



Agenda

Oxford City Council

Court House

TUESDAY, AUGUST 4, 2015

EXECUTIVE SESSION

6:45 P.M.

1. Roll call. Kevin McKeehan, Mayor; Kate Rousmaniere, Vice-Mayor; Mike Smith; Bob Blackburn; Steve Snyder; Richard Keebler; Edna Southard

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

REGULAR MEETING

7:30 P.M.

PLEDGE OF ALLEGIANCE

2. Approval of Agenda.

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

3. Public Participation.

- A. Presentation - Butler County Elderly Services Program - Joan Potter-Sommer.
- B. Presentation - ShareFest 2015 - Carol Michael, Andrew Wilson, Ben Wright, and Jen O'Brien.
- C. Notice to Legislative Authority - New permit for Miami University 601 Oak Street Oxford, Ohio 45056. (Goggin Ice Arena).



Notice

- D. Public Comments.

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

4. Consent Agenda.

- A. Minutes of the July 21, 2015 City Council Meeting. (Mary Ann Eaton, Clerk of Council)



Minutes

- B. Report regarding the July 14, Planning Commission Meeting. (Sam Perry, Planner)



Report

- C. Report regarding the July 15, 2015 Board of Zoning Appeals Meeting. (Sam Perry Planner)



Report

5. Resolutions - None.

6. Ordinances.

- A. First Reading.

1. An Ordinance Repealing Oxford Codified Ordinance Section 1143.10 Entitled Uptown District, And Adopting New Oxford Codified Ordinance Section 1143.10 Entitled Uptown District. (Sam Perry, Planner)



Staff Report/Ordinance

2. An Ordinance Repealing Oxford Codified Ordinance Section 1159.07 Entitled Definitions (Beginning With The Letter "F") And Adopting New Oxford Codified

Ordinance Section 1159.07 Entitled Definitions (Beginning With The Letter "F"). (Sam Perry, Planner)



Staff Report/Ordinance

3. An Ordinance Approving A Conditional Use Permit To Allow For The Alteration Of An Existing Fraternity House In A R2MS (Single And Two Family Mile Square Residential) District At 110 E. Spring Street, Oxford, Ohio 45056 With Conditions. (Sam Perry, Planner)



Staff Report/Ordinance

B. Second Reading.

1. An Ordinance Temporarily Suspending The Limit In Section 2 C Of Ordinance 3290 And Granting Authority Authorizing The City Manager To Increase The Salary Of The Current Chief Of Police By \$1,011.00 Per Month Effective July 1, 2015. (Doug Elliott, City Manager)



Staff Report/Ordinance

7. Remarks from City Council and City Staff.

B. Future Meetings.

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

WED - Aug 5 Environmental Commission Meeting 7:00 p.m. Municipal Building

THUR - Aug 6 City Council Strategic Planning Retreat 4:00 p.m. Marcum Center (Rm. 108)

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

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

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

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

THUR - Aug 20 City Council CIP Work Session 6:00 p.m.

WED - Aug 26 Civil Service Commission Meeting 6:00 p.m.

TUES - Sept 1 City Council Meeting 7:30 p.m.

WED - Sept 2 Historic and Architectural Preservation Commission Meeting 6:00 p.m.

WED - Sept 2 Environmental Commission Meeting 7:00 p.m. Municipal Building

MON - Sept 7 Holiday - City Offices Closed

TUES - Sept 8 Planning Commission Meeting 7:30 p.m.

TUES - Sept 15 City Council Meeting 7:30 p.m.

WED - Sept 16 Board of Zoning Appeals Meeting 7:30 p.m.

MON - Sept 21 Housing Advisory Commission Meeting 7:00 p.m. Municipal Building

WED - Sept 23 Civil Service Commission Meeting 6:00 p.m.

8. Adjourn.

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Clerk of Council
Originating Department

Council Meeting Of: August 4, 2015

Mary Ann Eaton

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

July 27, 2015

Date Prepared

Agenda Title: Legislative Authority Notice - New permit for Miami University 601 Oak Street Oxford, Ohio 45056.

Recommendation: N/A

Discussion:

The permit is for:

D1 - Beer only for on premises consumption or in sealed containers for carry out.

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

Approved By:

Initial Date

Department Head:

City Manager:

DEE 7/31/15

NOTICE TO LEGISLATIVE
AUTHORITY

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

TO

58987660065 PERMIT NUMBER		NEW TYPE	MIAMI UNIVERSITY 601 OAK ST OXFORD OH 45056
07 10 2015 ISSUE DATE			
07 10 2015 FILING DATE			
D1 PERMIT CLASSES			
09 TAX DISTRICT	088 RECEIPT NO.	A	A89414

FROM 07/20/2015

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



MAILED 07/20/2015

RESPONSES MUST BE POSTMARKED NO LATER THAN. 08/20/2015

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL

WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES

A NEW 5898766-0065

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

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

WE DO NOT REQUEST A HEARING. ☐

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

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

(Signature)

(Title)- ☐ Clerk of County Commissioner

(Date)

☐ Clerk of City Council

☐ Township Fiscal Officer

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

July 27, 2015

09 BUTLER	088 OXFORD			POPULATION	21,470
CLASS	RATIO	PERMIT QUOTA	PERMITS ISSUED	PERMITS AVAILABLE	APPLICATIONS ON FILE
C1	1,000	22	19	3	0
C2	1,000	22	21	1	0
D1	2,000	11	10	1	1
D2	2,000	11	11	0	5
D3	2,000	11	11	0	0
D3A	0	0	8	7	0
D4	2,000	11	1	10	0
D5	2,000	11	12	1-	3

A Regular meeting of the Oxford City Council was called to order by Mayor Kevin McKeehan on Tuesday, July 21, 2015 at 6:45 p.m. Those members present were Richard Keebler, Mike Smith and Steve Snyder. Bob Blackburn arrived at 6:48 p.m. and Kate Rousmaniere arrived at 6:54 p.m. Edna Southard was excused.

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

ADJOURN TO EXECUTIVE SESSION

Mr. Smith moved to adjourn to Executive Session immediately in accordance with Ohio Revised Code Section 121.22 (G) (3) for the purpose of discussing pending litigation. Mr. Snyder seconded. The motion passed by the following roll call:

AYE: Mr. Keebler, Mr. Smith, Mr. Snyder, Mayor McKeehan (4)

NAY: None (0)

ABS: None (0)

RETURN FROM EXECUTIVE SESSION

Mr. Snyder moved to return from Executive Session at 7:30 p.m. Mr. Blackburn seconded. The motion passed 6-0-0.

PLEDGE OF ALLEGIANCE

Mayor McKeehan requested the Pledge of Allegiance.

APPROVAL OF AGENDA

Mr. Keebler moved to approve the agenda. Mr. Smith seconded. The motion passed 6-0-0.

PROCLAMATION

'PHI DELTA THETA WEEK'

Mayor McKeehan read the Proclamation and presented it to Mr. Luke Benfield.

Mr. Luke Benfield, Director of Education for the Phi Delta Theta Fraternity, thanked Council and the City of Oxford on behalf of the fraternity who was hosting their Emerging Leaders Institute. Mr. Benfield noted in 2010 360 men participated in the program and over the years they found so much value in the leadership education and in the ethics education that 850 men were expected to participate this year. Mr. Benfield advised the fraternity was excited to host the largest educational event in the history of the Phi Delta Theta here in Oxford. Mr. Benfield thanked Council and the City for their continued support.

INTRODUCTION

MS. CANDICE TURPIN

HUMAN RESOURCES DIRECTOR

Mr. Elliott introduced Ms. Candice Turpin, the City's new Human Resources Director. Mr. Elliott advised before joining the City of Oxford Ms. Turpin served as the HR Manager for ATW Automation in Dayton. Mr. Elliott noted Ms. Turpin was a well rounded HR professional with over 12 years of experience in HR management. Mr. Elliott advised Ms. Turpin received her Bachelor of Arts in Communications from Miami University in 1995. Mr. Elliott noted Ms. Turpin was a member of the Miami Valley Human Resources Association and the International Foundation of Employees Benefit Professionals. Mr. Elliott advised Ms. Turpin and her family lived in Gasper Township in Preble County, Ohio and she was also a member of the Preble Shawnee School Board serving as the current Board President. Mr. Elliott noted he was pleased to have Ms. Turpin join the City's management team as Human Resources Director and he was confident that with her background in human resource management she would prove to be a great asset for the City of Oxford's HR operation.

Ms. Turpin thanked the City Manager and the Department Heads for this opportunity and noted she was excited to serve the employees of the City of Oxford. Ms. Turpin advised she felt she had a real zeal for the Human Resources Director position and she was looking forward to learning and growing in the role.

Mayor McKeehan welcomed Ms. Turpin and noted Council was glad to have her on board.

PUBLIC COMMENTS

Mr. Ben Wright, 715 W. Chestnut Street, noted students would return to Oxford in one month and the 13th annual welcome back 'Walk About' would take place August 23rd and 24th. Mr. Wright advised Council should have received an email today asking for volunteers. Mr. Wright noted Walk About was a great program where volunteers talked to students about being a good neighbor, civic engagement, how to give back to the community, noise and trash violations and other useful information and community support was needed. Mr. Wright advised last year 64 volunteers visited 700 addresses of the 1300 targeted addresses and 100 volunteers were needed to make the program work. Mr. Wright encouraged those who wanted more information to visit offcampus@miamioh.edu.

Mayor McKeehan asked staff to make sure the Walk About information was on the City's website.

Mr. Jeff MacDonald, Ace Hardware, noted he was addressing Council with regard to an 80 foot strip of curb on the north side of Spring Street across from Ace Hardware's back parking lot. Mr. MacDonald advised there was an initiative to install a bike lane in that 80 foot stretch and he only realized that when the curb was painted yellow. Mr. MacDonald noted Council received a letter from him today addressed to Mr. Elliott and he encouraged them to read it. Mr. MacDonald advised the 80 foot stretch of curb was critically important to him and Ace Hardware employees and customers had used those parking spaces for years. Mr. MacDonald noted Ace Hardware supported cycling safety although he hoped the 80 feet of curb space could be left for Ace Hardware's use otherwise he was not sure where to send his employees and customers.

Mr. MacDonald stated he wished he had been told this was happening and he was the only business owner being affected by this change. Mr. MacDonald asked Council to reconsider this change before going any further. Mr. MacDonald thanked Council noting he appreciated their consideration.

Mayor McKeehan advised the matter would be considered and thanked Mr. MacDonald for his comments.

CONSENT AGENDA

MINUTES

Minutes of the July 7, 2015 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

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

RESOLUTIONS

RESOLUTION

NOTICE OF COSTS FOR SPECIAL ASSESSMENTS

A Resolution No. 4922 determining the total cost of the assessment by lot, authorizing the list of assessments by lot to be filed with the Clerk of City Council and ordering the same be opened for public inspection and authorizing the Clerk of City Council to publish in a newspaper of general circulation that the list of assessments by lot is available for public inspection. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised this was the third of four steps necessary to levy an assessment on properties the City improved in terms of curbs, gutters and sidewalks in the right-of-way. Mr. Dreisbach noted this process began in October of 2014 and was necessary prior to the reconstruction of High Street between Poplar Street and Campus Avenue. Mr. Dreisbach advised Council passed a Resolution agreeing the work was necessary and another Resolution to contract for the construction. Mr. Dreisbach noted the Resolution tonight would verify the notice of cost for each property as shown on page 18 of the agenda. Mr. Dreisbach advised the City estimated the cost of the improvements for each property and in all cases but one the actual cost was lower than the City's estimate. Mr. Dreisbach noted the last step was the assessing Ordinance after notice of actual costs were published in the newspaper giving property owners an opportunity to contest the charges, pay them in cash or have them assessed to the property tax bill. Mr. Dreisbach offered to answer any questions.

Mayor McKeehan inquired if there were any comments from the public and there were none.

Mr. Keebler noted the proposed legislation was straight-forward and part of the process.

RESOLUTION
REVOLVING LOAN FUND

A Resolution No. 4923 approving the Oxford Community Improvement Corporation's recommendation to loan \$20,000.00 to Root Yoga, LLC. (Alan Kyger, Economic Development Director)

Mr. Kyger advised Root Yoga LLC applied for a \$20,000 loan from the Revolving Loan Fund. Mr. Kyger noted the Revolving Loan Fund was a separate pool of money the City held that came from HUD to be used to help with business start-ups and it was meant to be gap financing for someone who could not get 100% of the financing on their own. Mr. Kyger advised there were 5 locations in town currently using Revolving Loan Fund money. Mr. Kyger noted \$2,000,000 in projects had been created in town using \$600,000 from the Revolving Loan Fund and the fund was paid down to approximately \$300,000. Mr. Kyger advised Root Yoga was seeking a \$20,000 loan for a \$41,000 yoga studio to be located at 22 W. Park Place (formerly Seaview Outfitters) and Seaview Outfitters was moving to 32 E. High Street. Mr. Kyger noted the Revolving Loan Fund Review Committee recommended approval of the loan with conditions as outlined on page 20 of the agenda. Mr. Kyger introduced Steve Thomas, one of the Root Yoga LLC business owners.

Mr. Steve Thomas, referred to the Revolving Loan Fund loan he received to assist in opening Seaview Outfitters and advised it was an extremely important opportunity for him and he wanted to thank everyone involved in the City of Oxford for providing such an opportunity. Mr. Thomas noted it was clear that Seaview Outfitters was a thriving business and he could not be happier. Mr. Thomas advised he and his business partner were excited about opening Root Yoga and they would be located in the same 22 W. Park Place location that Seaview Outfitters occupied until recently. Mr. Thomas noted they were very familiar with the space and they were doing some great enhancements to the space including the installation of new wood flooring throughout. Mr. Thomas advised the business should be open before the school year started and it was not just a student focused business. Mr. Thomas noted they would offer yoga for kids, yoga for the elderly, and yoga for mentally challenged and handicapped individuals and several instructors were already lined up who had the certifications to provide those services. Mr. Thomas thanked Council for considering the loan for this opportunity noting he felt it would be an awesome addition to the Oxford market.

Mr. Snyder advised he knew the origin of the name 'Seaview Outfitters' and inquired what the origin of the name 'Root Yoga' was. Mr. Thomas advised with yoga a person was rooted into the ground, roots were the signs of new beginnings and the mind set was to be simple, sweet and short. Mr. Snyder was in favor of the loan and noted the loan for Seaview Outfitters was in very good standing. Mayor McKeehan advised the Revolving Loan Review Committee looked at their payment history as well. Mayor McKeehan noted a second Seaview Outfitters was opened in Bloomington, IN and it was doing well. Mr. Thomas noted the Bloomington store opened a year ago and it continued to thrive.

Mayor McKeehan inquired if there were any comments from the public and there were none.

Mr. Snyder moved to adopt Resolution No. 4923. Mr. Blackburn seconded. The motion passed 6-0-0.

ORDINANCE
FIRST READING

ORDINANCE
SALARY ORDINANCE AMENDMENT

An Ordinance Temporarily Suspending The Limit In Section 2 C Of Ordinance 3290 And Granting Authority Authorizing The City Manager To Increase The Salary Of The Current Chief Of Police By \$1,011.00 Per Month Effective July 1, 2015. (Doug Elliott, City Manager)

Mr. Elliott advised when Bob Holzworth was appointed Chief of Police in 2012, it was agreed he be reimbursed \$1,011 each month to cover the cost of his health insurance premium through the Ohio Police and Fire Pension Fund. Mr. Elliott noted this was the same amount the City contributed each month for each full-time employee to the City's Health Benefits Fund. Mr. Elliott advised provisions of the Affordable Care Act did not permit the City to continue this reimbursement. Mr. Elliott noted an option to avoid reducing Chief Holzworth's total agreed compensation was to add this amount to his salary. Mr. Elliott advised when added to his current salary, it exceeded the maximum amount permitted by the Salary Ordinance, and the amount the City Manager may increase compensation in one year (limited to 5%). Mr. Elliott recommended Council adopt the proposed Ordinance upon the second reading authorizing him to exceed the Salary Ordinance for the current Chief of Police.

Mayor McKeehan inquired if there were any comments from the public and there were none.

Ms. Rousmaniere inquired if there was a simple way to explain why provisions of the Affordable Care Act did not permit the City to continue this reimbursement.

Mr. McHugh advised in approximately 1961 the IRS made regulations that allowed this type of reimbursement plan. Mr. McHugh noted the Affordable Care Act now had a provision through the IRS that required employees to belong to an authorized group medical plan. Mr. McHugh advised employers could compensate someone for not taking the plan but it had to be paid in such a manner that it went to the employee, it could not go to actually purchase insurance. Mr. McHugh noted the City had to find an alternative and the best way to address it was through a salary increase realizing there would be additional tax on the additional salary.

ORDINANCES
SECOND READING

ORDINANCE
ZONING MAP AMENDMENT

An Ordinance No. 3318 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. (Jung-Han Chen, Community Development Department)

Mayor McKeehan recused himself from the discussion and the vote.

Mr. Chen noted this was the second reading of the proposed Ordinance and he had no new information regarding the application.

Vice Mayor Rousmaniere inquired if there were any comments from the petitioner or from the public and there were none.

Mr. Snyder inquired how many overlay districts had been established and Mr. Chen advised this would be the 10th one.

Mr. Snyder moved to adopt Ordinance No. 3318. Mr. Keebler seconded. The Ordinance was adopted by the following roll call:

AYE: Ms. Rousmaniere, Mr. Smith, Mr. Snyder, Mr. Blackburn, Mr. Keebler (5)

NAY: None (0)

ABS: None (0)

Mayor McKeehan returned to the dais.

ORDINANCE
ZONING MAP AMENDMENT

An Ordinance No. 3319 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. (Jung-Han Chen, Community Development Director)

Mr. Chen noted this was the second reading of the proposed Ordinance and he had no new information regarding the application.

Mayor McKeehan inquired if there were any comments from the petitioner or from the public and there were none.

Ms. Rousmaniere noted this would be the 11th Neighborhood Conservation Overlay District.

Mr. Snyder moved to adopt Ordinance No. 3319. Ms. Rousmaniere seconded. The Ordinance was adopted by the following roll call:

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

NAY: None (0)

ABS: None (0)

ORDINANCE
CONDITIONAL USE

An Ordinance No. 3320 Approving A Conditional Use Permit To Permit A Mini Warehouse Facility At 50 W. Central Avenue Oxford, Ohio With Conditions. (Jung-Han Chen, Community Development Director)

Mr. Chen referred to page 79 of the agenda and advised language was added to condition d. per Mr. Keebler's request at the first reading.

Mr. Scott Webb, Applicant, Agent, advised this process began a year ago with the Pulley family and it had since transitioned to the Brower/Sadler family noting Mr. Sadler was in attendance this evening. Mr. Webb thanked the Planning Commission and Council for their constructive comments over the past year. Mr. Webb advised he and his clients felt the project was well vetted during the Planning Commission's review and they were more than happy to meet the conditions that were added to the Conditional Use Permit approval. Mr. Webb noted he and his clients were looking forward to getting the project started. Mr. Webb offered to answer any questions.

Mayor McKeehan inquired if there were any comments from the public and there were none.

Mayor McKeehan advised a number of questions had been answered during the first reading of the proposed Ordinance.

Ms. Rousmaniere moved to adopt Ordinance No. 3320. Mr. Keebler seconded. The Ordinance was adopted by the following roll call:

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

NAY: None (0)

ABS : None (0)

ORDINANCE
SPEED LIMIT AUTHORIZATION

An Ordinance No. 3321 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. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised the existing bridge over Four Mile Creek on Bonham Road was nearing the end of its useful life and the Butler County Engineer was going to replace the bridge at no cost to the City in 2016. Mr. Dreisbach noted the engineer approached the City to see if the City was willing to change the speed limit to 35 mph through the annexed area to simplify design requirements and to reduce costs for the new bridge. Mr. Dreisbach advised staff concurred 35 mph was the proper speed limit for the annexed section of Bonham Road.

Mr. Elliott advised an issue was raised at the last meeting about the speed limit on Bonham Road and especially on the existing bridge. Mr. Elliott clarified that the current yellow and black sign reading 20 mph was an advisory sign to indicate the maximum recommended speed through the bridge and the horizontal alignment. Mr. Elliott advised the sign would stay in place until the new bridge was constructed.

Mr. Snyder noted this issue would go away at some point because the new design would be much more straight.

Ms. Rousmaniere inquired what the timeline was for construction of the new bridge. Mr. Dreisbach advised this was one of the last steps for ODOT to approve the design. Mr. Dreisbach noted if Council adopted the proposed Ordinance the final design would be approved and the project would be ready to bid.

Mr. Snyder noted he recently read an article about national problems with infrastructure including bridges and highways in the country and thousands and thousands of bridges needed work. Mr. Snyder advised Oxford was fortunate the County Engineer looked at infrastructure in Oxford's part of the county and Oxford would receive new infrastructure when there was a shortage of money.

Mayor McKeehan noted the Bonham Road bridge was important for the surrounding neighborhoods and during Miami football games.

Mr. Snyder moved to adopt Ordinance No. 3321. Ms. Rousmaniere seconded. The Ordinance was adopted by the following roll call:

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

NAY: None (0)

ABS: None (0)

ANNOUNCEMENTS

Mr. Elliott advised the City received a letter from Glenwood Energy on July 8, 2015 regarding the annual reconciliation of the Tax Adjustment Rider in accordance with the City of Oxford's Ordinance No. 3298. Mr. Elliott noted based on this reconciliation the Tax Adjustment Rider would reduce from its current level of \$.3945 to \$.2410 effective with the September 2015 meter usage and bills rendered the first of October 2015. Mr. Elliott advised for a gas utility customer with 100 CCF of consumption per month, the savings would be \$1.53 and for an average household with an annual consumption of 850 CCF, the savings would be \$13.01 per year.

Mr. Elliott advised the City of Oxford's website was updated regarding the progress on the improvements to US 27 South and the completion date was July 11, 2016. Mr. Elliott noted a lot of curbing had been laid and there was a section on both sides of the bridge that needed to be done. Ms. Rousmaniere referred to the closure of Chestnut Street and inquired if it would occur during Miami's move-in and school starting for the Talawanda School District. Mr. Elliott advised the traffic had to be switched to the eastern lane before the intersection of Chestnut Street and US 27 could close. Mr. Elliott noted ODOT indicated August 10th was the tentative date and if it was pushed out to August 17th, the City would ask them to postpone closing the intersection. Mr. Dreisbach advised ODOT was conducting regular meetings with representatives from the City, the Talawanda School District, Peterman Bus Transportation and Miami University to discuss when the traffic would switch to the new pavement. Mr. Dreisbach noted he wasn't sure if August 10th was a realistic date given the rainy weather conditions. Mr. Dreisbach advised the agencies would continue to meet and the next meeting would take place on August 5 to discuss the implications of Closing Chestnut Street. Mr. Dreisbach noted the closure would be difficult and each agency was making plans and contingencies for how to best handle it.

Mr. Dreisbach updated Council and the public on other construction projects.

Mr. Snyder inquired how Council would proceed with the parking request made this evening from a local business owner.

Mayor McKeehan requested staff to review the options and to review the commitments made 14 years ago and report back to Council.

ADJOURN

Mr. Blackburn moved to adjourn at 8:17 p.m. Mr. Keebler seconded. The motion passed 6-0-0.

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: August 4, 2015

Account Code No. #:

Sam Perry
Prepared By

Budgeted Amount:

July 29, 2015
Date Prepared

Agenda Title: Planning Commission Meeting Report – July 14, 2015

Reports from Commissions, Boards, Committees & Staff

Rich Daniels reported on behalf of the Community Improvement Corporation the status of several local business' progress regarding growth and financing status.

Zoning Items

PC-2015-14 ZONING CODE TEXT AMENDMENT, to amend Chapter 1143.10(c) UP (Uptown) District site development regulations and Chapter 1159.07(6) definition of Gross Floor Area Ratio (FAR), **City of Oxford, Applicant**

This was an amendment proposed by staff as a result of a recent BZA case in which an appeal was granted to allow the stairways to not be counted as part of the building. The Commission took the staff's recommendation and also added some additional terms so that "stairways, hallways and elevators" would be added to the residential space gross floor area (GFA) calculation. The staff's recommendation of amending the GFA definition in the separate definitions chapter was also accepted to include the additional sentence referring to stairways. The Commission voted 5-0-0 to recommend the amendments to City Council.

PC-2015-15 CONDITIONAL USE 110 E. Spring Street, Phi Delta Theta Fraternity, to approve the alteration of an existing fraternity, **The Architectural Group, Inc., Applicant, Agent**

This case was a review of an alteration to an existing fraternity house on Spring Street, just west of the South Campus Avenue intersection. The proposal from Architect Norm Butt was to convert an existing breezeway into two bedrooms to house staff. Handicap accessibility would be improved and there would be no significant change to the development footprint on the site. A new patio was discussed but not reviewed as part of the proposal since it was not decided yet by the owner. The Commission attached three conditions and voted 5-0-0 to recommend approval to City Council.

PC-2015-16 ZONING MAP AMENDMENT, 5990 Contreras Road, to rezone the subject property from R1B (Single-Family Medium Density Residential) District to R3 (Multi-Family Residential) District, **Peter and Connie McCarthy, Applicants**

*This item was tabled to the August 11, 2015 meeting due to an error in public notification requirements.

Approved by:

Department Head: Initial Date
SP 7/31/15
City Manager: Initial Date
JRE 7/31/15

CITY OF OXFORD STAFF SUMMARY REPORT

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: August 4, 2015

Sam Perry
Prepared By

Account Code No. #:

July 29, 2015
Date Prepared

Budgeted Amount:

Agenda Title: Board of Zoning Appeals Meeting Report – July 15, 2015

Variance Requests

BZA-2015-10: 10 N. Beech Street, Princess Theater, variance to Section 1143.10(c)(2)
front yard setback, Amy Lynch, Applicant/Agent

Mr. Matt Rodbro spoke on behalf of the property ownership, requesting a variance to the required front yard setback from North Beech Street, for the relocation of the historic canopy structure. In this location buildings are required to be set back from street rights of ways 16.5 feet. A similar request was reviewed for this property and approved at the January meeting, but since that time the redevelopment plan has been revised. The revised plan is to remove the entire building and re-assemble the canopy 8'-2" north of its current location. This required another review by BZA.

The original circa 1910 theater building and remainder of the block face to High Street are all built 9 feet closer to North Beech Street than current zoning code allows. The proposal is to maintain that same encroachment with the new building, except for the canopy which would extend fully into, and beyond the right of way line, into the North Beech Street public right of way. On March 4, 2015, the Oxford Historical and Architectural Preservation Commission approved the revised design which included the relocated canopy. The purpose of the relocated canopy is part of a design to provide architectural separation from the adjacent building.

The BZA held an adjudication hearing and heard staff and property owner testimony. The BZA reviewed the case with the decision criteria and found that there was substantial evidence justifying the variance request. The key evidence was that the existing street wall encroaches on the setback for this entire block face. The BZA voted 4-0-0 to approve the request as presented.

Old Business

BZA-2015-05: 110 N. Poplar Street, McCullough-Hyde Memorial Hospital, automated adjustment of sign lighting

This was a case approved in April 2015 allowing variances for new ground signs and direct lighting of a new wall sign facing North Main Street. Conditions were placed on the approval which required the sign lighting to adjust automatically to the environmental conditions and ambient lighting such that the impact on the surrounding area would be minimized. The consultant found that there was not technology readily available to satisfy the conditions and instead offered to install manual lighting adjustments. The BZA approved the amended condition, allowing staff to work with the consultant and the hospital to adjust and set the lighting for the new signs.

Approved By:

Department Head:
City Attorney:
City Manager:

Initial	Date
	7/31/15
	7/31/15

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: August 4, 2015

Sam Perry
Prepared By:

Account Code No. #:

July 29, 2015
Date Prepared:

Budgeted Amount:

1143.10

PC-2015-14 ZONING CODE TEXT AMENDMENT, to amend Chapter 1143.10(c)
UP (Uptown) District site development regulations and Chapter 1159.07(6) definition of
Gross Floor Area Ratio (FAR), **City of Oxford, Applicant**

Recommendation: Approval

Discussion:

This is an amendment proposed as a result of a recent Board of Zoning Appeals (BZA) case in which an appeal was granted to allow the stairways to not be counted as part of the building in the Uptown Zoning District.

The Uptown district contains requirements for overall building size using a minimum requirement for commercial area and a maximum requirement for residential area. The term used is "Gross Floor Area" (GFA), which is a mathematical ratio of the land area compared to the building square footage. Proposed buildings in the Uptown district are typically designed with the maximum residential area. Recently a BZA case was heard in which the required egress stairways were proposed to be excluded from the building size calculation. The appeal was granted which will allow a building permit for a larger building.

Staff proposed a zoning text amendment which is being recommended by the Planning Commission that gives additional examples for portions of the building to be included in the GFA. "Stairways" are specifically called out in the proposed amendment, as well as elevators and hallways. None of these three are specifically listed in the current code.

The proposed amendment includes an update to the supporting definition of GFA in a separate chapter, 1159.

The term GFA is a standard term used in urban planning policies typically without much additional caveat. Due to the fact that outdoor patios, decks and balconies were specially listed for the Oxford code, it created the situation in which "stairways, hallways and elevators" now also need to be added.

The Commission held a hearing and voted 5-0-0 to recommend the amendments to City Council.

Approved By:

Department Head:
City Attorney:
City Manager:

SP 7/31/15
JAE 7/31/15

ORDINANCE NO.

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

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

SECTION I: Council hereby finds that the City of Oxford Planning Commission held a public hearing on July 14, 2015 and that following the public hearing did deliberate and as a result of that deliberation, the Planning Commission recommended repealing Oxford Codified Ordinance Section 1143.10 entitled Uptown District, and adopting new Oxford Codified Ordinance Section 1143.10 entitled Uptown District.

SECTION II: Council hereby repeals Section 1143.10 of the Oxford Codified Ordinances and adopts new Section 1143.10 as follows: (Additions are Bolded)

1143.10 UPTOWN DISTRICT.

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

(b) Uses.

(1)

Permitted uses.

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

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

D. Accessory buildings incidental to the principal use.

E. Sidewalk uses.

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

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

6. Publicly owned and operated neighborhood recreation centers.
7. Day care facilities, including Day Care for child, Day Care Center for child, Day Care Home Type A family, and Day Care Home Type B family.
8. Schools: primary, intermediate, and secondary, both public and private.
9. Hospitals

(c) Site Development Regulations. (Unless superseded by Conditional Use Requirements)

(1) Lot requirements.

A. Minimum Lot Area:

1. Lots in the Uptown District shall be a minimum of three thousand (3,000) square feet.

(2) Yard requirements.

Front Yard

16.5 feet minimum except

* On High Street - at least 70 percent of building must meet the right-of-way line

Rear Yard

none except

* Adjacent to a residential district 10 feet minimum

Side Yard

none except

* Adjacent to a residential district 6 feet minimum

(3) Structural requirements.

A. Building height:

Minimum - 23 feet and a minimum of 2 stories above street grade
Maximum - 48 feet and 4 stories maximum above street grade.

B. Gross Floor Area Ratio:

1. The maximum permitted gross floor area ratio of a structure at or above grade in the Uptown District shall be 3. (Lot area x 3 = total bldg. sq. ft.)

a. Commercial space shall provide a minimum ratio of 0.7:1 of the lot area on the street level subject to the following:

i. The basement of a structure may be used for retail, personal and professional uses but shall not be computed into the minimum 0.7:1 ratio.

ii. Uncovered outdoor areas shall:

a. Be associated with the first floor commercial occupant,

b. Be located on the property and/or on the public sidewalk, only with a valid sidewalk permit.

c. Be computed into the minimum 0.7:1 ratio, but not the overall 3:1 ratio.

b. Residential space shall provide a maximum ratio of 2:1 of the lot area subject to the following:

i. **Stairways, hallways, elevators** outdoor patios, decks, and balconies, for residential use shall be computed into the maximum 2:1 ratio.

- (4) Maximum Residential Density.
A. Occupancy shall be limited to one person per 200 square feet of lot area.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW (STAFF)

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

<u>Report Date</u>	August 4, 2015
<u>Case Number</u>	PC-2015-14
<u>Applicant Information</u>	City of Oxford Jung-Han Chen and Sam Perry
<u>Requested Action</u>	Zoning Code Text Amendment
<u>Summary of Request</u>	To Amend Chapters 1143.10, Uptown Site Development Regulations and 1159.07(6) Definition of Gross Floor Area, City of Oxford, Applicant
<u>Public Hearing Information</u>	On July 14, 2015 a Public Hearing took place at 118 W. High Street. A Public Hearing notice was published in the Hamilton Journal News on June 14, 2015.
<u>Commission Action</u>	The Planning Commission voted 5-0-0 recommending approval to City Council.
<u>Commission Findings and Conclusions</u>	The Planning Commission recommended approval of this Zoning Code Text Amendment after much discussion.
<u>Exhibits Submitted to the Commission</u>	1. Staff Report Dated June 26, 2015 2. Proposed Zoning Text Language 3. Interoffice Reviews 4. Zoning Code Text Amendment Application dated May 26, 2015

City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2015-14

Date – July 14, 2015

APPLICATION

Applicant: City of Oxford
Action Request: **ZONING CODE TEXT AMENDMENT** to Amend Chapters
1143.10 Uptown Site Development Regulations and 1159.07(6)
Definition of Gross Floor Area, **City of Oxford, Applicant**

DESCRIPTION

The Uptown Zoning District is a relatively new district in Oxford, created after a 2008 charter amendment to incentivize redevelopment. The provisions have a maximum for residential gross floor area (GFA) and a minimum GFA for commercial floor area. The common areas of the buildings, such as decks and patios, were addressed, but stairways were not specifically included. This amendment would clarify the intent of the code with regard to the tabulation of stairway areas.

ZONING CODE

The attached text amendment illustrates changes to Chapters 1143.10 Uptown Site Development Regulations and 1159.07(6) Definition of Gross Floor Area

COMPREHENSIVE PLAN

The text amendment aligns with Land Use Principle 3 (p3.9): “Infill development and redevelopment of underutilized sites is a priority.”

By continuously adapting the zoning regulations for existing developed areas, the geographic focus is consistent with this principle.

AGENCY REVIEWS

Police:	No comments
Engineering:	No comments
Fire:	No comments
Econ. Dev.	Comments received

DECISION CRITERIA

A copy of the Text Amendment Decision Criteria is attached.

ANALYSIS

A recent building project going through the review process proposed exempting the inclusion of stairways within the calculation for Residential GFA. The Board of Zoning Appeals supported the appeal based upon the language of the zoning code that was in place.

Staff is responding by proposing a clarification of the language that is consistent with the original intent. The original intent is to limit the overall building mass. Whether interior, exterior, covered or uncovered, stairways contribute to the building’s mass. By including the terminology for stairways in the site development regulations, the intent will be clearer than it is currently. Additionally, by including the terminology for stairways in the definition for Gross Floor Area, the definition will be consistent with the Uptown District Site Development Regulations.

RECOMMENDATION

The proposed zoning text amendment is relatively small and does not represent a policy change. It is only the inclusion of technical terms. There is a risk that the inclusion of additional technical terms in the zoning text does complicate the code and result in additional unforeseen outcomes. In this case, it is staff's opinion that the benefit of maintaining predictable building size in the Uptown District outweighs the risk of future unforeseen outcomes.

SUBMITTED

BY: 

Sam Perry, AICP
Planner

DATE: June 26, 2015

ATTACHMENT

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

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

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

Text Amendments

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

Proposed Zoning Code Text Amendment June 11, 2015

Section 1143.10:

(c) Site Development Regulations. (Unless superseded by Conditional Use Requirements)

(1) Lot requirements.

A. Minimum Lot Area:

1. Lots in the Uptown District shall be a minimum of three thousand (3,000) square feet.

(2) Yard requirements.

Front Yard

16.5 feet minimum except

* On High Street - at least 70 percent of building must meet the right-of-way line

Rear Yard

none except

* Adjacent to a residential district 10 feet minimum

Side Yard

none except

* Adjacent to a residential district 6 feet minimum

(3) Structural requirements.

A. Building height:

Minimum - 23 feet and a minimum of 2 stories above street grade
Maximum - 48 feet and 4 stories maximum above street grade.

B. Gross Floor Area Ratio:

1. The maximum permitted gross floor area ratio of a structure at or above grade in the Uptown District shall be 3. (Lot area x 3 = total bldg. sq. ft.)

a. Commercial space shall provide a minimum ratio of 0.7:1 of the lot area on the street level subject to the following:

i. The basement of a structure may be used for retail, personal and professional uses but shall not be computed into the minimum 0.7:1 ratio.

ii. Uncovered outdoor areas shall:

a. Be associated with the first floor commercial occupant,

b. Be located on the property and/or on the public sidewalk, only with a valid sidewalk permit.

c. Be computed into the minimum 0.7:1 ratio, but not the overall 3:1 ratio.

b. Residential space shall provide a maximum ratio of 2:1 of the lot area subject to the following:

i. Stairways, hallways, elevators, outdoor patios, decks, and balconies for residential use shall be computed into the maximum 2:1 ratio.

(4) Maximum Residential Density.

- A. Occupancy shall be limited to one person per 200 square feet of lot area. (Ord. 3205. Passed 3-19-13.)

**Proposed Zoning Code Text Amendment
June 11, 2015**

Section 1159.07 DEFINITIONS (BEGINNING WITH LETTER "F").

(1) **FAMILY** - In all districts (zones), a family shall be a person living alone, or two or more persons related by blood, marriage or adoption, including minor children in the lawful custody of an adult member of members of the family, living together as a single housekeeping unit and occupying a single dwelling unit, or a group of not more than four unrelated persons living together as a single housekeeping unit occupying a single dwelling unit and using only common entrances and exits.

(2) **FAMILY COMMUNITY RESIDENCE** - A single dwelling unit occupied on a relatively permanent basis in a family-like environment by a group of no more than four persons (at least three of whom are unrelated persons with handicaps), plus up to one paid professional support staff provided by a sponsoring agency either living with the residents on a 24-hour basis or present on shifts.

(3) **FARM ANIMALS** - Animals other than household pets that shall be kept and maintained for commercial production or sale; or family food production, education, or recreation. Farm animals are identified by these categories: large animals, e.g., horses and cattle; medium animals, e.g., sheep, goats, pigs; or small animals, e.g., rabbits, chinchillas, chickens, turkeys, pheasants, geese, ducks, and pigeons.

(4) **FARM IMPLEMENT SALES** - The retail sales and service of mechanical equipment customarily used for agricultural purposes.

(5) **FLOOD PLAIN AREA** - Those lands in the City of Oxford, Ohio, that are subject to flood hazards as determined on the Federal Emergency Management Agency or the Butler County Soil & Water Conservation District or both.

(6) **FLOOR AREA, GROSS** - The sum of the gross horizontal areas of all floors of a building or structure from the exterior face of exterior walls, or from the centerline of a wall separating two buildings, but excluding any space where the floor-to-ceiling height is less than six feet. The gross floor area ratio includes all stairways that serve multi-story buildings.

(7) **FLOOR AREA, NET** - The total of all floor areas of a building, excluding stairwells and elevator shafts, equipment rooms, interior vehicular parking or loading; and all floors below the first or ground floor, except when used or intended to be used for human habitation or service to the public. (Ord. 2782. Passed 5-20-03.)

(8) **FLOOR AREA RATIO (FAR)** - The gross floor area of all buildings or structures on a lot divided by the total lot area, excluding any land vacated by Ordinance No. 103 (16 1/2 foot vacated right-of-way). (Ord. 3018. Passed 10-7-08.)

City of Oxford
Inter-Office Review Transmittal Sheet

Date: June 17, 2015

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2015-14 ZONING CODE TEXT AMENDMENT, to amend Chapter 1143.10(c) UP (Uptown)
District site development regulations and Chapter 1159.07(8) definition of Floor Area Ratio (FAR), City
of Oxford, Applicant

 X Review Revisions Other

Please return no later than: **7/7/2015** 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: 6-19-15

John Dethierage
PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: June 17, 2015

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2015-14 ZONING CODE TEXT AMENDMENT, to amend Chapter 1143.10(c) UP (Uptown)
District site development regulations and Chapter 1159.07(8) definition of Floor Area Ratio (FAR), **City
of Oxford, Applicant**

 X Review Revisions Other

Please return no later than: **7/7/2015** 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: _____

6-18-15

VICTOR POPESCU

PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: June 17, 2015

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2015-14 ZONING CODE TEXT AMENDMENT, to amend Chapter 1143.10(c) UP (Uptown)
District site development regulations and Chapter 1159.07(8) definition of Floor Area Ratio (FAR), **City
of Oxford, Applicant**

 X Review Revisions Other

Please return no later than: **7/7/2015** 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: LT. Horvath Date: 6/23/15

LT. HORVATH
PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: June 17, 2015

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2015-14 ZONING CODE TEXT AMENDMENT, to amend Chapter 1143.10(c) UP (Uptown) District site development regulations and Chapter 1159.07(8) definition of Floor Area Ratio (FAR), City of Oxford, Applicant

 X Review Revisions Other

Please return no later than: **7/7/2015** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments without/comments

.....

IN MY OPINION, THE INTENT OF THE ORIGINAL
LEGISLATION WAS TO INCLUDE STAIRWELLS, OPEN OR
ENCLOSED

"In my opinion, the intent of the original legislation was to include stairwells, open or enclosed."

Drawings reviewed by:  Date: 7-7-15

G. Alan Kross
PRINTED NAME



Internal Use Only:	
Case No.	PC-2015-14
Date Filed	5/26/15

Zoning Code Text 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) *	(513)-524-5204
Email Address	jhchen@cityofoxford.org
Amendment Description *	Amendment to the definition of Floor Area Ratio

Submission Requirements and Documentation

From Section 1135.02 Procedure¹.

- (a) **Initiation.** A text amendment may be initiated by the Chair of the Planning Commission, by adoption of a motion by Council or the Planning Commission, or by application to Planning Commission by a landowner or a resident of the City of Oxford.
- (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. Any existing section number and text that is proposed to be deleted or amended.
 - H. Any new or amended text as it is proposed to be codified including its proposed location in the Code. section numbers)
 - I. A narrative statement that describes the expected effects of the proposed text.
 - J. A narrative statement that compares the expected effects of the proposed text with any existing text that it will replace, if applicable.

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.

Last Revised: Monday, February 23, 2015

PC-zoning-code-text-amendment-application.docx

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

Planning Commission and Council Review

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

Fees & Receipt

The required fee is \$150.00. Write a check payable to **City of Oxford**. You may also pay in-person using Visa, MasterCard, and Discover.

Sign and Date

Applicant Signature *

Date *


5/21/15

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 the fee made payable to **City of Oxford**, to Community Development Director, 101 East High Street, Oxford, OH 45056.

Direct questions to the Community Development Department 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.

For Staff Use Only

Fee Paid Date *

NA

Receipt Number *

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

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development

Originating Department

Council Meeting Of: August 4, 2015

Sam Perry

Account Code No. #:

Prepared By:

1159.07

Budgeted Amount:

July 29, 2015

Date Prepared:

PC-2015-14 ZONING CODE TEXT AMENDMENT, to amend Chapter 1143.10(c) UP (Uptown) District site development regulations and Chapter 1159.07(6) definition of Gross Floor Area Ratio (FAR), **City of Oxford, Applicant**

Recommendation: Approval

Discussion:

This is an amendment proposed as a result of a recent Board of Zoning Appeals (BZA) case in which an appeal was granted to allow the stairways to not be counted as part of the building in the Uptown Zoning District.

The Uptown district contains requirements for overall building size using a minimum requirement for commercial area and a maximum requirement for residential area. The term used is "Gross Floor Area" (GFA), which is a mathematical ratio of the land area compared to the building square footage. Proposed buildings in the Uptown district are typically designed with the maximum residential area. Recently a BZA case was heard in which the required egress stairways were proposed to be excluded from the building size calculation. The appeal was granted which will allow a building permit for a larger building.

Staff proposed a zoning text amendment which is being recommended by the Planning Commission that gives additional examples for portions of the building to be included in the GFA. "Stairways" are specifically called out in the proposed amendment, as well as elevators and hallways. None of these three are specifically listed in the current code.

The proposed amendment includes an update to the supporting definition of GFA in a separate chapter, 1159.

The term GFA is a standard term used in urban planning policies typically without much additional caveat. Due to the fact that outdoor patios, decks and balconies were specially listed for the Oxford code, it created the situation in which "stairways, hallways and elevators" now also need to be added.

The Commission held a hearing and voted 5-0-0 to recommend the amendments to City Council.

Approved By:

Department Head:

City Attorney:

City Manager:

[Signature] 7-31-15
[Signature] 7-31-15

ORDINANCE NO.

ORDINANCE REPEALING OXFORD CODIFIED ORDINANCE SECTION 1159.07 ENTITLED DEFINITIONS (BEGINNING WITH THE LETTER "F") AND ADOPTING NEW OXFORD CODIFIED ORDINANCE SECTION 1159.07 ENTITLED DEFINITIONS (BEGINNING WITH THE LETTER "F").

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

SECTION I: Council hereby finds that the City of Oxford Planning Commission held a public hearing on July 14, 2015 and that following the public hearing did deliberate and as a result of that deliberation, the Planning Commission recommended repealing Oxford Codified Ordinance Section 1159.07 entitled Definitions (Beginning with the letter "F") and adopting new Oxford Codified Ordinance Section 1159.07 entitled Definitions (Beginning with the letter "F").

SECTION II: Council hereby repeals Section 1159.07 and adopts new Section 1159.07 as follows:

1159.07 DEFINITIONS (BEGINNING WITH LETTER "F").

(1) **FAMILY** - In all districts (zones), a family shall be a person living alone, or two or more persons related by blood, marriage or adoption, including minor children in the lawful custody of an adult member or members of the family, living together as a single housekeeping unit and occupying a single dwelling unit, or a group of not more than four unrelated persons living together as a single housekeeping unit occupying a single dwelling unit and using only common entrances and exits.

(2) **FAMILY COMMUNITY RESIDENCE** - A single dwelling unit occupied on a relatively permanent basis in a family-like environment by a group of no more than four persons (at least three of whom are unrelated persons with handicaps), plus up to one paid professional support staff provided by a sponsoring agency either living with the residents on a 24-hour basis or present on shifts.

(3) **FARM ANIMALS** - Animals other than household pets that shall be kept and maintained for commercial production or sale; or family food production, education, or recreation. Farm animals are identified by these categories: large animals, e.g., horses and cattle; medium animals, e.g., sheep, goats, pigs; or small animals, e.g., rabbits, chinchillas, chickens, turkeys, pheasants, geese, ducks, and pigeons.

(4) **FARM IMPLEMENT SALES** - The retail sales and service of mechanical equipment customarily used for agricultural purposes.

(5) **FLOOD PLAIN AREA** - Those lands in the City of Oxford, Ohio, that are subject to flood hazards as determined on the Federal Emergency Management Agency or the Butler County Soil & Water Conservation District or both.

(6) **FLOOR AREA, GROSS** - The sum of the gross horizontal areas of all floors of a building or structure from the exterior face of exterior walls, or from the centerline of a wall separating two buildings, but excluding any space where the floor-to-ceiling height is less than six feet. **The gross floor area ratio includes all stairways that serve multi-story buildings.**

(7) **FLOOR AREA, NET** - The total of all floor areas of a building, excluding stairwells and elevator shafts, equipment rooms, interior vehicular parking or loading; and all floors below the first or ground floor, except when used or intended to be used for human habitation or service to the public.

(8) **FLOOR AREA RATIO (FAR)** - The gross floor area of all buildings or structures on a lot divided by the total lot area, excluding any land vacated by Ordinance No. 103 (16 1/2 foot vacated right-of-way).

(9) **FOOTPRINT** – Horizontal area within and including the exterior walls of a structure.

(10) **FRATERNITY/SORORITY HOUSE** - A building that is occupied by a group of enrolled Miami University students who are active members of a fraternal organization recognized by Miami University. These organizations shall be limited to fraternities, sororities, and like groups approved by Miami University for communal off-campus living on that site. Occupancy exception: may include employees or agents of the organization not to exceed three (3) persons.

(11) **FRONTAGE** - The width of a lot or parcel abutting a public right-of-way measured at the front property line.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW (STAFF)

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: August 4, 2015

Sam Perry

Account Code No. #:

Prepared By:

Budgeted Amount:

July 29, 2015

Date Prepared:

PC-2015-15 CONDITIONAL USE 110 E. Spring Street, Phi Delta Theta Fraternity, to approve the alteration of an existing fraternity, The Architectural Group, Inc., Applicant, Agent

Recommendation: Approval

Discussion:

The case is a proposed alteration to an existing fraternity house located on Spring Street just west of the South Campus Avenue intersection. Fraternity houses are permitted conditional uses in the R2MS district. The conditional use category requires that any new or modified/expanded uses will need a conditional use approved prior to proceeding to building permit. Single and Two-Family dwellings are all reviewed administratively without Planning Commission or City Council involvement.

The proposal from Architect Norm Butt is to convert an existing breezeway into two bedrooms to house staff. Handicap accessibility would be improved and there would be no significant change to the development footprint on the site. A new patio was discussed but not reviewed as part of the proposal since it was not decided yet by the owner. The permitted occupancy of the house was discussed and it was agreed that a permitted occupancy increase was not needed. The Commission preferred that the occupancy be kept the same as the effective occupancy would not change anyway. There are two lots with this property, one of which does not have any street frontage, so a consolidation should be required to clean up the record.

The Commission held a hearing and voted 5-0-0 to recommend the conditional use permit to City Council with the following conditions:

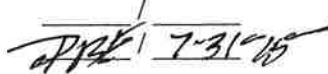
1. The lots shall be consolidated.
2. The approved occupancy for the entire structure shall remain 12.
3. The patio area shown on the submitted drawings shall not be included as parts of this conditional use permit approval.

Approved By:

Department Head:

City Attorney:

City Manager:

 7-31-15
 7-31-15

ORDINANCE NO.

AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT TO ALLOW FOR THE ALTERATION OF AN EXISTING FRATERNITY HOUSE IN A R2MS (SINGLE AND TWO FAMILY MILE SQUARE RESIDENTIAL) DISTRICT AT 110 E. SPRING STREET, OXFORD, OHIO 45056 WITH CONDITIONS.

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

SECTION 1: Council hereby finds that the Planning Commission held a public hearing on July 14, 2015 in accordance with Section 1147.02 of the Codified Ordinances of the City of Oxford, on the application of The Architectural Group, Inc., Applicant, for a conditional use permit to allow for the alteration of an existing Fraternity House in a R2MS (Single and Two-Family Mile Square Residential) District at 110 E. Spring Street, Oxford, Ohio 45056.

SECTION 2: The Planning Commission, after a public hearing and discussion, voted to approve a motion recommending approval of the conditional use permit application to allow for the alteration of an existing Fraternity House in a R2MS (Single and Two-Family Mile Square Residential) District at 110 E. Spring Street, Oxford, Ohio 45056 with the following conditions:

1. The lots shall be consolidated.
2. The approved occupancy for the entire structure shall remain 12.
3. The patio area shown on the submitted drawings shall not be included as part of this conditional use permit approval.

SECTION 3: Council hereby accepts the recommendation of the Planning Commission and accepts the recommendation report submitted by the Planning Commission and incorporates the same herein and further grants the conditional use permit application to allow for the alteration of an existing Fraternity House in a R2MS (Single and Two-Family Mile Square Residential) District at 110 E. Spring Street, Oxford, Ohio 45056 in accordance with the conditions set forth above.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW (STAFF)

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

<u>Report Date</u>	August 4, 2015
<u>Case Number</u>	PC-2015-15
<u>Applicant Information</u>	City of Oxford
<u>Requested Action</u>	Conditional Use
<u>Summary of Request</u>	110 E. Spring Street , Phi Delta Theta Fraternity, to approve the alteration of an existing fraternity, The Architectural Group, Inc., Applicant, Agent
<u>Public Hearing Information</u>	On July 14, 2015 a Public Hearing took place at 118 W. High Street. A Public Hearing notice was published in the Oxford Press on June 14, 2015. Public Hearing notices were mailed out to surrounding properties on June 17, 2015.
<u>Commission Action</u>	The Planning Commission voted 5-0-0 recommending approval with conditions to City Council.
<u>Commission Findings and Conclusions</u>	The Planning Commission inquired about parking, allowed occupancy, handicap accessibility, and a patio addition. The Applicant sufficiently answered the Planning Commissions questions and the Commission agreed to three conditions be placed upon the recommendation for approval: that, the lots are consolidated, that the approved occupancy for the entire structure remains at 12; that the patio area shown on the submitted drawings is not included as part of this approval.
<u>Exhibits Submitted to the Commission</u>	1. Staff Report Dated June 26, 2015 2. Interoffice Reviews 3. Surrounding Property Notifications 4. Rental Permits 5. Letter of Agency 6. Conditional Use Permit Application Dated May 29, 2015 7. Supporting Documents from Applicant 8. Drawings from Applicant

City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2015-015

Date –July 7, 2015

APPLICATION

Applicant:	Norm Butt
Location:	110 E. Spring Street
Owner:	Phi Delta Theta Fraternity
Agent:	Norm Butt, The Architectural Group, Inc.
Action Request:	Conditional Use Permit Application to alter an existing fraternity
Current Use:	Fraternity
Zoning:	R2MS (Single, Two-Family Mile Square Residential) District
Surrounding Existing Land Uses:	Single and Two-Family and Multi-Family Dwelling

GENERAL DESCRIPTION

The applicant is seeking approval to alter an existing fraternity to accommodate more bedrooms by enclosing a breezeway between the garage and two-story dwelling. There is no additional square footage being proposed to the footprint of the building. Additionally, the proposal also indicated that a patio has been planned to be placed on the east side of the existing building, so the tenants can be outdoors during nice weather, since the indoor space, i.e. breezeway, is being converted into sleeping space. This fraternity house has been in existence for many years. The subject property consists of two parcels.

The property is bordered by a two-family dwelling and a lodging house to the east, fraternity house to the north; a single-family to the west; and a fraternity to the south. This area is adjacent to the MU campus.

PUBLIC COMMENTS

Public notices were mailed to surrounding property owners. None were received.

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 without comments.
Engineering:	Returned without comments.
Econ. Dev.:	Returned without comments.

ZONING CODE REVIEW

- 1147.03(19) Fraternity and Sorority Houses.
- A. Potential Concerns.
1. Aesthetic Concerns:
 - a. Historical characteristics of existing structures.
 - b. Residential scale and character.
 - c. Yards and landscaping.
 - d. Walls and fences.
 2. Activities Areas:
 - a. Porches and patios.
 - b. Locations of recreational areas and courts.
 - c. Locations of accessory structures.
 3. Vehicle Management:
 - a. Site access.

- b. Required parking.
- c. Emergency access.
- d. Deliveries.
- e. Occasional and excess parking management.
- 4. Adequate Public Utilities:
 - a. Water.
 - b. Sewer.
 - c. Storm water management.
 - d. Other services.
- 5. Nuisance:
 - a. Waste/trash management.
 - b. Noise and off-site impact.
 - c. Lighting and off-site impact.

B. Requirements:

- 1. New Structures: Building shall be of a size and scale that approximates neighboring structures.
- 2. Existing Structures: Exterior renovation and improvements shall be maintained to protect existing architectural details, materials and ornamentation.
- 3. Addition: Building expansions shall be sympathetic to the architectural scale and style of the existing building.
- 4. Outdoor Areas: Activity areas shall be designed and located to contain noise and light within the property. Activity areas shall be appropriately screened from adjacent properties.
- 5. Waste facilities: Trash and recycling containers and material shall be stored in a fully enclosed area and properly screened. The waste enclosure shall be adequate for the occupancy and accessible to service vehicles.
- 6. Parking and Transportation Demand Management: Parking shall meet requirements of Zoning Code Chapter 1149 and shall be properly designed, screened and maintained.

The proposal is to enclose the existing breezeway to create additional bedrooms for the fraternity. Based on the submittal, the proposed building material appears to be consistent with the existing dwelling unit. The proposed patio to the east of the existing building is to be used by the tenants of the building.

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.

Yes, the proposed enclosure will satisfy.

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

Not applicable.

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.

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

None anticipated.

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.

Not applicable.

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.

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.

Minimal increase will be generated from the enclosure of the proposed patio..

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.

The breezeway is existing and does not alter the appearance of the neighborhood.

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.

There is sufficient off-street parking on site.

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 proposal is to enclose an existing breezeway for additional bedroom to the existing fraternity house. The breezeway connects the garage to a two-story dwelling. The property is owned by Phi Delta Theta Foundation, headquartered in Oxford. The current configuration is to provide lodging for its student advisors to various chapters throughout the county.

The proposal does not increase the footprint of the building and the changes being considered occur in the breezeway. No physical change would be visible, other than a patio that is shown on the site plan to allow tenants a place to sit outdoors.

It is anticipated that the change would have very minimal impact to the neighborhood, if any. The proposal would not alter the existing use, the footprint will not increase. There will be no increase in governmental services at all and there would not be any potential concerns associated with the proposal. The appearance and character of the structure would not be modified from this proposal.

Given the changes to the site/structure being minimal, it would seem that the proposal would be reasonable to continue to allow the enclosure to be considered favorably by the Commission. The

(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: June 11, 2015

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2015-15 CONDITIONAL USE 110 E. Spring Street, Phi Delta Theta Fraternity, to approve the alteration of an existing fraternity, The Architectural Group, Inc., Applicant, Agent

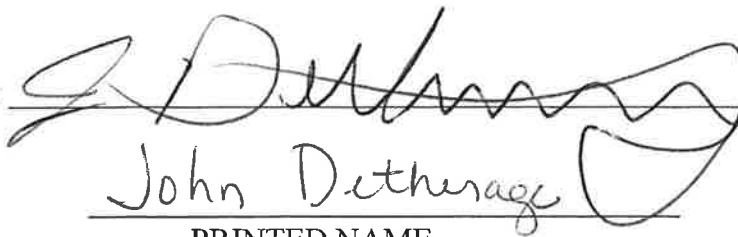
☒ Review ☐ Revisions ☐ Other

Please return no later than: **7/7/2015** 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 Dethierage

PRINTED NAME

Date:

6/19/15

City of Oxford
Inter-Office Review Transmittal Sheet

Date: June 11, 2015

To: Fire Department ~~Engineering Division~~ Police Department Econ Dev Department

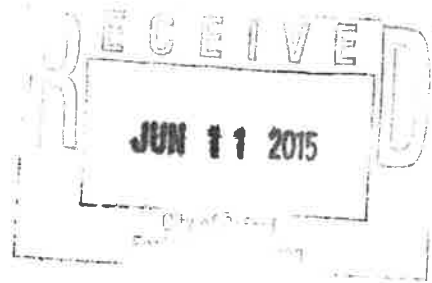
From: Community Development Department

PC-2015-15 CONDITIONAL USE 110 E. Spring Street, Phi Delta Theta Fraternity, to approve the alteration of an existing fraternity, The Architectural Group, Inc., Applicant, Agent

 X Review Revisions Other

Please return no later than: **7/7/2015** 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: _____

A. Popescu

Date: 6-15-15

VICTOR POPESCU

PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: June 11, 2015

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2015-15 **CONDITIONAL USE** 110 E. Spring Street, Phi Delta Theta Fraternity, to approve the alteration of an existing fraternity, The Architectural Group, Inc., Applicant, Agent

 X Review Revisions Other

Please return no later than: **7/7/2015** 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: 6/11/2015

ROBERT B. HOLZWORTH
PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: June 11, 2015

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2015-15 CONDITIONAL USE 110 E. Spring Street, Phi Delta Theta Fraternity, to approve the alteration of an existing fraternity, The Architectural Group, Inc., Applicant, Agent

 X Review Revisions Other

Please return no later than: **7/7/2015** 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: 7-7-15

G. Alan Kyck
PRINTED NAME



PC-2015-15 Surrounding Property Owners Map

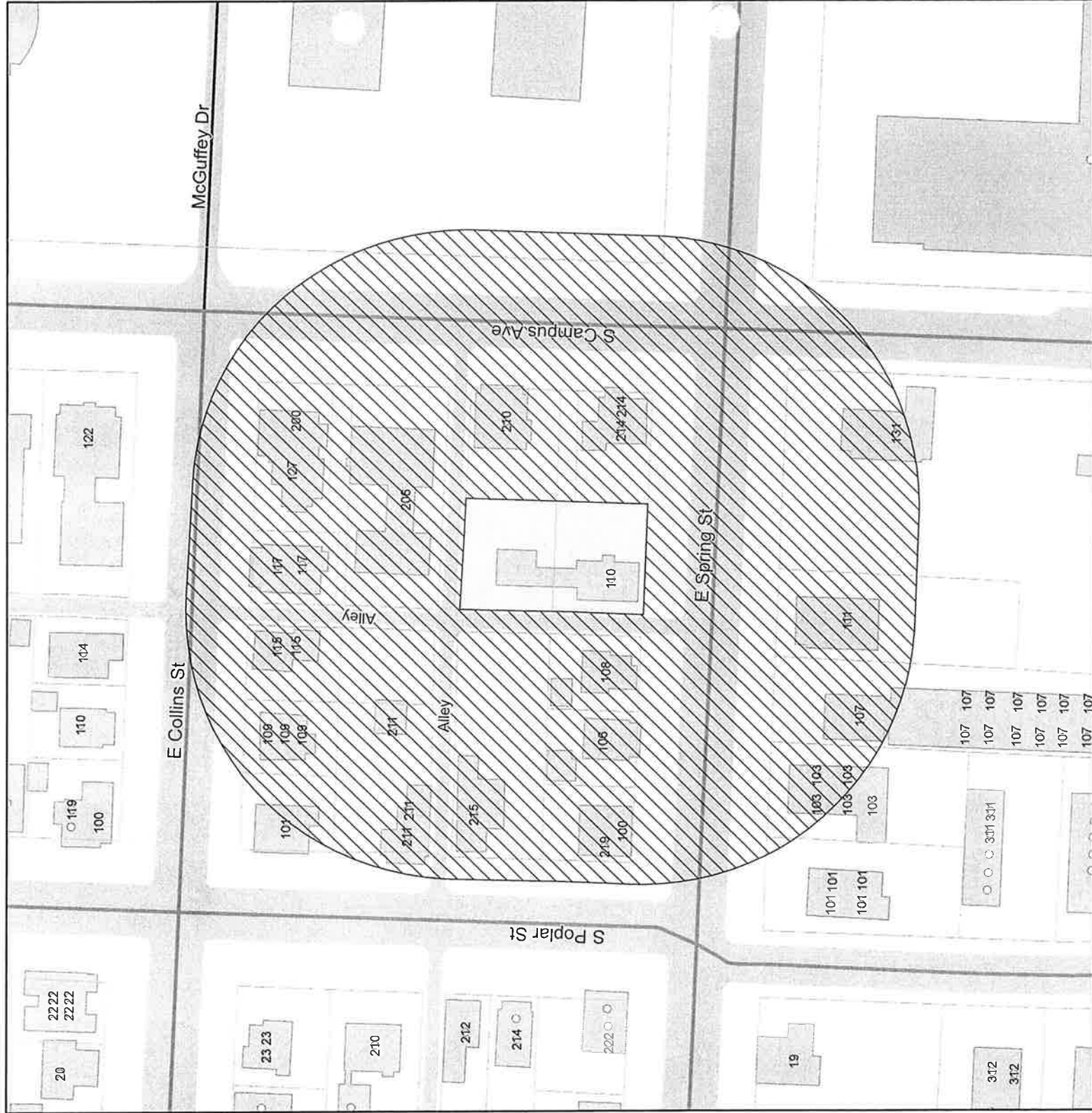
Legend

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



1 inch = 100 feet

Prepared on Wednesday, June 17, 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
INSPECTIONS DEPARTMENT
513-524-5205**

RENTAL PERMIT

PERMIT#: 20002959

This permit certifies that a valid rental dwelling permit has been issued to the address and person (s) listed below. The permit is valid for a period of one (1) year from the date of application.

Rental Address:

110 SPRING E

Owner: PHI DELTA THETA FRATERNITY

Agent: SAME AS OWNER

Occupancy, Use, Fee

Fee: \$115.00 Paid: 3/13/00

Property Use: FH

Maximum Occupants Permitted: 12

This permit can not be transferred. If ownership transfers, the permit must be surrendered to the City of Oxford within ten (10) days. You must make application and pay appropriate fees for renewal before the expiration of this permit.


Inspector

Date: 7/6/00

A COPY OF THIS PERMIT SHALL BE POSTED WITHIN THE UNIT PER PM-308.1.

NO FEES ARE DUE AT THIS TIME



City of Oxford
Inspections Division
101 East High Street
Oxford, OH 45056
(513) 524-5209

RENTAL PERMIT

This permit certifies that a valid rental dwelling permit has been issued to the address and person(s) listed below.

Address: *110 E Spring St*

Owner/Operator:

Phi Delta Theta Fraternity

Agent:

Phi Delta Theta Fraternity

Fee: *\$330.00*

Permit Number: *20153400*

Use: *FH*

Effective Date: *March 12, 2015*

**Maximum Unrelated
Occupants Permitted:** *12*

Expiration Date: *March 12, 2016*

A copy of this permit shall be posted in a conspicuous place within the dwelling unit per PM-308.1.1. This permit cannot be transferred. If ownership of the property changes, the permit must be surrendered to the City of Oxford within ten (10) days. You must submit a completed application and pay appropriate fees for renewal before the expiration of this permit.


Inspector



CITY OF OXFORD
INSPECTIONS DEPARTMENT
513-524-5209

RENTAL PERMIT

PERMIT# 20073128

This permit certifies that a valid rental dwelling permit has been issued to the address and person(s) listed below. The permit is valid for a period of one (1) year from the effective date shown below.

Rental Address:

110 EAST SPRING

Owner **PHI DELTA THETA FRATERNITY**
/Operator:

Agent: **ROBERT BIGGS**

Occupancy, Use, Fee

Fee: **\$300.00**

Property Use: **FH**

Maximum Unrelated Occupants Permitted: **12**

This permit cannot be transferred. If ownership in the property changes, the permit must be surrendered to the City of Oxford within ten (10) days. You must make application and pay appropriate fees for renewal before the expiration of this permit.


Inspector

Effective Date: 03/12/07

**A COPY OF THIS PERMIT SHALL BE POSTED IN A
CONSPICUOUS PLACE WITHIN THE UNIT PER PM-308.1.1**



PHI DELTA THETA

Become the greatest version of yourself

City of Oxford
101 E. High Street
Oxford, Ohio 45056

May 28, 2015

To whom it may concern:

This letter is to inform all pertinent parties that the Phi Delta Theta International Fraternity, the owner of the 110 E. Spring Street home, has authorized Norm Butt of the Architecture Group to submit a proposal for modifications of our facility as it applies to the conditional use application.

Yours truly,

Sean S. Wagner

Associate Executive Vice President
Phi Delta Theta International Fraternity

PHI DELTA THETA INTERNATIONAL FRATERNITY

General Headquarters • 2 South Campus Avenue • Oxford, Ohio 45056

phone: 513.523.6345 • fax: 513.523.9200 • www.phideltatheta.org



Internal Use Only:	PC-2015-15
Case No.	
Date Filed	5/29/15

Conditional Use Permit Application

Applicant Information

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

Name * NORMAN D. BUTT, AIA - THE ARCHITECTURAL GROUP, INC
Mailing Address * 135 N. MAIN STREET
City, State & Zip Code * DAYTON, OH 45402
Telephone Number(s) * 937-223-2500 x18
Email Address butt@taguit.com

Owner Information

Name * PHI DELTA THETA
Mailing Address * 2 SOUTH CAMPUS AVE
City, State & Zip Code * OXFORD, OHIO 45056
Telephone Number(s) * 513-523-6345
Email Address swagner@phideltatheta.org

Location and Lot Information

Location of Property * 110 E. SPRING STREET
Legal Description * (SEE ATTACHED)
Zoning District * R2M₁S
Total Area * 2839 → Check One * Acres ☒ Square Feet ☐
Existing Use Description * COMMERCIAL HOUSING - FRATERNITY EMPLOYEES
Proposed Use Description * NO CHANGE - COMMERCIAL HOUSING - FRATERNITY EMPLOYEES

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.

A. Application Fee.

B. Description of Use and Site.

A written, detailed description shall include the following information. A separate response is required for each subsection.

1. The name, mailing address, and telephone number of the applicant and the property owner.
2. If the applicant is not the owner, a statement from the owner that the applicant is entitled to apply on his or her behalf.
3. 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 *

Norman D. Butt, ALA

Date *

5/29/15

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 *

5/29/15

Receipt Number *

46157

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/>



135 north main street
dayton, oh 45402-1730
tel 937.223.2500
fax 937.223.0888
www.taguit.com

May 29, 2015

Mr. Jung-Han Chen
Community Development Director
City of Oxford
110 E. High Street
Oxford, Ohio 45056

Mr. Sam Perry
Planner
City of Oxford
110 E. High Street
Oxford, Ohio

RE: Conditional Use Application
Phi Delta Theta Fraternity Annex
110 E. Spring Street
Oxford, Ohio 45056

Dear Sam and Jung-Han,

The attached information is presented by The Architectural Group, Inc. in support of Conditional Use Acceptance Consideration for renovation of the above noted property.

As the documents indicated, the renovation consists of infill of an existing screen enclosed breezeway between the residence structure and the garage with two new resident bedrooms and maintenance of ADA accessibility to the facility.

Attached and submitted documents include the following to conform to the application requirements of City of Oxford Planning and Zoning Code, Chapter 1147.02 Application

1. \$400 Application Fee.
2. Conditional Use Permit Application
3. Phi Delta Theta Conditional Use Application Authorization
4. Chapter 1147.02, Procedure: Application Submission Requirement Confirmations
5. Chapter 1147.02, Procedure: Planning Commission Review Confirmations
6. Chapter 1149 Parking and Site Access Confirmation of 1149.03 General Regulations – "Fraternity and Sorority"
7. Chapter 1147.03 Use Specific Regulations & Potential Concerns Section (19) Fraternity and Sorority Houses concern support information
8. Butler County Auditors Property Information
9. Presentation Drawings: Site Plan, Existing Building Floor Plans, Existing and New Renovation area Floor Plans and Existing and New Elevations.

We wish to thank you in advance for your review at this information and its subsequent presentation to the City of Oxford's Planning Commission for consideration at their July meeting.

Respectfully Submitted,

Norman D. Butt, AIA, LEED AP, BD+C
The Architectural Group, Inc.

1147.02 PROCEDURE: APPLICATION CONFIRMATION

**A. Application Fee
Included**

B. Description of Use and Site.

A written, detailed description shall include the following information. A separate response is required for each subsection.

The residence is currently used by Phi Delta Theta to house employees who provide fraternity services nationwide. Additional bedroom space is required to house additional support staff; consequently, in existing enclosed breezeway between the main residence and the garage is considered herein to be modified to accommodate two (2) new bedrooms. No parking changes are anticipated or modifications to the building structure or aesthetic characteristics. The revised exterior elevation shell materials will duplicate those on the existing structures.

1. The name, mailing address, and telephone number of the applicant and the property owner.

**Applicant: Norman D. Butt, AIA
The Architectural Group, Inc.
135 N. Main St.
Dayton, OH 45402
937-223-2500
buttn@taguit.com**

**Owner: Phi Delta Theta
Contact: Sean Wagner
2 S. Campus Ave
Oxford, Oh 45056
513-523-6345
swagner@phideltatheta.org**

2. If the applicant is not the owner, a statement from the owner that the applicant is entitled to apply on his or her behalf.

Attached

3. A legal description of the site, including all separate lots.

Phi Delta Theta to provide.

4. A description of the existing uses of the site.

No change of use. Parking to remain unchanged, use existing landscaped areas unchanged, access to the building unchanged and occupancy of the building to remain the same as housing for employees of Phi Delta Theta Fraternity.

5. The zoning district in which the site is located.

R2MS

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, and service vehicles.

Residential housing is for employees of Phi Delta Theta only. No goods or services performed at this location. Customer, clientele, delivery, and service vehicles at National Headquarters location at 2 S. Campus Ave.

- b. The hours of operation.
Unchanged 24 hours.
- 7. A narrative statement that evaluates the compatibility of the proposed use with the general vicinity and adjacent properties.
 - a. How the use is similar to or different from existing area uses and if there will be any interaction between the proposed use and existing uses.
Use is unchanged. Adjacent areas also residential housing structures.
 - b. How any existing structures, proposed structures, and the site design relate to adjacent structures and sites.
New façade infill to match existing materials and product conditions.
 - c. If the use will involve and operations that create potential nuisances such as excessive noise, lighting, odor, fumes, vibration, or emissions.
No change in use or vehicle parking. Not applicable.
 - d. How any potential negative effects on adjacent land will be mitigated.
Unchanged use.
- 8. A statement about why the location proposed is more appropriate for the use than other locations.
Use remains the same as existing.
- 9. A statement of the necessity or desirability of the proposed use to the neighborhood or community.
Use remains the same as existing.
- 10. Separate, detailed statements that individually address each of the items listed as potential concerns for the proposed use.
Not applicable.
- 11. A list of the names and mailing addresses of all land owners within 200 feet of the site.
Attached
- 12. Such other information regarding the proposed use, site, or surrounding area as may be pertinent to the application or required by Planning Commission.
Not applicable.
- C. Site Plan. A scaled site plan shall include the following information in detail. The required information may be submitted on multiple site plans if inclusion of all information on a single plan makes is illegible or difficult to understand.
 - 1. North arrow. **Included on plans.**

2. Scale. **Included on plans.**
 3. Vicinity map. **See Butler County Auditor's map.**
 4. All existing and proposed lot lines within the site. **Included on plans and see Butler County Auditor's map.**
 5. Dimensions of all lots and of the entire site and any adjacent rights-of-way. **Included on plans and see Butler County Auditor's map.**
 6. Location, height, and use of all proposed and existing structures. **See drawing elevations. No change.**
 7. Location and design of all proposed vehicle management areas. **See site plan. No change.**
 8. Location, size, and type of all proposed signs. **See site plan. No change.**
 9. Location, height, and type of all proposed screening and landscaping. **See site plan. No change.**
 10. Distances to residential zoning districts if within 1,000 feet. **See attached Butler County Auditor's map.**
 11. The use of land and location of structures on adjacent property and across adjacent rights-of-way. **Not applicable.**
 12. Other information as required by the Planning Commission.
- D. Elevations of proposed structures, or typical elevations if structures are not yet designed, shall be required by the Zoning Administrator if the proposed are not yet designed, shall be required by the Zoning Administrator if the proposed location, height, or bulk of the structure is such that is may negatively affect and adjacent use.
See attached elevations.
- E. Other photographs of the existing use and its surroundings. **See attached.**

1147.02 PROCEDURE: APPLICATION CONFIRMATION

- (C) Planning Commission Review
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.
Fraternities and Sororities require Conditional Use approval in a R2MS district.
- B. The use and site will satisfy the general intent of this Zoning Code.
No change of use.
- C. The use and site will be compatible with the general intent of the Comprehensive Plan.
No change of use.
- D. The size and shape of the site are sufficient for the proposed use.
No change of site or building foot print.
- E. The use will not be hazardous or disturbing to existing or potential future neighboring uses that are not permitted in the zoning district.
No change of use.
- F. The use will not involve activities, processes, materials, equipment, or conditions of operations 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.
No change of use.
- 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.
Not applicable.
- 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.
No change of use. Construction engineering documentation will confirm compliance with electrical, water and sewer requirements.
- I. Development of the site and operation of this use will not require substantial public expenditure for additional infrastructure or services.
None to be required.
- 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.

Existing exterior elevation to be modified and will utilize materials and proportions of windows and doors consistent with existing condition.

- 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.
No change to site conditions.
- L. Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.
No change in existing conditions impact on adjacent properties.
- M. All necessary permits and licenses for the Conditional Use and its operation have or can be obtained for the use at the proposed location.
Pertinent to this application.

1147.03 USE SPECIFIC REGULATIONS & POTENTIAL CONCERNS: APPLICATION CONFIRMATION**(19) FRATERNITY AND SORORITY HOUSES****A. Potential Concerns.****1. Aesthetic Concerns:**

- a. Historical characteristics of existing structures. **Existing materials and door/window units matching existing.**
- b. Residential scale and character. **Existing elevations modified only. No change to scale or proportions of existing building.**
- c. Yards and landscaping. **No modifications this project except for new shrubs between new ADA accessible concrete walk and existing building.**
- d. Walls and fences. **Not applicable.**

2. Activities Areas:

- a. Porches and patios. **No change to west entry landing with future consideration of on grade patio to the east.**
- b. Locations of recreational area and courts. **No change to existing parking/basketball court.**
- c. Locations of accessory structures. **Not applicable.**

3. Vehicle Management:

- a. Site access. **No change to current conditions this project.**
- b. Required parking. **13-16 beds are anticipated resulting in requirement of 8 parking spaces. 11 parking spaces currently exist on site.**
- c. Emergency access. **No change to current conditions this project.**
- d. Deliveries. **No change to current conditions this project.**
- e. Occasional and excess parking management. **No change to current conditions this project.**

4. Adequate Public Utilities:

- a. Water. **Meets requirements. Validation during construction document production.**
- b. Sewer. **Meets requirements.**
- c. Storm water management. **No change to current conditions this project.**
- d. Other services. **Not applicable.**

5. Nuisance:

- a. Waste/trash management. **No change to current conditions this project.**
- b. Noise and off-site impact. **No change to current conditions this project.**
- c. Lighting and off-site impact. **No change to current conditions this project.**

B. Requirements:

- 1. New Structures: Building shall be of a size and scale that approximates neighboring structures.
No change to on-site footprint configuration or elevations.
- 2. Existing Structures: Exterior renovation and improvements shall be maintained to protect existing architectural details, materials and ornamentation.
Existing materials to be duplicated and windows and doors to replicate existing conditions. Windows to be egress compliant.
- 3. Addition: Building expansions shall be sympathetic to the architectural scale and style of the existing building.
Not applicable.

4. Outdoor Areas: Activity areas shall be designed and located to contain noise and light within the property. Activity areas shall be appropriately screened from adjacent properties.
No lighting modifications this project. Future consideration for on-grade east patio.
5. Waste facilities: Trash and recycling containers and material shall be stored in a fully enclosed area and properly screened. The waste enclosure shall be adequate for the occupancy and accessible to service vehicles.
No change. Waste containers stored within 2 car garage until day of refuge pickup.
6. Parking and transportation Demand Management: Parking shall meet requirements of Zoning Code Chapter 1149 and shall be properly designed, screened and maintained.
No change.

CHAPTER 1149
PARKING AND SITE ACCESS: APPLICATION CONFIRMATION

1149.01 PURPOSE

(a) The regulations of this section are intended to minimize the traffic impacts of development on public streets and to assure that all developments adequately and safely provide storage and movement of vehicles in a manner consistent with good site design and site engineering practices without creating excessive amounts of parking spaces.

No modifications to existing off-street parking on property.

Property currently contains parking spaces as indicated on plans including one (1) handicap accessible space that meets ADA regulations.

(b) This section includes provisions that are intended to minimize potential nuisance to adjacent properties by limiting light pollution, minimizing dust and debris, improving public safety and managing storm water run-off.

No modifications to existing off-street parking and site lighting.

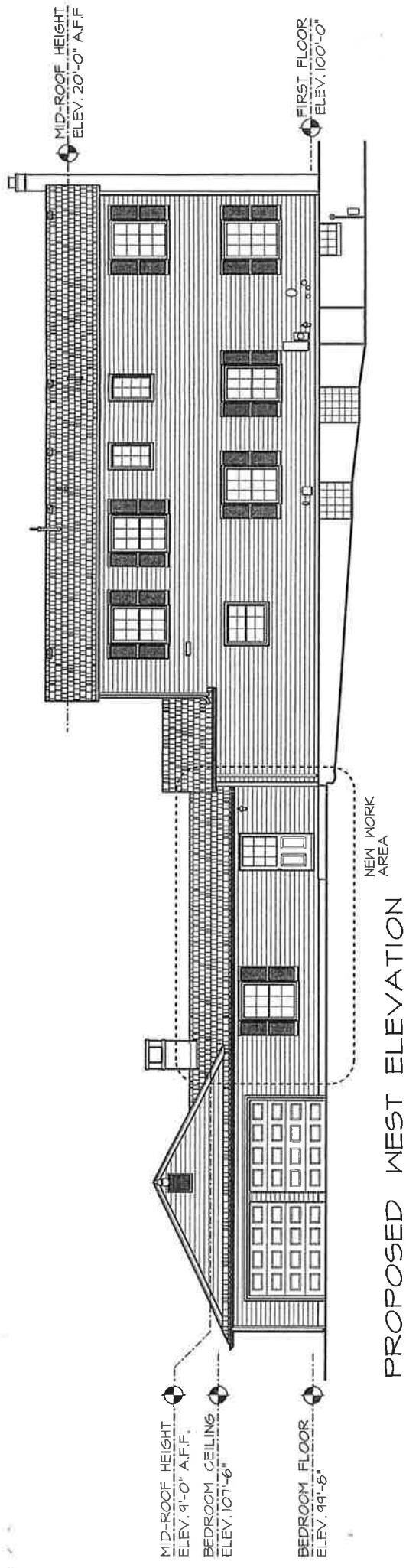
1149.03 GENERAL REGULATIONS

(a) All off-street parking and maneuvering areas shall be hard surfaced (includes concrete, asphalt, brick, stone, or bonded gravel). Loose materials are not permitted.

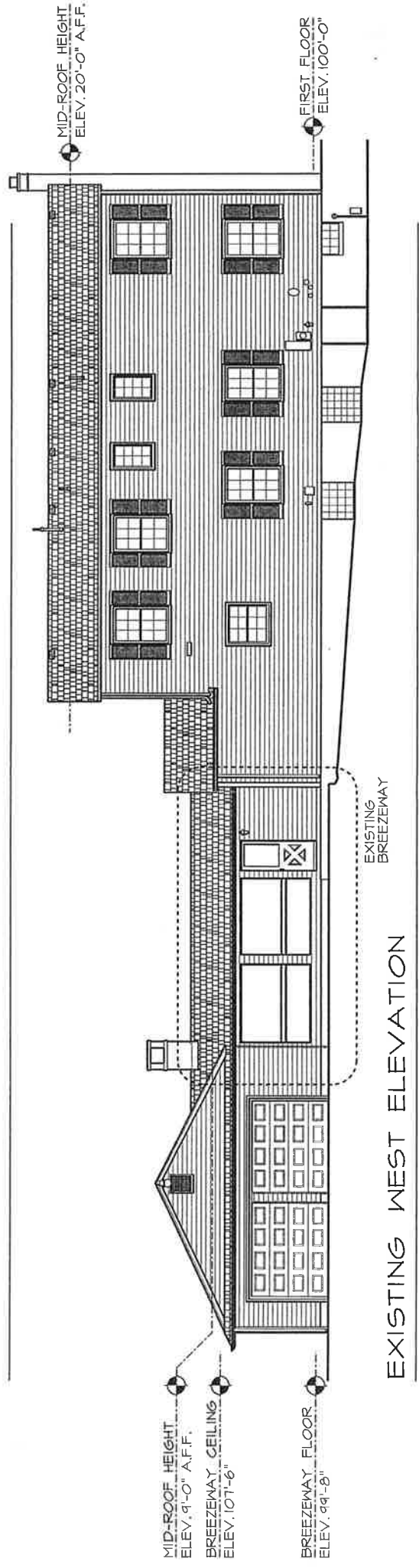
No modifications to existing off-street parking on property.

Fraternity And Sorority: 2 per each 5 beds permitted by a valid City of Oxford rental permit.

13-16 beds are anticipated resulting in requirement of 8 parking spaces. 11 parking spaces currently exist on site.



PROPOSED WEST ELEVATION



EXISTING WEST ELEVATION



PHI DELTA THETA - ANNEX RESIDENCE ROOM EXPANSION

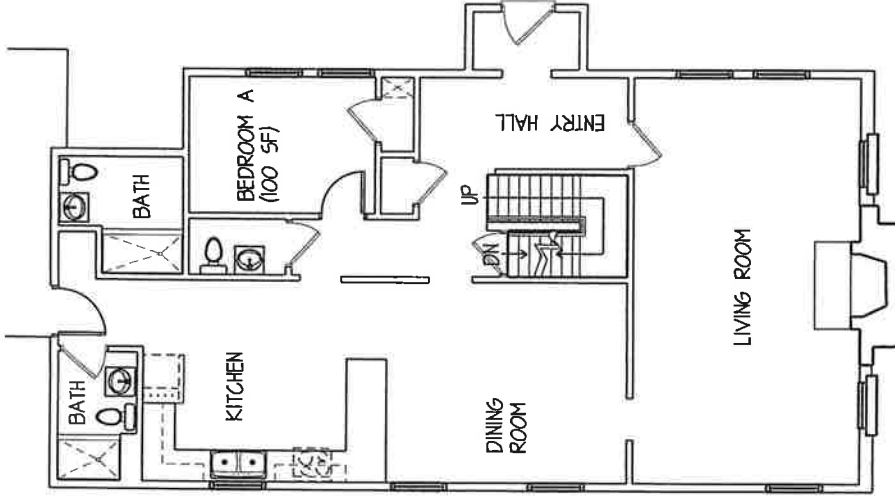
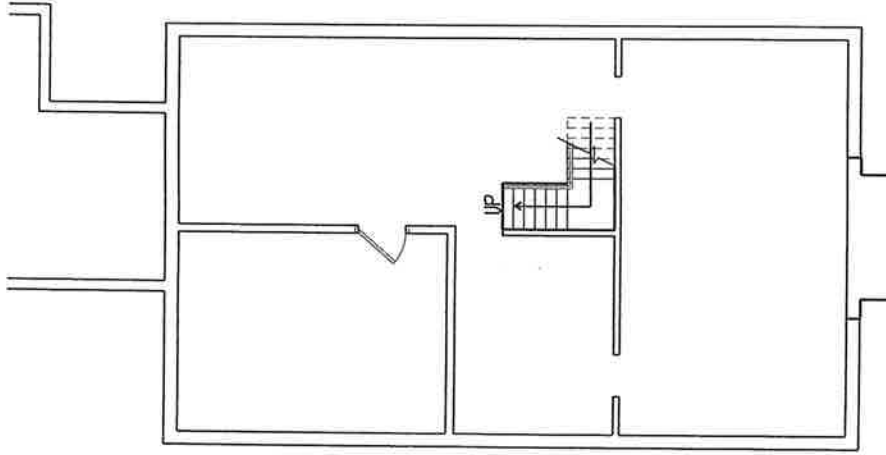


PHI DELTA THETA

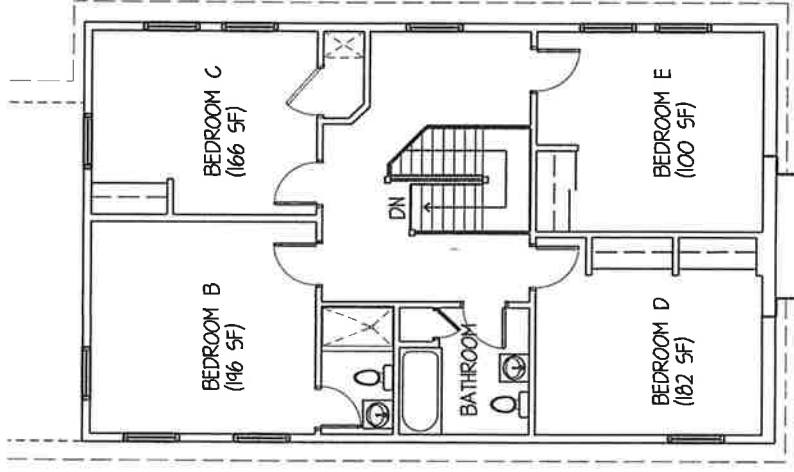


125 north main street
 annapolis, md 21403
 tel: 837 223 2600
 fax: 837 223 0888
 web: www.agall.com





FIRST FLOOR



SECOND FLOOR

EXISTING FACILITY FLOOR PLANS



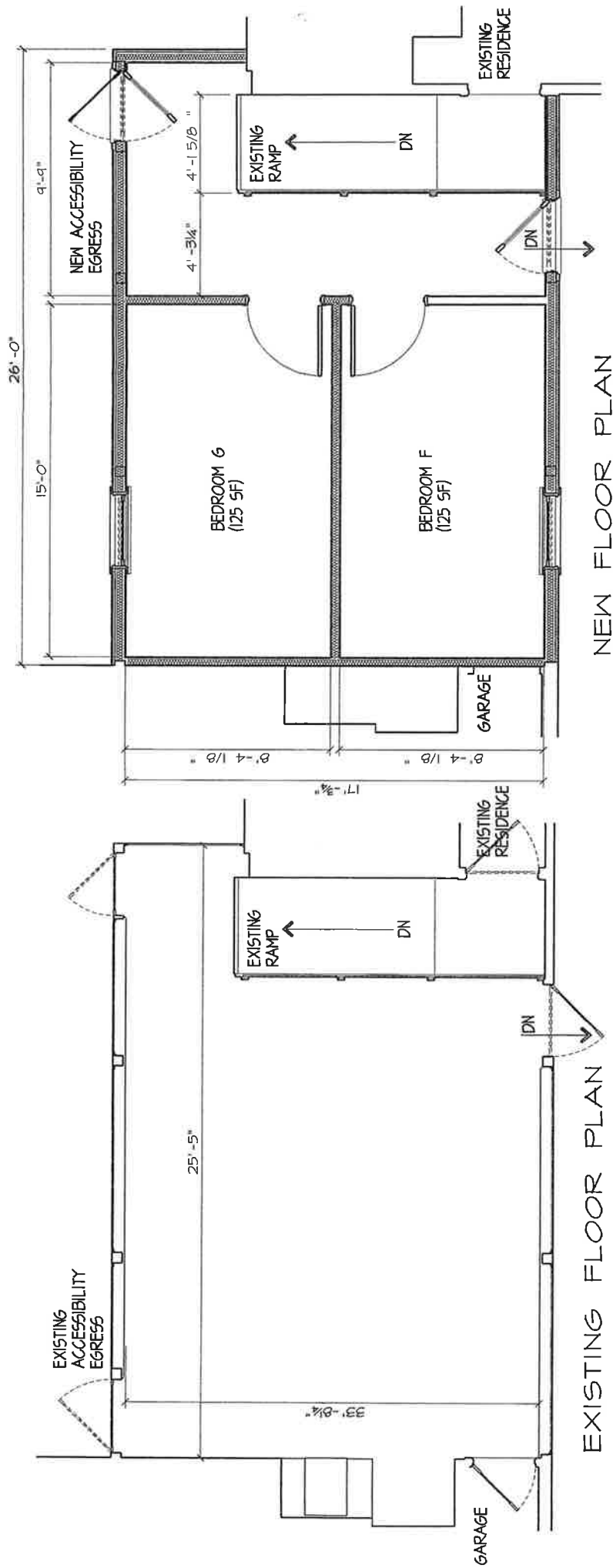
PHI DELTA THETA - ANNEX RESIDENCE ROOM EXPANSION



PHI DELTA THETA



135 north main street
dayton, ohio 45402-1720
tel. 937.233.0800
fax 937.233.0808
web www.tlgaia.com



ANNEX FLOOR PLANS

0' 1' 2' 4' 8'
SCALE: 1/4" = 1'-0"

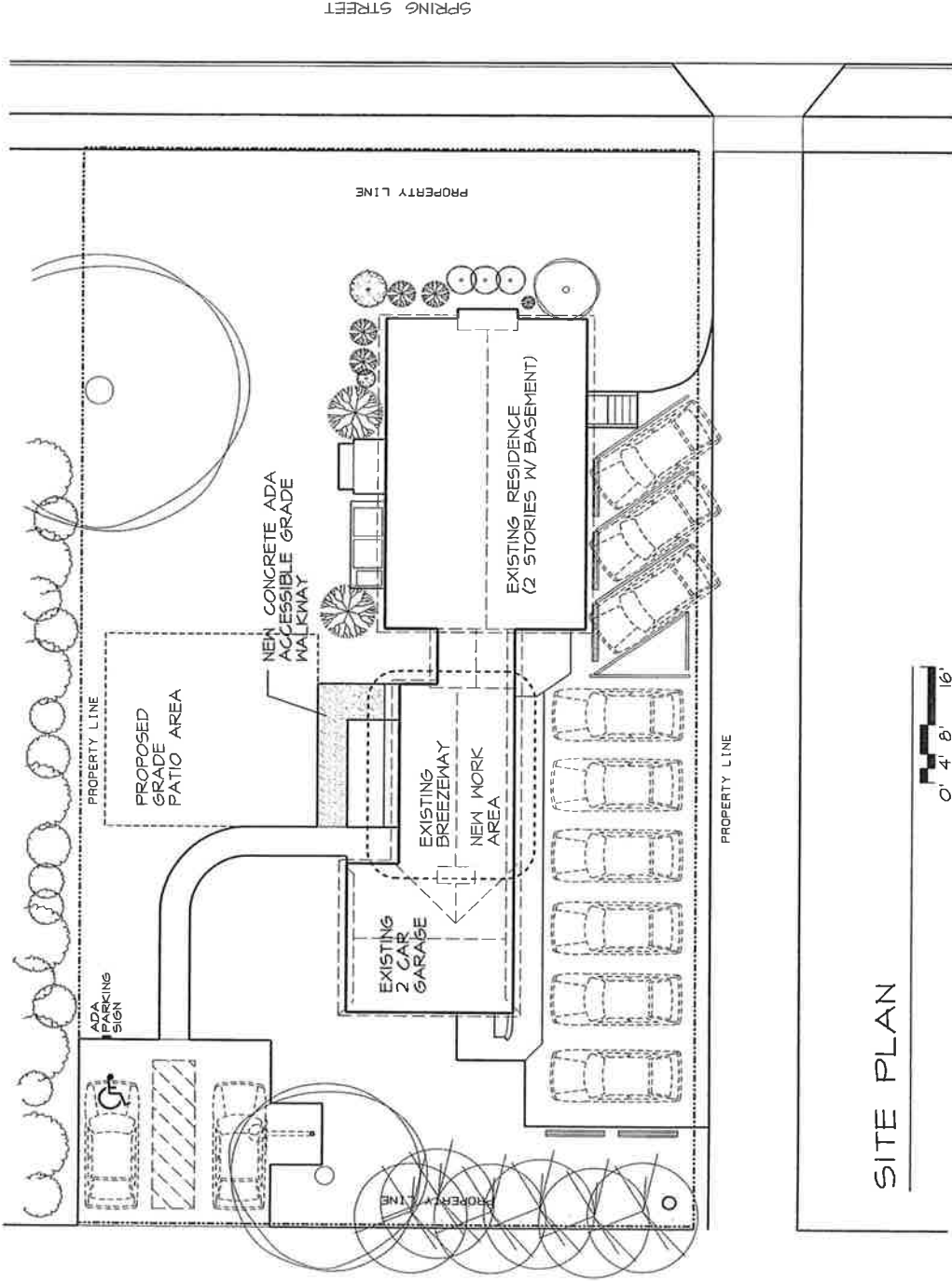
PHI DELTA THETA - ANNEX RESIDENCE ROOM EXPANSION



PHI DELTA THETA



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dayton, ohio 45402-1730
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fax 937.223.0888
web www.lagull.com



SITE PLAN



PHI DELTA THETA - ANNEX RESIDENCE ROOM EXPANSION



PHI DELTA THETA



135 north main street
dayton, ohio 45402-1730
tel 937 223 2500
fax 937 223 2501
web www.igall.com



PARID: H4100003000205

PHI DELTA THETA

110 E SPRING ST

Parcel

Parcel Id	H4100003000205
Address	110 E SPRING ST
Class	COMMERCIAL
Land Use Code	419, C - OTHER COMMERCIAL HOUSING
Neighborhood	90016002
Total Acres	
Taxing District	H41
District Name	OXFORD CORP TAL DL
Gross Tax Rate	72.09
Effective Tax Rate	47.769475
Non Business Credit	N/A
Owner Occupied Credit	N/A

Owner and Legal

Owner 1	PHI DELTA THETA
Owner 2	
Legal 1	129 W 1/2 & PT VAC ST
Legal 2	CONS W/208
Legal 3	

Taxbill Mailing Address [Can I change my mailing address?](#)

Mailing Name 1	PHI DELTA THETA FRATERNITY
Mailing Name 2	
Address 1	2 S CAMPUS AVE
Address 2	
Address 3	OXFORD OH 45056 1872

PARID: H4100003000205

PHI DELTA THETA

110 E SPRING ST

Commercial

Card	1
Building Number	1
Year Built	1932
Structure Code	105
Structure Description	MIXED RESIDENTIAL/COMMERCIAL
Improvement Name	
Identical Buildings	1
Units per Building	12
Total Units	12
Total GBA for displayed card**	3594

****Total GBA (Gross Building Area) for displayed card may include basement area (B1,B2...), Mezz (M1,M2...) and Office Enclosure(E1,E2...), if applicable. See Floor descriptions below.**

COMMERICAL INTERIOR/EXTERIOR (ALL CARDS)

CARD	LINE	FLOOR FROM	FLOOR TO	WALL HEIGHT	AREA	Use Type
1	1	01	01	8	1134	DORMITORY
1	2	02	02	8	1134	DORMITORY
1	3	01	01	8	192	DORMITORY
1	4	B1	B1	8	1134	UNFIN RES BSMT

PARID: H4100003000205

PHI DELTA THETA

110 E SPRING ST

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Class	COMMERCIAL
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Neighborhood	90016002
Total Acres	
Taxing District	H41
District Name	OXFORD CORP TAL DL

Parking

Type
Quantity
Proximity

Factors

Topography 1	LEVEL
Topography 2	
Topography 3	
Utility 1	ALL PUBLIC
Utility 2	NONE
Utility 3	NONE
Roads 1	MEDIUM
Roads 2	RESIDENTIAL STREET

Owner and Legal

Owner 1	PHI DELTA THETA
Owner 2	
Legal 1	129 W 1/2 & PT VAC ST
Legal 2	CCNS W/208
Legal 3	

Parcel

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Owner Occupied Credit	N/A

**ROGER
REYNOLDS**
BUTLER COUNTY AUDITOR CPA

[Home](#)

[Property Records](#)

[Owner Name](#)

[Address](#)

[Parcel](#)

[Advanced Search](#)

[Map Search](#)

PARID: H4100003000205

PHI DELTA THETA

110 E SPRING ST

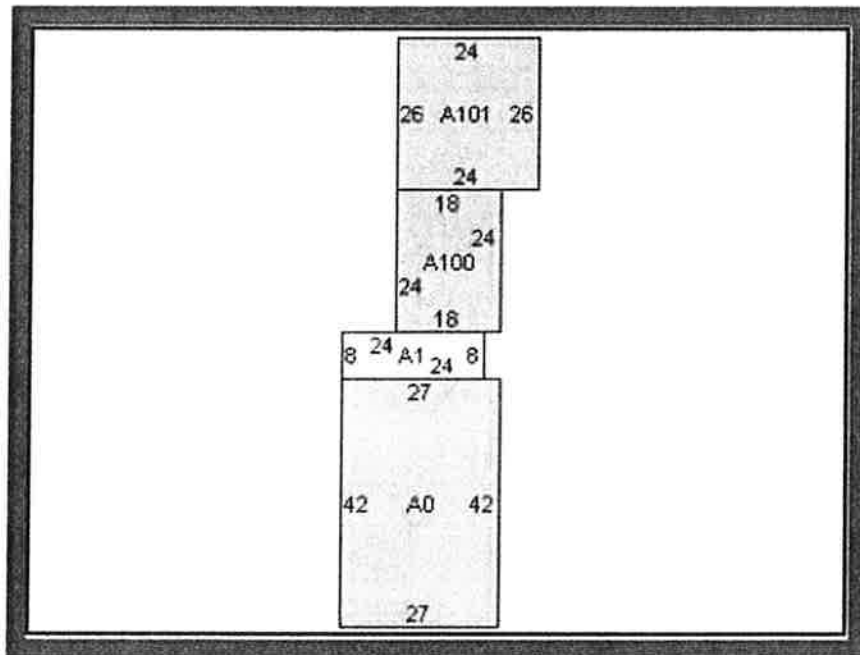
Land

Line Number	Acres	Front actual	Front effective	Depth	Square Feet
1	2839	83	83	149	12.367

PARID: H4100003000205

PHI DELTA THETA

110 E SPRING ST



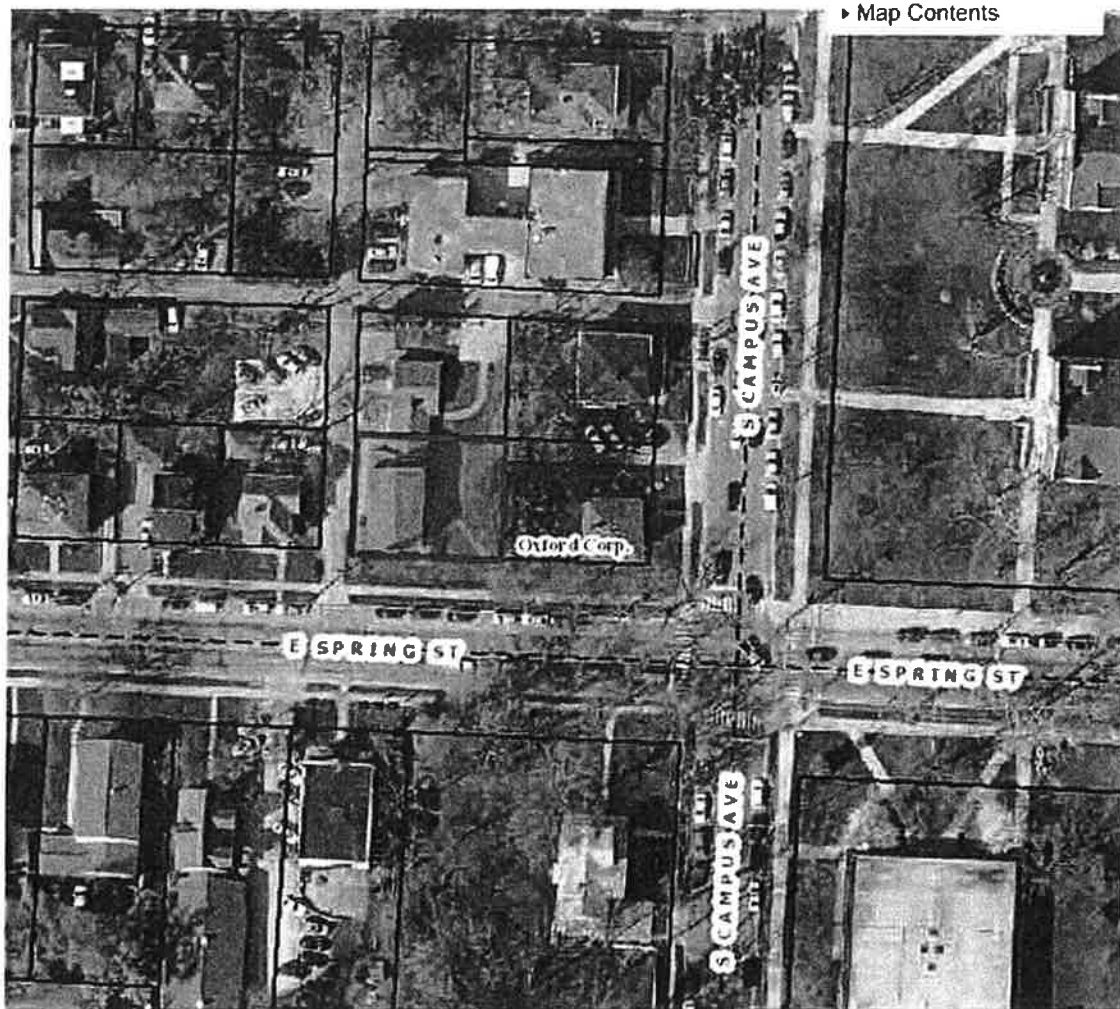
Legend			Options
Label	Code	Description	Area
A0	023	DORMITORY	1134
A1	023	DORMITORY	192
A100	PR1	PORCH OPEN	432
A101	RA1	GARAGE-ATTACHED-FRM	624

PARID: H4100003000205
PHI DELTA THETA

110 E SPRING ST



Map Contents



CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Manager

Originating Department

Council Meeting Of: July 21, 2015

Doug Elliott

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

July 14, 2015

Date Prepared

Agenda Title: An Ordinance Authorizing The City Manager To Increase The Salary Of The Current Chief Of Police By \$1,011.00 Per Month Effective July 1, 2015.

Recommendation: Approve.

Discussion:

When Bob Holzworth was appointed Chief of Police on February 8, 2012, it was agreed he be reimbursed \$1,011 each month to cover the cost of his health insurance premium through the Ohio Police and Fire Pension Fund. This is the same amount the City contributes each month for each full-time employee to the Health Benefits Fund. Unfortunately, the provisions of the Affordable Care Act do not permit the City to continue this reimbursement. An option to avoid reducing Chief Holzworth's total agreed compensation is to add this amount to his salary. However, this amount when added to his current salary exceeds the maximum amount permitted by the Salary Ordinance and the amount the City Manager may increase his compensation in one year (limited to 5%). The City Manager recommends Council adopt an Ordinance authorizing the City Manager to exceed the Salary Ordinance for the current Chief of Police.

Approved By:

Initial Date

Department Head: _____

City Manager: _____

[Signature] 7/17/15

ORDINANCE NO.

AN ORDINANCE TEMPORARILY SUSPENDING THE LIMIT IN SECTION 2 (C) OF ORDINANCE 3290 AND GRANTING AUTHORITY AUTHORIZING THE CITY MANAGER TO INCREASE THE SALARY OF THE CURRENT CHIEF OF POLICE BY \$1,011.00 PER MONTH EFFECTIVE JULY 1, 2015.

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

SECTION 1: The City Manager recommends Council temporarily suspend the limit in Section 2 (C) of Ordinance 3290 adopted November 18, 2014, to grant authority to him to exceed the authorization of the City Manager to increase an employee's salary by an amount up to five percent (5%).

SECTION 2: The City Manager further recommends Council authorizes him to increase the salary of the current Chief of Police by \$1,011.00 per month effective July 1, 2015. Council recognizes that the annual salary for this position will exceed the maximum amount defined by Attachment A of Ordinance No. 3290.

SECTION 3: City Council hereby accepts the recommendation of the City Manager, and authorizes him to increase the salary of the current Chief of Police by \$1,011.00 per month effective July 1, 2015. Council recognizes that the annual salary for this position will exceed the maximum amount defined by Attachment A of Ordinance No. 3290.

SECTION 4: In all other respects Ordinance No. 3290, except as herein suspended, shall remain in full force and effect.

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)