Date of Birth	6/16/1958	
4) Stockholder's Name	James Myron Clawson	Social Security No (if Individual)		NUMBER OF SHARES HELD (NOT PERCENTAGE) .5
Residence Address	6405 Contreras Road	Tax Identification No (if applicable)	34-1885671	
City and State	Oxford, Ohio	Zip Code	45056	
Telephone No	513-523-9625	Date of Birth	5/11/1957	
5) Stockholder's Name	Brian Daniel Kelly	Social Security No (if Individual)		NUMBER OF SHARES HELD (NOT PERCENTAGE) .5
Residence Address	3556 Oxford-Germantown Road	Tax Identification No (if applicable)	34-1885671	
City and State	Camden, Ohio	Zip Code	45311	
Telephone No	513-796-2024	Date of Birth	5/17/1958	
6) Stockholder's Name	David Charles Wespiser	Social Security No (if Individual)		NUMBER OF SHARES HELD (NOT PERCENTAGE) .5
Residence Address	6441 Contreras Road	Tax Identification No (if applicable)	34-1885671	
City and State	Oxford, Ohio	Zip Code	45056	
Telephone No	513-524-4161	Date of Birth	11/7/1960	
7) Stockholder's Name	Bertha Wespiser	Social Security No (if Individual)		NUMBER OF SHARES HELD (NOT PERCENTAGE) 1
Residence Address	806 Melissa Drive	Tax Identification No (if applicable)		
City and State	Oxford, Ohio	Zip Code	45056	
Telephone No	513-523-2278	Date of Birth	5/19/1935	
8) Stockholder's Name		Social Security No (if Individual)		NUMBER OF SHARES HELD (NOT PERCENTAGE)
Residence Address		Tax Identification No (if applicable)		
City and State		Zip Code		
Telephone No		Date of Birth		
9) Stockholder's Name		Social Security No (if Individual)		NUMBER OF SHARES HELD (NOT PERCENTAGE)
Residence Address		Tax Identification No (if applicable)		
City and State		Zip Code		
Telephone No		Date of Birth		
10) Stockholder's Name		Social Security No (if Individual)		NUMBER OF SHARES HELD (NOT PERCENTAGE)
Residence Address		Tax Identification No (if applicable)		
City and State		Zip Code		
Telephone No		Date of Birth		

A Regular meeting of the Oxford City Council was called to order by Mayor Richard Keebler on Tuesday, June 18, 2013 at 7:00 p.m. Those members present were Ken Bogard, Bob Blackburn, John Harman, Kevin McKeehan, Kate Rousmaniere and Steve Snyder.

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

ADJOURN TO EXECUTIVE SESSION

Mr. McKeehan moved to adjourn to Executive Session immediately in accordance with Ohio Revised Code Section 121.22(G)(1) for the purpose of discussing appointments to Boards and Commissions. Mr. Snyder seconded. The motion passed by the following roll call:

AYE: Mr. Bogard, Mr. Harman, Mr. McKeehan, Ms. Rousmaniere, Mr. Snyder, Mr. Blackburn, Mayor Keebler (7)

NAY: None (0)

ABS: None (0)

RETURN FROM EXECUTIVE SESSION

Mr. McKeehan moved to return from Executive Session at 7:37 p.m. Mr. Snyder seconded. The motion passed 7-0-0.

PLEDGE OF ALLEGIANCE

Mayor Keebler requested the Pledge of Allegiance.

APPROVAL OF AGENDA

Mr. Bogard moved to approve the agenda. Ms. Rousmaniere seconded. The motion passed 7-0-0.

PUBLIC PARTICIPATION

PROCLAMATION

'RACE ACROSS AMERICA DAY'

Mayor Keebler read the Proclamation and presented it to RAAM volunteer, Ms. Karen Dawisha.

Ms. Karen Dawisha, 478 White Oak Drive, thanked Council for the Proclamation and noted it would be displayed at the timing station tent for the bicyclists and volunteers. Ms. Dawisha encouraged everyone to stop by the timing station to cheer the riders on.

PUBLIC HEARING
TAX BUDGET 2014

Mr. Bogard moved to open the Public Hearing at 7:40 p.m. Mr. Harman seconded. The motion passed 7-0-0.

Mr. Newlin advised this was the annual Tax Budget to be submitted to the Butler County Tax Commission in accordance with requirements stipulated by the Ohio Revised Code. Mr. Newlin noted approval by the legislative body was required by July 15th and it was due to the County Auditor by July 20th. Mr. Newlin advised this tax budget provided a first glimpse of the 2014 General Fund budget and it was prepared with very few changes from the 2013 budget. Mr. Newlin outlined those changes as presented on page 19 of the agenda. Mr. Newlin noted in August staff would undertake the detailed line-item budget analysis and preparation and the final budget would be submitted for Council approval in November.

Mr. Snyder moved to close the Public Hearing at 7:43 p.m. Mr. Bogard seconded. The motion passed 7-0-0.

APPOINTMENTS TO
BOARDS AND COMMISSIONS

Mr. Bogard moved to appoint Greg Smith and Bill Brewer to the Civil Service Commission for a three year term ending in 2016, Michael Schnipper and Prue Dana to the Board of Zoning Appeals for three year terms ending in 2016, Seth Geisler to the Housing Advisory Commission for a four year term ending in 2017, Kurt Kronholm and Vicente Mira to the Student Community Relations Commission for three year terms ending in 2016, Peter McCarthy and Robert Bell to the Planning Commission for five year terms ending in 2018, Randy Eaton to the Board of Appeals (Building/Housing) for a five year term ending in 2018 and Steve Dana to the Income Tax Board of Review for a three year term ending in 2016. Mr. McKeehan seconded. The motion passed 7-0-0.

Mayor Keebler noted there were still vacancies on the Civil Service Commission, Community Relations Commission, Environmental Commission, Recreation Board, Building and Housing Board of Appeals and the Income Tax Board of Review and encouraged those interested to obtain an application online or at the City Building.

PUBLIC COMMENTS

There were no public comments.

CONSENT AGENDA

MINUTES

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

REPORTS

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

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

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

ORDINANCES

FIRST READING

CHARTER AMENDMENT

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

Mr. Elliott advised the current Charter of the City of Oxford required nominating petitions for City Council candidates to be filed with the Butler County Board of Elections at least 75 days prior to the General Election and the state law required nominating petitions to be filed at least 90 days prior to the General Election. Mr. Elliott noted staff believed it was in the best interest of the City to amend the Charter so it coincided with the state law. Mr. Elliott advised if Council approved the Ordinance it would be submitted to the Board of Elections and be on the ballot for the November 5, 2013 General Election and he would ask the residents to support the change to the Charter so the City's nominating petition coincided with the Ohio Revised Code. Mr. Elliott noted in the interim, the City Attorney sent a letter to the Board of Elections asking them to utilize a revised nominating petition which indicated the filing deadline was 90 days prior to the General Election. Mr. Elliott noted the City Attorney also advised the Board of Elections that the City planned to have a Charter Amendment placed on the November ballot to change the filing deadline from 75 to 90 days prior to the General Election.

Mayor Keebler advised the language would reflect that petitions shall be filed in accordance with the current laws of the State of Ohio to avoid future conflicts.

Mr. McHugh encouraged those who planned to file a nominating petition for the office of City Council to do so in July. Mr. McHugh noted the filing deadline was August 7th at 4:00 p.m. this year.

Mayor Keebler advised Oxford's current nominating petition with a filing date of 75 days prior to the General Election had not been contested but reiterated that it was safer to follow the state law which was 90 days prior to the election.

Mr. Snyder noted it was difficult enough to run for Council without confusion regarding filing dates. Mr. Snyder encouraged voters to support the proposed Charter Amendment.

ORDINANCES
SECOND READING

ORDINANCE
2014 TAX BUDGET

An Ordinance No. 3220 Authorizing The Tax Budget For The Year 2014 And Directing That The Same Be Transmitted To The Butler County Auditor. (Joe Newlin, Finance Director)

Mr. Newlin had no further comments regarding the Tax Budget and there were no comments from the public or from Council.

Mr. Snyder moved to adopt Ordinance No. 3220. Mr. Blackburn seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Harman, Mr. McKeehan, Ms. Rousmaniere, Mr. Snyder, Mr. Blackburn, Mr. Bogard, Mayor Keebler (7)

NAY: None (0)

ABS: None (0)

ORDINANCE
FINAL PLANNED DEVELOPMENT

An Ordinance No. 3221 Approving The Planning Commission's Recommendation For Final Plan Approval Of The Planned Development At The Former Wal-Mart Site (419 South Locust Street) To Allow A Development With Commercial And Residential Uses With Conditions. (Jung-Han Chen, Community Development Director)

Mr. Snyder advised the proposed Ordinance had been amended based on Council's comments from the First Reading.

Mr. Snyder moved to substitute the amended Ordinance in place of the Ordinance presented for First Reading for Council's consideration this evening. Mr. Bogard seconded. The motion passed 6-0-1 with Mr. McKeehan abstaining.

Mr. McKeehan recused himself from the discussion and the vote.

Mr. Chen advised there was a lot of discussion at the last meeting which specifically dealt with condition #3, condition #6 and condition #8. Mr. Chen noted Council had before them an amended Ordinance to address the concerns raised during the First Reading. Mr. Chen advised Condition #3 as presented addressed the vehicular and pedestrian traffic at Locust Street and Wells Mill Drive., Condition #6 as presented addressed an agreement between the developer and the Lane Public Library and Condition #8 addressed the two westernmost outbuilding pads.

Mr. Chen noted Condition #16 was added for Council's consideration which would eliminate a parent overnight suite to avoid any confusion in the future related to rental units. Mr. Chen advised the revised language was sent to the developer on Friday for his comments.

Mr. Robert Fiorita, New Village Communities, LLC., advised the new language did not cause any issues of major consequence. Mr. Fiorita noted representatives from Lane Library were in attendance this evening. Mr. Fiorita advised he was in the process of negotiating a lease with the library which was a complicated matter since the library would own a building on leased property that New Village Communities would lease from another party. Mr. Fiorita noted the library would like to obtain the tax exempt status they were entitled to which might require an additional lot. Mr. Fiorita advised New Village Communities had hoped to construct the library building but probably would not due to the bid process and noted if that was the case they would have no control over the construction schedule. Mr. Fiorita referred to condition #8 on page 39 of the agenda and noted the pads for the two westernmost outbuildings would be curbed and grassed but sidewalks and handicapped ramps would not be installed until a tenant was secured. Mr. Fiorita advised the second coat of asphalt for the parking lot would be laid once construction of the library building was complete. Mr. Fiorita noted the parent unit was not an economic incentive, it was to satisfy the parents of future tenants.

Mr. Snyder referred to condition #6 on page 38 of the agenda and asked if a motion to amend was needed.

Mr. Blackburn moved to amend the maximum number of lots from two to three. Mr. Harman seconded. The motion passed 6-0-0.

Mayor Keebler noted he felt the revised language did a good job of covering the issues Council discussed at the last meeting. Mayor Keebler advised he knew there was still concern about traffic patterns but he did not feel Council should suggest major changes to the traffic pattern of S. Locust Street until staff came forward with a City plan for the entire corridor. Mayor Keebler noted he felt to hold the developer responsible for fixing potential traffic concerns was going too far.

Mr. Bogard noted at the last meeting Council discussed having staff design and engineer whatever was needed to facilitate traffic in and out of the commercial districts. Mr. Bogard inquired if New Village Communities would approve the design of the library building even if they did not build it and Mr. Fiorita advised yes.

Ms. Rousmaniere referred to condition #3 on page 37 of the agenda and advised she was pleased that a marked sidewalk would be provided connecting the north side of Wells Mill Drive to the southwest corner of the project. Ms. Rousmaniere referred to condition #6 on page 38 of the agenda and noted that no building permits for any structure on the site would be issued until an agreement between the Lane Public Library and New Village Communities was signed and the construction of the library building and the two-story commercial building would be in concurrence with the construction of the residential development. Ms. Rousmaniere also noted no occupancy of any residential dwellings on the site would be granted until there was substantial completion of the two-story commercial structure exterior shell, the library building exterior shell, and the commercial area site improvements. Ms. Rousmaniere advised she wanted the public to have the information provided in the Ordinance.

Ms. Rousmaniere referred to condition #8 on page 38 of the agenda and noted that no drive-through for the outbuildings were approved at this time. Ms. Rousmaniere advised the developer would have to obtain a separate approval for a drive-through depending on what kind of a tenant would occupy the outbuildings.

Mayor Keebler referred to condition #16 on page 39 of the agenda and noted staff felt the overnight parent-unit was problematic because it would provide more residential units than the zoning allowed. Mayor Keebler advised his personal opinion was that 260 residents with one parental unit would be more trouble than it was worth.

Mr. Bogard referred to condition #6 on page 38 of the agenda and inquired if the commercial structure would be filled with a commercial entity prior to the construction of the residential units. Mr. Fiorita advised it would be in New Village Communities best interest to fill the commercial structure as soon as possible and they would give it their best effort as they would have a mortgage to pay. Mr. Fiorita noted there had been open dialog with Panera Bread regarding the outbuildings.

Mr. Harman inquired what the original reasons were for including a parental unit in the project. Mr. Fiorita advised the idea was brought to them by the third party student housing management company who felt it was an added benefit. Mr. Fiorita noted there would be a full-time maintenance and leasing staff at the development who would oversee renting the proposed parental unit. Mr. Fiorita noted the way to regulate the parental unit was to call it a hotel and hotel tax would be paid for its use. Mr. Harman noted his parents lived in an assisted living building which contained guest quarters which were very convenient for family members.

Ms. Rousmaniere moved to adopt Ordinance No. 3221 as amended. Mr. Blackburn seconded. The Ordinance was adopted by the following roll call:

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

NAY: None (0)

ABS: None (0)

Mr. McKeehan returned to the dais.

ANNOUNCEMENTS

Mr. Elliott updated Council and the public with regard to HB190 which was introduced in the House Commerce, Labor, and Technology Committee on June 4, 2013. Mr. Elliott advised the bill proposed to exempt political subdivisions, special districts, or state intuitions of higher education from the requirements of the Prevailing Wage Law, unless they elected to be subject to those requirements. Mr. Elliott noted he supported the bill because he believed it would lower the City's construction and administration costs for work contracted out and over time it would permit the City to do more construction projects. Mr. Elliott advised he would follow the bill carefully and keep Council and the public posted on its progress.

Mr. Elliott advised the City received an urgent message from the Ohio Municipal League that proponents of HB5 which dealt with municipal income tax reform were trying to expedite the bill. Mr. Elliott noted the Ohio Municipal League asked municipalities to send a letter to their representatives and forward a copy to the Chairman of the House Ways and Means Committee regarding the municipality's concerns with expediting the bill. Mr. Elliott advised he sent the letter given that Council passed a Resolution opposing HB5 as written earlier in the year. Mr. Elliott noted his hope that hearings would continue regarding the bill and that there would be thoughtful, careful, analysis, review and discussion of the changes and that the final bill would be revenue neutral.

Chief Holzworth noted it was exciting to see the first Race Across America bicyclist come through Oxford yesterday.

Chief Holzworth advised Miami alumni would be arriving for the annual Alumni Weekend beginning on Friday.

Chief Holzworth advised Respect for Law Camp would take place June 28, 29 & 30th and encouraged Council to watch some of the events. Chief Holzworth noted Respect For Law Camp was a life changing event for many Butler County youths.

Mr. McHugh reiterated that anyone who planned to run for Council should file their nominating petition with the Board of Elections on or before August 7, 2013 at 4:00 p.m. Mr. McHugh encouraged candidates to file their petitions in July.

Mr. Bogard reminded everyone to follow the Oxford Press for the July 3-4th events scheduled at the Oxford Community Park.

Ms. Rousmaniere thanked the Service Department and the Parks and Recreation Department for their assistance with Race Across America. Ms. Rousmaniere noted Chief Holzworth was at the timing station as the first bicyclist came through Oxford and some Police Officers had stopped by as well as members of the Oxford Fire Department. Ms. Rousmaniere also thanked the Oxford Visitors Bureau and the Lions Club for their support of the event. Ms. Rousmaniere noted there were 60 timing stations across the country and Oxford was one of 10 timing stations that was manned 24 hours a day with volunteers, food, drinks and members of the community.

Mr. Blackburn noted that 100 to 150 Butler County children would attend Respect for Law Camp where they would spend the weekend with 50 of their favorite Police Officers. Mr. Blackburn advised the children learned that Police Officers were their friend and mentor. Mr. Blackburn noted this was the 16th or 17th Respect for Law Camp in Oxford and a lot of officers from other cities returned each year to participate.

Mr. Blackburn reminded everyone that the Music Festival would take place on Thursday.

Mayor Keebler advised the Oxford Relay for Life would take place Saturday, June 29th at Millett Hall which was another great event.

Mayor Keebler advised the Oxford Visitors Bureau recently redesigned their website which did a great job of highlighting the City, businesses, and things to do in Oxford. Mayor Keebler encouraged everyone to visit the website.

ADJOURN

Mr. Bogard moved to adjourn at 8:29 p.m. Ms. Rousmaniere seconded. The motion passed 7-0-0.

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: July 2, 2013

Account Code No. #:

Jung-Han Chen
Prepared By

Budgeted Amount:

June 25, 2013
Date Prepared

PLANNING COMMISSION MEETING REPORT – June 11, 2013

Public Hearing:

PC-09-2013 CONDITIONAL USE 25 E. Walnut Street, Holy Trinity Episcopal Church, to allow for the expansion of a place of worship in a RO (Residential Office) District, Susan Kay, City Studios Architecture, Applicants, Agents

The applicant is requesting a conditional use application for an expansion of a church at this location. Holy Trinity has programming needs that currently cannot be fulfilled with the existing building and site conditions. The building committee has been working off and on for many years to come to this proposal. The proposal is to demolish the existing two-story house and expand the green space along the Walnut Street frontage. The building expansion plan is to continue the single-story west wing further beyond the elevator tower to create office and meeting space that will be attached to the main building. The proposal also received approval from the HAPC for the demolition and reuse plan at their May 1, 2013 meeting.

The Commission felt that this was a good proposal to expand the existing use and remain in the Uptown area. Discussion related to lot coverage, parking and other issues took place among the Commission members.

After the public hearing, the Commission voted 6-0-1 to recommend approval to City Council for the requested conditional use application subject to the following conditions:

1. Lot Coverage – The difference in additional lot coverage as a result of redevelopment shall be mitigated through stormwater best management practices.
2. Parking- Vehicle management areas shall meet current vehicle management requirements including, but not limited to, pavement. One existing parking space shall be allowed to encroach into the front yard setback the current distance.
3. Landscaping Plan – A plan needs to be provided and shall include appropriate landscaping buffering of the parking area.
4. Lot Consolidation – Consolidation needs to take place prior to the building permit being issued. The existing house can remain as a temporary use until construction is complete, but must be demolished concurrent with final occupancy.

PC-10-2013 ZONING CODE TEXT AMENDMENT to amend Chapter 1141, Accessory, Temporary, Supplemental & Environmental Regulations, specifically 1141.04(j) Trash Collection Facilities, City of Oxford, Applicant

Staff presented background information and proposed language for discussion. A substitute version was also introduced and discussed. Discussion took place and various issues were brought up and debated. It was a comprehensive discussion to attempt to address trash collection issue, specifically in the Uptown area.

Due to many issues being highlighted, staff recommended the Commission Table this application to allow staff to work out a revised language for consideration at the next meeting.

Announcements:

Chair Prytherch updated the Commission that some subcommittees were being formed to address 2013 Work Priorities.

Next Meeting:

The next regularly scheduled Planning Commission meeting will take place July 9, 2013.

Approved by:

	Initial	Date
Department Head:	JHC	6/26/13
City Attorney:		
City Manager:	DRE	6/28/13

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: July 2, 2013

Jung-Han Chen
Prepared By

Account Code No. #:

June 25, 2013
Date Prepared

Budgeted Amount:

Agenda Title: Board of Zoning Appeals Meeting Report – June, 19 2013
--

Adjudication Hearing:-

BZA-06-2013 5642 College Corner Pike, Great Clips, Variance to Section 1151.05(A)(3)(a)(2)(a)Permanent Signs, Mark Caudill, Holthaus Lackner Signs, Agent

The Appellant proposes to install an additional wall sign at this location to attempt to gain more customers. The proposed sign is to be located at the back of the building, sized 1.5' by 13' long.

The BZA concluded that there were other methods to attract customers and the hardship was not the result of the regulations; hence, the required variance did not meet the criteria with a vote of 5-0-0 to deny the requested variance.

BZA-07-2013 222 W. Vine St, Variance to Section 1143.03(b) Principal Entrance Upon a Street, 1143.03(c)(2)B Minimum Rear Yard Depth, and 1143.03(c)(3)D.3 Front Yard Lot Coverage, David and Pamela Kellems, Applicant

The Appellant wishes to build a single family dwelling on this vacant lot. This was the result of a court-appointed mediation session that stemmed from a legal challenge by the Appellant due to the decision by the BZA to deny a similar application at this location to build a single family dwelling. The City and the Appellant reached an agreement to relocate the property line to eliminate multi-dwellings on a lot, which was one of the main reasons for denying the previous application.

After the public hearing, the Board voted 5-0-0 to approve the variance as requested.

BZA-08-2013 120 S. Beech St, Variance to Section 1137.04(b)(3)(2)(a) 30% occupancy reduction for a reconfigured nonconforming use, Scott Webb, Applicant, Agent

The Appellant is seeking a variance from the number of occupants permitted in a residential rental property. The property is zoned R1MS, which does not allow single-dwelling houses with more than four unrelated occupants (lodging house). Because the use existed prior to the zoning restriction, it is considered legal nonconforming. The Appellant is proposing a reconfiguration of the building floor plan, which requires a 30% reduction in occupancy from the approved rental permit, to allow nine occupants instead of eight.

The majority of the Board members felt that the request was minor in nature and the number of permitted occupancy would be decreased from 12 to 9. After the public hearing, the Board voted 4-1-0 to approve the requested variance.

New Business:

Staff plans to provide BZA training at the next regular meeting due to a new member just appointed by City Council. Several general topics are also planned to be discussed with the Board. Additionally, the Planning Commission requested a BZA member to serve on a subcommittee to review the existing parking requirements and how to encourage sustainable design practices to promote stormwater best management practices.

The Board unanimously appointed Prue Dana to serve on the Planning Commission Subcommittee to work on the off-street parking issues when the subcommittee convenes.

The next regularly scheduled Board of Zoning Appeals meeting will take place July 17, 2013.

Approved By:

Department Head:

City Attorney:

City Manager:

Initial **Date**

JHC 6/26/13

DRE 6/26/13

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Human Resources

Originating Department

Council Meeting Of: July 2, 2013

Kim Newton

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

June 27, 2013

Date Prepared

Agenda Title: Report regarding the June 26, 2013 Civil Service Commission Meeting.

Recommendation:

Discussion: The Civil Service Commission held a regular meeting on Wednesday, June 26, 2013. Those members present were: Phil Russo, Chair; Susan Lipnickey, Vice Chair; Karen Martino; Mike Pavloff and James Burchyett.

Donna Heck, Human Resources Director; Kim Newton, Recording Secretary; and Chief Holzworth were in attendance for the City.

The Commission approved the Police Officer and Police Sergeant Eligibility lists as well as the assessment protocol for the Police Sergeant interview questions.

The next regular meeting is scheduled for July 24, 2013 at 6:00 p.m.

Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

DJH 6/27/13

DK 6/28/13

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Economic Development Department

For the July 2, 2013
City Council Meeting

Prepared by: G. Alan Kyger
Date Prepared: June 27, 2013

Agenda Title: Pre-Annexation Agreement

Recommendation: Approval

In the fall of 2012, Eastern Savings Bank and Merion Realty requested parcel number H3610016000002 be annexed into the City of Oxford. This parcel is 14.4 acres of undeveloped land located at the corner of College Corner Pike and Todd Road. This parcel sits in-between Walmart and Koenig Equipment.

Eastern Savings Bank and Merion Realty have no plans to develop this site. The site was acquired from a bankruptcy situation. The site is currently listed for sale.

The site currently is outside of the City of Oxford, so water and sanitary service are not guaranteed. Merion Realty feels the site will be far more marketable after it is annexed and hence guaranteed access to City water and sanitary services.

With this request for annexation, the City has decided to include the adjacent properties which have signed annexation agreements and have already acquired City water and sanitary services.

Due to the complexity and the volume of properties involved, this process has taken far longer than expected.

To allow the Eastern Savings Bank & Merion Realty to proceed in marketing this site as having access to City water & sanitary, we are asking City Council to approve this pre-annexation agreement.

Reviewed By:

Department Head:

City Attorney:

City Manager:

Initial Date

6-27-13

6/28/13

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A PRE-ANNEXATION AGREEMENT WITH MERION REALTY, INC. FOR LAND IN THE TOWNSHIP OF OXFORD, BUTLER COUNTY, OHIO TO BE ANNEXED INTO THE CITY OF OXFORD, BUTLER COUNTY OHIO, SUBJECT TO THE CONDITIONS STIPULATED IN THE PRE-ANNEXATION AGREEMENT.

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

SECTION 1: Mr. Miles Krieger, Agent, for Merion Realty, Inc., seeks to annex a 14.428 acre parcel on Oxford College Corner Road into the City of Oxford and further seeks to receive City water and sewer services for the property being annexed to the City of Oxford.

SECTION 2: The City of Oxford has agreed to the Property being annexed into the City under certain terms and conditions.

SECTION 3: Council finds that the annexation of the property in accordance with the terms of the Pre-Annexation Agreement is in the best interests of the City and would promote the health, safety and welfare of the citizens and hereby approves the same.

SECTION 4: Council hereby approves the Pre-Annexation Agreement and authorizes the City Manager to sign the same as set forth in the agreement attached hereto as Exhibit "A" and incorporated herein.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

Exhibit "A"

Pre-Annexation Agreement

Merion Realty Inc., Oxford College Corner Road; Oxford, Ohio; 45056, ("Petitioner") and the City of Oxford ("City") have entered into this Pre-Annexation Agreement ("Agreement") this _____ day of June, 2013.

WHEREAS, Petitioner is owner of (1) parcel adjoining the City, parcel number H3610016000002, totaling 14.428 acres, to be collectively referred to as the "Property", on Oxford College Corner Road; and

WHEREAS, the Property is located within Oxford Township ("Township"); and

WHEREAS, Petitioner and the City would like to annex the Property to the City under certain conditions; and

WHEREAS, the City and Petitioner would like to agree in advance on the conditions of such annexation;

NOW THEREFORE, the City and the Petitioner hereby enter into this Agreement on the terms and conditions stated below for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged:

1. Petitioner agrees to sign an annexation petition for the Property to annex it individually or together with other properties to the City after the execution of this Agreement.
2. The City recognizes that once the annexation has been approved by the Butler County Commissioners and is placed before City Council by the clerk at the next regular meeting of City Council following sixty days from the receipt of the approval of the annexation by the county commissioners, the City has 120 days to accept or reject the annexation.
5. Upon annexation of the property to the City the Petitioner shall be eligible to take all steps required to extend City Water and Sewer to the Property subject to City rules and regulations.
6. All other sections of the Code of Ordinances are enforceable as applicable.
7. This Agreement shall be binding on the parties hereto and their successors and assigns.
8. This Agreement shall only be amended in writing by each party.
9. This Agreement is intended to be severable. If part of the Agreement is deemed unenforceable, the remainder shall be enforced to the extent necessary to accomplish the purpose of Petitioner to develop the Property or allow it to de-annex the Property.

IN WITNESS WHEREOF, the City and the Petitioner have executed this Agreement as of the date first written above.

CITY OF OXFORD, OHIO

Douglas R. Elliott, Jr., City Manager

OWNERS NAME:

MERION REALTY, INC.:

By: _____

Miles Krieger, Vice President

Asset Manager

11350 McCormick Rd, Suite 200

Hunt Valley, MD 21031

**EXHIBIT**

SHEET 1

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager: **Douglas Elliott**

Police

Originating Department

Council Meeting Of: **July 2, 2013**

Robert Holzworth

Account Code No. #: **140.110.52520**

Prepared By

Budgeted Amount: **\$76,000**

May 15, 2013

Date Prepared

Agenda Title: Resolution to amend Resolution No. 4752, increasing the total amount for the contract with Greve Chrysler Jeep Dodge for the purchase of three (3) Dodge Charger vehicles from a cost not to exceed \$64,599 to a cost not to exceed \$65,466.

Recommendation: Pass the resolution

Discussion:

At the May 21, 2013, city council meeting, a resolution was passed authorizing the expenditure of \$64,599 for three (3) Dodge Charger police vehicles. The total budgeted amount in 140.110.52520 is \$76,000, which left \$11,401 to outfit the vehicles. Subsequent to the resolution being passed, our fleet manager learned that the package did not include keying alike (\$120/ea), heated mirrors (\$70/ea) and a vinyl option (\$99/ea).

We are therefore requesting an increase of \$289.00 per vehicle, for a total adjustment of \$867, to fund these options. The balance of the budgeted amount (\$10,534) will be used to customize/equip the vehicles for police service.

Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

DRE \ *6/28/13*

RESOLUTION NO.

A RESOLUTION AMENDING RESOLUTION NO. 4752 AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH GREVE CHRYSLER JEEP DODGE FOR THE PURCHASE OF THREE (3) 2013 DODGE CHARGER VEHICLES AND SPECIFIED OPTIONS AT STATE CONTRACT PRICING AT AN AMENDED COST NOT TO EXCEED \$65,466.00.

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

SECTION 1: Council hereby authorizes the Division of Police to purchase three (3) 2013 Dodge Charger vehicles and specified options at State Contract pricing at an amended cost not to exceed \$65,466.00.

SECTION 2: The City Manager is hereby authorized to enter into a contract with Greve Chrysler Jeep Dodge for the purchase of three (3) 2013 Dodge Charger vehicles and specified options at State Contract pricing at an amended cost not to exceed \$65,466.00.

SECTION 3: Funds have been appropriated for the purchase price authorized.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)



756 West Ervin Road Van Wert, Ohio 45891 855-246-4052 FAX 866-248-8919
www.grevehrysler.com • e-mail: dave.matarese@grevehrysler.com

ORDER FORM

Purchaser CITY OF OXFORD Fed Tax # 31-6001080
Address 11 S. POPLAR ST.
City OXFORD, County BUTLER State OH Zip 45056
Contact Name MIKE O'LEARY Phone # 513-523-5035
P.O. # 140. 110. 52520 E-mail M.OLEARY@CITYOFOXFORD.ORG
2013 Dodge Charger

[illegible]

Delivery: YES, NO

Delivery Charge: \$0.28 x _____ mile (s) = _____
Round Trip \$50.00 minimum

Total Unit Cost \$ 21,822.00

All orders must be accompanied by a Purchase Order and a completed W9 Form or they CAN NOT be processed.

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: July 2, 2013

Jung-Han Chen

Account Code No. #:

Prepared By:

Budgeted Amount:

June 25, 2013
Date Prepared:

Agenda Title:	PC-09-2013 Conditional Use Permit Application-Expansion of a Place of Worship in a Residential Office (RO) District, Susan Kay, Holy Trinity Episcopal Church, Chantelle Noble, Architect, City Studios Architecture, Applicants, Agents
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Recommendation: Approval with Conditions

Discussion:

The Applicant is requesting an approval of a conditional use application for an expansion at 25 East Walnut Street, on the southwest corner of East Walnut and South Poplar Streets.

The proposal is to demolish the existing two-story house and expand the green space along the Walnut Street frontage. The building expansion plan is to continue the single-story west wing further beyond the elevator tower to create office and meeting spaces that will be attached to the main building. Currently, the detached house contains office space and classrooms on its first floor. The existing main building footprint is approximately 5,600 square feet and the proposed addition footprint is approximately 3,000 square feet.

The entire property is within the Uptown Historic District; therefore, the proposed demolition and construction falls under the jurisdiction of the Historic and Architectural Preservation Commission (HAPC). Both the demolition of the two-story home and the expansion of the main building were approved by the HAPC on May 1, 2013.

The Commission asked for any public comments and no public comments were submitted. After the public hearing, the Commission discussed issues related to lot coverage, off-street parking, lot consolidation, landscaping and the demolition of the existing house.

The Commission felt the expansion would be an appropriate project in the reinvestment of the Uptown area and voted 6-0-1 to recommend approval to Council subject to the following conditions:

1. Lot Coverage – The difference in additional lot coverage as a result of redevelopment shall be mitigated through stormwater best management practices.
2. Parking - Vehicle management areas shall meet current vehicle management requirements including, but not limited to, pavement. One existing parking space shall be allowed to encroach into the front yard setback the current distance.
3. Landscaping Plan – A plan needs to be provided and shall include appropriate landscaping buffering of the parking area.
4. Lot Consolidation – Consolidation needs to take place prior to the building permit being issued. The existing house can remain as a temporary use until construction is complete, but must be demolished concurrent with final occupancy.

Approved By:

Department Head:

City Attorney:

City Manager:

JHC 6/26/13
DKE 6/28/13

ORDINANCE NO.

AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT TO ALLOW FOR THE EXPANSION OF A PLACE OF WORSHIP IN A RO (RESIDENTIAL OFFICE) DISTRICT AT 25 E. WALNUT STREET, OXFORD, OHIO 45056 WITH CONDITIONS.

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

SECTION 1: Council hereby finds that the Planning Commission held a public hearing on June 11, 2013 in accordance with Section 1147.02 of the Codified Ordinances of the City of Oxford, on the application of Susan Kay, Applicant, Agent, for a conditional use permit to allow for the expansion of a place of worship in a RO (Residential Office) District at 25 E. Walnut Street, Oxford, Ohio 45056.

SECTION 2: The Planning Commission, after a public hearing and discussion, voted to approve a motion recommending approval of the conditional use permit application to allow for the expansion of a place of worship in a RO (Residential Office) District at 25 E. Walnut Street, Oxford, Ohio 45056 with the following conditions:

1. The difference in additional lot coverage as a result of redevelopment shall be mitigated through storm-water best management practices.
2. Vehicle management areas shall meet current vehicle management requirements including, but not limited to pavement. One existing parking space shall be allowed to encroach into the front yard setback at the current distance.
3. A landscaping plan shall be provided and shall include appropriate buffering of the parking area.
4. Lot consolidation shall occur prior to the building permit being issued. The existing house shall be allowed to remain as a temporary use until new construction is complete and shall be demolished concurrent with the issuance of the final occupancy permit.

SECTION 3: Council hereby accepts the recommendation of the Planning Commission and accepts the recommendation report submitted by the Planning Commission and incorporates the same herein and further grants the conditional use permit application to allow for the expansion of a place of worship in a RO (Residential Office) District at 25 E. Walnut Street, Oxford, Ohio 45056 in accordance with the conditions set forth above.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW(STAFF)

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

<u>Report Date</u>	July 2, 2013
<u>Case Number</u>	PC-09-2013
<u>Applicant Information</u>	Susan Kay, Holy Trinity Episcopal Church Chantelle Noble, Architect, City Studios Architecture
<u>Requested Action</u>	Conditional Use
<u>Summary of Request</u>	Approval of an Expansion of a Place of Worship
<u>Public Hearing Information</u>	On June 11, 2013 a Public Hearing took place at 118 W. High Street. A Public Hearing notice was published in the Oxford Press on April 26, 2013. Courtesy notices were mailed to adjacent property owners on May 20, 2013.
<u>Commission Action</u>	The Planning Commission voted 6-0-1 recommending approval of the Conditional Use with conditions.
<u>Commission Findings and Conclusions</u>	The Planning Commission discussed and placed conditions upon lot coverage, stormwater runoff, parking, lot consolidation, and landscaping/buffering. The Planning Commission identified positives of the expansion: meet community needs, provide additional greenspace, choose to expand and not relocate. All agreed it was a well thought-out design. The Planning Commission noted that the HAPC approved the demolition and addition at their June meeting. After discussion the Planning Commission voted to approve the Conditional Use with conditions.
<u>Exhibits Submitted to the Commission</u>	1. Staff Report Dated June 5, 2013 2. Interoffice Review Transmittal Sheets 3. Review and Comment Forms 4. Surrounding Zoning Map 5. Aerial View 6. Property Notifications Map 7. Letter of Agency 8. Conditional Use Permit Application Dated April 26, 2013 9. Supporting Documents 10. Drawings, Photographs, Sketches

City of Oxford
Community Development Department
STAFF REPORT

Planning Commission

Case # PC-09-2013

Date – June 11, 2013

APPLICATION

Applicant:	Susan Kay/Holy Trinity Episcopal Church
Location:	25 E. Walnut Street
Owner:	Holy Trinity Episcopal Church
Agent:	Susan Kay or Architect Chantelle Noble
Action Request:	Conditional Use Permit Application -- Expansion of a Place of Worship in a Residential Office (RO) Zone
Current Use:	Place of Worship / Apartments
Surrounding Existing Land Uses:	Predominantly Residential Rental

DESCRIPTION

Applicant Susan Kay comes before the Planning Commission on behalf of the Holy Trinity Episcopal Church to present a conditional use permit request for an expansion at 25 East Walnut Street, on the southwest corner of East Walnut and South Poplar Streets. A conditional use permit is required for a place of worship land use, in the Residential Office Zoning District. Chantelle Noble of City Studios Architecture has prepared a site plan showing the ¼ block that the church owns. City Studios also has prepared three dimensional color renderings of the proposed building addition and site landscaping.

Holy Trinity has programming needs that currently cannot be fulfilled with the existing building and site conditions. The building committee has been working off and on for many years to come to this proposal before the Commission tonight. The proposal is to demolish the existing two-story house and expand the green space along the Walnut Street frontage. The building expansion plan is to continue the single-story west wing further beyond the elevator tower to create office and meeting spaces that are attached to the main building. Currently the detached house contains office space and classrooms on the first floor. The existing main building footprint is approximately 5,600 square feet and the proposed addition footprint is approximately 3,000 square feet. The main building has a basement but the proposed addition does not. The property, which is currently two lots, totals 27,288 square feet. As shown, the overall site would have approximately 47% lot coverage, which includes all buildings and pavement.

The entire property is within the Uptown Historic District; therefore, the proposed demolition and construction fall under the jurisdiction of the Historic and Architectural Preservation Commission (HAPC). Both the demolition of the two-story home and the expansion of the main building were approved by the HAPC on May 1, 2013.

The purpose of the Conditional Use Permit review process is to review the potential integration of the proposed land use within the existing surrounding land uses. In this case the land use existed prior to the zoning requirement for a conditional use permit; however, the owners propose expansion which requires the permit. Therefore, the Commission can now consider any existing compatibility concerns and what impacts an expansion might have on that compatibility. The Commission may not find any compatibility concerns. However, if there are any potential negative impacts as a result of the expansion and site development, this is the appropriate time to discuss the impacts and recommend any mitigation measures. Additionally, the Commission could request more information prior to a decision, if it felt appropriate.

SURROUNDING NEIGHBORHOOD

All property owners within 200 feet have been notified by letter, a sign has been posted on the property and notice has been placed in the newspaper. At the time of this writing, **two public comments of support, in response to the 200 foot notice, have been received.**

The property is primarily surrounded by residential rental properties of various densities and architectural styles. The exception to the residential rental properties is the Hillel Foundation directly across the alley to the west. Hillel Foundation is the center of Jewish student life activities for Miami University. Holy Trinity also has an active student base.

PLANNING COMMISSION AND BOARD OF ZONING APPEALS SITE HISTORY

1986-PC-11 – Replat/Lot Consolidation

1999-PC-25 – Replat/Lot Split

2000-BZA-07 – Lot Coverage Variance (44%) due to Elevator Tower addition

COMPREHENSIVE PLAN (2008)

There are no specific strategies or objectives directly referring to places of worship (churches) in the most recent Comprehensive Plan. However, there are indirect references that staff found helpful, which are included below with staff comments:

Land Use Chapter –Principles excerpt (page 3.9)

1. The community's small college town character will be preserved and enhanced.

(*Staff comment-* the church proposes to continue to invest in the Mile Square rather than relocate outside the urban core)

University and Community Chapter – Objectives excerpt (page 11.3)

Objective 2 – Foster model university-community collaboration

UC 2.6. Develop ongoing programs to help students learn the responsibilities of being good citizens and neighbors.

UC 2.7. Strengthen sense of community between students/nonstudents.

(*Staff comment-* churches commonly achieve this goal of building relationships which are not age specific)

ZONING CODE REGULATIONS EXCERPTS

§1143.09 RO OFFICE RESIDENTIAL DISTRICT.

(a) Purpose. This district is designed to encourage a residential environment in established areas of historically significant character. Offices and service facilities are permitted to support community needs in suitable locations that do not produce incompatible effects on adjacent residential neighborhoods. A mix of uses within one structure is encouraged. This district is appropriate adjacent to higher volume thoroughfares, as well as between commercial areas and residential neighborhoods. This district shall be considered a residential district.

Conditional Use

The purpose of Conditional Use regulations is at Section 1147.01(a):

"Purpose. Conditional Uses are land uses that are potentially appropriate in many zoning districts but that are likely to have characteristics that could be detrimental to the public health, safety, or general welfare if not located appropriately, operated appropriately, or mitigated with good design."

§1143.09(b)(2)H.: Conditional Uses in RO:

STAFF FINDINGS: Places of Worship are specifically listed as a Conditional Use in the RO District.

§1143.09(c): RO Site Development Regulations:

STAFF FINDINGS: Lot size, setbacks, and building height appear to be satisfied. However, building coverage and total lot coverage are not satisfied. A maximum of 25% of the site is allowed to be covered

by enclosed buildings. A maximum of 40% of the lot is allowed to be covered by buildings and paving. Exact survey calculations have not been submitted. Staff's rough calculations (after a lot consolidation) show that building coverage will be approximately 35% and that total lot coverage will be approximately 47%. The building addition is approximately 3,000 square feet footprint, and the demolished building is approximately 1,800 square feet. There is also a new outdoor terrace area. The asphalt/gravel parking area is not proposed for removal, and by definition is to be included in the total lot coverage calculation.

§1147.03(b)(15) Use Regulations & Potential Concerns:

(15) Churches, libraries, community and recreation centers.

- A. Potential Concerns
 - 1. Adequate lot size to permit future expansion
 - 2. Location and screening of outdoor recreation areas
 - 3. Bus or van storage
 - 4. Lighting
 - 5. Parking and traffic impact
- B. Regulations.
 - 1. none

STAFF FINDINGS: The list of specific concerns above is not a comprehensive list of all the criteria. *See the attached code Section 1147.02(c)(2) for the complete list.* Churches commonly fit well within a mixture of residential uses, because of the low impact that they have and the potential close proximity to building users. The church does not have a bus or van. No details have been submitted for outdoor lighting yet. On-site parking is not required for churches in the RO zone. However, there are approximately five un-striped off-street parking spaces on the property, near the existing two story house. Additionally, some adjacent on-street parking spaces are reserved for handicap parking on Sundays. One block to the west is a public parking garage.

COMMENT FORMS

Two public comment forms indicating support, were received.

AGENCY REVIEWS

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

Police:	No comment received
Fire:	Returned without comment
Engineering:	Returned without comment
Econ. Dev.	Returned with comment of support

DECISION CRITERIA

A copy of the Conditional Use Permit Decision Standards is attached.

ANALYSIS

The plans submitted lack the detail that a complete building permit application would contain. However, they are sufficient to conduct the Conditional Use Permit review. Staff is not aware of any existing land use conflicts between Holy Trinity and surrounding properties, or of any that would directly result from this expansion. City departments will conduct a more complete review of detailed construction plans, if and when the Planning Commission and City Council approve the Conditional Use Permit.

One area of nonconformance is the unpaved off-street parking along the alley, which encroaches partially into the front yard (setback). Section 1149.05 (Non-Residential Vehicle Management) requires that parking areas not be in the front setback (20 feet in the RO zone), that they are paved, and that they are bounded by a six-inch raised curb. However, according to Section 1147.07(d)(2), the Planning Commission can waive or modify dimensional regulations of the Zoning Ordinance.

Once the existing two story house is removed, the encroachment of the one parking space into the front yard (setback) may be more noticeable. However, as the landscaping matures, it may be less noticeable. The Planning Commission may wish to at least require paving of the gravel area and a raised curb along the north perimeter. Although a detailed landscape plan has not yet been submitted, the three dimensional rendering does give an adequate concept of what the mature landscape would look like. The two existing shade trees in the front yard are not shown on the rendering. If possible, at least one could be saved, if it fits within the landscape design.

RECOMMENDATION

Staff recommends that the Commission solicit input from the applicant at the hearing about the parking area location and landscaping materials prior to a decision. The Commission could waive or modify the vehicle management requirements if it so desired. Additionally, appropriate conditions can be attached to the approval. Staff recommends that the Planning Commission forward a recommendation of approval to City Council based upon the findings in this report.

SUBMITTED

BY:



Sam Perry
Planner

DATE: June 5, 2013

ATTACHMENT

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

(1) Burden of proof.

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

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

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

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 5/20/2013

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

PC-09-2013 CONDITIONAL USE 25 E. Walnut Street, Holy Trinity Episcopal Church, to allow for the expansion of a place of worship in a RO (Residential Office) District, Susan Kay, City Studios Architecture, Applicants, Agents

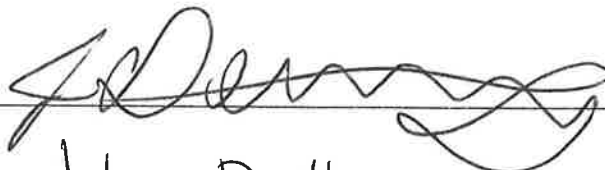
 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **6/5/13** 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: 5-21-13

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 5/20/2013

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

PC-09-2013 CONDITIONAL USE 25 E. Walnut Street, Holy Trinity Episcopal Church, to allow for the expansion of a place or worship in a RO (Residential Office) District, Susan Kay, City Studios Architecture, Applicants, Agents

 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **6/5/13** 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:

6-4-13

VICTOR POPESCU

PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 5/20/2013

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

PC-09-2013 CONDITIONAL USE 25 E. Walnut Street, Holy Trinity Episcopal Church, to allow for the expansion of a place of worship in a RO (Residential Office) District, Susan Kay, City Studios Architecture, Applicants, Agents

X Review _____ Revisions _____ Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **6/5/13** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

Allowing existing Mile Square places of worship the opportunity to expand seems to make sense. Otherwise these uses will leave the Mile Square for greener pastures.

Drawings reviewed by: _____

Date: 5-28-13

G. ALAN FURMAN
PRINTED NAME



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

DATE OF HEARING: **June 11, 2013**

PC-09-2013 CONDITIONAL USE 25 E. Walnut Street, Holy Trinity Episcopal Church,
to allow for the expansion of a place of worship in a RO (Residential Office) District, **Susan**
Kay, City Studios Architecture, Applicants, Agents

If you cannot attend the public hearing on this Conditional Use being held before the City of Oxford Planning Commission, but would like to comment on this matter, please complete this form and return it by **June 5, 2013** to Lynn Taylor, 101 East High Street, Oxford, OH 45056.

Name: Judy Ramsey - D + B Family Ltd Ptn.

Address: PO Box 849
Oxford, OH 45056

Telephone: Home: 523-6786 Work: 523-2638

COMMENTS:

Our Family Partnership supports Holy Trinity's expansion plan. We wish them well.

Signature Judy Ramsey Ltd Ptn

Date 5-30-13



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

DATE OF HEARING: June 11, 2013

PC-09-2013 CONDITIONAL USE 25 E. Walnut Street, Holy Trinity Episcopal Church,
to allow for the expansion of a place or worship in a RO (Residential Office) District, **Susan**
Kay, City Studios Architecture, Applicants, Agents

If you cannot attend the public hearing on this Conditional Use being held before the City of Oxford Planning Commission, but would like to comment on this matter, please complete this form and return it by **June 5, 2013** to Lynn Taylor, 101 East High Street, Oxford, OH 45056.

Name:

St. Mary Church

Address:

111 E. High St

Telephone:

W Home: 523-2153

Work:

COMMENTS:

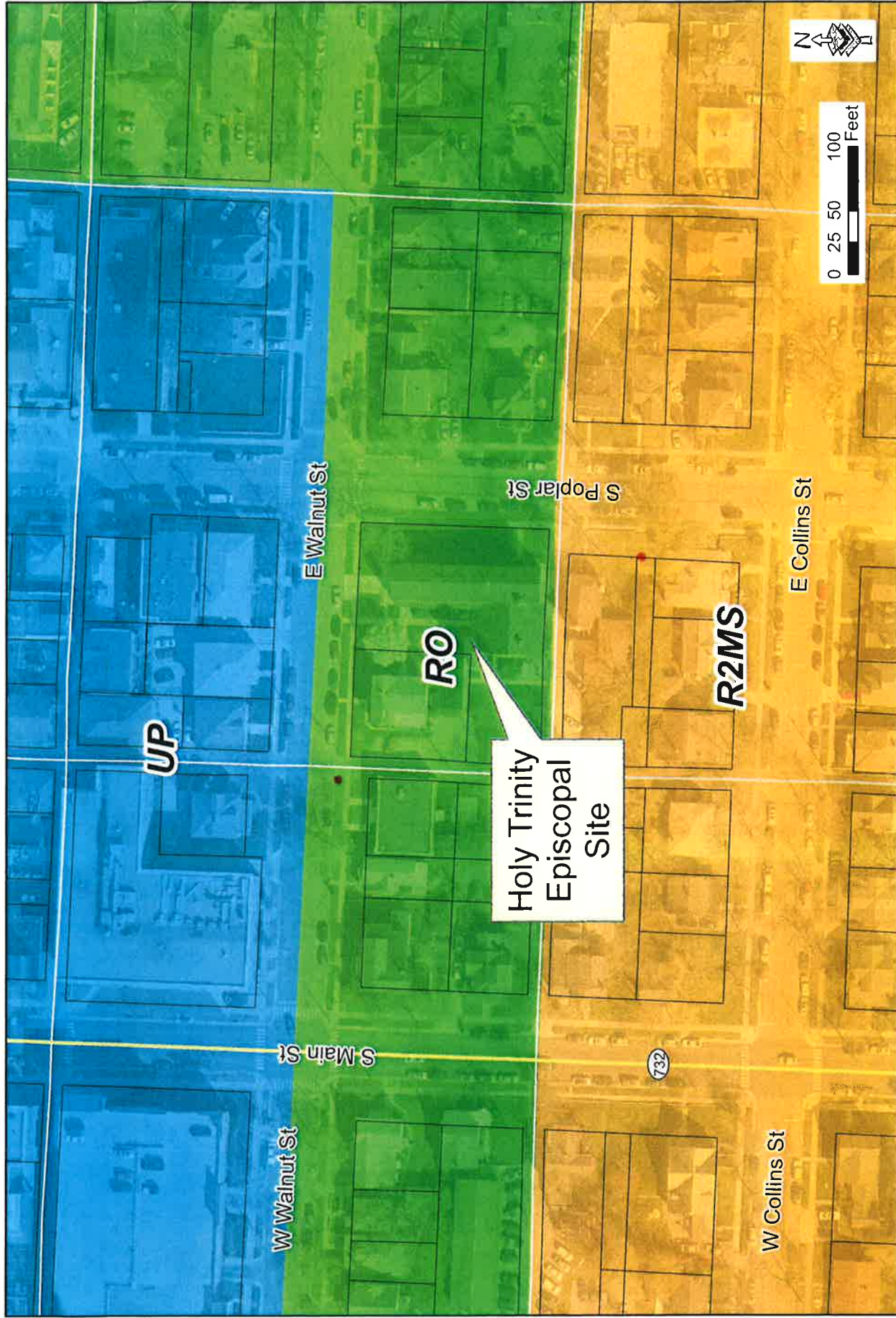
No complaints!

Signature

Jim Burk

Date

5/22/13



Surrounding Zoning Map

Holy Trinity Episcopal Church - 25 E. Walnut St

Map Produced June 5, 2013

R-2MS, Single- and Two-Family Mile-Square Residential

RO, Office Residential

UP, Uptown





PC-09-2013

*property
notification*

Legend

 19 & 25 E. Walnut St.

 200 Ft. Buffer

 Oxford Corporation Limit

 Parcel

 16.5' Vacated ROW

 Building Footprint

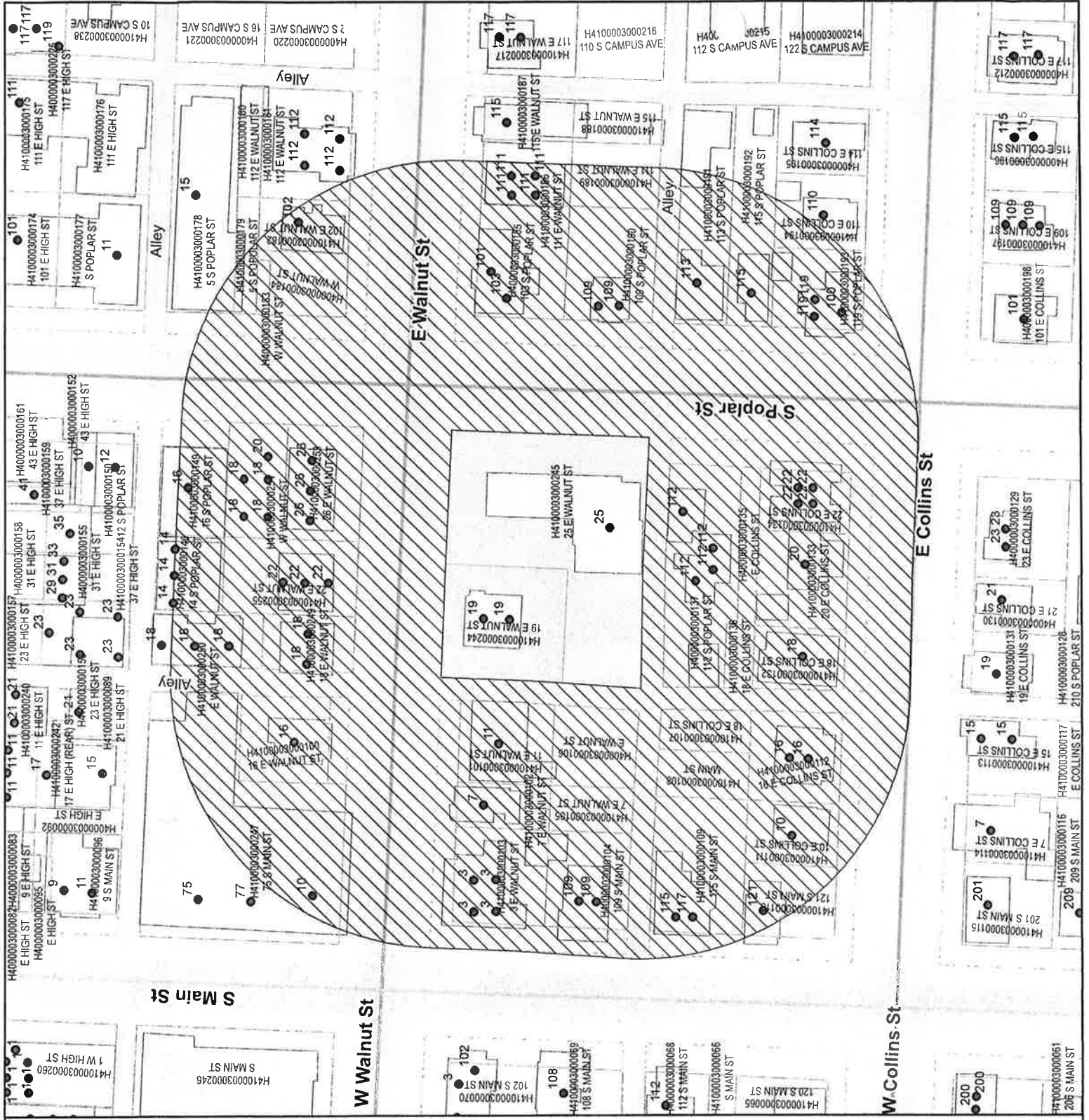
 Paved Roadway



1 inch = 100 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.



LETTER OF AGENCY

To Whom It May Concern:

Please be advised that either Susan Kay or City Studios Architecture has permission to represent our interest with the City of Oxford and act on our behalf for the Oxford Planning Commission hearing on June 11th, 2013, regarding the Application for Conditional Use by Holy Trinity Episcopal Church for our property located at 19-25 East Walnut Street, Oxford, OH, 45056.

Thank you,

Karen Burnard

The Reverend Karen Burnard, Rector
Holy Trinity Episcopal Church

April 25, 2013

Date

Case No.: PC-09-2013
Date filed: 4/26/13

Conditional Use Permit Application

City of Oxford, Ohio

REQUIRED INFORMATION (print clearly)

Name of Applicant: Susan Kay or City Studios Architecture
(Letter of agency attached)
Mailing Address: Holy Trinity Episcopal Church c/o Susan Kay
25 East Walnut St., Oxford, OH 45056
E-mail Addresses: kays@miamioh.edu; cnoble@citystudioarch.com
Telephone Number(s): Kay 513-523-8651 (h) 255-1757 (cell); City
Studios 513-621-0750; Holy Trinity 513-523-
7559

Name of Property Owner (if other than Applicant) Holy Trinity Episcopal Church

Location of Property: 19 and 25 E. Walnut Street, Oxford, OH 45056

Legal Description: Legal Description for Holy Trinity Episcopal Church Property [not
to be used for conveyance or recording purposes]

Entire Lot # 3353, containing 7,275 sq. ft. or 0.167 acres, and adjacent Entire Lot # 3354, containing 20,015 sq. ft. or 0.459 acres, situated at the southwest corner of Walnut and Poplar Streets in the City of Oxford, Ohio, as shown on a plat recorded at Vol 38, Page 40 of the Butler County Engineer's Record of Land Surveys.

Zoning District: R0 Office/Residential; part of the Historical Architectural
Preservation Area

Total Area: 2.129 Acres

Existing Use Description: Parcel Id H4100003000245 --- Lot # 3354 --- is a church whose uses include worship space on the main floor with fellowship space, a choir room, nursery, library, kitchen, and restrooms on the lower level; on the upper level, in addition to the worship space, uses include the rector's office, a children's classroom, and a restroom.

Parcel Id H4100003000244 --- Lot # 3353 --- is classified as a 2-family dwelling; it is used for two 1-person apartments upstairs, and a small entry way containing office equipment, an office, a children's class-room, two restrooms, a meeting room with kitchen, and a small room used as an office by Oxford Center for Peace and Justice down stairs.

Proposed Use Description: At the time of this application, Holy Trinity has not yet received permission from HAPC to demolish the building on Lot

3353; their application is on the HAPC agenda of May 1. The demolition is required as a part of the expansion of the building on Lot # 3354 and the reuse of both lots for which Conditional Use is sought. Also at the time of this application, Holy Trinity has not yet consolidated the two lots, as it needs to leave the building on Lot # 3353 intact until the addition is built in order to have space for the office and classroom functions of that building as well as to allow tenants in the apartments to have maximum time to seek new, affordable; in addition, the church plans for the meeting room on the first floor to function as the on-site contractor's location during construction of the addition. Holy Trinity must wait until after demolition to consolidate the lots or risk the problem of having two principal uses on one lot.

The proposed use of the main church building with the proposed addition you see before you is to consolidate the present functions of the church into one structure and to make space available for the congregation and its activities both within the church and within the community to grow.

The uses of the overall building and its addition may change as the necessary outreach and functions of the church change with societal and community changes. Thus, all of the spaces in the addition, with the possible exception of office spaces, can be viewed as multi-functional. All uses of the spaces will, however, conform to the principal use as a building for all the callings and mission of a faith community.

SUBMISSION REQUIREMENTS

The required fee of **\$400.00 plus actual postage**, made payable to the City of Oxford, must accompany the applications. The entire submission must be prepared in accordance with Chapter 1147, Conditional Uses, of the Zoning Code of the City of Oxford.

Attach thirteen (13) copies of a site plan indicating the following:

1. North arrow -- Attachment 1
2. Scale -- Att. 1
3. Vicinity Map -- Att. 1, 2
4. All existing and proposed lot lines within the site -- Att. 1, 2
5. Dimensions of all lots and of the entire site and any adjacent rights-of-way -- Att. 1
6. Loc., hgt., and use of all proposed and existing structures -- Att. 4 - 10
7. Loc. and design of all proposed vehicle management area -- Att. 4 - 10
8. Location, size, and type of all proposed signs -- Att. 2 (existing signage); no new signage proposed except signage to mark designated church and handicap parking in the parking indicated on the plans and church parking on the alley way next to the present building.
9. Loc., hgt., and type of all proposed screening and landscaping -- Att. 4 - 10

10. Distances to residential zoning districts if within 1,000 feet – Att. 1
11. The use of land and location of structures on adjacent property and across adjacent rights-of-way -- Att. 2
12. Elevations of proposed structure, or typical elevations if structures are not yet designed, shall be required by the Zoning Administrator if the proposed location, height, or bulk of the structure is such that it may negatively affect an adjacent use – Att. 4-10
13. Photographs of the existing use and its surroundings. – Att. 2, 3
14. Other information as required by the Planning Commission

Attach a Narrative Statement describing how the proposed Conditional Use meets the following Decision Standards of the zoning district in which it is to be located: Please see Attachment 11

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

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. *Property Owner names will not be included in the agenda packet.

NOTE: The Butler County website (www.butlercountyohio.org/auditor) is very helpful when searching for the mailing address of adjoining property owners. Once the site is up, click on online searches, then click on real estate. It will allow you to search by owner, address or parcel number.

All materials must be delivered to the office of the Community Development Director, City of Oxford, 101 East High Street, Oxford, Ohio 45056. Any questions should be directed to the Community Development Department at (513) 524-5204. The issue will be placed on the next possible agenda.

Incomplete applications will not be processed.

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


Signature of Applicant

SUEAN KAY
Printed Name

Date: 4/25/2013

FEE/RECEIPT

\$400 Fee Paid (postage charged to Holy Trinity)/ Receipt Number: 18253 , 27

Attachment 11

Narrative Statement describing how the proposed Conditional Use meets the following Decision Standards of the zoning district in which it is to be located:

A. The proposed use is in fact a Conditional Use in the zoning district in which it is proposed.

Section 1143.09 (b) (2) H of the Planning and Zoning Code lists “places of worship” as a conditional use in the RO district. When Holy Trinity joins the two lots under consideration, the conditional use will extend to cover the entire quarter block, providing a more unified space for the place of worship that now is a conditional use for the larger of the two lots.

B. The use and site will satisfy the general intent of this Zoning Code.

Section 1143.09 (a) indicates that “this district (RO) is appropriate . . . between commercial areas and residential neighborhoods. The property is across Walnut from the UP zone which on Walnut has multi-story apartments and, to the west on the same side, the hotel. Diagonally across Poplar is zoned UP. Directly across Poplar is RO. On the same side of Walnut, west from Holy Trinity are Hillel and single-family residences.

The proposed use of the site seems to satisfy the purpose of this section of the Zoning Code. The use provides a transition between the commercial uses of UP and the R2MS district to the south. In addition, the proposed addition to the main building will enhance the appearance of this district, which is in close proximity to the UP district, thus enhancing the UP as well.

By discontinuing the use of the Old Rectory for rental units, Holy Trinity will be more in compliance with the Zoning Code in that the overall property will not have uses that are somewhat unrelated to the principal purposes of the church building.

C. The use and site will be compatible with the general intent of the Comprehensive Plan.

The proposed use of the combined lots will enhance the appearance of the area; provide a more consolidated, accessible, and attractive green space than is present on the two separate lots with two separate buildings; soften the appearance of that corner and the streetscape leading to Hillel and the residential houses; be of a scale that blends well with the office-residential character of the zoning district.

The addition to Holy Trinity’s present building will also allow it to better serve the community at large and assist in cooperation between the University and the City.

Holy Trinity presently opens its doors to a variety of community groups and University organizations. The addition will make meeting space for such groups more plentiful, comfortable, and attractive.

Three years ago, Holy Trinity received a two-year grant (\$18,00 per year) for College Student Ministry from the Episcopal Church USA; the Diocese of Southern Ohio has matched the grant for an additional two years. This grant has allowed Holy Trinity to increase the numbers of Miami students who worship and study at Holy Trinity and who also join in outreach efforts for the community. The students volunteer for Holy Trinity's monthly dinners that are open to anyone in the community, volunteer in community service agencies, and engage with younger people in our own community. Holy Trinity's young people have also cooperated with adherents to other faiths, most recently in a 2013 spring break service learning experience of border and immigration issues along the Arizona border with Mexico.

Demolition of the Old Rectory will eliminate the visual separation between Holy Trinity Church and Hillel and emphasize the cooperative coexistence of the two faith communities. All of these instances of opening doors to the larger community and working with students from Miami are evidence of community-building as well as University/City cooperation – both called for in the Comprehensive Plan.

D. The size and shape of the site are sufficient for the proposed use.

The plan to move an office, classroom, and meeting room from the Old Rectory to the new addition to the Church, then demolish the Old Rectory and consolidate the lots will provide a much better size and shape of the site for the proposed use. Holy Trinity will then have classroom space to accommodate two different classes, additional meeting space for two different sized meetings, and more office space at least equivalent to the present office space in the Church building and in the Old Rectory. In addition, space will be freed on the main floor for the nursery, now housed on the lower level at some distance from worshipping parents. One building on one square lot, integrated into its site and the green space is a far better use of the site than the present uses.

There will be adequate space for some expansion if that becomes necessary, by extending the short leg of the L-shape somewhat more toward the north. There could even be a second storey added to the addition, at substantial expense and with extensive remodeling. However, the Church is probably at or very near the maximum it will need in the foreseeable future. The present proposal represents "Stage 2" of an expansion that was begun about 13 years ago with the addition of the bell tower, elevator housing, and more accessibility through improved walkways.

The only expansion that is now foreseen is an expansion of the Narthex, the entryway into the worship space. At present, it is too small to create a welcoming atmosphere or to provide adequate access to coat storage in winter. Especially during special events, it can become quite crowded. The Church had originally

planned to include Narthex expansion into the present changes to the building; however, it reached the limits that it could afford at the present time and had to defer these plans; nevertheless, with proper variances, there is room for expansion of that small section of the building toward the street. No changes to the main building beyond the limited connection required to the addition are proposed for this phase of our planning.

E. The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district.

Holy Trinity creates no hazardous emissions or other hazardous conditions. It has ceased the "burning of the greens" on the grounds; but when that was done in the past, the Fire Department was notified and proper permits were secured. Now, the only outdoor fire is contained in an outdoor grill on the steps of the Church to signal the beginning of the Easter Vigil on the night before Easter.

There is no proposed recreation area (in the form of a designated playground with equipment) that would create an attractive nuisance and possible disturbing noise; however, children may be playing in the green space as they do now without creating much of a disturbance. There is no need for specific screening of an outdoor recreation area.

The bells will continue to ring as they do now; there are no plans for larger bells or amplification. Parishioners, priest, and choir have been known to march around the block, chanting in procession; the noise level, however, is hardly enough to be hazardous or in violation of noise ordinances. Occasionally the community gathers outside for procession into the church on holy days or eves; this produces neither noise nor traffic disruption. Burials are occasionally done in the Columbarium next to the main church building in the green space area. On occasions when burials are done in the Columbarium, the effect on traffic may even be positive as there would be no procession to a cemetery. Burials are not accompanied by loud noise and are always in the daytime. The Church expects much more use of the outdoor space with the new addition, but it will not be of a character to create a nuisance or disturbance.

Lighting spillover should not be a problem as there will be no lighting other than safety lighting that will be directed toward the grounds; and the surrounding area is already highly lighted, making any additional lighting on Holy Trinity's site trivial.

Holy Trinity has no plans for owning a bus or van; thus there will be no need for storage that would detract from the site.

There will be little or no additional impact on traffic or parking. The church would love to have additional parking on the site but has no useable space for it. Under the expansion plan, the Church will end up with approximately the same number of legal parking spaces. (That is, some spaces will be lost that have been gained by

stacking cars one behind the other; this possibility will be eliminated under the proposed plan.)

F. The use will not involve activities, processes, materials, equipment, or conditions of operation that will be detrimental to any person, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare, odors, or other emissions.

Please see the answer to E.

G. The only accessory uses will be directly related to the operation of the principal use and will not be operated independent of the principal use.

Holy Trinity believes that community outreach and service activities, the practice of radical hospitality to others, and the incorporation of University students into the church community and the larger Oxford community are part of the principal use that cannot be operated independently of the principal use.

H. The use and site will be adequately served by public facilities and services such as streets, water and sewer, drainage structures, police and fire protection, and refuse disposal, or adequate provisions will be made to provide the same services privately.

There is no evidence that the addition to the main building will have any additional impact on public facilities and services. There may even be some reduction of such impact with the demolition of the Old Rectory.

I. Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services.

Please see the answer to H.

J. The site will be designed, constructed, and maintained in a character harmonious in appearance and general character with the existing or intended character of the general vicinity, and such use will not change the essential character of the same area. Structures to be constructed, reconstructed, or altered in a residential zoning district shall have the appearance of residential buildings permitted in the zoning district.

The attached renderings of the proposed building and grounds are evidence that this condition will be met. Holy Trinity has an active group of "grounds keepers" and an active group of maintenance people in the parish. Both groups of parishioners supplement the efforts of professional maintenance and landscaping groups to insure that the grounds and building are properly maintained.

K. The site is designed so that on-site traffic and traffic accessing the site will not inappropriately impact the movement of traffic on adjacent public streets. Not applicable.

L. Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.

There are no natural or scenic features on the property of importance. While the house that is proposed for demolition is historic, its historic character is not major in terms of design, events, or occupants. By the time this application is heard by Planning Commission, Holy Trinity will have demonstrated to HAPC the impossibility of restoring the house without major financial difficulty on the part of the Church.

M. All necessary permits and licenses for the Conditional Uses and its operation have been or can be obtained for the use at the proposed location.

All permits and licenses for the Conditional Use and its operation can and will be obtained for the use at the present location; in fact, the main building is now recognized as a Conditional Use in the RO zoning district. The present application is for a major revision to the already granted Conditional Use.

25 East Walnut St
Oxford, OH 45056

DATE: HAPC REVIEW
04.12.2013

A1.1



SITE PLAN - NEW FIRST FLOOR PLAN ATOP SITE SURVEY

1/16"=1'-0"

Attachment 3(a)
Ref. Reg. 13





E Walnut St

Soplar St

Alley

Attachment 2
Def. Reg.
3, 4, 8, 13, 11

UP Multi-fam.
EXISTING
EXISTING
EXISTING
EXISTING
EXISTING

CHURCH
ANNEX
TO BE
RAZED

PRESENT
CHURCH
BLDG.

EXISTING
MONUMENT
SIGN -
REMAINS

RESIDENCES

RMS
RESIDENCES

HILL

Attachment 3 (b)
Ref. Reg. 13



HOLY TRINITY EPISCOPAL CHURCH
25 East Walnut St
Oxford, OH 45056

CIVIL ENGINEERING
ARCHITECTURE
25 E. 1st St., Suite 200
Cincinnati, OH 45202
416.233.4131
www.civil-engineering.com

DATE: HAPC REVIEW
04.12.2013

PRELIMINARY
NOT FOR CONSTRUCTION

A0.1

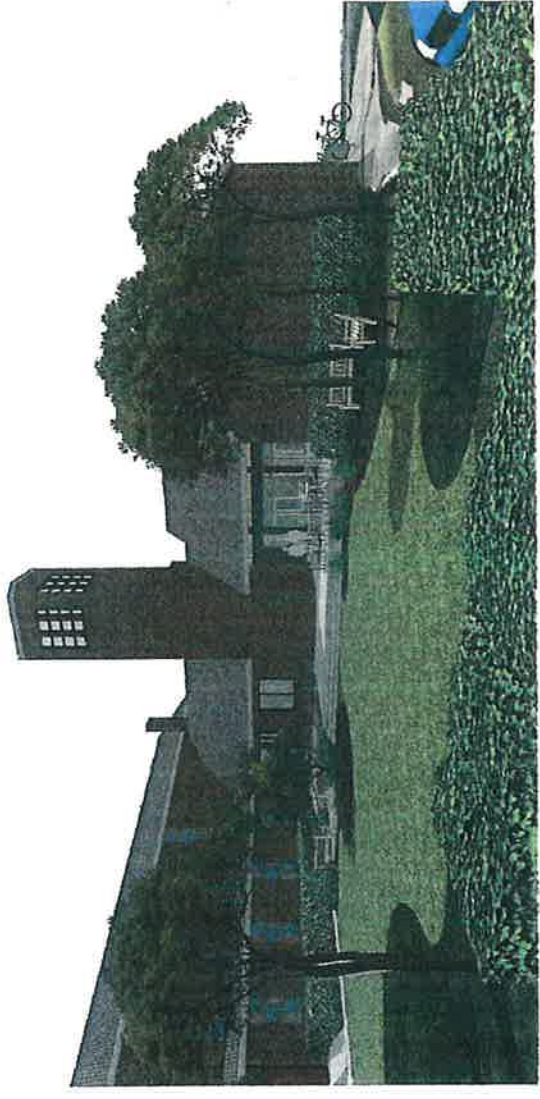
PHOTOS OF EXISTING SITE
NOT TO SCALE

Attachment 7
Ref. Req. 6, 7, 9, 12,



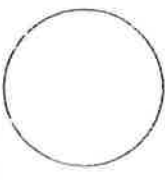
1 VIEW OF PROPOSED EXPANSION FROM NORTHEAST COURTYARD

NOT TO SCALE



2 VIEW OF PROPOSED EXPANSION FROM NORTHWEST COURTYARD

NOT TO SCALE



HOLY TRINITY EPISCOPAL CHURCH
25 East Walnut St
Oxford, OH 45056

CITY OF OXFORD
ARCHITECTURE
102 E. 1st St., 2nd Fl.
Oxford, OH 45056
Tel: 513-421-1000
Fax: 513-421-1001

DATE: HAPC REVIEW
04.12.2013

PRELIMINARY
NOT FOR CONSTRUCTION

A0.0

25 East Walnut St
Oxford, OH 45056

DATE: HAPC REVIEW
04.12.2013

A1.0



SITE PLAN

[illegible]

**STUDIOS
ARCHITECTURE**

PRELIMINARY
NOT FOR CONSTRUCTION

A3.0

25 East Walnut St
Oxford, OH 45056

DATE: HAPC REVIEW
04.12.2013

A3.1



FIRST FLOOR NEW WORK PLAN

25 East Walnut St
Oxford, OH 45056

ARCHITECTURE

100

2000

$$u_1(t) = u_2(t) = 1, \quad u_3(t) = 0, \quad t \in T$$

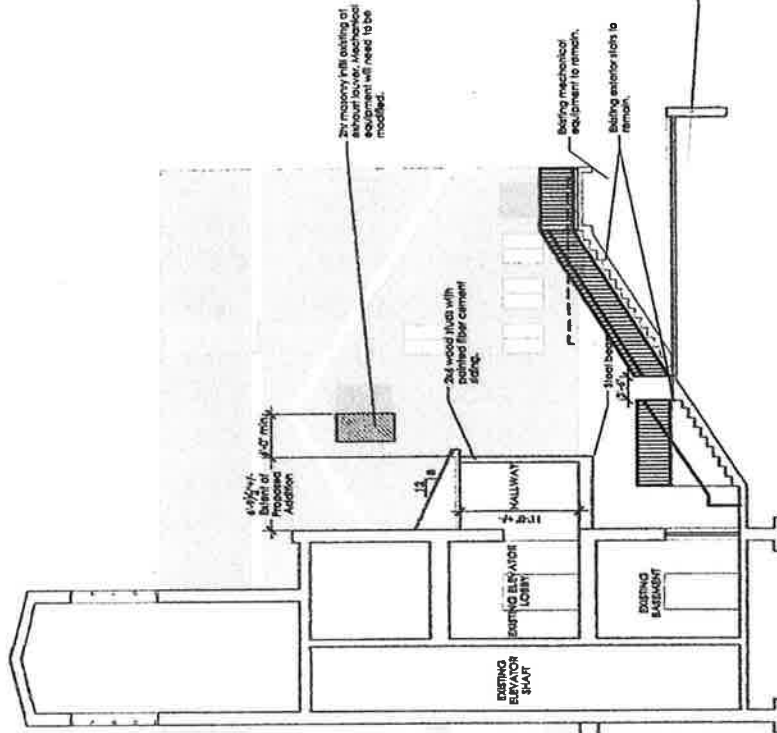
DATE:	HAPC REVIEW
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PRELIMINARY

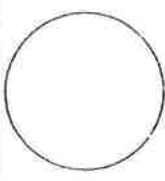
A4.0

SECTION AT EXTERIOR STAIRS

5-1-8/1



Attachment 9
Ref. Reg. 6, 7, 9, 12

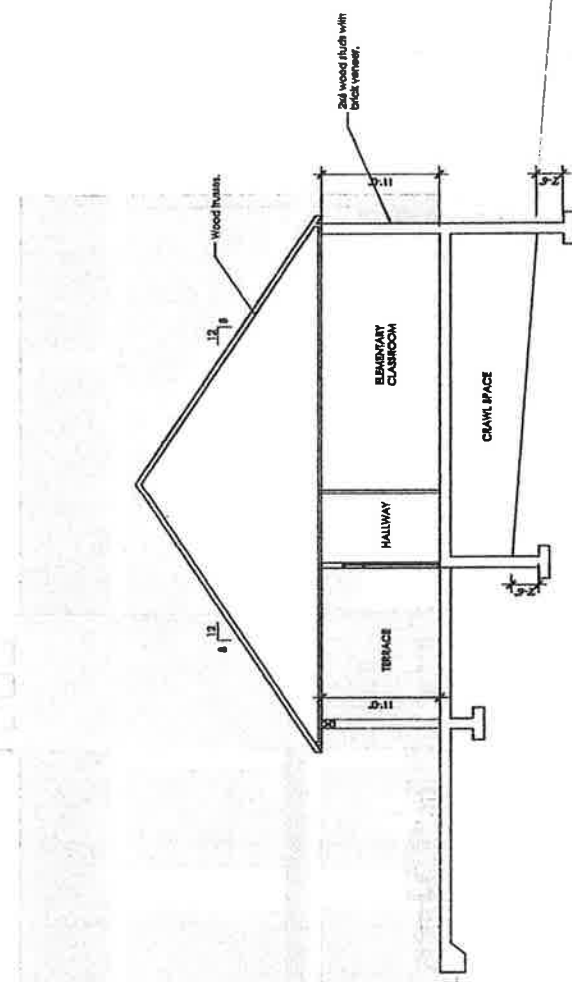


HOLY TRINITY EPISCOPAL CHURCH
25 East Walnut St
Oxford, OH 45056

DATE: NAC REVIEW
04.12.2013

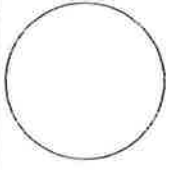
PRELIMINARY
NOT FOR CONSTRUCTION

A4.1



SECTION AT TERRACE
1/8" = 1'-0"

Attachment 12
 Ref. Dag. 6, 7, 9, 12



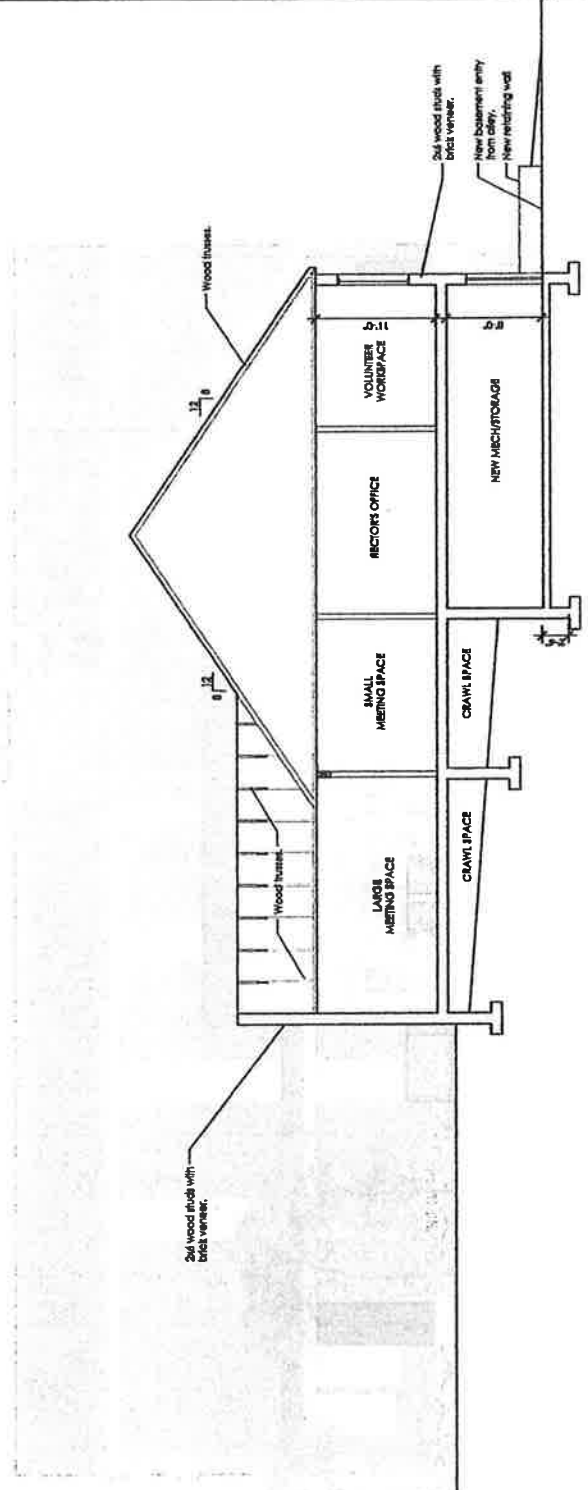
HOLY TRINITY EPISCOPAL CHURCH
 25 East Walnut St
 Oxford, OH 45056

DATE: 04.12.2013
 HAPC REVIEW

DATE: 04.12.2013
 HAPC REVIEW

PRELIMINARY
 NOT FOR CONSTRUCTION

A4.2



SECTION THROUGH BASEMENT ENTRANCE
 1/8" = 1'-0"

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Clerk of Council
Originating Department

Council Meeting Of: June 19, 2012

Mary Ann Eaton

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

June 4, 2012

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 21, 2013.

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

Approved By:

Initial Date

Department Head:

City Manager:

MAE 6/28/12

ORDINANCE NO.

AN ORDINANCE TO APPROVE CURRENT REPLACEMENT PAGES TO
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 2013 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

301.031	Beacon; Hybrid Beacon. (Added)
301.161	Highway Traffic Signal. (Added)
301.17	Intersection. (Amended)
301.181	Median. (Added)
301.26(b)	Private Road or Driveway. (Added)
301.361	Shared-Use Path. (Added)
301.45	Traffic. (Amended)
301.46	Traffic Control Device. (Amended)
301.47	Traffic Control Signal. (Amended)
303.01	Compliance With Order of Police Officer. (Amended)
303.99	General Traffic Code Penalty. (Amended)
313.03	Traffic Signal Indications. (Amended)
313.04	Lane-Use Control Signal Indications. (Amended)
313.05	Special Pedestrian Control Signals. (Amended)
313.06	Flashing Traffic Signals. (Repealed)
331.12	U-Turns Restricted. (Amended)
333.11	Texting While Driving Prohibited. (Added)
335.032	Electronic Wireless Communication Device Prohibited. (Added)
335.07	Driving Under License Suspension or Restriction. (Amended)
335.072	Driving Under Financial Responsibility Law Suspension or Cancellation. (Amended)
335.074	Driving Under License Forfeiture or Child Support Suspension. (Amended)
337.01	Driving Unsafe Vehicles. (Amended)
337.09	Lights on Parked or Stopped Vehicles. (Amended)
337.18	Motor Vehicle and Motorcycle Brakes. (Amended)
337.23	Limited Load Extension on Left Side of Passenger Vehicle. (Amended)
337.29	Bumper Heights. (Amended)

339.01	Oversize or Overweight Vehicle on State Routes. (Amended)
339.03	Maximum Width, Height, and Length. (Amended)
339.06	Vehicles Transporting Explosives. (Amended)
339.07	Towing Requirements. (Amended)
339.08	Loads Dropping or Leaking. (Amended)
341.05	Commercial Drivers' Criminal Offenses. (Amended)
351.04	Parking Near Curb; Handicapped Parking. (Amended)
373.02	Riding Upon Seats; Handle Bars; Helmets and Glasses. (Amended)_

General Offenses Code

501.01	Definitions. (Amended)
501.11	Organizational Criminal Liability. (Amended)
513.01	Drug Abuse Definitions. (Amended)
513.03	Drug Abuse; Controlled Substance Possession. (Amended)
513.12	Drug Paraphernalia. (Amended)
513.121	Marihuana Drug Paraphernalia. (Added)
517.01	Gambling Definitions. (Amended)
517.02	Gambling. (Amended)
517.06	Methods of Conducting a Bingo Game. (Amended)
517.07	Instant Bingo Conduct. (Amended)
517.08	Raffles. (Amended)
517.09	Charitable Instant Bingo Organizations. (Amended)
517.10	Location of Instant Bingo. (Amended)
517.11	Bingo or Game of Chance Records. (Amended)
517.13	Bingo Exceptions. (Amended)
517.15	Skill-Based Amusement Machines. (Amended)
525.02	Falsification. (Amended)
529.021	Purchase by Minors. (Amended)
529.04	Liquor Consumption in Motor Vehicle. (Amended)
533.08	Procuring. (Amended)
533.09	Soliciting. (Amended)
537.03	Assault. (Amended)
537.12	Misuse of 9-1-1 System. (Amended)
545.01	Theft and Fraud Definitions. (Amended)
549.01	Weapons and Explosives Definitions. (Amended)
549.02	Carrying Concealed Weapons. (Amended)
549.04	Improperly Handling Firearms in a Motor Vehicle. (Amended)
549.10	Possessing Replica Firearms in School. (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: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Manager

Originating Department

Council Meeting Of: June 18, 2013

Mary Ann Eaton

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

June 12, 2013

Date Prepared

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

Recommendation: n/a

Discussion:

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

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

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

Approved By:

Initial Date

Department Head:

City Manager:

 6/14/13

ORDINANCE NO.

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

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

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

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

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

SECTION 9.03 NOMINATIONS

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

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

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

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

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

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

SECTION 8: This Ordinance shall take effect at the earliest time allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)