

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Human Resources

Originating Department

Council Meeting Of: July 7, 2015

Kim Newton

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

June 19, 2015

Date Prepared

Agenda Title:

Report regarding the June 18, 2015 Civil Service Commission Regular Meeting.

Recommendation:

Discussion: The Civil Service Commission held a regular meeting on Thursday, June 18, 2015. Those members present were: Karen Martino, Chair; James Burchyett, Vice-Chair; Greg Smith; Brian Martin and Bill Brewer.

Donna Heck, Human Resources Director; Kim Newton, Recording Secretary; Gail Brahier, Parks and Recreation Director and John Jones, Lieutenant were in attendance for the City of Oxford.

The Commission reviewed and approved the eligibility lists for the Recreation Programs Supervisor as well as Public Safety Communications Officer (PSCO/Dispatcher).

The Commission also reviewed and approved the final draft of the Civil Service Rules and Regulations.

The next Civil Service Commission meeting is scheduled for Wednesday, July 22, 2015 at 6:00 p.m.

Approved By:

Initial Date

Department Head:

City Attorney:

City Manager:

[Signature] 6/22/15

[Signature] 7/1/15

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: July 7, 2015

Account Code No. #:

Jung-Han Chen
Prepared By

Budgeted Amount:

June 19, 2015
Date Prepared

Agenda Title: Planning Commission Meeting Report – June 9, 2015
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Reports from Commissions, Boards, Committees & Staff

PC-2015-09 ZONING MAP AMENDMENT to establish a Neighborhood Conservation Overlay District in the area of Autumn Drive, Harvest Court, and part of Brookville Road for a total of 49 parcels in the proposed overlay district. **City of Oxford, Applicant**

Staff presented this petition to the Planning Commission for consideration. A total of 49 parcels are included in this petition, with 36 signatures gathered by the petitioner. The Planning Commission voted 6-0-0 to recommend approval to Council for consideration.

PC-2015-10 ZONING MAP AMENDMENT to establish a Neighborhood Conservation Overlay District in the area of Dana Drive, Ryan Drive, Josie Lane , Randall Drive and part of Oxford-Riley Road for a total of 72 parcels in the proposed overlay district. **City of Oxford, Applicant**

Staff presented this petition to the Planning Commission for consideration. A total of 84 parcels are included in this petition, with 72 signatures gathered by the petitioner. The Planning Commission voted 6-0-0 to recommend approval to Council for consideration

PC-2015-11, CONDITIONAL USE, 50 W. Central Avenue, to build a mini-warehouse on vacant land in a GB (General Business) District, **Scott Webb, Applicant/Agent**

The applicant is seeking approval to utilize existing vacant land to build a mini-warehouse in a recently rezoned property on Central Avenue.

Staff presented the preliminary site plan submitted by the applicant and identified numerous issues for Commission to review, including but not limited to: the size of the site, the storm water issue, a transitional yard, front and side yard setbacks, building articulation, material. as well as other issues for discussion.

The focus of the discussion from the Planning Commission were specifically dealing with the separation of different zoning classifications and the transitional yards setback and whether the residential property should burden the setback requirement and how the proposed wall would constitute the separation requirement. The Planning Commission spent a substantial amount of time going over the issues staff had identified and discussed among the Planning Commission those issues. After the public hearing, the Planning Commission voted 5-1-0 to approve the requested Conditional Use Permit application subject to the following conditions:

1. That, the Narrative Statement and Description of the Proposed Use as described in the Applicant's submittal, shall be considered as part of the approval, specifically related to the hours of operation and the on-site storage issue.

2. The proposed building shall be constructed using decorative concrete block similar to the rendering presented to the Planning Commission on June 9, 2015.
3. A fire hydrant shall be installed by the owner/developer at the entrance of the facility; and the location shall be approved by the Oxford Fire Chief.

Old Business:

25 E. Walnut St, Holy Trinity, amendment to an approved Conditional Use, Susan Kay, Agent

The issue about converting the proposed grassed area to parking spaces was brought to the Commission discussion to decide whether this should be considered as a minor amendment or a major amend to an approved Conditional Use Permit.

After the presentations from the applicant and the testimonies from the church members, the Commission determined that such change is considered to be a minor; subject to the parking area conforms to the City's regulations.

New Business:

The Planning Commission heard a Concept Review for an indoor target range on Ringwood Road, by Mr. Jeff Day.

Mr. Day shared with the Commission his planned project.

Approved by:

	Initial	Date
Department Head:	JHC	6/26/15
City Attorney:		
City Manager:	PLB	7/1/15

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Clerk of Council

Originating Department

Council Meeting Of: June 16, 2015

Mary Ann Eaton

Account Code No. #: 110.465.52331

Prepared By

Budgeted Amount: \$8,000.00

June 8, 2015

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 Ordinances adopted by City Council as well as changes in State laws. This Ordinance is to approve the update.

The update includes legislation adopted through June, 2015.

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

Approved By:

Initial Date

Department Head:

City Manager:

  6/12/15

ORDINANCE NO.

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

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

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

SECTION 2: The Ordinances of the City of Oxford, Ohio, of a general and permanent nature, as revised, recodified, rearranged and consolidated into component codes, titles, chapters and sections within the 2015 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

303.081	Impounding Vehicles on Private Residential Property. (Amended)
303.082	Tow Away Zones. (Amended)
331.44	Vehicular Operation on Street Closed Due to Rise in Water Level. (Added)
335.072	Driving Under Financial Responsibility Law Suspension or Cancellation. (Amended)
335.074	Driving Under License Forfeiture or Child Support Suspension. (Amended)
337.17	Focus and Aim of Headlights. (Amended)

General Offenses Code

501.07	Requirements For Criminal Liability. (Amended)
501.08	Culpable Mental States. (Amended)
533.09	Soliciting. (Amended)
533.14	Unlawful Advertising of Massage. (Added)
537.05	Aggravated Menacing. (Amended)
537.051	Menacing by Stalking. (Amended)
537.06	Menacing. (Amended)
545.01	Theft and Fraud Definitions. (Amended)
545.02	Determining Property Value in Theft Offense. (Amended)
545.05	Petty Theft. (Amended)
545.15	Securing Writings by Deception. (Amended)
549.01	Weapons Definitions. (Amended)

Fire Prevention Code

1511.01	Open Burning Definitions. (Amended)
1511.03	Open Burning in Restricted Areas. (Amended)
1511.04	Permission to Individuals and Notification to the Ohio EPA. (Amended)

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

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW (STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting of: July 7 and 21, 2015

Account Code #: Not Applicable

Budgeted Amount: Not Applicable

Service Department

Originating Department

Michael Dreisbach

Prepared By

June 29, 2015

Date Prepared

Agenda Title: Review of Local Speed Limits Under Local Control – Bonham Road

Recommendation:

Discussion:

The City of Oxford has annexed parcels adjacent to Bonham Road from Shadowy Hills Dr. to the eastern lot line of the Beta Theta Pi Foundation in anticipation of the construction of a new bridge over Four Mile Creek by the Butler County Engineer's Office (BCEO).

The BCEO has requested the City authorize a speed limit of 35 mph for this segment of the roadway. This speed limit will improve safety for those using the bridge as well as reduce costs for the construction of the new bridge.

Ohio Revised Code 4511.21 (J) allows local authorities to set speed limits by Ordinance on LOCAL roadways (not state routes). Staff has reviewed the BCEO's request and concurs with their recommendation that the speed limit for this segment be 35 mph. As inbound vehicles continue on Bonham Rd. towards the center of the city, the speed limit is already reduced to 25 mph at Shadowy Hills Dr.

It is Staff's recommendation that the City Council authorize a speed limit of 35 mph on the segment of Bonham Road from Shadowy Hills Dr. to the eastern lot boundary of the Beta Theta Pi Foundation also known as Parcel # H3510014000003. Upon approval by the Council, staff will install appropriate signage noting the speed limit as well as "reduced speed ahead" signs approaching the new corporate limits of the City.

Approved By:

Department Head:

Initial

Date

MDT 6/30/15

City Manager:

JFE 7/1/15

ORDINANCE NO.

AN ORDINANCE AUTHORIZING A SPEED LIMIT OF THIRTY FIVE (35) MILES PER HOUR ON BONHAM ROAD FROM SHADOWY HILLS DRIVE TO THE EASTERN LOT BOUNDARY OF THE BETA THETA PI FOUNDATION PROPERTY.

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

SECTION 1: The City of Oxford annexed parcels adjacent to Bonham Road from Shadowy Hills Drive to the eastern lot line of the Beta Theta Pi Foundation property in anticipation of the construction of a new bridge over Four Mile Creek by the Butler County Engineer's Office.

SECTION 2: The Butler County Engineer's Office requested Oxford City Council to authorize a speed limit of thirty five (35) miles per hour on Bonham Road from Shadowy Hills Drive to the eastern lot boundary of the Beta Theta Pi Foundation property to improve safety and reduce costs for the construction of the new bridge.

SECTION 3: Council hereby accepts the request of the Butler County Engineer's Office and concurs a speed limit of thirty five (35) miles per hour will improve safety and reduce costs for the construction of the new bridge.

SECTION 4: Council further authorizes a speed limit of thirty five (35) miles per hour on Bonham Road from Shadowy Hills Drive to the eastern lot boundary of the Beta Theta Pi Foundation property and directs the City Manager and the Service Director to take all steps necessary to effect the thirty five (35) mile per hour speed limit.

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

ADOPTED:

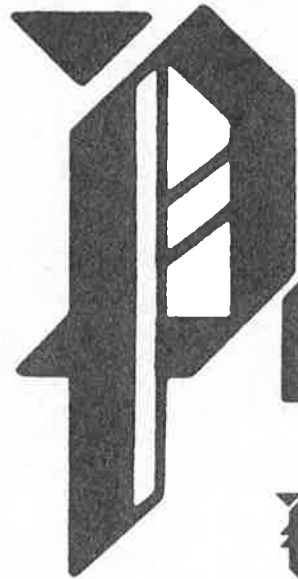
MAYOR

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKKEHAN

PREPARED BY: LAW (STAFF)



Office of the Mayor

Proclamation

Whereas:

the American Cancer Society is a nationwide community-based, volunteer run health organization, dedicated to eliminating cancer as a major health concern by striving to prevent cancer, save lives, and diminish suffering from cancer through research, education, advocacy and service; and

WHEREAS, Relay For Life is the American Cancer Society's nationwide signature activity and a 'Celebration of Life' where we 'Celebrate, Remember and Fight Back'; and

WHEREAS, Relay for Life teams spend the day enjoying music and family activities together, while team members walk around a track relay-style for the duration of this event; and

WHEREAS, Relay for Life Oxford has surpassed \$991,765 in life-saving dollars since its inception in 1999, raising the most of any Relay for Life event in Butler County; and

WHEREAS, the Oxford, Ohio Relay for Life event will be held Saturday, July 11, 2015 and will honor cancer survivors; and

WHEREAS, Relay for Life provides an opportunity for community camaraderie and unity in the fight against cancer.

NOW, THEREFORE, I, Kevin D. McKeegan, Mayor of the City of Oxford, Ohio, do hereby proclaim July 11, 2015 as a day in recognition of 'The American Cancer Society Relay for Life Oxford' and encourage all citizens to participate in the event.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Oxford to be affixed this 7th day of July, 2015.




Kevin D. McKeegan, Mayor

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: July 7, 2015

Jung-Han Chen

Account Code No. #:

Prepared By:

Budgeted Amount:

June 29, 2015

Date Prepared:

PC-2015-09 ZONING MAP AMENDMENT to establish a Neighborhood Conservation Overlay District in the area of Autumn Drive, Harvest Court, and part of Brookville Road for a total of 49 parcels in the proposed overlay district. **City of Oxford, Applicant**

Recommendation: Approval

Discussion:

The proposed map amendment is to establish a Neighborhood Conservation Overlay District in an R1-B (Single-Family Medium Density Residential) District in the neighborhood of Autumn Drive, Harvest Court and Brookville Road.

A total of 49 parcels were included in the petition and a total of 36 property owners' signatures were obtained, representing 36 parcels. The legislation allows a neighborhood to generate a petition to create an overlay district subject to meeting certain standards and public hearing process.

The petition to establish a neighborhood conservation overlay district was filed on March 4, 2015 with the Clerk of City Council. A resolution was adopted by the City Council accepting the petition and forwarding this request to the Planning Commission on April 7, 2015. The Planning Commission reviewed the request on June 9, 2015. The Planning Commission recommended approval of this amendment and is forwarding this request to City Council for legislative action.

The intent is a grass-roots effort which only alters one aspect of the permitted land uses (residential occupancy). Therefore the base zoning district regulations are retained. Without the overlay, a single dwelling unit can have up to four unrelated persons. With the overlay, a single dwelling unit may still be rental property, but is limited to no more than two unrelated persons. Existing dwellings with more than two unrelated persons would be allowed to continue as legal conforming.

Approved By:

Department Head:
City Attorney:
City Manager:

JHC 6/29/15
JHC 7/1/15

ORDINANCE NO.

AN ORDINANCE ACCEPTING THE PLANNING COMMISSION'S RECOMMENDATION AND GRANTING A ZONING MAP AMENDMENT TO ESTABLISH A NEIGHBORHOOD CONSERVATION OVERLAY DISTRICT IN A R-1B (SINGLE FAMILY MEDIUM DENSITY RESIDENTIAL) DISTRICT FOR 49 PARCELS LOCATED ON AUTUMN DRIVE, HARVEST COURT AND BROOKVILLE ROAD IN THE CITY OF OXFORD, OHIO.

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

SECTION 1: Council finds in accordance with Chapter 1146 of the Codified Ordinances of the City of Oxford, the Oxford Planning Commission held a public hearing on June 9, 2015, on the City of Oxford's application for a Zoning Map Amendment to establish a Neighborhood Conservation Overlay District in a R-1B (Single Family Medium Density Residential) District for 49 parcels located on Autumn Drive, Harvest Court and Brookville Road in the City of Oxford, Ohio, a map of which is attached hereto and incorporated herein as Exhibit "A".

SECTION 2: The Oxford Planning Commission, after public hearing and deliberation, recommended granting the Zoning Map Amendment to establish a Neighborhood Conservation Overlay District, and found that the proposed request was in keeping with the intended characteristics of the neighborhood and was an appropriate classification for the properties in question.

SECTION 3: Council hereby accepts the recommendation of the Oxford Planning Commission, and after deliberation, finds for the granting of the Zoning Map Amendment, to establish a Neighborhood Conservation Overlay District in a R-1B (Single Family Medium Density Residential) District for 49 parcels located on Autumn Drive, Harvest Court and Brookville Road in the City of Oxford, Ohio, a map of which is attached hereto and incorporated herein as Exhibit "A".

SECTION 4: Council hereby grants the Zoning Map Amendment as requested, incorporating the application and documents submitted with the application as a term and condition of the granting of this Zoning Map Amendment and orders that the official zoning map be amended.

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

MAYOR

ADOPTED:
ATTEST:

CLERK OF OXFORD CITY COUNCIL
INTRODUCED BY: KEVIN MCKEEHAN
PREPARED BY: LAW (STAFF)

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

<u>Report Date</u>	July 7, 2015
<u>Case Number</u>	PC-2015-09
<u>Applicant Information</u>	City of Oxford
<u>Requested Action</u>	Zoning Map Amendment
<u>Summary of Request</u>	ZONING MAP AMENDMENT To establish a Neighborhood Conservation Overlay District in the area of Autumn Drive, Harvest Court, and part of Brookville Road, for a total of 49 parcels in the proposed overlay district
<u>Public Hearing Information</u>	On June 9, 2015 a Public Hearing took place at 118 W. High Street. A Public Hearing notice was published in the Oxford Press on May 10, 2015. Public Hearing notices were mailed out to surrounding properties on May 4, 2014.
<u>Commission Action</u>	The Planning Commission voted 6-0-0 recommending approval to City Council.
<u>Commission Findings and Conclusions</u>	The Planning Commission recommended this Zoning Map Amendment having met the Decision Standards of Chapter 1146, and at least one Decision Standard of Chapter 1135
<u>Exhibits Submitted to the Commission</u>	1. Staff Report Dated May 26, 2015 2. Proposed Boundary Map 3. Interoffice Reviews 4. Surrounding Property Notifications 5. Zoning Map Amendment Application Dated April 24, 2015 6. Resolution 4907 City Council Acceptance of Petition 7. Staff Summary to City Council Dated March 24, 2015 8. Petition for Residential Conservation Overlay District

City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2015-09

Date – June 9, 2015

APPLICATION

Applicant: City of Oxford
Action Request: **ZONING MAP AMENDMENT** to establish a Neighborhood Conservation Overlay District in an R-1B (Single-Family Medium Density Residential) District, in the neighborhood of Autumn Drive, Harvest Ct, Brookville Road. **City of Oxford, Applicant**

DESCRIPTION

The proposed map amendment is to establish a Neighborhood Conservation Overlay District in an R1-B (Single-Family Medium Density Residential) District in the neighborhood of Autumn Drive, Harvest Court and Brookville Road.

A petition to establish a neighborhood conservation overlay district was filed on March 4, 2015 to the Clerk of City Council. A resolution was adopted by the City Council accepting the petition and forwarding this request to the Planning Commission on April 7, 2015.

ZONING CODE

The Oxford Zoning Ordinance Chapter 1146 governs the establishment of the Neighborhood Conservation Overlay District.

COMPREHENSIVE PLAN

In the Overview Section of Chapter 7, Housing, in the Comprehensive Plan residents echoed the same sentiments that Oxford has a unique housing market involving a large rental population that limits opportunities for family housing options and changes the community character, specifically within the Mile Square. The public input sessions also pointed out the lack of housing opportunities for families and the hope to encourage owner-occupied housing and promote the return of full-time residents to the area. Even the Comprehensive Plan does not implicitly point to the establishment of an overlay district to encourage owner-occupied neighborhoods, but several objectives and strategies are relevant to this idea of maintaining traditional neighborhoods and owner-occupied residential dwellings.

Objective Expand Housing options

- H2.1 Update development regulations to allow for a variety of housing types in new developments.*
- H2.4 Provide financial assistance to increase homeownership opportunities for low and moderate income residents.*

Objective: Expand homeownership opportunities

- H5.1 Encourage local employers to provide homeownership incentives.*
- H5.2 Encourage rehabilitation of owner-occupied structures within the Mile Square.*
- H5.3 Create an urban homeownership incentive program such as homeownership grants to help offset the cost of housing.*
- H5.4 Develop a revolving loan fund.*
- H5.5 Establish an Oxford Homeownership Office in partnership with Miami University.*
- H5.6 Support the University loan program to increase homeownership opportunities within the Mile Square.*

AGENCY REVIEWS

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

Police:	Received with no comments
Fire:	Received with no comments
Engineering:	Received with no comments
Econ. Dev.	Received with no comments

DECISION CRITERIA

A copy of the Decision Criteria for Overlay District is attached.

ANALYSIS

The idea of the neighborhood conservation overlay district was to preserve neighborhoods from being turned into rental properties and to maintain the traditional neighborhood owner-occupied character. The Planning Commission went through extensive discussion about this overlay district in 2012. It was designed to provide mechanisms to the neighborhoods to initiate a grass roots movement to get all the neighbors together and to petition City Council for the consideration of placing more restrictions on the underlying district.

The overlay district is not uncommon in the land use arena to put in place a specific set of regulations that are more stringent than the underlying district in order to accomplish specific objectives. The most commonly used overlay district is for the historic area. Others are used for specific design standards to promote some uniformity in certain specific subset areas.

As this process is getting traction, many neighborhoods have been working on gathering signatures to create an overlay district. As of today, there have been 9 different neighborhoods throughout the City that have obtained the overlay district designation. Two more, including this one, is in the process of going through the public hearing process. Additionally, the neighborhoods are farther away from the Mile Square.

A petition was filed by a group of neighbors in Autumn Drive, Harvest Court, and Brookville Road for a total of 49 parcels of tracts of land, to be considered a Neighborhood Conservation Overlay District on March 4, 2015 with the Clerk of the Oxford City Council. The petition also showed that there were 36 signatures obtained that represent 36 parcels. The signatures supporting this petition exceed the two-third requirements of the parcels of this petitioned area. The signatures represent 73% of the parcels within the boundary. A map of the proposed district is attached illustrating the area for consideration.

Based on the Neighborhood Conversation Overlay District requirements, the City Council accepted the petition on April 7, 2015 and forwarded this petition to the Planning Commission for Zoning Map Amendment consideration.

There are specific decision standards that the Planning Commission shall reference and the decision standards are also attached for reference. The Planning Commission also shall consider the purpose and objectives of such overlay district are to achieve the privacy of residents and to minimum noise, congestion and nuisance impact by rental properties and to maintain an attractive community appearance and provide a desirable living environment and finally to prevent excessive traffic and parking problems in the neighborhood.

The petition met the boundary requirements as stipulated in the Chapter 1146.03(h). The petition also met the minimum two-thirds requirements of owner signatures within the proposed boundary. Additionally, the dates of those signatures were also within six months prior to the time the petition was filed with the City Clerk.

Please note that this process is a neighborhood driven process beginning with a petition to the City Council and followed with a public hearing before the Planning Commission for a Map Amendment

recommendation. The City Council may waive certain requirements after a positive recommendation from the Planning Commission. This process is far lengthier than normal map amendment process and has additional decision standard thresholds to meet. It is a process that the neighborhood had taken seriously and the neighbors have demonstrated their commitment to preserve their neighborhood and to maintain their neighborhood characters by going through an extra step to initiate.

Given that there will be a total of 11 neighborhoods having the overlay district designation, it might be the time to look at the overall City's zoning map to create different zoning districts to reflect those changes.

RECOMMENDATION

Staff recommends that the Planning Commission approval of this amendment and forward this request to City Council for legislative action.

SUBMITTED

BY:


Jung-Han Chen
Community Development Director

DATE: May 26, 2015

ATTACHMENT

Chapter 1135 Zoning Map Amendment procedures and decision standards

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

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

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

Map Amendments

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

Planning Commission must utilize the Chapter 1146 Specific Decision Standards to consider the Neighborhood Conservation Overlay District and they are as follows:

1146.03(2) b Decision Standards for Considering Overlay District:

1. The proposed Overlay District meets the boundary criteria.
2. The proposed Overlay District will preserve and enhance the neighborhood character.
3. The proposed Overlay District will promote the public health, safety and general welfare of the people of the neighborhood.
4. The proposed Overlay District will promote and implement the intent of the Comprehensive Plan.
5. The proposed Overlay District will satisfy a legitimate need.

**Autumn Harvest
Brookville
Neighborhood
Conservation
Overlay District
Petition Boundaries**

Legend

-  Petition Area
-  Petition Parcel: Signed
-  Petition Parcel: Not Signed
-  Oxford Corporation Limit
-  Address Point
-  Parcel
-  Building Footprint
-  Paved Roadway

1 inch = 150 feet



"EXHIBIT "A"



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

City of Oxford
Inter-Office Review Transmittal Sheet

Date: May 19, 2015

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2015-09 ZONING MAP AMENDMENT To establish a Neighborhood Conservation Overlay District Autumn Drive, Harvest Ct Brookville Rd, for a total of 49 parcels in proposed overlay district **City of Oxford, Applicant**

 X Review Revisions Other

Please return no later than: **6/4/2015** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments without/comments

Drawings reviewed by:


John Detherage
PRINTED NAME

Date:

5-21-15

City of Oxford
Inter-Office Review Transmittal Sheet

Date: May 19, 2015

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2015-09 ZONING MAP AMENDMENT To establish a Neighborhood Conservation Overlay District Autumn Drive, Harvest Ct Brookville Rd, for a total of 49 parcels in proposed overlay district **City of Oxford, Applicant**

 X Review Revisions Other

Please return no later than: **6/4/2015** Note: If no comments are received, we will assume the project meets your department's standards.

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

Drawings reviewed by: H. Popescu

Date: 5-21-15

VICTOR POPESCU
PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: May 19, 2015

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

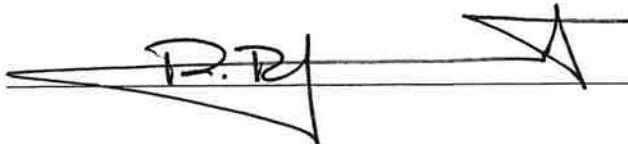
PC-2015-09 ZONING MAP AMENDMENT To establish a Neighborhood Conservation Overlay District Autumn Drive, Harvest Ct Brookville Rd, for a total of 49 parcels in proposed overlay district **City of Oxford, Applicant**

 X Review Revisions Other

Please return no later than: **6/4/2015** Note: If no comments are received, we will assume the project meets your department's standards.

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

Drawings reviewed by:



Date: 5/26/2015

ROBERT B. HOLZWORTH

PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: May 19, 2015

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2015-09 ZONING MAP AMENDMENT To establish a Neighborhood Conservation Overlay District Autumn Drive, Harvest Ct Brookville Rd, for a total of 49 parcels in proposed overlay district **City of Oxford, Applicant**

 X Review Revisions Other

Please return no later than: **6/4/2015** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by: _____

Date: 5-28-15

Alan Kyger
PRINTED NAME



PC-2015-09 Surrounding Property Owners Map

Legend

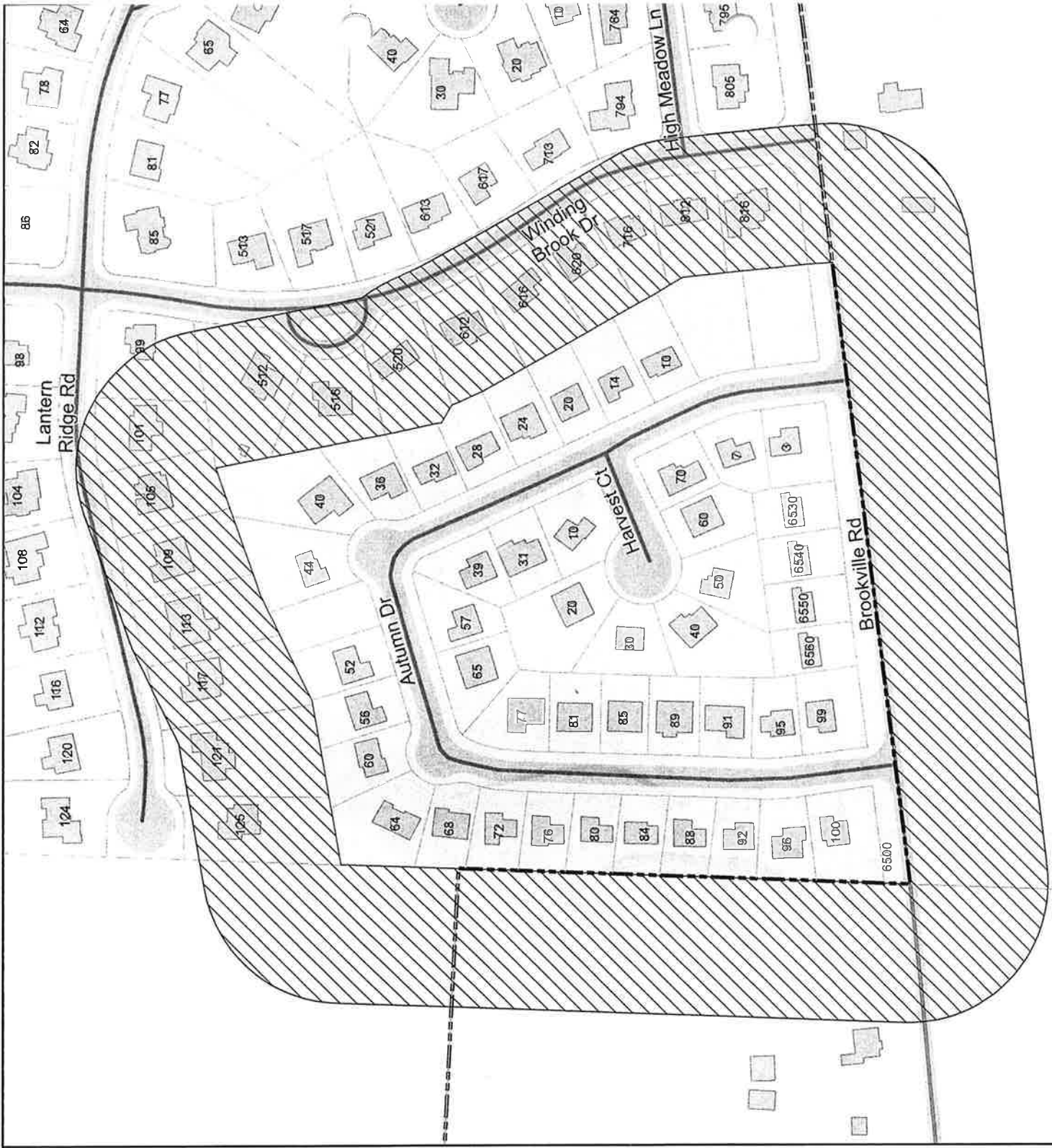
- Subject Area
- 200 Ft. Buffer
- Oxford Corp. Limit
- Address Point
- Parcel
- Building Footprint
- Paved Roadway



1 inch = 200 feet

Prepared on Monday, May 4, 2015

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.





Internal Use Only:	
Case No.	PC-2015-09
Date Filed	4/24/15

Zoning Map Amendment Application

Applicant Information

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

Name *

City of Oxford

Mailing Address *

101 E High Street

City, State & Zip Code *

Oxford OH 45056

Telephone Number(s) *

524 5204

Email Address

Jchen@cityofoxford.org

Location and Lot Information

Location *

Autumn Dr, Harvest Court, Brookville Rd

General Description
of Proposed Amendment *

Overlay District

Current Zoning *

RIA

Proposed Zone(s) *

RIA / overlay district

Submission Requirements and Documentation

From Section 1135.02 Procedure¹.

- (a) Initiation. A map amendment may be initiated by adoption of a motion by Planning Commission, by adoption of a motion by Council, or by application to Planning Commission by at least one owner of the property within the area proposed to be rezoned.
- (b) Application. If Planning Commission or Council initiates an amendment, then the Zoning Administrator shall provide information as necessary for proper consideration of the motion. The information provided shall be substantially similar to that required of an application for amendment.

An application for amendment shall be filed with the Zoning Administrator. An application shall be complete prior to being scheduled for a public hearing. An application will be considered complete only if the Zoning Administrator is satisfied that all of the materials required by this chapter are included and are sufficient in their content to satisfy the intent of the application requirements.

- (1) Contents of application. The applicant shall contact the Zoning Administrator prior to submitting an application to discuss the submission requirement, which includes the following information. A written, detailed description, where applicable, is required for each subsection.
 - A. Application Fee.
 - B. The name, mailing address, and telephone number of the applicant.
 - C. A general description of the proposed amendment.
 - D. A narrative statement that describes how the proposed amendment relates to the Comprehensive Plan.
 - E. A statement that identifies potential negative consequences of the proposed amendment.
 - F. Such other information regarding the proposed amendment as may be pertinent to the application or required by Planning Commission or Council.
 - G. A legal description of the area to be rezoned.
 - H. The proposed zoning of the area.
 - I. The current zoning of the area.
 - J. A description of existing uses in the area.

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

Surrounding Property Owners

On a separate sheet, provide the parcel numbers, names, and mailing addresses of all property owners within 200 feet of all boundaries of the property in question. The Butler County Auditor Real Estate Search² is helpful when searching for the mailing address of adjoining property owners. It allows you to search by owner, address, or parcel number. *Property Owner names will not be provided in the agenda packet.*

Decision Process

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

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

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

Fees & Receipt

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

Sign and Date

Applicant Signature *

Date *

Jung Han Chen
4/24/15

Submit Application, Submission Requirements and Documentation, and Fees

We will not accept incomplete applications and/or plans and documentation.

Send or drop off this application with required documentation as attachments and a check for fee and postage charges made payable to **City of Oxford**, to Community Development Director, 101 East High Street, Oxford, OH 45056.

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

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

For Staff Use Only

Fee Paid Date *

Receipt Number *

NA

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

² Butler County Auditor Real Estate Search: <http://www.butlercountyauditor.org/>

³ The United States Postal Service: <http://www.usps.com/>

RESOLUTION NO. 4907

A RESOLUTION OF COUNCIL ACCEPTING THE PETITION AS REQUIRED BY OXFORD CODIFIED ORDINANCE §1146.03 TO ESTABLISH A NEIGHBORHOOD CONSERVATION OVERLAY DISTRICT FOR THAT AREA OF AUTUMN DRIVE, HARVEST COURT, AND BROOKVILLE ROAD AS SET FORTH ON EXHIBIT "A" ATTACHED HERETO AND REFERRING THE PETITION TO THE OXFORD PLANNING COMMISSION FOR RECOMMENDATIONS TO CITY COUNCIL.

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

SECTION 1: The Clerk of Council and the Community Development Director having determined pursuant to Oxford Codified Ordinance §1146.03(b) that the Petition to Establish a Neighborhood Conservation Overlay District as set forth on Exhibit "A" attached hereto conforms to the petition requirements of Oxford Codified Ordinance §1146.03 and recommends that the petition be referred to the Oxford Planning Commission to make recommendations to City Council.

SECTION 2: City Council accepts the recommendation of the Clerk of Council and the Community Development Director and refers the Petition to Establish a Neighborhood Conservation Overlay District as set forth on Exhibit "A" attached hereto to the Oxford Planning Commission to make recommendations to City Council.

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


MAYOR

ADOPTED: April 7, 2015

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW (STAFF)

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: April 7, 2015

Account Code No. #:

Jung-Han Chen
Prepared By

Budgeted Amount:

March 24, 2015
Date Prepared

Agenda Title:	Resolution Accepting a Petition to Establish a Neighborhood Conservation Overlay District in the Neighborhood of Autumn Drive, Harvest Court and Brookville Road, and Referring the Petition to the Planning Commission for Recommendation
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Recommendation: Approval

Discussion:

The Residential Conservation Overlay District legislation was adopted by the City Council in 2012 to protect residential neighborhoods, maintain an attractive community appearance, and to provide a desirable living environment by restricting residential properties to be rented to no more than two unrelated individuals. The process to establish an overlay district begins with a petition with signatures of more than two-thirds of property owners within the proposed district. This petition goes before City Council for acceptance and the petition is then referred to the Planning Commission for review.

This petition for acceptance was filed by residents in the neighborhood of Autumn Drive, Harvest Court, and Brookville Road on March 4, 2015. There are a total of 49 parcels contained in the proposed overlay district boundary. The petition shows 36 signatures obtained and the date when the owners signed the petition. A map of the proposed area is attached illustrating the area for consideration.

The signatures in this petition exceed the two-thirds requirement of the parcel owners of this petitioned area. The signatures represent 49 parcels within the boundary, which is 73%. Additionally, the boundary of the proposed overlay district also satisfies the general boundary requirements of Section 1146 of the Codified Ordinances.

This is only the first step in creating a neighborhood conservation overlay district and requires City Council to formally accept the petition and forward this petition to the Planning Commission for review. Staff recommends approval of this resolution.

Approved by:

	Initial	Date
Department Head:	<u>JHC</u>	<u>3/24/15</u>
City Attorney:	<u> </u>	<u> </u>
City Manager:	<u> </u>	<u> </u>

Petition for Autumn Harvest Brookville Neighborhood Conservation Overlay District, Oxford, Ohio

Petition Initiator: Gail Brahier, 20 Autumn Drive

I, the undersigned, do hereby state that I am an owner of a property within the boundaries designated by the petition and that my residence is truly stated in opposite by the signature below.

This petition, if adopted, would allow the petitioners to initiate a zoning map amendment pursuant to Chapter 1146 of the city's zoning code to restrict any property within the district to be rented to no more than two unrelated individuals. This petition will not affect properties already licensed.

Please see attached map for boundaries.

Date	Address	Name(s)	Signature	Notes
3/28/15	AUTUMN DR	MUSKOPF INC	Jean Muskopf	
MAILED	AUTUMN DR	MARTHA E HUSS MAILED - 8629 Aithaus Rd CIV, OH 45247	3/4/15	For Lot Sale
2/26/15	AUTUMN DR	MUSKOPF INC	Jean Muskopf	
3-2-15	3 AUTUMN DR	MARK D & MICHELLE R DAVIS	MD Davis	
3/3/15	7 AUTUMN DR	JENNIFER J LEVERING	Jennifer Levering	
MAIL	10 AUTUMN DR	NUR MUHAMMED	MAILED TO OWNER 3/4/15	MAILED 3/4/15
2/28/15	14 AUTUMN DR	RYAN C & LAURA B ELLIOTT	RELIOTT	
2/10/15	20 AUTUMN DR	GAIL S BRAHIER	Gail S. Brahier	
2/25/15	24 AUTUMN DR	EDWARD J MOORE	Ed Moore	
2/25/15	28 AUTUMN DR	ENSEL & DOROTHY MUSE	Ensel E. Muse	

2/3 = 32
Acquired 36 signature

Petition for Autumn Harvest Brookville Neighborhood Conservation Overlay District, Oxford, Ohio

Petition Initiator: Gail Brahler, 20 Autumn Drive

I, the undersigned, do hereby state that I am an owner of a property within the boundaries designated by the petition and that my residence is truly stated in opposite by the signature below.

This petition, if adopted, would allow the petitioners to initiate a zoning map amendment pursuant to Chapter 1146 of the city's zoning code to restrict any property within the district to be rented to no more than two unrelated individuals. This petition will not affect properties already licensed.

Please see attached map for boundaries.

Date	Address	Name(s)	Signature	Notes
MAILED 2/25/15	31 AUTUMN DR	KELLY A PHILLIPS JOHN J MCDONNELL		left phone number to call me
2/28/15	32 AUTUMN DR	PAUL K AND AKI RA YAYAMA		
2/25/15	36 AUTUMN DR	JOHN ERIC KOEHLER TR/ HEIDI WIRTZ TR		
2/25/15	39 AUTUMN DR	ERIC STENSTROM		
2/28/15	40 AUTUMN DR	ELIZABETH A BEATON		
2/28/15	44 AUTUMN DR	MICAH J & MARGARET COOPER		
MAILED 2/28/15	52 AUTUMN DR	RICHARD L AND KAREN F LUEBBE	LONG TERM 3/4/15 OUT TOWN	out of town w TGA S
2/28/15	56 AUTUMN DR	ANN ELIZABETH BRICE		
2/25/15	57 AUTUMN DR	DMITRIY GARMATYUK OXANA DIKHITA		
MAILED TO DWG 2/25/15	60 AUTUMN DR	JOSE DOMINGUEZ BURDALO & MARISON DEL-TEO CRAVIOTTO	MAILED 3/4/15	stopped twice would not answer

Petition for Autumn Harvest Brookville Neighborhood Conservation Overlay District, Oxford, Ohio

Petition Initiator: Gail Brahier, 20 Autumn Drive

I, the undersigned, do hereby state that I am an owner of a property within the boundaries designated by the petition and that my residence is truly stated in opposite by the signature below.

This petition, if adopted, would allow the petitioners to initiate a zoning map amendment pursuant to Chapter 1146 of the city's zoning code to restrict any property within the district to be rented to no more than two unrelated individuals. This petition will not affect properties already licensed.

Please see attached map for boundaries.

Date	Address	Name(s)	Signature	5/3 Notes
2/25/15	64 AUTUMN DR	JACKIE AND ROLAND KALBLI	MAILED TO OWNER 3/4/15	
2/25/15	65 AUTUMN DR	KATHLEEN S FOX	Kathleen S. Fox	
2/25/15	68 AUTUMN DR	BEVERLY ABSHIRE TR	Beverly Abshire	
2/25/15	72 AUTUMN DR	BRIAN D WILLIAMS	MAILED TO OWNER 3/4/15	
3/3/15	76 AUTUMN DR	STEVEN E & KAREN DOAN	Steven E & Karen Doan	Called - stopped twice
2/25/15	77 AUTUMN DR	DENNIS S KEELER	Dennis S. Keeler	M-J - 7:30
2/25/15	80 AUTUMN DR	JOHN MAINGI MARY C HENRY	John Maingi	
2/25/15	81 AUTUMN DR	MARY L BLUNT	Mary Blunt	
2/25/15	84 AUTUMN DR	EGON O KRAAN	Egon Kraan	
2/25/15	85 AUTUMN DR	MARY JANE FOX	Mary Jane Fox	

Daughter's residence

Petition for Autumn Harvest Brookville Neighborhood Conservation Overlay District, Oxford, Ohio

Petition Initiator: Gail Brahier, 20 Autumn Drive

I, the undersigned, do hereby state that I am an owner of a property within the boundaries designated by the petition and that my residence is truly stated in opposite by the signature below.

This petition, if adopted, would allow the petitioners to initiate a zoning map amendment pursuant to Chapter 1146 of the city's zoning code to restrict any property within the district to be rented to no more than two unrelated individuals. This petition will not affect properties already licensed.

Please see attached map for boundaries.

Date	Address	Name(s)	Signature	Notes
2/25/15	88 AUTUMN DR	BRADLEY G AND KRISTEN M MUHLENKAMP	Kristen Muhlenkamp	
2/25/15	89 AUTUMN DR	MARGARET R WITMER	Margaret Witmer	
2/25/15	91 AUTUMN DR	ADRIAN GASKINS		stopped time called
2/25/15	92 AUTUMN	PERRY M GORDON KATHERINE P STOSS		
2/28/15	95 AUTUMN DR 1849	GREGG W & AMY E WENTZELL		
2/28/15	96 AUTUMN	KEVIN M ACKLEY CHANDRA H ACKLEY		stopped 3 times
2/28/15	99 AUTUMN DR	JEFFREY G AND RACHEL M ABKE		House for sale
2/28/15	100 AUTUMN DR	RICHARD C AND JILL S PAGE		
2/28/15	6530 BROOKVILLE RD	JOSEPH L AND SCARLETT L KILGORE		
2/28/15	6540 BROOKVILLE RD	CHARLES WILLIAM BARRETT CHRISTINE MARIE RADY		called next morning

MARSHALL VICTOR

Petition for Autumn Harvest Brookville Neighborhood Conservation Overlay District, Oxford, Ohio

Petition Initiator: Gail Brahier, 20 Autumn Drive

I, the undersigned, do hereby state that I am an owner of a property within the boundaries designated by the petition and that my residence is truly stated in opposite by the signature below.

This petition, if adopted, would allow the petitioners to initiate a zoning map amendment pursuant to Chapter 1146 of the city's zoning code to restrict any property within the district to be rented to no more than two unrelated individuals. This petition will not affect properties already licensed.

Please see attached map for boundaries.

Date	Address	Name(s)	Signature	Notes
8/25/15	6550 BROOKVILLE RD	MARIA A ALVAREZ	<i>Maria Alvarez</i>	
2/28/15	6560 BROOKVILLE RD	JAMES D AND DOREEN ANNETTE BRAZEN	<i>Doreen Brazen</i>	
2/25/15	10 HARVEST CT	OLLIE ANTILA <i>MAILED TO OWNER 3/4/15</i>		
2/25/15	20 HARVEST CT	SHARON R GASTON	<i>Sharon R Gaston</i>	
2/25/15	30 HARVEST CT	JANET F BOLLENBACH	<i>Janet Bollenbach</i>	
2/25/15	40 HARVEST	DEVONA R MILLER	<i>Devona R Miller</i>	
2/25/15	50 HARVEST CT	CHRISTOPHER S HARTLEY YASMIN JESSA	<i>Spoke with - Declined to Sign</i>	<i>NOT Wght to be included</i>
2/25/15	60 HARVEST CT	CHRISTOPHER D & SUSAN R CHAFIN	<i>Christopher Chafin</i>	
2/28/15	70 HARVEST CT	SHUXIA YI	<i>Xi</i>	

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: July 7, 2015

Jung-Han Chen

Account Code No. #:

Prepared By:

Budgeted Amount:

June 29, 2015

Date Prepared:

PC-2015-11 CONDITIONAL USE PERMIT APPLICATION: 50 W. Central Avenue
(currently vacant parcels) to build a mini-warehouse facility, **Scott Webb, Applicant/Agent**

Recommendation: Approval

Discussion:

The applicant is proposing to construct a mini-warehouse facility at currently vacant lots, approximately 0.365 acre in size. This property is on the east side of the railroad track and has a fairly narrow street frontage, approximately 27 feet, facing W. Central Ave. The property is bordered by a single family dwelling to the north, single and multi-family dwelling units to the east; and railroad track to the west. The proposal is to build rows of self-storage units on the site, approximately 4,200 square feet of storage space.

Staff presented the preliminary site plan submitted by the applicant and identified numerous issues for the Commission to review, including but not limited to: the size of the site, the storm water issue, a transitional yard, front and side yard setbacks, building articulation, materials.

The Planning Commission reviewed the proposal's potential impact to adjoining properties based on the staff report and decision standards. After the public hearing, the Commission voted 5-1-0 to approve the requested Conditional Use Permit application subject to the following conditions:

1. That the Narrative Statement and Description of the Proposed Use as described in the Applicant's submittal, shall be considered as part of the approval, specifically information relating to hours of operation and the on-site storage issue.
2. That, the proposed building shall be constructed by using decorative concrete block similar to the rendering presented to the Planning Commission on June 9, 2015.
3. That, a fire hydrant shall be installed by the owner/developer at the entrance of the facility; the location approved by the Oxford Fire chief.

Approved By

Department Head:
City Attorney:
City Manager:

JHC / 6/29/15
[Signature] / 7/1/15

ORDINANCE NO.

AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT TO PERMIT A MINI WAREHOUSE FACILITY AT 50 W. CENTRAL AVENUE OXFORD, Ohio WITH CONDITIONS.

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

SECTION 1: The Planning Commission met pursuant to Oxford Codified Ordinance Section 1147.02 on June 9, 2015 for the purpose of considering the request of Scott Webb, Applicant, Agent, for a conditional use permit to permit a Mini Warehouse facility to be located at 50 W. Central Avenue Oxford, Ohio.

SECTION 2: The Planning Commission, after a public hearing and discussion, voted and approved a motion recommending approval of the conditional use application to permit a Mini Warehouse facility at 50 W. Central Avenue Oxford, Ohio with the following conditions:

- a. The Narrative Statements and Description of the Proposed Use provided by the applicant attached hereto as Exhibit "A" shall be made part of the approval.
- b. The hours of operation shall be limited to 7:00 a.m. to 9:00 p.m. daily.
- c. Storage of highly flammable or combustible materials shall be prohibited.
- d. The proposed building shall be constructed with decorative concrete block similar to the rendering presented to the Planning Commission on June 9, 2015.
- e. A fire hydrant shall be installed at the owner/developer's expense at the entrance of the facility as approved by the Oxford Fire Chief.

SECTION 3: Council hereby accepts the action of the Planning Commission and accepts the recommendation report submitted by the Planning Commission and incorporates the same herein and further grants the conditional use permit application to permit a Mini Warehouse facility to be located at 50 W. Central Avenue 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: KEVIN MCKEEHAN

PREPARED BY: LAW(STAFF)

Jung-Han Chen
Community Development Director
City of Oxford
Municipal Building
101 E. High Street
Oxford, Ohio 45056



**SCOTT
WEBB**

A R C H I T E C T

103 West Walnut Street
Oxford, Ohio 45056
(513) 523-3838

www.scottwebbarchitect.com

Re: Application for Conditional Use
Proposed Self-Storage
Parcels 017, 020, 023 (No address assigned)

April 24, 2015

Dear Mr. Chen,

Please accept this letter as a formal request for a review hearing by the City of Oxford Planning Commission and Oxford City Council for a Conditional Use for a Self-Storage Mini-Warehouse in the GB district.

The attached proposal has been prepared for and with the help of the following:

Property Owners:

CVS Properties Ltd.
801 South Beech Street
Oxford, Ohio 45056

Architect:

Scott Webb, Architect
103 West Walnut Street
Oxford, Ohio 45056

Surveyor:

Amos Greene, Land Surveyor
6618 Barrett Road
West Chester, Ohio 45069

Civil Engineer:

Bayer Becker, Engineers & Surveyors.
318 South College Avenue
Oxford, Ohio 45056

Narrative Statement describing how the proposed Conditional Use meets the following decision standards of the zoning district in which it is located.

In response to the decision standards outlined in the application, we offer the following:

- A. *The proposed use is in fact a Conditional Use in the Zoning District in which it is proposed;*

Recent changes to the Zoning Code now allow Mini-Warehouse & Business Incubator as a conditional use in the GB District

- B. *The use and site will satisfy the general intent of the Zoning Code;*

While the property in Question is zoned GB, it is not in any of our recognized commercial districts and is surrounded by residential. The proposed use is a good fit in this location, as retail exposure (traffic counts, etc.) make this a difficult property for other GB uses. Further, based on information from the storage business consultants, a property of this scale will generate only 3-5 cars per day. This makes it a better neighbor to the nearby residential properties than other potential GB uses.

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

The Comprehensive Plan encourages reinvestment in the Mile Square and favors infill over sprawl. Adaptively reusing a nearly abandoned building reflects this intent

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

The size and shape of the site is sufficient for the proposed use. While larger operations are recommended by the consultants. The shape and size of the lots accommodates the storage, maneuvering & parking,

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

The proposed Mini-Storage use will not be hazardous or disturbing to neighboring residents, as the buildings are essentially unoccupied, and generate very little traffic.

- 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.*

As described above, the storage use will not be detrimental to any person, property or the general welfare. Unoccupied buildings generate very little noise, fumes or odors, and very little traffic

- 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.*

No accessory uses are proposed for these parcels.

- 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.*

As an existing building, all utilities are available at the proposed location. No special provisions are required.

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

No public expense is anticipated by this project, as the building and site are existing.

- 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*

The existing parcels have never been developed, and represent a small island of land surrounded by the railroad tracks and rear yards of student rental property. The development of the property with low, single story buildings, unoccupied buildings will be harmonious with the neighborhood. The narrow approach to the property limits the visibility from the street, and is directly across from the recently approved main parcel for this business.

- 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.*

As noted above, the proposed storage use generates very little traffic accessing the site. Existing streets on which the buildings and sites are located are minor interior streets generating very little of their own traffic..

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

The construction proposed with this application will not result in the loss of a natural or scenic feature, as the unused lot currently just collect random trash & paraphernalia.

- M. *All Necessary permits and licenses for the Conditional Use and its operation have been obtained or can be obtained for the use at the proposed location.*

A professional review of the building code has been performed, and all necessary permits and licenses can be obtained for this use in this location..

Thank you for your consideration of this proposal. If you have any questions or need any additional information, please call.

Respectfully,

A handwritten signature in black ink, appearing to read 'Scott Webb', written over a horizontal line.

Scott Webb, Architect

Jung-Han Chen
Community Development Director
City of Oxford
Municipal Building
101 E. High Street
Oxford, Ohio 45056



SCOTT
WEBB

ARCHITECT

103 West Walnut Street
Oxford, Ohio 45056
(513) 523-3838

www.scottwebbarchitect.com

Re: Application for Conditional Use
Proposed Self-Storage
Parcels 017, 020, 023 (No address assigned)

April 24, 2015

Dear Mr. Chen,

In addition to the narrative statement required on the Conditional Use Application, please accept this letter as the additional narrative statement required by Section 1147.02 of the Zoning Code.

In response to the items listed in 1147.02, we offer the following:

6. *A description of the proposed use.*

- a. *A description of operations, including type of goods sold, services performed, and expected number of customer, clientele, delivery & service vehicles*

The proposed construction of storage buildings will result approximately 4,200 s.f. of leasable storage units of various sizes.

Based on information provided by consultants, a storage facility of this size generates 3-5 cars per day, with customers loading, unloading and accessing their stored material. Patrons are provided loading areas for the inside storage, and drive-up access to the exterior units. No additional deliveries or service vehicles are anticipated.

- b. *Hours of operation*

The site will feature controlled access gates. Like the other storage facilities in town hours of access will be limited to general business hours (7:00 am – 9:00 pm), and will not be available 24/7.

7. *A narrative statement that evaluates the compatibility of the proposed use with the general vicinity and adjacent properties;*

- a. *How is the use similar to or different from existing area uses and if there will be any interaction between the proposed and existing uses*

The properties in question are zoned GB, as the district follows the railroad through town, but they are otherwise isolated from more typical GB properties in the City.

While the application at hand is for a conditional use, there are many far more intensely used and detrimental permitted uses in GB. The storage use,

generating very little noise or traffic is likely the best GB use to exist in this mostly residential area of the Mile Square

- b. *How any existing structures, proposed structures, and the site design relate to adjacent structures and sites*

Construction of the new storage units will be internally focused, obscuring the repetitive garage doors that are typical for this type of use. Colors and materials will be "residential" in nature and improvements in screening & landscaping are also proposed.

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

The proposed Mini-Storage use will not be hazardous or disturbing to neighboring residents, as the buildings are essentially unoccupied, and generate very little traffic.

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

The site is designed to be internally focused with buildings along the perimeter and vehicles in the center. This prevents headlights from shining into adjacent properties. The entire perimeter is enclosed and accessed by gates, limiting the hours of operation.

8. *A statement about why the location proposed is more appropriate for use than other locations;*

While the property in Question is zoned GB, it is not in any of our recognized commercial districts and is surrounded by residential. The proposed use is a good fit in this location, as retail exposure (traffic counts, etc.) make this a difficult property for other GB uses.

9. *A statement of the necessity or desirability of the proposed use to the neighborhood or community.*

Self-Storage is necessary use for all communities, and especially in university communities. While a few small such operations exist in the City, they are currently full, forcing potential patrons outside of the City limits to accommodate this need.

The appropriateness of this particular location has been addressed above.

10. *Separate detailed statements that individually address each of the items listed as potential concerns for the proposed use.*

From 1147.03 (32) Mini Warehouse (Self-Storage Units)

A. *Potential Concerns:*

1. *Adequate Lot Size*

The lot is adequate for the amount of storage provided.

2. *Design of Vehicle Management Area*

The vehicle management areas are designed to accommodate the anticipated traffic.

3. *Outdoor Storage – inoperable vehicles & junk*

All storage on site will be within buildings. No outside storage is proposed

4. *Hours of Operation*

Like the other storage facilities in town hours of access will be limited to general business hours (7:00 am – 9:00 pm), and will not be available 24/7..

5. *Proximity to Residential Zoning Districts*

Each of the parcels in question are surrounded by residential zoning districts. Care has been taken in the design of the facility to minimize the impact.

6. *Flammable, combustible material stored on site*

Regulations regarding what may be stored at the facility will be given to each customer, prohibiting the storage of highly flammable or combustible material.

7. *Scale and character shall be compatible with surrounding properties and existing uses*

The additional buildings proposed on the site are single story buildings, compatible with the neighborhood.

B. *Regulations:*

1. *Site shall be a minimum of two acres and a maximum of 5 acres*

While this group of parcels is just under ½ acre, it is proposed as an accessory to the main Capital facility site which exceeds the minimum 2 acre requirement.

2. *Parking shall not be located in yard adjacent to residential zoning district.*

Parking is provided in the interior of the site

3. *Outdoor security lighting designed to prevent spillover to adjoining properties*

Lighting will be provided by wall mounted lights on the buildings, and will face inward.

4. *Landscaping along a public street.*

Landscaping will be provided along the public.

5. *Any chain-link fence shall have limited visibility from the public street, unless approved by Planning Commission.*

No chain link fence will be visible for the public right-of-way. Decorative aluminum fencing & brick walls are proposed along the public streets.

6. *Sufficient aisle way width and on-site water supply (including fire hydrant locations) will be determined by the Oxford Fire Chief, between buildings for firefighting purposes*

Sufficient aisle widths are provided throughout the development

7. *Design of building and site shall be consistent with the following criteria:*

a. *The rear of the building shall not face the public right-of-way*

The site will have its principal entrance on the street

- b. *The front façade of the principal shall be finished utilizing masonry material that has textured relief. No vinyl or aluminum siding shall be used in finishing on the front façade of the building.*

The front façade of the proposed storage units will include masonry & stucco and providing visual relief.

- c. *The building façade shall have different articulation in height and setbacks.*

The proposed new buildings will vary in height and scale

- d. *The roof of the principal building shall not be a long continuous flat roof and a break in length and elevation shall be provided on regular intervals.*

The roof of the various buildings break in height and length,

- e. *The entrance to the site shall be designed to allow sufficient queuing that on-street traffic will not be impacted.*

No queuing is anticipated for this small parcel.

- f. *Outdoor storage shall have limited visibility from the public right-of-way*

The entire property is screened from the public right-of-way

- g. *There shall be no employee residing on site, unless specifically approved by the Planning Commission and City Council*

No employees will reside at this location

C. Other

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

The site in question is too small to accommodate multiple uses,

Thank you for your consideration of this proposal. If you have any questions or need any additional information, please call.

Respectfully,

A handwritten signature in black ink, appearing to read 'Scott Webb', written over a horizontal line.

Scott Webb, Architect

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

<u>Report Date</u>	July 7, 2015
<u>Case Number</u>	PC-2015-11
<u>Applicant Information</u>	City of Oxford
<u>Requested Action</u>	Zoning Map Amendment
<u>Summary of Request</u>	CONDITIONAL USE 50 W. Central Avenue , To build a mini-warehouse on a vacant lot in a GB (General Business) District, Scott Webb, Applicant/Agent
<u>Public Hearing Information</u>	On June 9, 2015 a Public Hearing took place at 118 W. High Street. A Public Hearing notice was published in the Oxford Press on May 10, 2015. Public Hearing notices were mailed out to surrounding properties on May 4, 2014.
<u>Commission Action</u>	The Planning Commission voted 5-1-0 recommending approval to City Council.
<u>Commission Findings and Conclusions</u>	The Planning Commission after much discussion identified conditions of approval based upon their concerns, regarding hours of operation, on-site storage, using of decorative concrete block similar to that presented in the renderings, and that a fire hydrant be installed by the owner/developer at the entrance to the facility and approval by the City Fire Chief.
<u>Exhibits Submitted to the Commission</u>	1. Staff Report Dated May 28, 2015 2. Interoffice Reviews 3. Surrounding Property Notifications 4. Zoning Map Amendment Application Dated April 24, 2015 5. Renderings

City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2015-011

Date –June 9, 2015

APPLICATION

Applicant:	Scott Webb
Location:	Three vacant parcels on W. Central Ave, being parcel number H4100106000017, H4100106000020 and H4100106000023
Owner:	CVS Properties LTD. (Jeff Pulley)
Agent:	Scott Webb, Architect
Action Request:	Conditional Use Permit Application to Build a Mini-Warehouse/Storage Facility
Current Use:	Vacant land
Zoning:	GB (General Business District)
Surrounding Existing Land Uses:	Single and Two-Family and Multi-Family Dwelling Units and Railroad Track

GENERAL DESCRIPTION

The applicant is proposing to construct a mini-warehouse facility at the currently vacant lots, approximately 0.365 acre in size. This property is on the east side of the railroad track and has a fairly narrow street frontage, approximately 27 feet, facing W. Central Ave.



The property is bordered by a single family dwelling to the north, single and multi-family dwelling units to the east; and railroad track to the west. The proposal is to build rows of self-storage units on the site, approximately 4,200 square feet of storage space.

The subject property was recently rezoned from residential to commercial for the redevelopment of this site, as the Planning Commission recommended approval to the City Council at its March 10, 2015 meeting. Subsequently, City Council approved the map amendment on April 21, 2015. Given the legislation has a 30-day referendum period the effective date of Ordinance #3312 did not take place until May 21, 2015.

BACKGROUND

Storage facilities were recently added by City Council to the General Business District Zoning Code as potentially allowable conditional uses in Section 1143.12(b)(2)(C)(8). Per Section 1147.01, the general purpose of 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." This allows the Planning Commission the opportunity to publicly discuss the proposal and make determinations before forwarding a recommendation to City Council. If approved, construction permits would have to be submitted within one year and the operation be functioning within two years of the approval.

ADDITIONAL DESCRIPTION

This property consists of three separate parcels, which used to be part of Capital Cleaning. These parcels, combined as one site for redevelopment, has a very narrow street frontage for the only accessing point to W. Central Ave.

Based on the site plan submitted by the applicant, the storage units would be constructed right on the east, north and west property lines with no setback from the property line. There will be additional units constructed in the center of the site. The distance between storage units in the center and the storage along the property lines would be between 14' to 24'. It appears that the entire site would be covered either by mini-warehouses or pavement.

The submitted site plan also shows some landscaped area along W. Central Ave. It is not clear about the landscaped area for the entire frontage, excluding access drive or it would be only on one side.

PUBLIC COMMENTS

Public notices were mailed to surrounding property owners. Some phone calls were received about the proposal. One adjacent property owner came to review the plans submitted and asked questions. No written comments were submitted.

AGENCY REVIEWS

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

Police:	Returned without comments.
Fire:	Returned with comments attached.
Engineering:	Returned with comments attached.
Econ. Dev.:	Returned without comments.

ZONING CODE REVIEW

General Business District - 1143.12 (c) Site Development Regulations

1143.12(c)(2).A Yard Requirement

Front yard:	35 feet
Rear Yard:	25 feet
Side Yard:	0 feet

Analysis: The site plan shows some setback, but it does not meet the 35' setback requirement.

1143.12(c)(2).A Yard Requirement

Front yard:	35 feet
Rear Yard:	25 feet
Side Yard:	0 feet

Analysis: Additionally, there is a 25' rear yard setback requirement for GB district and the proposed site plan does not show any setback on the north side of the property. The GB requirement also stipulates that

when a side or rear lot line abuts a residential district lot line, the minimum side or rear transitional setback shall be 25 feet in depth and shall be screened from the residential district by a dense evergreen hedge a minimum of 6 feet talland will maintain at least 90 percent opacity over time.

1143.12(d)(2) Landscaping,

- (2) Landscaping: The required front yard, with the exception of the area used for vehicle access shall be landscaped with trees, shrubs and ground cover. A minimum of 1 tree for every 25 linear feet of frontage shall be planted in this area provided that the placement of the trees does not interfere with sight distance entering or leaving the site. Each tree shall be a minimum of 6 feet tall and have a minimum 2-inch diameter at breast height (DBH).
- A. A minimum of 50% of the trees shall be hardwood type, as listed on the City's Tree List maintained by the Environmental Commission.
 - B. All landscaping material must be maintained in good condition. Any missing or dead materials must be replaced in a timely manner.

Analysis: As stated, the plan shows landscaped area, but it is not clear how this would satisfy the landscape requirement.

Supplementary regulations require facade material and window percentages. Some brick has been stated in the proposal but it is not clear what percentage will be and how much will be visible with regard to the screening wall. The nature of storage buildings are not storefronts with windows. Additionally, fences are not permitted within 2 feet of a front lot line per Section 1141.01. However up to 6 feet height is permitted for non-residential fences.

Vehicle Management (Parking and Site Access) — Chapter 1149

Complete plans have not yet been presented for review. Details such as paving setbacks, materials, curbs and landscaping are not complete. There are no specific off-street parking requirements for a mini-warehouse facility, since the patrons tend to stay on-site for active loading or unloading, and, the management office is across the street from this site.

Conditional Uses for Storage — Section 1147.03 (b)(32)

(32) Mini-Warehouse (Self-Storage Units):

- A. Potential Concerns
 - 1. Adequate lot size
 - 2. Design of vehicle management area
 - 3. Outdoor storage-inoperable vehicles and junk
 - 4. Hours of operation
 - 5. Proximity to residential zoning districts
 - 6. Flammable, combustible material stored on site
 - 7. Compatibility of the scale and character of the project with surrounding properties and existing uses
- B. Regulations
 - 1. Site shall be at a minimum of two acres, and maximum of five acres in area
 - 2. Parking area shall not be located in yard adjacent to a residential zoning district
 - 3. Outdoor security lighting shall be designed to prevent spillover to adjoining properties
 - 4. Landscaping along the public street
 - 5. Any chain-link fence shall have limited visibility from the public street, unless approved by the Planning Commission.

6. Sufficient isle way width and on-site water supply (including fire hydrants locations) will be determined by the Oxford Fire Chief, between buildings for firefighting purposes.
7. Design of the building and site shall be consistent with the following criteria:
 - a. The rear of the principal building shall not face the public right-of-way
 - b. The front façade of the principal building shall be finished utilizing masonry material that has textured relief. No vinyl or aluminum shall be used in finishing on the front façade of the building.
 - c. The building façade shall have different articulation in height and setbacks.
 - d. The roof of the principal building shall not be a long continuous flat roof and a break in length and elevation shall be provided in regular interval.
 - e. The entrance to the site shall be designed to allow sufficient queuing that on-street traffic will not be impacted.
 - f. Outdoor storage shall have limited visibility from the public right-of-way.
 - h. There shall be no employee residing on site, unless specifically approved by the Planning Commission and the City Council.

Analysis: The site is less than 2 acres in size, and the applicant indicated that this would be a companion to the main site across the street. The adequacy of the site is also another issue to consider, since the site is just over 1/3 acre of site and the building will occupy approximately 30% of the site. Looking at the site plan, the question is whether this development has too many units being proposed for the site, per (32)(A).1.

The Fire Chief also provided his comments on whether there would be sufficient hydrant access. The potential concerns section outlines areas for consideration. The Fire Chief has identified one area of concern regarding hazardous materials and a mitigation method. An additional concern has to do with an environmental impact. See attachment.

The concern of outdoor storage can be mitigated to the neighborhood by the gated nature of the development. However, the height of any potential stored items is unknown, so it is possible that some stored items would still be visible. This could be mitigated by an on-site manager with a towing or site-clean up policy and warning signage in place. The hours of operation also may support this concern.

Additional information such as storm water runoff management techniques and outdoor lighting impacts should also be discussed, since the preliminary site plan does not have any detailed information related to these issues. It is common that these issues could be addressed during the construction phase, but it would be prudent to have a better understanding on these issues for the fact this is the only opportunity for the Commission to weigh in on various concerns that may have a direct impact to the character of the neighborhood and the wellbeing of the neighbors.

A complete study including the proposed new lighting on the surrounding area should be submitted. The building mounted lighting discussed in the proposal should be designed with fixtures and angles that are not obtrusive to surrounding residents, but still serve the purpose of on-site security lighting.

The design criteria regulations require that the rear of the building not face the right of way; however, the nature of storage buildings is not a storefront, therefore the front of the buildings would be roll-up doors.

Building facades are required to have articulation in height and setback, however the nature of storage buildings is continuous heights and setbacks. This may be a difficult regulation to achieve based upon the plans submitted. Renderings provided do not fully illustrate how this regulation will be met. Additional detailed views and elevation drawings should be required.

The rendering provided appears that these buildings would have a long, continuous roofline and does not have change in elevation or pitch. Additionally, the building to be built on the east property line will have its rear of the building visible from the west bound of Central Ave.

General Decision Standards for Conditional Uses — Section 1147.02(c)(2)

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

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

Yes, the use can be allowed as a conditional use.

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

Public health, safety and general welfare are general intents of the Zoning Code. Based upon the information available, it has yet to be determined if this is satisfied.

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

Page 3.2 of the Land Use chapter of the 2008 Comprehensive Plan outlines a key finding from public input to "Give priority to infill and redevelopment." This is followed up by Land Use Principle #3 on page 3.9: "Infill development and redevelopment of underutilized sites is a priority. Reuse of vacant and underutilized sites will be encouraged prior to new development."

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

The regulation stipulates that the site should be a minimum of 2 acres. Given the site is less than that the Commission would need to waive this requirement. This is not an absolute, but it would seem that the site appears to be designed with a lot of units to fit on the site.

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

Additional information regarding building articulation, storm water, lighting, landscaping, outdoor storage and any potential accessory uses, should be submitted.

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.

None identified at this point of time, since this is a preliminary design review. It will be up to the management of the storage units to keep this place free of excessive noise, smoke, fumes, or otherwise it could become a fire and zoning enforcement issue.

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.

No accessory uses have been proposed. However, truck rental may be an option for future consideration.

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.

Information required regarding storm water will be reviewed by staff as the project proceeds.

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

None is expected.

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.

Additional renderings, elevation drawings and material samples should be shown and explained to better articulate how the site will be harmonious with the area.

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.

The use, as described by the applicant, will be a low trip generator, equating to low traffic volume on adjacent streets.

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

None expected.

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.

Yes, as stated by applicant.

RECOMMENDATION

The site was recently rezoned to Commercial to correct the error of the map due to a compliance agreement between the Ohio Environmental Protection Agency (OEPA) and the property owner and to accommodate the proposed use for the site.

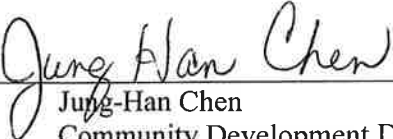
Given the use is considered as a conditional use that allows the Planning Commission to examine the potential impact of the proposed use. Furthermore, the intensity of the use could also be a issue for discussion as well.

The amendment of the GB district to include mini-warehouse was specifically to accommodate this project. Staff does not have any objection to the project, other than those issues identified in this report that will require the Commission to have discussion with the applicant. The approval of a Conditional Use application should be based on the decision standards as outlined in this report.

The Commission should only delay the recommendation to a later meeting if it determines that inadequate information has been provided, either by testimony, or submitted documents.

SUBMITTED

BY:



Jung-Han Chen
Community Development Director

DATE: May 28, 2015

ATTACHMENT

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

(1) Burden of proof.

- A. 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: May 19, 2015

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2015-11 CONDITIONAL USE 50 W. Central, To build a mini-warehouse on a vacant lot in a
GB (General Business) District, Scott Webb, Applicant/Agent

 X Review Revisions Other

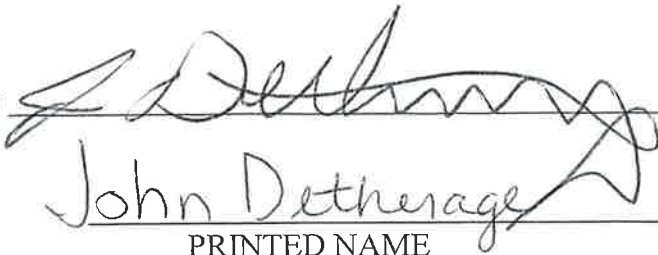
Please return no later than: 6/4/2015 Note: If no comments are received, we will assume the project
meets your department's standards.

.....

Drawings are returned: w/comments without/comments

SEE ATTACHED

Drawings reviewed by:


John Detherage
PRINTED NAME

Date:

5-22-15

Memo

To: Community Development
From: John Detherage, Fire Chief
CC:
Date: 5/22/2015
Re: 801 S. Beech Conditional Use

In 10-A-6 the applicant addresses the storage of flammable, combustible material stored on site. While handing someone a pamphlet describing what can and cannot be stored on this property *might* be effective, there is no way to monitor or confirm that these materials are not stored in individually locked units. A more realistic approach would be to provide fire sprinklers in the units that would limit the damage and spread of a fire. The proposed design also shows adding storage units to the outside of the existing buildings on the property which multiplies the hazard should a fire start in a unit. Storage facility fires are very common and a very labor intensive task that could be controlled easily with a sprinkler system.

Water run off in a fire situation should also be addressed. With the multitude of random chemicals that will likely be stored in these buildings, the run off would be detrimental to the environment.

A secondary access point to the facility should be added for access in a fire situation.

Sufficient hydrant access will need to be provided.

City of Oxford
Inter-Office Review Transmittal Sheet

Date: May 19, 2015

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2015-11 CONDITIONAL USE 50 W. Central, To build a mini-warehouse on a vacant lot in a GB (General Business) District, **Scott Webb, Applicant/Agent**

 X Review Revisions Other

Please return no later than: **6/4/2015** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by:



Date:

6-2-2015

VICTOR POPESCU

PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: May 19, 2015

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

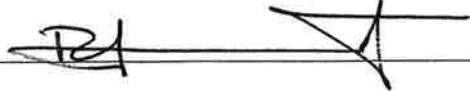
PC-2015-11 CONDITIONAL USE 50 W. Central, To build a mini-warehouse on a vacant lot in a GB (General Business) District, **Scott Webb, Applicant/Agent**

 X Review Revisions Other

Please return no later than: **6/4/2015** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by:  Date: 5/26/2015

ROBERT B. HOLZWORT
PRINTED NAME

PRINTED NAME



PC-2015-11 Surrounding Property Owners Map

Legend

-  Subject Properties
-  200 Ft. Buffer
-  Oxford Corp. Limit
-  Address Point
-  Parcel
-  Building Footprint
-  Paved Roadway



1 inch = 100 feet

Prepared on Wednesday, May 20, 2015

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

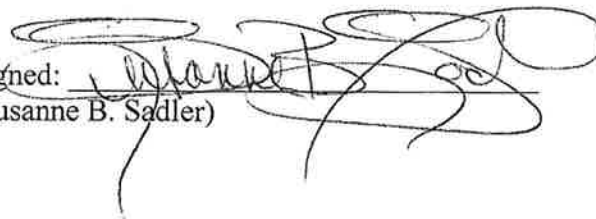
To Whom It May Concern:

Please be advised that Scott Webb, Architect has permission to represent our interest with the City of Oxford and act on our behalf for Planning Commission hearing June 9, 2015 regarding our proposed new Mini-Storage Use on Central Avenue.

Thank-you,

Signed: 
(Steven R. Sadler)

Date: 5/21/2015

Signed: 
(Susanne B. Sadler)

Date: 5/21/2015

LETTER OF AGENCY

To Whom It May Concern:

Please be advised that Scott Webb, Architect has permission to represent our interest with the City of Oxford and act on our behalf for Planning Commission hearing June 9, 2015 regarding our proposed new Mini-Storage Use on Central Avenue.

Thank-you,

Signed: _____

(Jeff Pulley)

CVS Properties Ltd.

Date: May 20, 2015

Jung-Han Chen
Community Development Director
City of Oxford
Municipal Building
101 E. High Street
Oxford, Ohio 45056



**SCOTT
WEBB**

A R C H I T E C T

103 West Walnut Street
Oxford, Ohio 45056
(513) 523-3838

www.scottwebbarchitect.com

Re: Application for Conditional Use
Proposed Self-Storage
Parcels 017, 020, 023 (No address assigned)

April 24, 2015

Dear Mr. Chen,

Please accept this letter as a formal request for a review hearing by the City of Oxford Planning Commission and Oxford City Council for a Conditional Use for a Self-Storage Mini-Warehouse in the GB district.

The attached proposal has been prepared for and with the help of the following:

Property Owners:

CVS Properties Ltd.
801 South Beech Street
Oxford, Ohio 45056

Architect:

Scott Webb, Architect
103 West Walnut Street
Oxford, Ohio 45056

Surveyor:

Amos Greene, Land Surveyor
6618 Barrett Road
West Chester, Ohio 45069

Civil Engineer:

Bayer Becker, Engineers & Surveyors.
318 South College Avenue
Oxford, Ohio 45056

Narrative Statement describing how the proposed Conditional Use meets the following decision standards of the zoning district in which it is located.

In response to the decision standards outlined in the application, we offer the following:

- A. *The proposed use is in fact a Conditional Use in the Zoning District in which it is proposed;*

Recent changes to the Zoning Code now allow Mini-Warehouse & Business Incubator as a conditional use in the GB District

- B. *The use and site will satisfy the general intent of the Zoning Code;*

While the property in Question is zoned GB, it is not in any of our recognized commercial districts and is surrounded by residential. The proposed use is a good fit in this location, as retail exposure (traffic counts, etc.) make this a difficult property for other GB uses. Further, based on information from the storage business consultants, a property of this scale will generate only 3-5 cars per day. This makes it a better neighbor to the nearby residential properties than other potential GB uses.

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

The Comprehensive Plan encourages reinvestment in the Mile Square and favors infill over sprawl. Adaptively reusing a nearly abandoned building reflects this intent

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

The size and shape of the site is sufficient for the proposed use. While larger operations are recommended by the consultants. The shape and size of the lots accommodates the storage, maneuvering & parking,

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

The proposed Mini-Storage use will not be hazardous or disturbing to neighboring residents, as the buildings are essentially unoccupied, and generate very little traffic.

- 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.*

As described above, the storage use will not be detrimental to any person, property or the general welfare. Unoccupied buildings generate very little noise, fumes or odors, and very little traffic

- 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.*

No accessory uses are proposed for these parcels.

- 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.*

As an existing building, all utilities are available at the proposed location. No special provisions are required.

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

No public expense is anticipated by this project, as the building and site are existing.

- 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*

The existing parcels have never been developed, and represent a small island of land surrounded by the railroad tracks and rear yards of student rental property. The development of the property with low, single story buildings, unoccupied buildings will be harmonious with the neighborhood. The narrow approach to the property limits the visibility from the street, and is directly across from the recently approved main parcel for this business.

- 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.*

As noted above, the proposed storage use generates very little traffic accessing the site. Existing streets on which the buildings and sites are located are minor interior streets generating very little of their own traffic..

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

The construction proposed with this application will not result in the loss of a natural or scenic feature, as the unused lot currently just collect random trash & paraphernalia.

- M. *All Necessary permits and licenses for the Conditional Use and its operation have been obtained or can be obtained for the use at the proposed location.*

A professional review of the building code has been performed, and all necessary permits and licenses can be obtained for this use in this location..

Thank you for your consideration of this proposal. If you have any questions or need any additional information, please call.

Respectfully,

A handwritten signature in black ink, appearing to read 'Scott Webb', written over a horizontal line.

Scott Webb, Architect

Jung-Han Chen
Community Development Director
City of Oxford
Municipal Building
101 E. High Street
Oxford, Ohio 45056



SCOTT
WEBB

ARCHITECT

103 West Walnut Street
Oxford, Ohio 45056
(513) 523-3838

www.scottwebbarchitect.com

Re: Application for Conditional Use
Proposed Self-Storage
Parcels 017, 020, 023 (No address assigned)

April 24, 2015

Dear Mr. Chen,

In addition to the narrative statement required on the Conditional Use Application, please accept this letter as the additional narrative statement required by Section 1147.02 of the Zoning Code.

In response to the items listed in 1147.02, we offer the following:

6. *A description of the proposed use.*

- a. *A description of operations, including type of goods sold, services performed, and expected number of customer, clientele, delivery & service vehicles*

The proposed construction of storage buildings will result approximately 4,200 s.f. of leasable storage units of various sizes.

Based on information provided by consultants, a storage facility of this size generates 3-5 cars per day, with customers loading, unloading and accessing their stored material. Patrons are provided loading areas for the inside storage, and drive-up access to the exterior units. No additional deliveries or service vehicles are anticipated.

- b. *Hours of operation*

The site will feature controlled access gates. Like the other storage facilities in town hours of access will be limited to general business hours (7:00 am – 9:00 pm), and will not be available 24/7.

7. *A narrative statement that evaluates the compatibility of the proposed use with the general vicinity and adjacent properties;*

- a. *How is the use similar to or different from existing area uses and if there will be any interaction between the proposed and existing uses*

The properties in question are zoned GB, as the district follows the railroad through town, but they are otherwise isolated from more typical GB properties in the City.

While the application at hand is for a conditional use, there are many far more intensely used and detrimental permitted uses in GB. The storage use,

generating very little noise or traffic is likely the best GB use to exist in this mostly residential area of the Mile Square

- b. *How any existing structures, proposed structures, and the site design relate to adjacent structures and sites*

Construction of the new storage units will be internally focused, obscuring the repetitive garage doors that are typical for this type of use. Colors and materials will be "residential" in nature and improvements in screening & landscaping are also proposed.

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

The proposed Mini-Storage use will not be hazardous or disturbing to neighboring residents, as the buildings are essentially unoccupied, and generate very little traffic. .

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

The site is designed to be internally focused with buildings along the perimeter and vehicles in the center. This prevents headlights from shining into adjacent properties. The entire perimeter is enclosed and accessed by gates, limiting the hours of operation.

8. *A statement about why the location proposed is more appropriate for use than other locations;*

While the property in Question is zoned GB, it is not in any of our recognized commercial districts and is surrounded by residential. The proposed use is a good fit in this location, as retail exposure (traffic counts, etc.) make this a difficult property for other GB uses.

9. *A statement of the necessity or desirability of the proposed use to the neighborhood or community.*

Self-Storage is necessary use for all communities, and especially in university communities. While a few small such operations exist in the City, they are currently full, forcing potential patrons outside of the City limits to accommodate this need.

The appropriateness of this particular location has been addressed above.

10. *Separate detailed statements that individually address each of the items listed as potential concerns for the proposed use.*

From 1147.03 (32) Mini Warehouse (Self-Storage Units)

A. *Potential Concerns:*

1. *Adequate Lot Size*

The lot is adequate for the amount of storage provided.

2. *Design of Vehicle Management Area*

The vehicle management areas are designed to accommodate the anticipated traffic.

3. *Outdoor Storage – inoperable vehicles & junk*

All storage on site will be within buildings. No outside storage is proposed

4. *Hours of Operation*

Like the other storage facilities in town hours of access will be limited to general business hours (7:00 am – 9:00 pm), and will not be available 24/7..

5. *Proximity to Residential Zoning Districts*

Each of the parcels in question are surrounded by residential zoning districts. Care has been taken in the design of the facility to minimize the impact.

6. *Flammable, combustible material stored on site*

Regulations regarding what may be stored at the facility will be given to each customer, prohibiting the storage of highly flammable or combustible material.

7. *Scale and character shall be compatible with surrounding properties and existing uses*

The additional buildings proposed on the site are single story buildings, compatible with the neighborhood.

B. *Regulations:*

1. *Site shall be a minimum of two acres and a maximum of 5 acres*

While this group of parcels is just under ½ acre, it is proposed as an accessory to the main Capital facility site which exceeds the minimum 2 acre requirement.

2. *Parking shall not be located in yard adjacent to residential zoning district.*

Parking is provided in the interior of the site

3. *Outdoor security lighting designed to prevent spillover to adjoining properties*

Lighting will be provided by wall mounted lights on the buildings, and will face inward.

4. *Landscaping along a public street.*

Landscaping will be provided along the public.

5. *Any chain-link fence shall have limited visibility from the public street, unless approved by Planning Commission.*

No chain link fence will be visible for the public right-of-way. Decorative aluminum fencing & brick walls are proposed along the public streets.

6. *Sufficient aisle way width and on-site water supply (including fire hydrant locations) will be determined by the Oxford Fire Chief, between buildings for firefighting purposes*

Sufficient aisle widths are provided throughout the development

7. *Design of building and site shall be consistent with the following criteria:*

a. *The rear of the building shall not face the public right-of-way*

The site will have its principal entrance on the street

- b. *The front façade of the principal shall be finished utilizing masonry material that has textured relief. No vinyl or aluminum siding shall be used in finishing on the front façade of the building.*

The front façade of the proposed storage units will include masonry & stucco and providing visual relief.

- c. *The building façade shall have different articulation in height and setbacks.*

The proposed new buildings will vary in height and scale

- d. *The roof of the principal building shall not be a long continuous flat roof and a break in length and elevation shall be provided on regular intervals.*

The roof of the various buildings break in height and length,

- e. *The entrance to the site shall be designed to allow sufficient queuing that on-street traffic will not be impacted.*

No queuing is anticipated for this small parcel.

- f. *Outdoor storage shall have limited visibility from the public right-of-way*

The entire property is screened from the public right-of-way

- g. *There shall be no employee residing on site, unless specifically approved by the Planning Commission and City Council*

No employees will reside at this location

C. Other

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

The site in question is too small to accommodate multiple uses,

Thank you for your consideration of this proposal. If you have any questions or need any additional information, please call.

Respectfully,

A handwritten signature in black ink, appearing to read 'Scott Webb', written over a horizontal line.

Scott Webb, Architect



Internal Use Only:

Case No.

PC-2015-11

Date Filed

4/24/15

Conditional Use Permit Application

June

Applicant Information

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

Name * Scott Webb, Architect

Mailing Address * 103 West Walnut Street

City, State & Zip Code * Oxford, Ohio 45056

Telephone Number(s) * (513) 523-3838

Email Address scott@scottwebbarchitect.com

Owner Information

Name * CVS Properties Ltd.

Mailing Address * 801 S. Beech Street

City, State & Zip Code * Oxford, Ohio 45056

Telephone Number(s) * (843) 708-1500

Email Address jvpulley@gmail.com

Location and Lot Information

Location of Property * Parcels 017, 020, 023 (No address assigned) 50 W Central

Legal Description *

Zoning District * GB

Total Area * .3646 → Check One * Acres ☒ Square Feet ☐

Existing Use Description * Vacant Lot

Proposed Use Description * Mini-Storage (companion parcel to approved conditional use at former Capital Site)

Submission Requirements and Documentation

From Section 1147.02(a)¹.

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

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

Fees & Receipt

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

Sign and Date

Applicant Signature *

Date *


4/24/15

Submit Application, Submission Requirements and Documentation, and Fees

We will not accept incomplete applications and/or plans and documentation.

Send or drop off this application with required plans and documentation as attachments and a check for fee and postage charges made payable to **City of Oxford**, to Community Development Director, 101 East High Street, Oxford, OH 45056.

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

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

For Staff Use Only

Fee Paid Date *

4/24/15

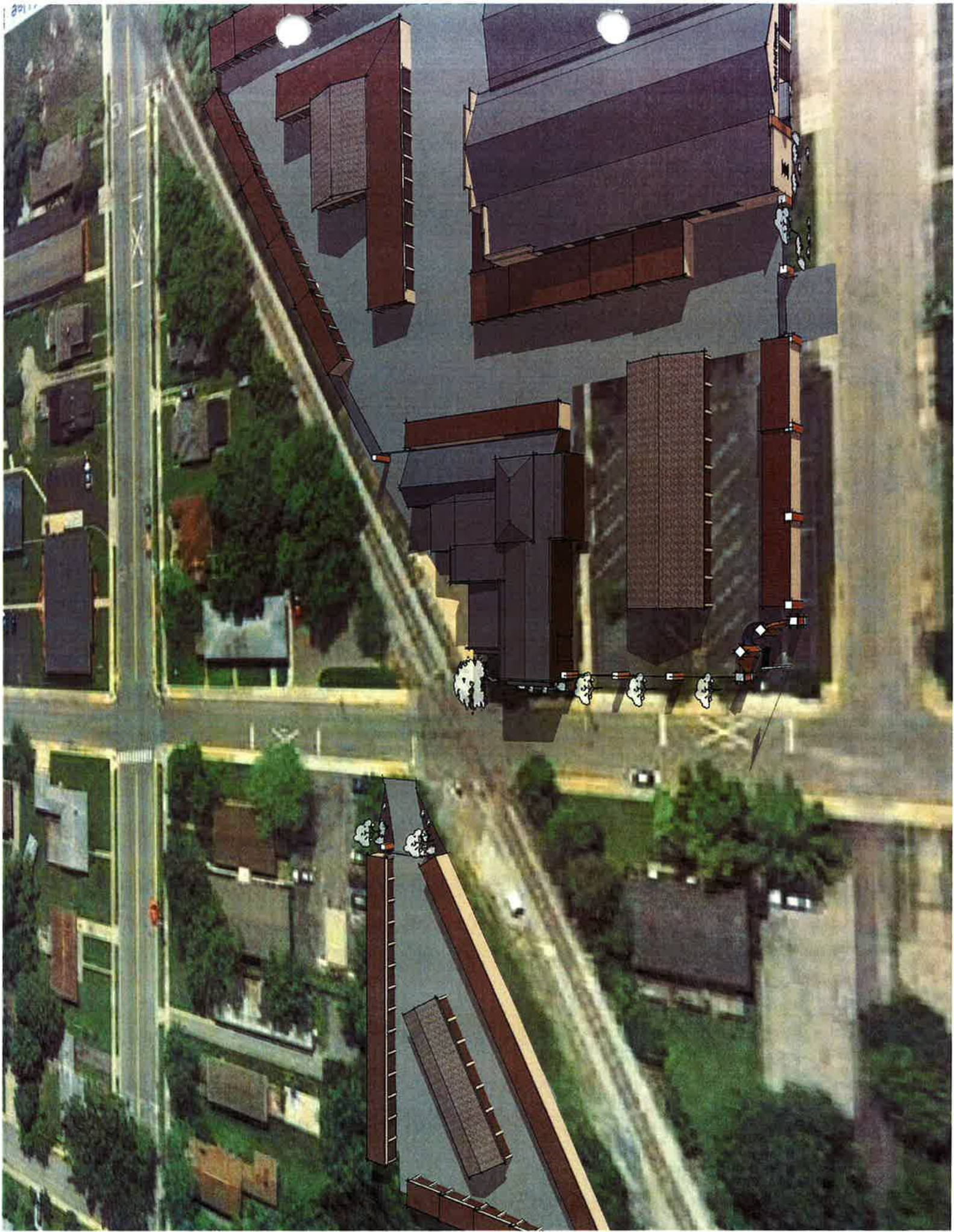
Receipt Number *

41477

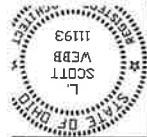
¹ City of Oxford Codified Ordinances: <http://www.cityofoxford.org/fees-ordinances-and-charter/>

² Butler County Auditor Real Estate Search: <http://www.butlercountyauditor.org/>

³ The United States Postal Service: <http://www.usps.com/>





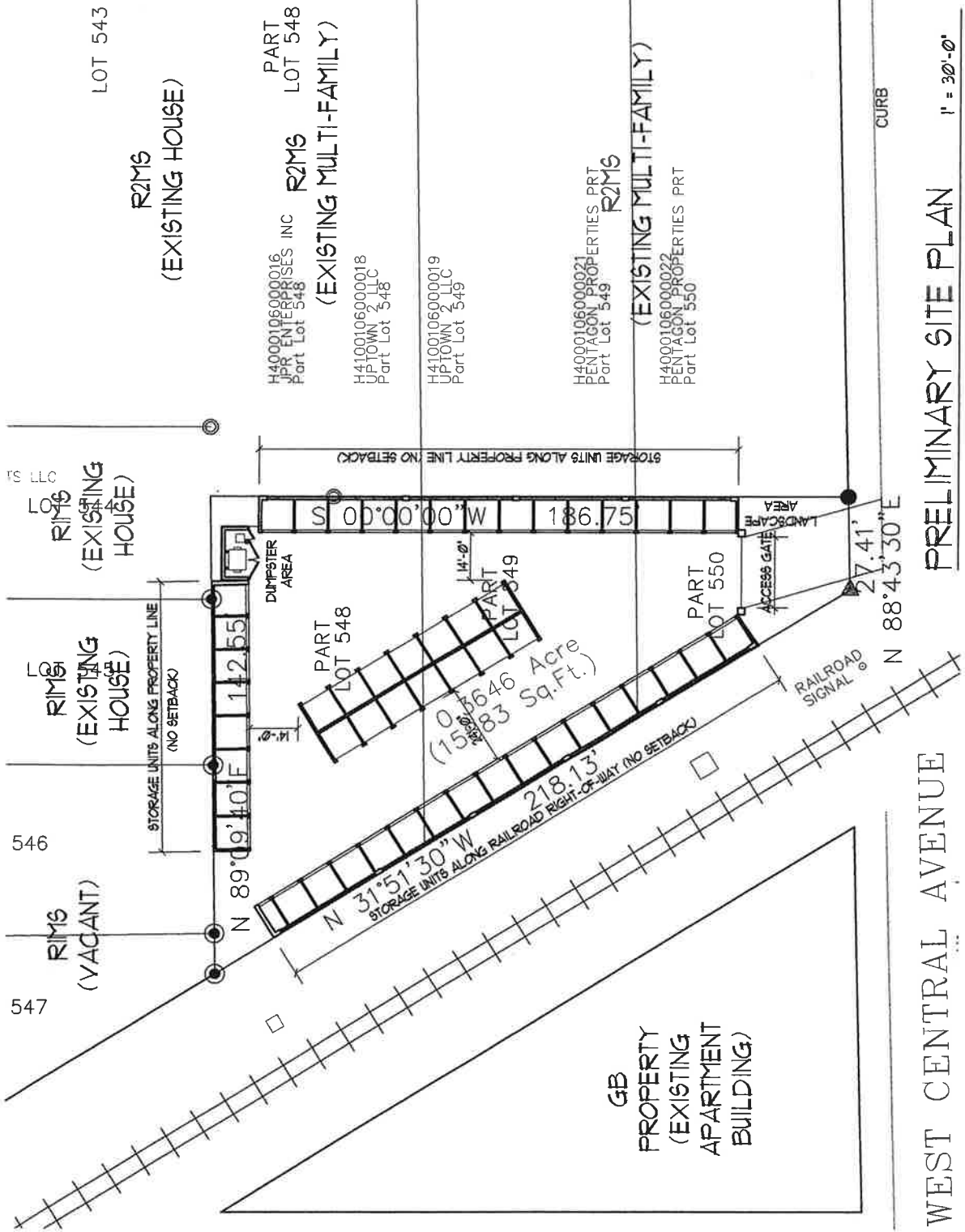


SCOTT WEBB ARCHITECT
183 West Walnut Street
Oxford, Ohio 45056
(513) 523-3559
www.scottwebbarchitect.com

New Mini Warehouse
PROPOSED ADAPTIVE REUSE
PARCELS 011, 020, 023 (NO ADDRESS ASSIGNED)
COMPANION PARCEL TO APPROVED CONDITIONAL USE
OXFORD OHIO 45056
801 SOUTH BEACH STREET

DATE	April 24, 2015
REVISIONS	

A-1



WEST CENTRAL AVENUE

PRELIMINARY SITE PLAN

1" = 30'-0"

PROPOSAL DEPICTED HEREIN REPRESENTS THE CONSTRUCTION OF SELF-STORAGE UNITS ON VACANT GB PARCEL AS A COMPANION TO THE APPROVED USE OF THE MAIN SITE ACROSS CENTRAL AVENUE

NEW EXTERIOR STORAGE UNITS: 4200 SF.

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: July 7, 2015

Jung-Han Chen
Prepared By:

Account Code No. #:

Budgeted Amount:

June 29, 2015
Date Prepared:

PC-2015-10 ZONING MAP AMENDMENT to establish a Neighborhood Conservation Overlay District in the area of Dana Drive, Ryan Drive, Josie Lane, Randall Drive and part of Oxford-Riley Road for a total of 84 parcels in the proposed overlay district. **City of Oxford, Applicant**

Recommendation: Approval

Discussion:

The proposed map amendment is to establish a Neighborhood Conservation Overlay District in an R1-B (Single-Family Medium Density Residential) District in the neighborhood of Dana Drive, Ryan Drive, Josie Lane, Randall Drive and part of Oxford-Reily Road. A total of 84 parcels were included in the petition and a total of 72 property owners' signatures were obtained, representing 72 parcels, representing 86% of property owners provided their signatures. The legislation allows a neighborhood to generate a petition to create an overlay district subject to meeting certain standards and public hearing process.

The petition to establish a neighborhood conservation overlay district was filed on February 25, 2015 with the Clerk of City Council. A resolution was adopted by the City Council accepting the petition and forwarding this request to the Planning Commission on April 7, 2015. The Planning Commission reviewed the request on June 9, 2014. The Planning Commission recommended approval of this amendment and is forwarding this request to City Council for legislative action.

The intent is to be a grass-roots effort which only alters one aspect of the permitted land uses (residential occupancy). Therefore the base zoning district regulations are retained. Without the overlay, a single dwelling unit can have up to four unrelated persons. With the overlay, a single dwelling unit may still be rental property, but is limited to no more than two unrelated persons. Existing dwellings with more than two unrelated persons would be allowed to continue as legal conforming.

Approved By:

Department Head:
City Attorney:
City Manager:

JHC 6/29/15
JRE 7/1/15

ORDINANCE NO.

AN ORDINANCE ACCEPTING THE PLANNING COMMISSION'S RECOMMENDATION AND GRANTING A ZONING MAP AMENDMENT TO ESTABLISH A NEIGHBORHOOD CONSERVATION OVERLAY DISTRICT IN A R-1B (SINGLE FAMILY MEDIUM DENSITY RESIDENTIAL) DISTRICT FOR 84 PARCELS LOCATED ON DANA DRIVE, RYAN DRIVE, JOSIE LANE, RANDALL DRIVE AND OXFORD-REILY ROAD IN THE CITY OF OXFORD, OHIO.

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

SECTION 1: Council finds in accordance with Chapter 1146 of the Codified Ordinances of the City of Oxford, the Oxford Planning Commission held a public hearing on June 9, 2015, on the City of Oxford's application for a Zoning Map Amendment to establish a Neighborhood Conservation Overlay District in a R-1B (Single Family Medium Density Residential) District for 84 parcels located on Dana Drive, Ryan Drive, Josie Lane, Randall Drive and Oxford- Reily Road in the City of Oxford, Ohio, a map of which is attached hereto and incorporated herein as Exhibit "A".

SECTION 2: The Oxford Planning Commission, after public hearing and deliberation, recommended granting the Zoning Map Amendment to establish a Neighborhood Conservation Overlay District, and found that the proposed request was in keeping with the intended characteristics of the neighborhood and was an appropriate classification for the properties in question.

SECTION 3: Council hereby accepts the recommendation of the Oxford Planning Commission, and after deliberation, finds for the granting of the Zoning Map Amendment, to establish a Neighborhood Conservation Overlay District in a R-1B (Single Family Medium Density Residential) District for 84 parcels located on Dana Drive, Ryan Drive, Josie Lane, Randall Drive and Oxford- Reily Road in the City of Oxford, Ohio, a map of which is attached hereto and incorporated herein as Exhibit "A".

SECTION 4: Council hereby grants the Zoning Map Amendment as requested, incorporating the application and documents submitted with the application as a term and condition of the granting of this Zoning Map Amendment and orders that the official zoning map be amended.

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

MAYOR

ADOPTED:
ATTEST:

CLERK OF OXFORD CITY COUNCIL
INTRODUCED BY: KEVIN MCKEEHAN
PREPARED BY: LAW (STAFF)

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

<u>Report Date</u>	July 7, 2015
<u>Case Number</u>	PC-2015-10
<u>Applicant Information</u>	City of Oxford
<u>Requested Action</u>	Zoning Map Amendment
<u>Summary of Request</u>	ZONING MAP AMENDMENT To establish a Neighborhood Conservation Overlay District in the neighborhood of Dana Drive, Ryan Drive, Josie Lane, Randall Drive and Part of Oxford- Reily Road for a total of 84 parcels in a proposed overlay district City of Oxford, Applicant
<u>Public Hearing Information</u>	On June 9, 2015 a Public Hearing took place at 118 W. High Street. A Public Hearing notice was published in the Oxford Press on May 10, 2015. Public Hearing notices were mailed out to surrounding properties on May 4, 2014.
<u>Commission Action</u>	The Planning Commission voted 6-0-0 recommending approval to City Council.
<u>Commission Findings and Conclusions</u>	The Planning Commission recommended this Zoning Map Amendment having met the Decision Standards of Chapter 1146, and at least one Decision Standard of Chapter 1135
<u>Exhibits Submitted to the Commission</u>	1. Staff Report Dated May 26, 2015 2. Proposed Boundary Map 3. Interoffice Reviews 4. Surrounding Property Notifications 5. Review and Comment Form 6. Zoning Map Amendment Application Dated April 24, 2015 7. Resolution 4906 City Council Acceptance of Petition 8. Staff Summary to City Council Dated March 24, 2015 9. Petition for Residential Conservation Overlay District

City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2015-10

Date – June 9, 2015

APPLICATION

Applicant:	City of Oxford
Action Request:	ZONING MAP AMENDMENT to establish a Neighborhood Conservation Overlay District in an R-1B (Single-Family Medium Density Residential) District, in the neighborhood of Dana Drive, Ryan Drive, Josie Lane, Randall Drive and part of Oxford-Reily Road, City of Oxford, Applicant

DESCRIPTION

The proposed map amendment is to establish a Neighborhood Conservation Overlay District in an R1-B (Single-Family Medium Density Residential) District in the neighborhood of Dana Drive, Ryan Drive, Josie Lane, Randall Drive and part of Oxford-Reily Road.

A petition to establish a neighborhood conservation overlay district was filed on February 25, 2015 to the Clerk of City Council. A resolution was adopted by the City Council accepting the petition and forwarding this request to the Planning Commission on April 7, 2015.

ZONING CODE

The Oxford Zoning Ordinance Chapter 1146 governs the establishment of the Neighborhood Conservation Overlay District.

COMPREHENSIVE PLAN

In the Overview Section of Chapter 7, Housing, in the Comprehensive Plan residents echoed the same sentiments that Oxford has a unique housing market involving a large rental population that limits opportunities for family housing options and changes the community character, specifically within the Mile Square. The public input sessions also pointed out the lack of housing opportunities for families and the hope to encourage owner-occupied housing and promote the return of full-time residents to the area. Even the Comprehensive Plan does not implicitly point to the establishment of an overlay district to encourage owner-occupied neighborhoods, but several objectives and strategies are relevant to this idea of maintaining traditional neighborhoods and owner-occupied residential dwellings.

Objective Expand Housing options

- H2.1 Update development regulations to allow for a variety of housing types in new developments.*
- H2.4 Provide financial assistance to increase homeownership opportunities for low and moderate income residents.*

Objective: Expand homeownership opportunities

- H5.1 Encourage local employers to provide homeownership incentives.*
- H5.2 Encourage rehabilitation of owner-occupied structures within the Mile Square.*
- H5.3 Create an urban homeownership incentive program such as homeownership grants to help offset the cost of housing.*
- H5.4 Develop a revolving loan fund.*
- H5.5 Establish an Oxford Homeownership Office in partnership with Miami University.*
- H5.6 Support the University loan program to increase homeownership opportunities within the Mile Square.*

AGENCY REVIEWS

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

Police:	Received with no comments
Fire:	Received with no comments
Engineering:	Received with no comments
Econ. Dev.	Received with no comments

PUBLIC REVIEW AND COMMENTS

One comment was received in favor of the map amendment.

DECISION CRITERIA

A copy of the Decision Criteria for Overlay District is attached.

ANALYSIS

The idea of the neighborhood conservation overlay district was to preserve neighborhoods from being turned into rental properties and to maintain the traditional neighborhood owner-occupied character. The Planning Commission went through extensive discussion about this overlay district in 2012. It was designed to provide mechanisms to the neighborhoods to initiate a grass roots movement to get all the neighbors together and to petition City Council for the consideration of placing more restrictions on the underlying district.

The overlay district is not uncommon in the land use arena to put in place a specific set of regulations that are more stringent than the underlying district in order to accomplish specific objectives. The most commonly used overlay district is for the historic area. Others are used for specific design standards to promote some uniformity in certain specific subset areas.

As this process is getting traction, many neighborhoods have been working on gathering signatures to create an overlay district. As of today, there have been 9 different neighborhoods throughout the City that have obtained the overlay district designation. Two more, including this one, is in the process of going through the public hearing process. Additionally, the neighborhoods are farther away from the Mile Square.

A petition was filed by a group of neighbors in the Western Knolls area, specifically Dana Drive, Ryan Drive, Josie Lane, Randall Drive and part of Oxford-Reily Road for a total of 84 parcels of tracts of land, to be considered a Neighborhood Conservation Overlay District on February 25, 2015 with the Clerk of the Oxford City Council. The petition also showed that there were 72 signatures obtained that represent 72 parcels. The signatures supporting this petition exceed the two-third requirements of the parcels of this petitioned area. The signatures represent 86% of the parcels within the boundary. A map of the proposed district is attached illustrating the area for consideration.

Based on the Neighborhood Conversation Overlay District requirements, the City Council accepted the petition on April 7, 2015 and forwarded this petition to the Planning Commission for Zoning Map Amendment consideration.

There are specific decision standards that the Planning Commission shall reference and the decision standards are also attached for reference. The Planning Commission also shall consider the purpose and objectives of such overlay district are to achieve the privacy of residents and to minimum noise, congestion and nuisance impact by rental properties and to maintain an attractive community appearance and provide a desirable living environment and finally to prevent excessive traffic and parking problems in the neighborhood.

The petition met the boundary requirements as stipulated in the Chapter 1146.03(h). The petition also met the minimum two-thirds requirements of owner signatures within the proposed boundary.

Additionally, the dates of those signatures were also within six months prior to the time the petition was filed with the City Clerk.

Please note that this process is a neighborhood driven process beginning with a petition to the City Council and followed with a public hearing before the Planning Commission for a Map Amendment recommendation. The City Council may waive certain requirements after a positive recommendation from the Planning Commission. This process is far lengthier than normal map amendment process and has additional decision standard thresholds to meet. It is a process that the neighborhood had taken seriously and the neighbors have demonstrated their commitment to preserve their neighborhood and to maintain their neighborhood characters by going through an extra step to initiate.

Given that there will be a total of 11 neighborhoods having the overlay district designation, it might be time to look at the overall City's zoning map to create different zoning districts to reflect those changes.

RECOMMENDATION

Staff recommends that the Planning Commission approval of this amendment and forward this request to City Council for legislative action.

SUBMITTED

BY:

Jung-Han Chen

Jung-Han Chen

Community Development Director

DATE: May 26, 2015

ATTACHMENT

Chapter 1135 Zoning Map Amendment procedures and decision standards

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

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

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

Map Amendments

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

Planning Commission must utilize the Chapter 1146 Specific Decision Standards to consider the Neighborhood Conservation Overlay District and they are as follows:

1146.03(2) b Decision Standards for Considering Overlay District:

1. The proposed Overlay District meets the boundary criteria.
2. The proposed Overlay District will preserve and enhance the neighborhood character.
3. The proposed Overlay District will promote the public health, safety and general welfare of the people of the neighborhood.
4. The proposed Overlay District will promote and implement the intent of the Comprehensive Plan.
5. The proposed Overlay District will satisfy a legitimate need.

**Dana Ryan
Oxford Reilly
Josie Randall
Neighborhood
Conservation
Overlay District
Petition Boundaries**

Legend

-  Petition Area
-  Petition Parcel: Signed
-  Petition Parcel: Not Signed
-  Oxford Corporation Limit
-  Address Point
-  Parcel
-  Building Footprint
-  Paved Roadway



1 inch = 250 feet

EXHIBIT "A"



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

City of Oxford
Inter-Office Review Transmittal Sheet

Date: May 19, 2015

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2015-10 ZONING MAP AMENDMENT To establish a Neighborhood Conservation Overlay District Dana Drive, Ryan Drive, Josie Lane, Randall Drive and Part of Oxford- Reily Road for a total of 72 parcels in proposed overlay district **City of Oxford, Applicant**

 X Review Revisions Other

Please return no later than: **6/4/2015** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments without/comments

Drawings reviewed by:



Date: 5-21-15

John Dethenage

PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: May 19, 2015

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2015-10 ZONING MAP AMENDMENT To establish a Neighborhood Conservation Overlay District Dana Drive, Ryan Drive, Josie Lane, Randall Drive and Part of Oxford- Reily Road for a total of 72 parcels in proposed overlay district **City of Oxford, Applicant**

 X Review Revisions Other

Please return no later than: **6/4/2015** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by: 

Date: 5-21-15

VICTOR POPESCU

PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: May 19, 2015

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

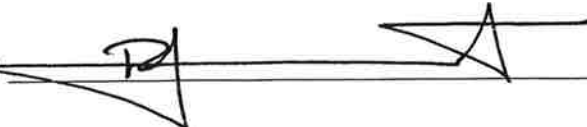
PC-2015-10 ZONING MAP AMENDMENT To establish a Neighborhood Conservation Overlay District Dana Drive, Ryan Drive, Josie Lane, Randall Drive and Part of Oxford- Reily Road for a total of 72 parcels in proposed overlay district **City of Oxford, Applicant**

 X Review Revisions Other

Please return no later than: **6/4/2015** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by:  Date: 5/26/2015

ROBERT B. HOLZWORTH
PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: May 19, 2015

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2015-10 ZONING MAP AMENDMENT To establish a Neighborhood Conservation Overlay District Dana Drive, Ryan Drive, Josie Lane, Randall Drive and Part of Oxford- Reily Road for a total of 72 parcels in proposed overlay district **City of Oxford, Applicant**

 X Review Revisions Other

Please return no later than: **6/4/2015** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

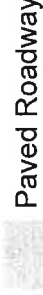
Drawings reviewed by:  Date:

Han Kyger
PRINTED NAME



PC-2015-10 **Surrounding** **Property Owners** **Map**

Legend

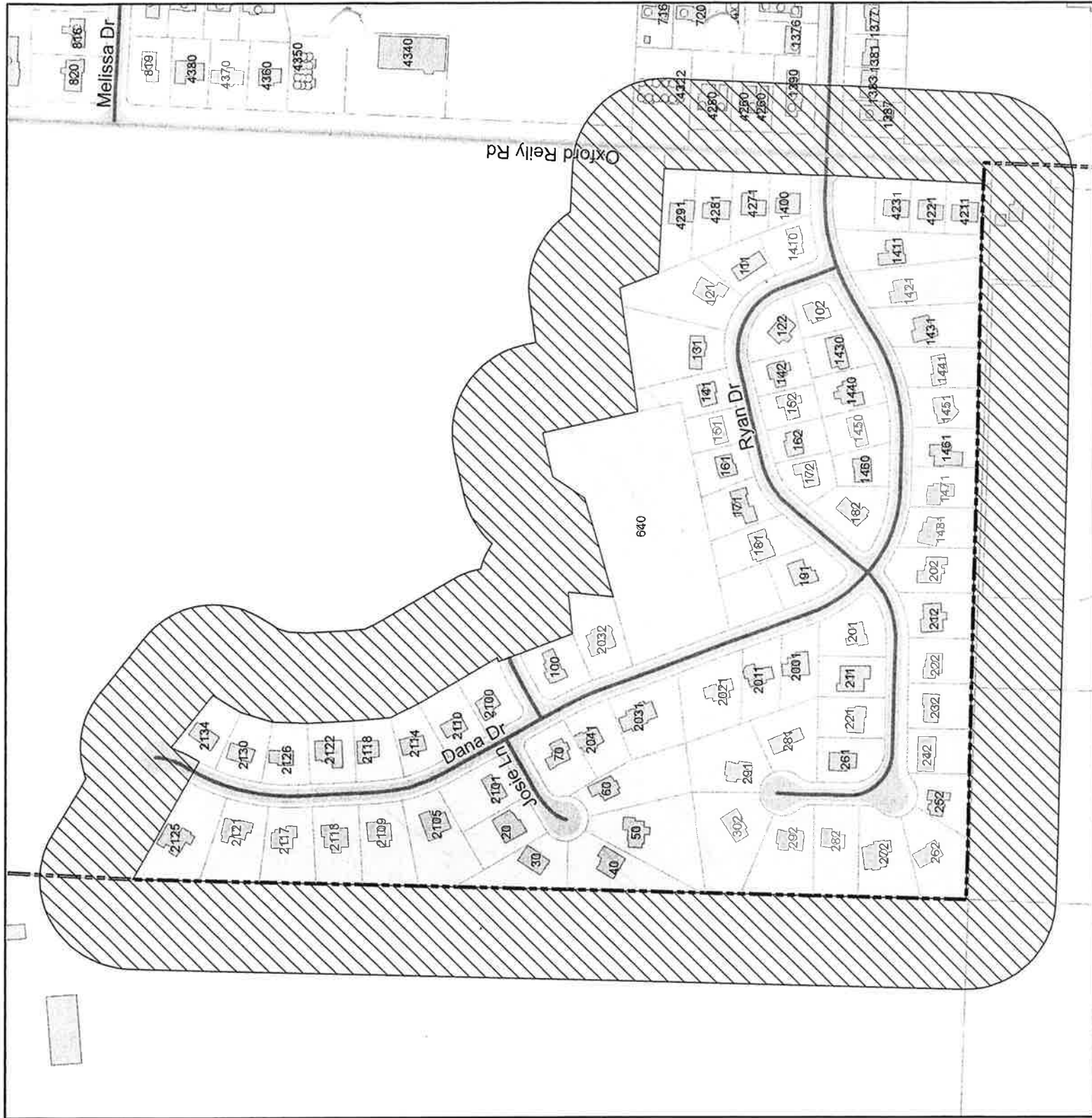
-  Subject Area
-  200 Ft. Buffer
-  Oxford Corp. Limit
-  Address Point
-  Parcel
-  Building Footprint
-  Paved Roadway



1 inch = 300 feet

Prepared on Monday, May 4, 2015

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





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

CASE NO.: PC-2015-10

DATE OF HEARING: June 9, 2015

ZONING MAP AMENDMENT To establish a Neighborhood Conservation Overlay District Dana Drive, Ryan Drive, Josie Lane, Randall Drive and Part of Oxford- Reily Road for a total of 72 parcels in proposed overlay district **City of Oxford, Applicant**

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

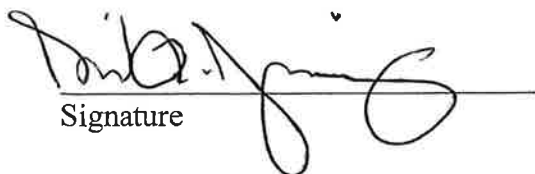
Name: DAVE JENNINGS

Address: 2101 DANA DRIVE
OXFORD, OH 45056

Telephone: Home: 513-255-2803 Work: —

COMMENTS:

WE ARE IN SUPPORT OF THIS AMENDMENT.


Signature

5-27-15
Date



Internal Use Only:

Case No.

PC-2015-10

Date Filed

4/24/15

Zoning Map Amendment Application

Applicant Information

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

Name *

City of Oxford

Mailing Address *

101 E High Street

City, State & Zip Code *

Oxford, OH 45056

Telephone Number(s) *

524-5204

Email Address

JChen@cityofoxford.org

Location and Lot Information

Location *

Dana, Ryan Drives, Josie Lane, Randall Drive

General Description

of Proposed Amendment *

Part of Oxford Reilly Road
Overlay District

Current Zoning *

RIB

Proposed Zone(s) *

RIB / NCOD

Submission Requirements and Documentation

From Section 1135.02 Procedure¹.

- (a) Initiation. A map amendment may be initiated by adoption of a motion by Planning Commission, by adoption of a motion by Council, or by application to Planning Commission by at least one owner of the property within the area proposed to be rezoned.
- (b) Application. If Planning Commission or Council initiates an amendment, then the Zoning Administrator shall provide information as necessary for proper consideration of the motion. The information provided shall be substantially similar to that required of an application for amendment.

An application for amendment shall be filed with the Zoning Administrator. An application shall be complete prior to being scheduled for a public hearing. An application will be considered complete only if the Zoning Administrator is satisfied that all of the materials required by this chapter are included and are sufficient in their content to satisfy the intent of the application requirements.

- (1) Contents of application. The applicant shall contact the Zoning Administrator prior to submitting an application to discuss the submission requirement, which includes the following information. A written, detailed description, where applicable, is required for each subsection.
 - A. Application Fee.
 - B. The name, mailing address, and telephone number of the applicant.
 - C. A general description of the proposed amendment.
 - D. A narrative statement that describes how the proposed amendment relates to the Comprehensive Plan.
 - E. A statement that identifies potential negative consequences of the proposed amendment.
 - F. Such other information regarding the proposed amendment as may be pertinent to the application or required by Planning Commission or Council.
 - G. A legal description of the area to be rezoned.
 - H. The proposed zoning of the area.
 - I. The current zoning of the area.
 - J. A description of existing uses in the area.

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

Surrounding Property Owners

On a separate sheet, provide the parcel numbers, names, and mailing addresses of all property owners within 200 feet of all boundaries of the property in question. The Butler County Auditor Real Estate Search² is helpful when searching for the mailing address of adjoining property owners. It allows you to search by owner, address, or parcel number. *Property Owner names will not be provided in the agenda packet.*

Decision Process

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

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

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

Fees & Receipt

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

Sign and Date

Applicant Signature *

Date *

Jung Han Chen
4/24/15

Submit Application, Submission Requirements and Documentation, and Fees

We will not accept incomplete applications and/or plans and documentation.

Send or drop off this application with required documentation as attachments and a check for fee and postage charges made payable to **City of Oxford**, to Community Development Director, 101 East High Street, Oxford, OH 45056.

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

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

For Staff Use Only

Fee Paid Date *

NA

Receipt Number *

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

² Butler County Auditor Real Estate Search: <http://www.butlercountyauditor.org/>

³ The United States Postal Service: <http://www.usps.com/>

RESOLUTION NO. 4906

A RESOLUTION OF COUNCIL ACCEPTING THE PETITION AS REQUIRED BY OXFORD CODIFIED ORDINANCE §1146.03 TO ESTABLISH A NEIGHBORHOOD CONSERVATION OVERLAY DISTRICT FOR THAT AREA OF DANA DRIVE, RYAN DRIVE, JOSIE LANE, RANDALL DRIVE, AND PART OF OXFORD REILY ROAD AS SET FORTH ON EXHIBIT "A" ATTACHED HERETO AND REFERRING THE PETITION TO THE OXFORD PLANNING COMMISSION FOR RECOMMENDATIONS TO CITY COUNCIL.

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

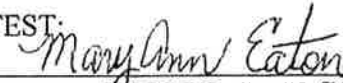
SECTION 1: The Clerk of Council and the Community Development Director having determined pursuant to Oxford Codified Ordinance §1146.03(b) that the Petition to Establish a Neighborhood Conservation Overlay District as set forth on Exhibit "A" attached hereto conforms to the petition requirements of Oxford Codified Ordinance §1146.03 and recommends that the petition be referred to the Oxford Planning Commission to make recommendations to City Council.

SECTION 2: City Council accepts the recommendation of the Clerk of Council and the Community Development Director and refers the Petition to Establish a Neighborhood Conservation Overlay District as set forth on Exhibit "A" attached hereto to the Oxford Planning Commission to make recommendations to City Council.

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


MAYOR

ADOPTED: April 7, 2015

ATTEST: 
CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW (STAFF)

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: April 7, 2015

Account Code No. #:

Jung-Han Chen
Prepared By

Budgeted Amount:

March 24, 2015
Date Prepared

Agenda Title:	Resolution Accepting a Petition to Establish a Neighborhood Conservation Overlay District for the Neighborhood in Dana Drive, Ryan Drive, Josie Lane, Randall Drive and Part of Oxford Riley Road and Referring the Petition to the Planning Commission for Recommendation
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Recommendation: Approval

Discussion:

The Residential Conservation Overlay District legislation was adopted by the City Council in 2012 to protect residential neighborhoods, maintain an attractive community appearance, and to provide a desirable living environment by restricting residential properties to be rented to no more than two unrelated individuals. The process to establish an overlay district begins with a petition with signatures of more than two-thirds of property owners within the proposed district. This petition goes before City Council for acceptance and the petition is then referred to the Planning Commission for review.

This petition for acceptance was filed by residents in the Western Knolls area, specifically Dana, Ryan, and Randall Drives, Josie Lane and part of Oxford Riley Road on February 25, 2015. There are a total of 84 parcels contained in the proposed overlay district boundary. The petition shows 72 signatures obtained and the date when the owners signed the petition. A map of the proposed area is attached illustrating the area for consideration.

The signatures in this petition exceeds the two-thirds requirement of the parcel owners of this petitioned area. The signatures represent 72 parcels within the boundary, which is 86%. Additionally, the boundary of the proposed overlay district also satisfies the general boundary requirements of Section 1146 of the Codified Ordinances.

This is only the first step in creating a neighborhood conservation overlay district and requires City Council to formally accept the petition and forward this petition to the Planning Commission for review. Staff recommends approval of this resolution.

Approved by:

	Initial	Date
Department Head:	<u>JHC</u>	<u>3/30/15</u>
City Attorney:	<u> </u>	<u> </u>
City Manager:	<u> </u>	<u> </u>

Petition for Dana Ryan Oxford Reily Josie Randall Neighborhood Conservation Overlay District, Oxford, Ohio

Petition Initiators: John Barnhart, 20 Josie Ln
Marilyn Barnhart, 20 Josie Ln

I, the undersigned, do hereby state that I am an owner of a property within the boundaries designated by the petition and that my residence is truly stated in opposite by the signature below.

This petition, if adopted, would allow the petitioners to initiate a zoning map amendment pursuant to Chapter 1146 of the city's zoning code to restrict any property within the district to be rented to no more than two unrelated individuals. This petition will not affect properties already licensed.

Please see attached map for boundaries.

Date	Address	Name(s)	Signature	Notes
	DANA DR	THOMAS A FREDERICK	No Response	SENT BY MAIL
N/A	640 DANA DR	CITY OF OXFORD	N/A	N/A
2-6-15	1400 DANA DR	DARRELL L BYRD II	Darrell L Byrd	
2/12/15	1410 DANA DR	JOSEPH D & CRESSA M. COUCH	Joseph D Couch	
2/6/15	1411 DANA DR	MICHAEL & KATHY PRICE	Kathy Price	
2/6/15	1421 DANA DR	JAMES & LACEY KEHR	James & Lacey Kehr	
2/12/15	1430 DANA DR	LAWRENCE B NADLER & MARJORIE K NADLER	Lawrence B. Nadler	
	1431 DANA DR	LISA GROGER		UNAVAILABLE
2/7/15	1440 DANA DR	ROBERT AND ELIZABETH MULLENIX		
2/7/15	1441 DANA DR	ARRON M LUEBBE & ELIZABETH J KIEL-LUEBBE	Elizabeth J Kiel-Luebbe	

OBTAINED BY
JIM KEHR

Petition for Dana Ryan Oxford Reilly Josie Randall Neighborhood Conservation Overlay District, Oxford, Ohio

OBTAINED BY
Jim Kehr

Petition Initiators: John Barnhart, 20 Josie Ln
Marilyn Barnhart, 20 Josie Ln

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Date	Address	Name(s)	Signature	Notes
2/6/15	1450 DANA DR	JOHN & ANN HARDY TRS		
	1451 DANA DR	DORIS E CLARKE		UNAVAILABLE
2/7/15	1460 DANA DR	BOYD D & PATRICIA TAYLOR		
2/24/15	1461 DANA DR	BARBARA A. WESTENDORF		
2/7/15	1471 DANA DR	PHILIP A RUSSO JR JOANNE R RUSSO		
2/8/15	1481 DANA DR	JAYNE A KNOOP		
	2001 DANA DR	TIMOTHY V & JENNIFER EATON		
	2011 DANA DR	DAVID M WARHOLAK		
	2021 DANA DR	JOHN H AND JUSTICE A BENAMATI		
	2031 DANA DR	J PETER & JENNIFER J NATALE		

Petition for Dana Ryan Oxford Reilly Josie Randall Neighborhood Conservation Overlay District, Oxford, Ohio

Greg Wilhelm

Petition Initiators: John Barnhart, 20 Josie Ln
Marilyn Barnhart, 20 Josie Ln

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	1451 DANA DR	DORIS E CLARKE		
	1460 DANA DR	BOYD D & PATRICIA TAYLOR		
	1461 DANA DR	BARBARA A. WESTENDORF		
	1471 DANA DR	PHILIP A RUSSO JR JOANNE R RUSSO		
	1481 DANA DR	JAYNE A KNOOP		
1/20/15	2001 DANA DR	TIMOTHY V & JENNIFER EATON	<i>Jennifer Eaton</i>	
1-24-15	2011 DANA DR	DAVID M WARHOLAK	<i>DM Warholak</i>	
1/20/15	2021 DANA DR	JOHN H AND JUSTICE A BENAMATI	<i>Justice A. Benamati</i>	
1/20/2015	2031 DANA DR	J PETER & JENNIFER J NATALE	<i>Jennifer Natale</i>	

Petition for Dana Ryan Oxford Reily Josie Randall Neighborhood Conservation Overlay District, Oxford, Ohio

Greg Williams

Petition Initiators: John Barnhart, 20 Josie Ln
Marilyn Barnhart, 20 Josie Ln

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Date	Address	Name(s)	Signature	Notes
2-8-15	2032 DANA DR	RAYMOND F & JILL W MOCK	<i>Jill Mock</i>	
1/21/15	2041 DANA DR	RONALD & JENNIFER R BULANDA	<i>Jennifer Bulanda</i>	
1/24/15	2100 DANA DR	MICHAEL & CRYSTAL DAVIS	<i>Crystal Davis</i>	
2/8/15	2101 DANA DR	DAVID A & KATHY L JENNINGS	<i>David D. Jennings</i>	
1/20/15	2109 DANA DR	MICHAEL W & DEBORAH T CROWDER	<i>Mick Crowder</i>	
1/20/15	2110 DANA DR	STEPHEN & JENNIE WRIGHT	<i>Greg Williams</i>	
1/20/15	2113 DANA DR	H JEFF AND MARGARET S SMITH	<i>H. Smith</i>	
1-20-15	2114 DANA DR	PATRICK E & SHAUNNA J TAFELSKI	<i>Patrick Tafelski</i>	
	2117 DANA DR	PO-CHANG CHAN		
1-24-15	2118 DANA DR	THOMAS S POETTER CHRISTINE COOK POETTER	<i>Tom Poetter</i>	

Petition for Dana Ryan Oxford Reilly Josie Randall Neighborhood Conservation Overlay District, Oxford, Ohio

Petition Initiators: John Barnhart, 20 Josie Ln
Marilyn Barnhart, 20 Josie Ln

Gabe Williams

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Date	Address	Name(s)	Signature	Notes
1/20/15	2121 DANA DR	CARLENE R LYDY	<i>Carlene Lydy</i>	
1/20/15	2122 DANA DR	VINCENT T & JILL FRIEDEN	<i>Vince Frieden</i>	
1/20/15	2125 DANA DR	PAUL A HARKER & ERIN SCHANSKI HARKER	<i>Paul Harker</i>	
1/24/15	2126 DANA DR	NANCY A MIRACLE MCKEEHAN KEVIN D MCKEEHAN	<i>Nancy A. Miracle</i>	
1/20/15	2130 DANA DR	KARA R & DAVID R MARADO	<i>Kara Marado</i>	
1/24/15	2134 DANA DR	AZIZEH YOUSEFI MOSHIRABAD & MOSTAFA MODIRROUSTA		
01/08/15	2105 DANA DR	DAVID M WALROD SR MARJORIE J WALROD	<i>David M. Walrod, Sr.</i>	
	20 JOSIE LN	JOHN F BARNHART II MARILYN S BARNHART	<i>Marilyn Barnhart</i>	
	30 JOSIE LN	ANDREW ROBERT LEE CAYTON MARY KUPIEC CAYTON		
	40 JOSIE LN	JAMES KERRY POWELL		

Petition for Dana Ryan Oxford Reily Josie Randall Neighborhood Conservation Overlay District, Oxford, Ohio

John Barnhart

Petition Initiators: John Barnhart, 20 Josie Ln
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Date	Address	Name(s)	Signature	Notes
	2121 DANA DR	CARLENE R LYDY		
	2122 DANA DR	VINCENT T & JILL FRIEDEN		
	2125 DANA DR	PAUL A HARKER & ERIN SCHANSKI HARKER		
	2126 DANA DR	NANCY A MIRACLE MCKEEHAN KEVIN D MCKEEHAN		
	2130 DANA DR	KARA R & DAVID R MARADO		
	2134 DANA DR	AZIZEH YOUSEFI MOSHIRABAD & MOSTAFA MODIRROUSTA		
	2105 DANA DR	DAVID M WALROD SR MARJORIE J WALROD		
01/18/2015	20 JOSIE LN	JOHN F BARNHART II MARILYN S BARNHART	<i>John F Barnhart II</i>	
01/18/2015	30 JOSIE LN	ANDREW ROBERT LEE CAYTON MARY KUPIEC CAYTON	<i>Andrew Robert Lee Cayton</i>	
1/18/15	40 JOSIE LN	JAMES KERRY POWELL	<i>Jerry Powell</i>	

Petition for Dana Ryan Oxford Reily Josie Randall Neighborhood Conservation Overlay District, Oxford, Ohio

Petition Initiators: John Barnhart, 20 Josie Ln
Marilyn Barnhart, 20 Josie Ln

Greg Wilhelm

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Please see attached map for boundaries.

Date	Address	Name(s)	Signature	Notes
2-23/14	50 JOSIE LN	HELAINE ALESSIO & GREGORY WILHELM	<i>Helaine Alessio</i>	
	60 JOSIE LN	ROBERT & JUNE SCHOLL	<i>Greg Wilhelm</i>	
	70 JOSIE LN	JOHN ROBERT PRATT JR		
	OXFORD REILY RD	JRJ INVESTMENT CO LLC <i>VACANT LOT</i>		
	4211 OXFORD REILY RD	WILLIAM L WEISMAN		
	4221 OXFORD REILY RD	MATTHEW MILLER & LORI BOWER		
	4231 OXFORD REILY RD	THOMAS J KERPICS		
	4271 OXFORD REILY RD	LOGAN B & REBECCA L DYSART		
	4281 OXFORD REILY RD	JACK L STABERG SR H VIRGINIA STABERG		
	4291 OXFORD REILY RD	HARRY W OGLE		

Petition for Dana Ryan Oxford Reily Josie Randall Neighborhood Conservation Overlay District, Oxford, Ohio

John Barnhart

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Date	Address	Name(s)	Signature	Notes
	50 JOSIE LN	HELAINE ALESSIO & GREGORY WILHELM		
1/29/15	60 JOSIE LN	ROBERT & JUNE SCHOLL	Robert L. Scholl	
6/23/15	70 JOSIE LN	JOHN ROBERT PRATT JR	John R. Pratt	
	OXFORD REILY RD	JRJ INVESTMENT CO LLC VACANT LOT		PACIFIC'S UNPUBLISHED NOTICE BY MAIL PHONE RESPONSE
1/20/15	4211 OXFORD REILY RD	WILLIAM L WEISMAN	W. L. Weisman	
1/23/15	4221 OXFORD REILY RD	MATTHEW MILLER & LORI BOWER	Matthew Miller	
1-26-15	4231 OXFORD REILY RD	THOMAS J KERPICS	Thomas J. Kerpics	
2-13-15	4271 OXFORD REILY RD	LOGAN B & REBECCA L DYSART	Logan B. Dysart	
1/19/15	4281 OXFORD REILY RD	JACK L STABERG SR H VIRGINIA STABERG	Jack L. Staberg	
1/20/15	4291 OXFORD REILY RD	HARRY W OGLE	Harry W. Ogle	

Petition for Dana Ryan Oxford Reily Josie Randall Neighborhood Conservation Overlay District, Oxford, Ohio

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Date	Address	Name(s)	Signature	Notes
1/22/15	100 RANDALL DR	JERRY W & BRENDA K WRIGHT		
	102 RYAN DR	RITA B THOMAS		
	111 RYAN DR	JASON & ALISON SHAMBLIN		
	121 RYAN DR	RICHARD WIENER & ELISABETH H WIENER		
	122 RYAN DR	RICHARD MOORE & VICTORIA CHENG		
	131 RYAN DR	RONNIE E & NORA S RUSH		
	141 RYAN DR	KEITH & AMY B MCGOLDRICK		
	142 RYAN DR	MELANY FISK RICHARD C INGERSOLL		
	151 RYAN DR	AARON M & KATHERINE M ABBOTT		
	152 RYAN DR	ROBERT B & LYNETTE A HOLZWORTH		

DAVE JENNINGS

Petition for Dana Ryan Oxford Reilly Josie Randall Neighborhood Conservation Overlay District, Oxford, Ohio

Petition Initiators: John Barnhart, 20 Josie Ln
Marilyn Barnhart, 20 Josie Ln

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Date	Address	Name(s)	Signature	Notes
	100 RANDALL DR	JERRY W & BRENDA K WRIGHT		
2/7/15	102 RYAN DR	RITA B THOMAS	Signature Rita Thomas	
1/24/15	111 RYAN DR	JASON & ALISON SHAMBLIN	Jason Shamblin	
✓	121 RYAN DR	RICHARD WIENER ✓ & ELISABETH H WIENER		UNAVAILABLE
1/24/15	122 RYAN DR	RICHARD MOORE & VICTORIA CHENG	Richard Moore	
✓	131 RYAN DR	RONNIE E & NORA S RUSH		UNAVAILABLE
1/24/15	141 RYAN DR	KEITH & AMY B MCGOLDRICK ✓	Amy McGoldrick	
1/24/15	142 RYAN DR	MELANY FISK RICHARD C INGERSOLL	Percine	
1/29/15	151 RYAN DR	AARON M & KATHERINE M ABBOTT	Katherine Abbott	
1/24/15 ✓	152 RYAN DR	ROBERT B & LYNETTE A HOLZWORTH	Robert B & Lynette A Holzworth	

Petition for Dana Ryan Oxford Reily Josie Randall Neighborhood Conservation Overlay District, Oxford, Ohio

Petition Initiators: John Barnhart, 20 Josie Ln
Marilyn Barnhart, 20 Josie Ln

John Barnhart

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Date	Address	Name(s)	Signature	Notes
	161 RYAN DR	RANDAL & LISA CLAYTOR		
	162 RYAN DR	RICHARD A ZIEGLER & MELANIE M ZIEGLER		
15 Jan 2015	171 RYAN DR	RICKEY L AND SUSAN M DUBBERLY	<i>Rickey L Dubberly</i>	
	172 RYAN DR	DEBRA COLE		
	181 RYAN DR	NEIL DAVID DANIELSON		
	182 RYAN DR	ROBERT W STEPHENS		
	191 RYAN DR	TODD A AND RAEGAN PHILLIPS		
	201 RYAN DR	WILLIAM TROESCH		
	202 RYAN DR	ROBERT D BAER		
	211 RYAN DR	JULIE FELICE MARCUS		

Petition for Dana Ryan Oxford Reilly Josie Randall Neighborhood Conservation Overlay District, Oxford, Ohio

DAVE JENNINGS

Petition Initiators: John Barnhart, 20 Josie Ln
Marilyn Barnhart, 20 Josie Ln

I, the undersigned, do hereby state that I am an owner of a property within the boundaries designated by the petition and that my residence is truly stated in opposite by the signature below.

This petition, if adopted, would allow the petitioners to initiate a zoning map amendment pursuant to Chapter 1146 of the city's zoning code to restrict any property within the district to be rented to no more than two unrelated individuals. This petition will not affect properties already licensed.

Please see attached map for boundaries.

Date	Address	Name(s)	Signature	Notes
1/24/2015	161 RYAN DR	RANDAL & LISA CLAYTOR	Randal Clayton	
1/24/15	162 RYAN DR	RICHARD A ZIEGLER & MELANIE M ZIEGLER	R. Z	
1/24/15	171 RYAN DR	RICKEY L AND SUSAN W DUBBERLY		
1/30/15	172 RYAN DR	DEBRA COLE	Debra Cole	
1/24/15	181 RYAN DR	NEIL DAVID DANIELSON	Neil D. Danielson	
1/24/15	182 RYAN DR	ROBERT W STEPHENS	Robert W Stephens	
1-26-15	191 RYAN DR	TODD A AND RAEGAN PHILLIPS	Todd and Raegan Phillips	
1-24-15	201 RYAN DR	WILLIAM TROESCH	William Troesch	
1/24/15	202 RYAN DR	ROBERT D BAER	Robert D Baer	
1/24/15	211 RYAN DR	JULIE FELICE MARCUS	Julie Marcus	

Petition for Dana Ryan Oxford Reilly Josie Randall Neighborhood Conservation Overlay District, Oxford, Ohio

Petition Initiators: John Barnhart, 20 Josie Ln
Marilyn Barnhart, 20 Josie Ln

Greg Wilhelm

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Date	Address	Name(s)	Signature	Notes
2-7-14	212 RYAN DR	LAWRENCE & DEANNA CURRY	<i>Josie D. Curry</i>	
2/24/15	221 RYAN DR	WILLIAM E EVEN & MONNA L EVEN	<i>Bill Even</i>	
2-6-15	222 RYAN DR	KYLE D AND TRACI R BIAS	<i>Kyle D. Bias</i>	
2-8-15	232 RYAN DR	ROBERT D & JAN E EIGHME	<i>Jan Eighme</i>	
2-7-14	242 RYAN DR	JOHN L DILLER	<i>John L Diller</i>	
2-7-15	252 RYAN DR	CALEB A AND STEPHANIE P ECKHARDT	<i>Stephanie Eckhardt</i>	
	261 RYAN DR	ROBERT F SCHMIDT		
2-7-15	262 RYAN DR	JOHN T HARLAN SUSAN FORTNEY HARLAN	<i>Susan Fortney Harlan</i>	
2-7-2015	272 RYAN DR	ALBERT & KRISTIN FROEHLKE	<i>Kristin Froelke 2-7-2015</i>	
	281 RYAN DR	SUE ANN ROTHGEB JOHN MARTIN ROTHGEB JR		

Petition for Dana Ryan Oxford Reilly Josie Randall Neighborhood Conservation Overlay District, Oxford, Ohio

Petition Initiators: John Barnhart, 20 Josie Ln
Marilyn Barnhart, 20 Josie Ln

Greg Williams

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Date	Address	Name(s)	Signature	Notes
2/7/15	282 RYAN DR	WILLIAM C & SHERRY L SCHILLING	<i>Sherry Schilling</i>	
2/7/15	291 RYAN DR	ALEX C MORENO REBECCA D SMITH	<i>Rebecca Smith</i>	
2/7/15	292 RYAN DR	JOSEPH C & JENNIFER L RODE	<i>Jennifer Rode</i>	
2/7/15	302 RYAN DR	RANDOLPH AND ELIZABETH RUNYON	<i>Randolph P. Runyon</i>	<i>RE</i>