

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: August 7, 2018

Sam Perry
Prepared By:

Account Code No. #:

Budgeted Amount:

July 31, 2018
Date Prepared:

PC-2018-15, ZONING MAP AMENDMENT, 4 N. College Avenue, .123 acres, from RO (Residential Office) District to UP (Uptown) District, Scott Webb, Applicant, Agent

Recommendation: Denial

Discussion:

This building and property was recently vacated by the bank that relocated to Stewart Square. The 1965 mid-20th century modern building is considered historic in the 2018 inventory. The proposed map amendment would extend the Uptown Zoning District west of College Ave for this one parcel; making way for increased development potential. The Commission held a hearty discussion on this topic, including public comments. Ultimately, the Commission did not find that any of the four decision criteria warranted expanding the Uptown zoning district west of College Avenue to include this parcel. The reality of the current site usage is that any new user other than a bank is not permitted to use the nonconforming use drive-through. Auto-oriented uses are prohibited in *both* RO and UP. Conditional use is not an option. However, the re-use potential is not listed as one of the decision criteria.

The Commission held a hearing on July 10; hearing from staff, applicant and public. Based on the decision criteria, the Commission voted 5-0 to recommend denial of the map amendment.

Approved By:

Department Head: *Interim SP* / *8-2-18*

City Manager:

DIRE / *8-3-18*

ORDINANCE NO.

AN ORDINANCE ACCEPTING THE RECOMMENDATION OF THE PLANNING COMMISSION TO DENY A ZONING MAP AMENDMENT APPLICATION TO REZONE THE PROPERTY LOCATED AT 4 NORTH COLLEGE AVENUE FROM RO (RESIDENTIAL OFFICE) DISTRICT TO UP (UPTOWN) DISTRICT.

WHEREAS, the Planning Commission held a public hearing on July 10, 2018 in accordance with Section 1135.02 of the Codified Ordinances of the City of Oxford, on the application of Scott Webb, Applicant, Architect, for a Zoning Map Amendment, to rezone the property located at 4 North College Avenue from RO (Residential Office) District to UP (Uptown) District; and

WHEREAS, after public hearing and deliberation, the Planning Commission recommended to deny the Zoning Map Amendment application to rezone the property located at 4 N. College Avenue from RO (Residential Office) District to UP (Uptown) District.

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY ORDAINS THAT:

SECTION 1: 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 denies the Zoning Map Amendment application to rezone the property located at 4 North College Avenue from RO (Residential Office) District to UP (Uptown) District.

SECTION 2: This Ordinance shall take effect at the earliest time allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2018-15

Date – July 10, 2018

APPLICATION

Applicant:	Architect Scott Webb
Action Request:	Zoning Map Amendment from RO (Residential Office) to UP (Uptown)
Location:	4 North College Ave
Acreage:	0.123 Acre
Owner:	First Merchants Bank (Kevin Scharnowske)
Current Use:	Vacant Bank with parking lot
Surrounding Land Uses:	Gas Station, Community Center, Single and Multi-Family
Comp Plan Designation:	Neighborhood Enhancement/Neighborhood General 1

DESCRIPTION

This is a map amendment request for a 0.123 acre parcel at the intersection of North College Ave and West High Street. The request is proposed by Architect Scott Webb on behalf of First Merchants Bank.

The request is to amend the zoning map for this parcel from RO (Residential Office) to UP (Uptown). The land to the north, south and west is zoned RO, while the land across College Ave is zoned UP. The RO district forms a buffer ring around the UP district, bordered by North and South College Avenue, in this case.

Mr. Webb has provided a letter regarding the map amendment decision standards.

Below is the staff analysis:

SITE BACKGROUND

The 2018 Uptown Historic District Inventory lists the building as being built in 1965 as Columbia Federal Savings and Loan. The building has remained unchanged since. The First Merchants Bank recently relocated to Stewart Square; therefore, the building is vacant. There are no records of denied development applications, such as building permits, variances or conditional uses for the subject property.

COMPREHENSIVE PLAN

The comprehensive plan does not provide specific guidance on this individual parcel. The land is labeled as Neighborhood Enhancement Area on the Conservation and Development Map 3.6. The Character Area Map 3.7 labels the land as part of Neighborhood General 1, which is the northern section of the Mile Square.

Although the Comp Plan does not provide specific guidance, it does provide general guidance through the Land Use Principles found on pages 3.8 to 3.12, objectives in Urban Design Chapter 4 and objectives in Housing Chapter 7. Some pertinent excerpts of those principles and objectives are included below. Italics are staff comments.

Infill development and redevelopment of underutilized sites is a priority (Page 3.9)

- Specific sites will be targeted for redevelopment.
 - *The subject site was not targeted for redevelopment in the 2008 Comp Plan. The proposed map amendment would mean that the site would be targeted for redevelopment.*

Streets will create an attractive public realm. (Page 3.11)

- *The 2008 Comp Plan identifies that the streetscape is important to the pedestrian experience and small town character. The streetscape includes building placement. The proposed map amendment would allow up to a four story building without any setback requirement or off-street parking, essentially a western extension of the streetscape that exists one block east of the subject property.*

Preserve and enhance historic resources in the Mile Square including Uptown (Page 4.5)

- Urban Design Strategy 4.1: Support the work of the Historic and Architectural Preservation Commission to preserve historic buildings and resources.
 - *The proposed map amendment would remove the preservation protection of the existing building due to the fact that development rights of the zoning district supersede the historic district guidelines and regulations*

Expand housing options (Page 7.4)

- Housing Strategy 2.5: Incorporate a variety of housing types and prices as part of mixed-use development
 - *The proposed map amendment to Uptown would likely mean a new mixed-use building. This could be an opportunity for a development that offers units at a different price point or marketed to different demographic sectors than has occurred in recent years Uptown*

Provide diverse housing options (Page 7.5)

- Housing Strategy 6.2: Encourage new housing options for young professionals in the Uptown
 - *The proposed map amendment to Uptown would likely mean a multi-story mixed use building with apartments on the upper three levels. This could be an opportunity for a development that offers units intended for permanent residents rather than students.*

AGENCY REVIEWS

Police:	No comments returned
Engineering:	No comments returned
Econ. Dev.	No comments returned
Fire:	No comments returned

DECISION CRITERIA

A copy of the Zoning Text Amendment Decision Criteria is attached.

Oxford Zoning Code Chapter 1135 outlines the map amendment process and decision standards that the Planning Commission needs to follow, and the decision standards are as follows and attached:

- A. There is an error on the Official Zoning Map or in the delineation between the districts.

As stated by the applicant, the RO zoning was formally established by Oxford City Council in 2003. This was not an error. An error would be something that was made due to a technical problem in the recording of the line on the map. This same boundary line was clearly known and advertised the same before the hearing as it was after the publication.

- B. The proposed amendment will make the map conform more closely with the Comprehensive Plan.

The map amendment is for a specific single parcel of land, which will result in increasing the development rights of a single parcel of land. Very little, if any specific guidance can be found for the proposed map amendment. Additionally, the city cannot control the details of a development, only the development rights.

- C. There has been a substantial change in area conditions that necessitated the amendment.

Recent substantial changes since the adoption of the 2008 Comp Plan which may or may not be relevant to the map amendment request:

- *The Uptown Zoning District has experienced several single-parcel redevelopment projects in the past decade.*
- *The former BP gas station site was cleared for future redevelopment, on the southeast corner of this same intersection.*
- *The City's brick street repair/replacement projects for the High Street corridor have been completed.*
- *The Oxford Lane Library has relocated out of this area and been replaced with the Oxford Municipal Building, perhaps shifting the Uptown clientele demographics on the western side of the district.*
- *The Oxford Community Arts Center has grown internally and externally to establish a stronger community presence over the past decade.*

- D. There is a legitimate need for additional land area in the zoning district that will be expanded.

There are vacant and underutilized sites that exist in the Uptown Zoning District, without the need for the proposed expansion. However, it is unknown if there are insurmountable development obstacles with these sites or if they are otherwise not available for development at this time. Sites noted by staff:

- *Aforementioned former BP gas station – 131 W. High Street (0.36 Acres)*
- *Former funeral home site – 101 N. Beech St 70% unutilized (0.6 Acres)*
- *Sideyard to 102 E. Walnut St – Catholic Church lot – (0.11 Acres)*
- *City surface parking lot – “Lot 52” – (0.4 Acres)*

The Planning Commission needs to evaluate the application based on the decision standards outlined in Chapter 1135 to determine whether the request meets at least one criteria and if the benefits will likely outweigh any potential pitfalls.

Criteria C or possibly B seem the mostly likely to be cited with any findings of fact, whether from staff, applicant or through the deliberation process. However, if the Commission does not find any of the four, it can forward a recommendation of denial to City Council.

RECOMMENDATION

Based upon staff findings, a recommendation of denial can be forwarded to City Council. However, the deliberation could likely pull out additional information unknown to staff at the time of this report.

SUBMITTED

BY:

A handwritten signature in cursive script that reads "Sam Perry". The signature is written in black ink and has a long, horizontal flourish extending to the right.

Sam Perry, AICP
Planner

DATE: July 5, 2018

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.

Map Amendments

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

✓

City of Oxford
Inter-Office Review Transmittal Sheet

Date: June 5, 2018

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

**PC-2018-15, ZONING MAP AMENDMENT, 4 N. College Avenue, .123 acres, from RO (Residential Office)
District to UP (Uptown) District, Scott Webb, Applicant, Agent**

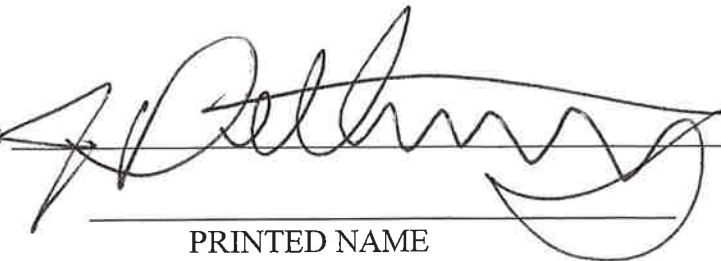
 X Review Revisions Other

Please return no later than: **July 2, 2018** 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:



PRINTED NAME

Date: 6-8-18

City of Oxford
Inter-Office Review Transmittal Sheet

Date: June 5, 2018

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

From: Community Development Department

PC-2018-15, ZONING MAP AMENDMENT, 4 N. College Avenue, .123 acres, from RO (Residential Office)
District to UP (Uptown) District, Scott Webb, Applicant, Agent

 X Review Revisions Other

Please return no later than: **July 2, 2018** 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: 6-7-18

VICTOR POPESCU

PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: June 5, 2018

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

From: Community Development Department

PC-2018-15, ZONING MAP AMENDMENT, 4 N. College Avenue, .123 acres, from RO (Residential Office) District to UP (Uptown) District, Scott Webb, Applicant, Agent

☒ Review ☐ Revisions ☐ Other

Please return no later than: **July 2, 2018** 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: 6-18-18

John A. Jones, Police Chief
PRINTED NAME



PC-2018-15 Surrounding Property Owners Notifications Map

Legend

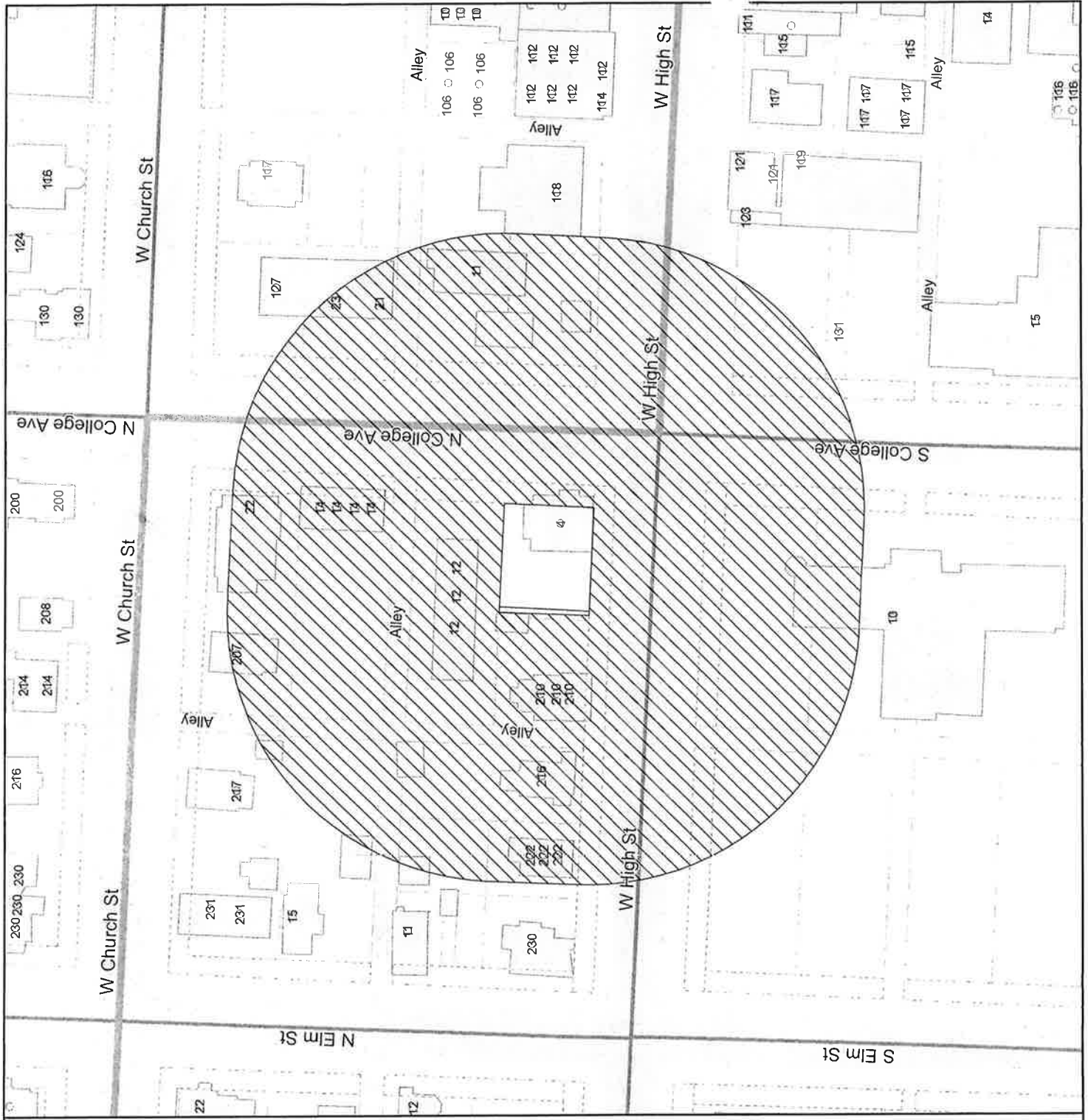
- Subject Parcels
- 200 Ft. Buffer
- Oxford Corp. Limit
- Address Point
- Parcel
- 16.5' Vacated ROW
- Building Footprint
- Paved Roadway



1 inch = 100 feet

Prepared on Monday, June 25, 2018

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



LETTER OF AGENCY

May 21, 2018

City of Oxford, et al
101 East High Street
Oxford, OH 45056

To Whom It May Concern:

Please be advised that Scott Webb, Architect, has permission to represent our interest with the City of Oxford, Planning Commission, Board of Zoning Appeals, Historic and Architectural Preservation Committee, and any all other legislative committee counsels, to act on our behalf as relates to the property owped by First Merchants Bank at 4 North College Avenue, Oxford, Ohio.

Thank you.

First Merchants Bank

Signed:



Printed Name:

KEVIN SCHARNOWSKE

Printed Title:

V.P. DIRECTOR OF FACILITIES

Date:



Internal Use Only:

Case No.

Date Filed

PC-2018-15
5/25/18

Zoning Map Amendment Application

Applicant Information

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

Name * Scott Webb, Architect

Mailing Address * 103 West Walnut Street

City, State & Zip Code * Oxford, Ohio 45056

Telephone Number(s) * 523-3838

Email Address scott@scottwebbarchitect.com

Location and Lot Information

Location * 4 North College Ave.

General Description of Proposed Amendment * Change of zoning from RO to UP

Current Zoning * RO

Proposed Zone(s) * UP

Submission Requirements and Documentation

From Section 1135.02 Procedure¹.

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

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

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

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

Surrounding Property Owners

On a separate sheet, provide the parcel numbers, names, and mailing addresses of all property owners within 200 feet of all boundaries of the property in question. The [Butler County Auditor Real Estate Search](#)² is helpful when searching for the mailing address of adjoining property owners. It allows you to search by owner, address, or parcel number. *Property Owner names will not be provided in the agenda packet.*

Decision Process

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

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

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

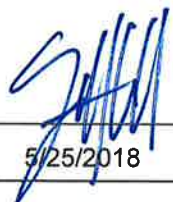
Fees & Receipt

The required fee is \$150.00, plus \$10.00 postage charge. 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 *



5/25/2018

Submit Application, Submission Requirements and Documentation, and Fees

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

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

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

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

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/>

Community Development Department
City of Oxford
Municipal Building
101 E. High Street
Oxford, Ohio 45056



SCOTT
WEBB

ARCHITECT

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

www.scottwebbarchitect.com

Re: Application for Zoning Map Amendment
4 North College Street
Oxford, Ohio 45056

May 25, 2018

Please accept this letter as a formal request for a review hearing by the City of Oxford Planning Commission and Oxford City Council for a Zoning Map Amendment for the Northwest corner of High & College Street. The proposed Zoning Map Amendment will change the affected property from RO (Residential Office) to UP (Uptown District)

The Property at hand represents 0.123 acres (5,326 s.f.) on the northwest corner of North College Ave. and West High Street.

The site is currently occupied by a vacant, small, 1,600 s.f. building, having operated as a branch bank since its erection.

The site provides parallel, one-way traffic for the drive-through and the on-site parking from North College Ave. with (9) non-compliant parking spaces and traffic exiting onto West High Street.

The property is currently zoned RO (Residential Office). At 5,236 s.f., the property is allowed an office and a single residential unit under current zoning.



The small size of the lot and the development regulations of the district render redevelopment of this nearly impossible;

- The existing 1,600 s.f. building already exceeds the lot coverage restriction for buildings, occupying 30% of the lot where 25% is the maximum.
- The 35% overall lot coverage restriction and the parking requirement are in conflict, requiring multiple variances for any redevelopment of the site.

With limited opportunities for redevelopment, the building and parking areas would likely remain, searching for a new tenant.

While the drive-up window might be attractive to other types of businesses, the lack of queuing spaces and the proximity to the intersection would likely be a concern for Planning Commission when considering a drive-through as a **Conditional Use**. The fact that this occurs on US 27 must also be considered.

Proposed Zoning Change to UP (Uptown District)

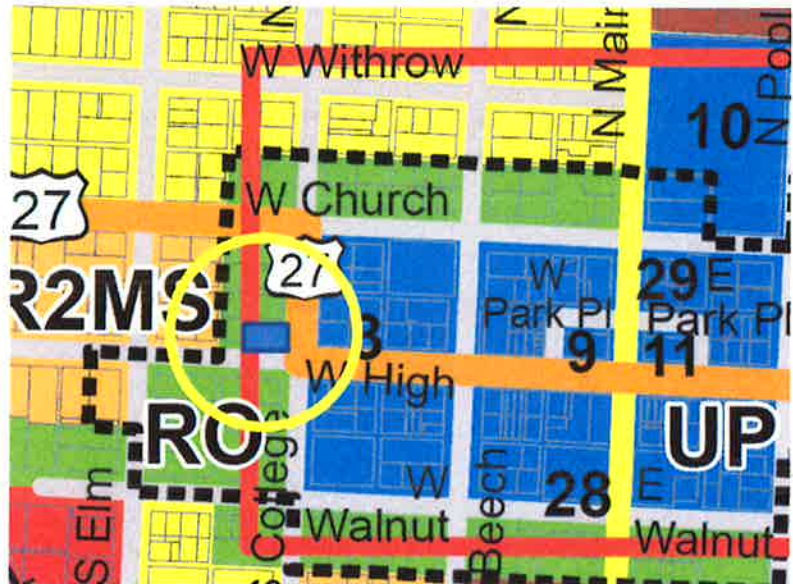
A change in the Zoning designation encourages the redevelopment of the site:

- Eliminates Lot Coverage Restrictions.
- Relieves on-site parking requirements, eliminating curb cuts at the intersection, and returns additional parallel parking along the streets.
- Removes the drive-through and queuing onto US 27, making the intersection safer for vehicles and pedestrians.
- Provides for a historically appropriate, mixed-use building to complement the Uptown Streetscape at an important intersection.
- Anticipates the redevelopment of the former BP site and the extension of the Uptown Business district.

The property at hand is surrounded by a multitude of zoning districts.

The RO District is intended as a buffer between the Uptown District and the residential districts of the Mile Square. As the change in Zoning Districts currently occurs at the Alley an area of RO would remain as a separation between the UP and the R2MS district to the west.

With the large scale historic Community Art Center occupying the corner to the South and the future development of the former BP site, development of a larger scale building than the current zoning allows would provide a visual bookend for the Uptown Business District



A zoning change in this area will affect the properties in the neighborhood, by stretching the Uptown District to follow US 27. With the inevitable redevelopment of the former BP site and the Community Art Center sharing this intersection, a more substantial building would improve the overall area with regard to the streetscape. Elimination of the drive-through will make the intersection safer, and more accommodating to pedestrians.

Statement responding to Decision Standards on the Application.

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

A. *There is an error on the official Zoning Map or in the delineations between districts.*

Prior to the 2003 Map Amendment, the property was included in the C-3, Urban Business-Commercial District.

In 2003, despite being a commercial business since its construction, the Zoning was changed to RO, Residential Office. The RO District does not include banks in either permitted or conditional uses, making the property a non-conforming use.

Further, the RO Zoning designation requires that business activity shall be conducted wholly within a completely enclosed building, calling into question the existing drive-through.

The current RO zoning also prescribes a 35% max. lot coverage. This standard represents the goals of a transition to a residential, Mile Square building type as is found along Church and Walnut Streets, but not along High Street and US 27.

- B. *The proposed amendment will make the map conform more closely with the Comprehensive Plan.*

In the **Land Use Chapter** of the Comprehensive Plan, the **Conservation and Development Map**, the **Concept Area Matrix** labels this area as a "Neighborhood Enhancement Area", intended for improvements that reflect the traditional neighborhood characteristics and commercial features that exist in this area.

The **Character Area Map** refers to this part of the Mile Square as a "Neighborhood 1" in "Developable Character Area" with specific recommendations to preserve the character, street grid and walkability of this area.

Bordering the "Core" Character Area of the Uptown and located along the US 27 North entrance to this uptown, the lot currently houses an abandoned bank, with few opportunities for reuse. "The Neighborhood 1" Character Area suggests that some Mixed-Use Development can occur in this areas as well.

Objective 3 from the Land Use Chapter encourages us to Continue to Enhance Uptown, supporting more mixed-use developments, sidewalk uses, and higher density where appropriate.

Objectives and Strategies from The Urban Design Section support this as well, in its objective to enhance the beauty and character of Oxford, recommending the modification of existing ordinances to support the development of Mixed-use developments as shown on the aforementioned *Conservation and Development Map* and *Concept Matrix*.

Other **Urban Design Objectives** encourage the promotion of *Neighborhood General Patterns* described in the *Character Area Maps*, and walkability. The removal of the drive-through, curb cuts and parking will improve the walkability and safety of drivers and pedestrians.

It is of contention that the Uptown Core begins at the corner of North College and High Street, where US 27 continues through the High Street Business District. This is an area prime for redevelopment, currently housing poorly placed and/or maintained apartment buildings, and a modest bank with no queuing space for the drive-through.

Redevelopment is not encouraged under the current RO Zoning by the limited size of the lot and the opportunities in the RO district, allowing only a single office and a single apartment at one of the gateway corners to the historic Uptown District.

C. There has been substantial change in the area conditions that necessitates the amendment.

The renaissance of the Up District has created new mixed-use developments and has extended the business district the entire length of High Street. The current designation does not reflect the occupancy of this site, or the vision of the Uptown District in this location as a gateway to the Uptown.

D. There is legitimate need for additional land area in the zoning district that will be expanded

While there are a number of properties in the UP District that are currently vacant and under consideration for redevelopment, economic development lists very few properties as available. The property at hand occupies a significant corner, as a visual bookend and a natural extension of the uptown district.

The existing building, with its drive-through spilling out into the street, has limited reuse potential if it is not returned as a bank. The parking lot is small and hard to maneuver, with less than prescribed turning radii.

The economics simply do not support the removal of the building, with the limits of a single dwelling unit with an office use. With little reuse potential, and limited redevelopment, it is likely the building will remain vacant for the foreseeable future.

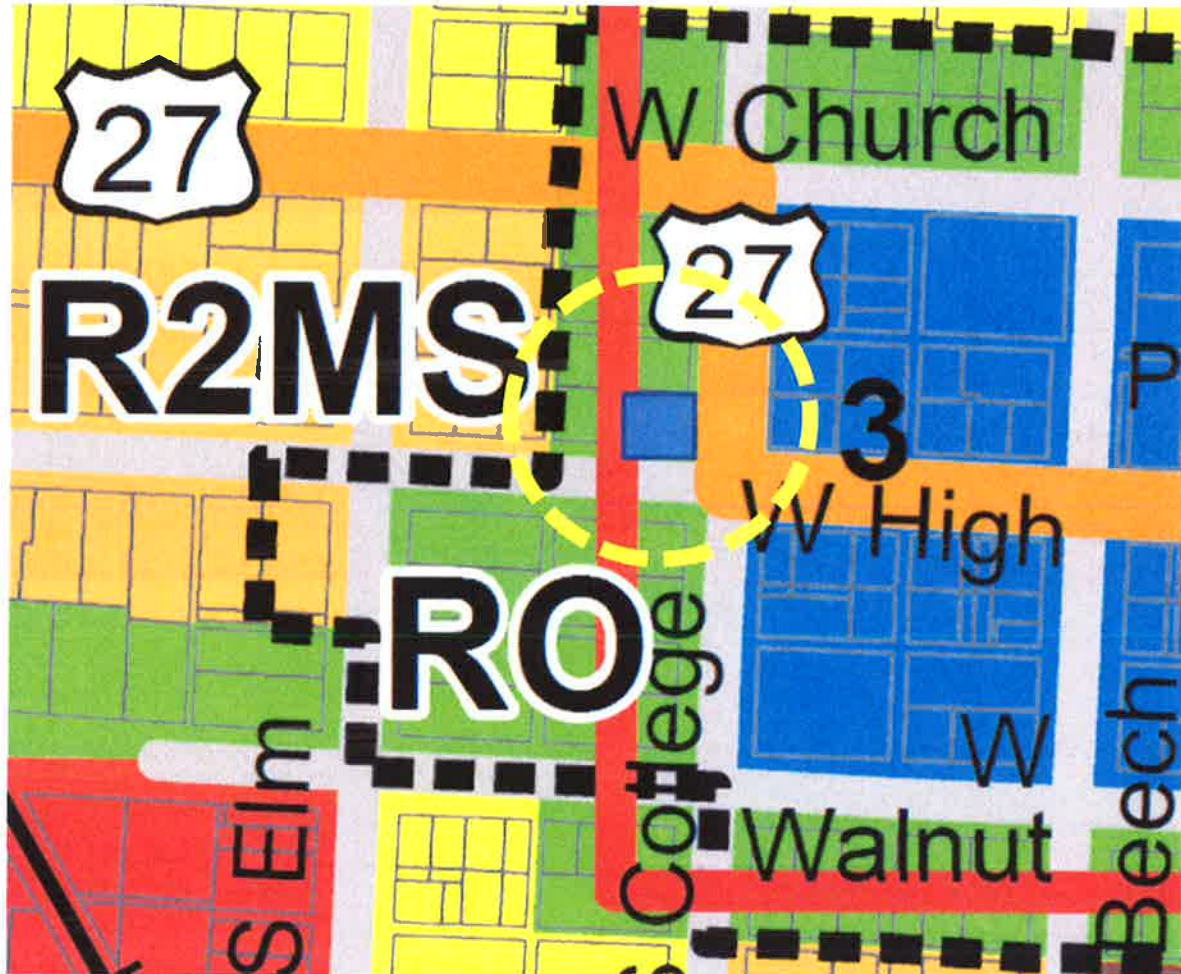
Thank you for your consideration of this proposal. If you have any questions or need any additional information, please call.

Respectfully,

A handwritten signature in black ink, appearing to read 'Scott Webb', written in a cursive style.

Scott Webb, Architect

Zoning Area Map Showing Adjacent Zoning



CITY OF OXFORD STAFF SUMMARY REPORT

Report to the City Manager: Douglas Elliott

Police

Originating Department

Council Meeting Of: August 7, 2018

John A. Jones

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

July 27, 2018

Date Prepared

Agenda Title: Resolution to sell junk/abandoned motor vehicles to the highest bidder.

Recommendation: Adopt the resolution

Discussion: Pursuant to Oxford City Code and in accordance with ORC 4513.62, the Division of Police requests that City Council approves the sale of salvage/junk/abandoned motor vehicles described in the attached Exhibit A to the highest bidder and that the proceeds from such sale be placed in the General Fund.

Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

DRK \ *8-3-18*

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE SALE OF SALVAGED, JUNK AND/OR ABANDONED MOTOR VEHICLES.

WHEREAS, the Police Chief recommends that unclaimed motor vehicles ordered into storage pursuant to Section 4513.62 of the Ohio Revised Code be sold to a motor vehicle salvage dealer or scrap metal processing facility at the highest obtainable salvage price. The motor vehicles to be sold are listed on Exhibit "A" attached hereto and incorporated herein by reference.

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY RESOLVES THAT:

SECTION 1: City Council hereby accepts the recommendation of the Police Chief and authorizes the sale of the salvaged, junk and/or abandoned motor vehicles listed on Exhibit "A" to a motor vehicle salvage dealer or scrap metal processing facility at the highest obtainable salvage price. The proceeds thereof shall be placed in the General Fund.

SECTION 2: This resolution shall take effect at the earliest date allowed by law.

MAYOR

ADOPTED:

ATTEST

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

EXHIBIT "A"

The following vehicles are currently being stored at the OPD impound lot and are unclaimed by the owner after due notice. OPD has obtained salvage titles for the below vehicles and we are requesting they be sold to a salvage dealer.



- 1. 2004 Honda CRV (Blue)**
VIN#: JHLRD78864C059317



- 2. 2006 Chrysler Town & Country (maroon)**
VIN#: 2A8GP54L46R918286



3. 1995 Plymouth Grand Voyager (maroon)
VIN#: 1P4GH44R8SX526521



4. 2003 Honda Odyssey (Gray)
VIN#: 5FNRL18983B136860



5. 2000 Ford Focus (black)
VIN#: 1FAFP343XYW300011



6. 1988 Pontiac 6000 LE (blue)
VIN#: 1G2AG51W7JT258164



7. 2003 Ford Taurus (gray)
VIN#: 1FAHP55U33G121131



8. 2000 Mitsubishi Eclipse (silver)
VIN#: 4A3AC54L9YE124647



9. 1995 Chevy Astro Van (Maroon)
VIN#: 1GBDM19W4SB252249

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting of: August 7, 2018

Account Code #: N/A

Budgeted Amount: N/A

Service Department

Originating Department

Michael Dreisbach, Service Director

Prepared By

July 27, 2018

Date Prepared

Agenda Title: Traffic Control Signal – Intersection of Chestnut St. and College Ave – Application for Ohio Public Works Commission - Issue One Funding.

Recommendation: Approve

Discussion: The City has recently completed installation of traffic control signals on Chestnut St. at the intersections with Patterson Ave., Campus Ave., and Main St. An additional signal is warranted at the intersection of Chestnut St. with College Ave.

Ohio Public Works Commission - Issue One funds, administered by the Butler County Engineer's Office, are available to local governments for projects that improve safety. The City of Oxford, through an application process, has the opportunity to receive Issue One funds to be used for installation of a traffic control signal at the intersection of Chestnut St. with College Ave. Total project costs are estimated to be approximately \$220,000. The City may be eligible to receive approximately \$151,800 from the Commission (69%). The City would be required to provide approximately \$68,200 as the local match to completely fund the project. The local funding would be required in FY 2019 as we would contract for the work in December of 2019 for construction in the summer of 2020.

The cost sharing ratio for this project is approximately 69% OPWC and 31% City. Construction would be timed to try to minimize impact on area residents, BCRTA operations, and school bus transportation for Talawanda School District.

The City's application for funding, should Council approve the project, will include the following project schedule with **construction in 2020**:

Project Engineering	October 2018 through October 2019
Bid Advertising and Award	October 2019 – November 2019
Construction	May 2020 through August 2020

It is Staff's recommendation that Council authorize the City Manager to apply for and sign all documents necessary to receive a grant from the Ohio Public Works Commission for the design and installation of a traffic control system at the intersection of Chestnut St. with College Ave.

Approved By:

Department Head:

Initial Date

MBD \ 7/27/18

City Manager:

DRE \ 8-3-18

RESOLUTION NO.

A RESOLUTION OF COUNCIL SUPPORTING THE SUBMISSION OF A GRANT APPLICATION FOR OHIO PUBLIC WORKS COMMISSION ISSUE 1 FUNDS IN THE AMOUNT OF \$151,800.00 TO BE USED FOR THE DESIGN AND INSTALLATION OF A TRAFFIC CONTROL SYSTEM AT THE INTERSECTION OF CHESTNUT STREET AND COLLEGE AVENUE.

WHEREAS, Ohio Public Works Commission Issue One Funds, administered by the Butler County Engineer's Office, are available to local governments for safety improvement projects; and

WHEREAS, the City recently completed installation of traffic control signals on Chestnut Street at the intersections with Patterson Avenue, Campus Avenue and Main Street. An additional signal is warranted at the intersection of Chestnut Street and College Avenue; and

WHEREAS, the City Manager and the Service Director recommend Council authorize the City Manager to apply for and sign all documents necessary to receive a grant from the Ohio Public Works Commission for the design and installation of a traffic control system at the intersection of Chestnut Street and College Avenue.

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY RESOLVES THAT:

SECTION 1: Council, having determined the installation of a traffic control system at the intersection of Chestnut Street and College Avenue to be beneficial to the City, hereby supports the use of grant funds to assist with the cost.

SECTION 2: Council hereby authorizes the City Manager to submit a grant application to the Ohio Public Works Commission requesting Issue 1 funds for the design and installation of a traffic control system at the intersection of Chestnut Street and College Avenue.

SECTION 3: The City Manager is further authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager: Douglas Elliott, Jr.

Fire

Originating Department

Council Meeting Of: July 17, 2018

Account Code No. #: N/A

John Detherage

Prepared By

Budgeted Amount: N/A

June 20, 2018

Date Prepared

Agenda Title: A Resolution authorizing the on-line auction sale of miscellaneous equipment that is surplus to the Fire Department

Recommendation: Adopt the Resolution.

Discussion: This resolution is for disposal of the following items that are surplus to the operation of the fire department. The auction will be conducted on GovDeals.com. Items to be auctioned off include:

- (1) 1 Hydraulic hose reel with hose
- (2) 2 Gas powered fans
- (3) 1 Table
- (4) 1 Dishwasher
- (5) Pallet of various hose
- (6) Portable water tank
- (7) Various spare tires and wheels from former vehicles
- (8) 2 Plans cabinets
- (9) Various emergency warning lights and equipment
- (10) Wooden organizer cabinet
- (11) Various EMS bags

Approved By:

Department Head:

City Manager:

Initial Date

____/____/____

DRE 18-3-18

RESOLUTION NO.

A RESOLUTION DECLARING CERTAIN CITY PROPERTY NO LONGER NEEDED FOR MUNICIPAL PURPOSES AS SURPLUS AND AUTHORIZING THE SALE OF SAID ITEMS TO THE HIGHEST BIDDER UTILIZING GOVDEALS, INC. THE PROCEEDS THEREOF SHALL BE DEPOSITED IN THE FIRE/EMS FUND.

WHEREAS, the City Manager and the Fire Chief report that the items set forth on Exhibit "A" attached hereto belonging to the City are no longer needed for municipal purposes and should be declared surplus; and

WHEREAS, the City Manager and the Fire Chief recommend that the items set forth on Exhibit "A" attached hereto be disposed of by sale to the highest bidder utilizing GovDeals, Inc.

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY RESOLVES THAT:

SECTION 1: Council hereby finds and determines that the items set forth on Exhibit "A" attached hereto are no longer needed for municipal purposes and are hereby declared to be surplus. Accordingly, the City Manager or his designee is hereby authorized to dispose of said property through GovDeals, Inc. and the proceeds thereof shall be deposited in the Fire/EMS Fund.

SECTION 2: This resolution shall take effect at the earliest date allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

EXHIBIT "A"

- (1) ONE HYDRAULIC HOSE REEL WITH HOSE
- (2) TWO GAS POWERED FANS
- (3) ONE TABLE
- (4) ONE DISHWASHER
- (5) PALLET OF VARIOUS HOSE
- (6) PORTABLE WATER TANK
- (7) VARIOUS SPARE TIRES AND WHEELS
- (8) TWO PLANS CABINETS
- (9) VARIOUS EMERGENCY WARNING LIGHTS AND EQUIPMENT
- (10) WOODEN ORGANIZER CABINET
- (11) VARIOUS EMS BAGS

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Manager
Original Department

Council Meeting Of: 8/7/2018

Account Code No. #: MIS Printing
&
Reproduction

Kim Newton
Prepared By

Budgeted Amount: 22,700

7/20/2013

Date Prepared

Agenda Title:	Lease Agreement for Canon ImageRunner Advance C5260i II Color Copier
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Recommendation:	Approve
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Discussion: The Canon ImageRunner Advance C5260i II Color Copier from Canon Solutions America will replace our current ImageRunner Advance C5255 color copier, in which the lease expires in October.

The current lease for the Canon IR5255 copier is \$310 per month and the average maintenance cost is approximately \$260 per month, which includes overage costs at \$0.00866 per B&W copies and \$0.05324 for color copies. The average monthly payment is **currently \$570 per month**. (Note: we are currently averaging approximately 9,200 B&W and 3,400 color copies per month.)

A new 60 month lease for the Canon IR5560 would be \$472.00 per month, which includes 10,000 B&W copies and 3500 color copies per month with a maintenance (overage) agreement of \$0.0044 per B&W copies and \$0.0392 per color copies. The total average monthly payment for the lease and maintenance would be approximately **\$472 per month** for an average savings of \$98 per month.

Please note, this copier (Canon) and vendor (Canon Solutions America) falls under the Ohio State Term Schedule (State Contract pricing), schedule #800088, as well as the National IPA Cooperative Contract #CP-002-13, with whom we are a member.

Approved By:	Initial	Date
	Department Head:	<u> / </u>
	City Attorney:	<u> / </u>
	City Manager	<u>DRE 8-3-18</u>

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH CANON SOLUTIONS AMERICA FOR A 60-MONTH LEASE OF A CANON IMAGERUNNER ADVANCE C5260I II COLOR COPIER THROUGH STATE CONTRACT PRICING.

WHEREAS, the City Manager has reviewed information submitted for the replacement of the existing copier equipment and has recommended that the current copier equipment be replaced with the Canon ImageRunner Advance C5260i II color copier; and

WHEREAS, the City Manager recommends that the City enter into a 60-month lease with Canon Solutions America for the Canon ImageRunner Advance C5260i II color copier through State Contract pricing at a monthly cost of \$ 472.00 with overage costs of \$ 0.0044 per black and white copies and \$ 0.0392 per color copies. It is anticipated that this lease agreement would result in an average savings of \$ 98.00 per month.

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY RESOLVES THAT:

SECTION 1: Council having reviewed the City Manager's recommendation, hereby authorizes the City Manager to enter into an Agreement with Canon Solutions America for a 60-month lease of the Canon ImageRunner Advance C5260i II color copier.

SECTION 2: Funds have been appropriated in an amount in excess of the annual cost authorized.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

New Canon Proposal for the City of Oxford



Current Situation

Proposed Situation

Model:	IR ADV. C5255	Model:	IR ADV. C5560i II
Speed:	55 pages per minute	Speed:	60 pages per minute
Lease Expiration:	10/27/2018	Lease Expiration:	NEW Agreement
Monthly Lease Payment:	\$ 310.00	Monthly Lease Payment:	\$ 472.00
Monthly Maintenance Payment:	\$0.00	Monthly Maintenance Payment:	Included
B&W CPC:	0.00866	B&W CPC:	0.0044
Color CPC:	0.05324	Color CPC:	0.0392
B&W Allowance:	0	B&W Allowance:	10,000
Color Allowance:	0	Color Allowance:	3,500
B&W Volume:	9,157	B&W Volume:	9,157
Color Volume:	3,401	Color Volume:	3,401
B&W Overage Cost:	\$ 79.30	B&W Overage Cost:	\$ -
Color Overage Cost:	\$ 181.07	Color Overage Cost:	\$ -
Total Monthly Cost:	\$ 570.37	Total Monthly Cost:	\$ 472.00

Notes:

* Equipment Configuration on the New Machine is identical to the Current Machine
(Paper Desk Unit, Booklet Finisher, Hole Punch, Fax)



City Manager & Service / Engineering

IR ADV C5560i II

Full Color MFP

60 Pages Per Minute

New Proposal Advantages

Several New Product Enhancements

New Machine is 5 pages per minute Faster

New 5 Year Lease would begin

Provides 1 Payment for Everything, 1 Invoice

Better B&W Rate

Better Color Rate

No more overages. Allowance covers the volume.
No more overages. Allowance covers the volume.

Monthly Cost Reduction of \$98.37

Additional Advantages

Get out of your Current Lease Agreement 3 Months Early

Service is Fixed for Term of the Contract

1-Click for 11" x 17" and Larger

Late Payment / Late Fee Exemption

Net 30 Day Payment Terms

No Documentation Fee

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager: Douglas Elliott

Police

Originating Department

Council Meeting Of: August 7, 2018

John A. Jones

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

June 29, 2018

Date Prepared

Agenda Title: Resolution authorizing the acceptance of the Drug Use Prevention Grant in the amount of \$12,361.70.

Recommendation: Adopt the Resolution.

Discussion: The Talawanda City School District and the Oxford Police Department have agreed to place a police officer at the Talawanda Middle School in the position of School Resource Officer (SRO). The Drug Use Prevention Grant is an ongoing program that enables law enforcement agencies to establish and implement drug abuse resistance education programs in public schools. Grants awarded to a law enforcement agency shall be used by the agency to pay for not more than fifty per cent of the amount of the salaries of school resource officers who conduct drug use prevention programs in public schools. Oxford Police Department applied for the grant and was awarded \$12,361.70 for the 2018-2019 academic year. This resolution authorizes the acceptance of the grant.

Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

JA \ 7-17-18

DRL \ 8-3-18

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT THE OHIO ATTORNEY GENERAL'S OFFICE DRUG USE PREVENTION GRANT IN THE AMOUNT OF \$12,361.70 FOR THE 2018-2019 ACADEMIC YEAR TO ASSIST WITH THE COMPENSATION OF THE CITY'S SCHOOL RESOURCE OFFICERS AND WITH DRUG USE PREVENTION PROGRAMS CONDUCTED IN THE SCHOOLS.

WHEREAS, the drug use prevention grant is an ongoing program that enables law enforcement agencies to establish and implement drug abuse resistance education programs in public schools; and

WHEREAS, grants awarded to law enforcement agencies shall be utilized by the agencies to pay for not more than fifty percent of the salaries of School Resource Officers who conduct drug use prevention programs in public schools; and

WHEREAS, the City Manager and the Police Chief recommend the City Manager be authorized to accept the Ohio Attorney General's Office Drug Use Prevention grant in the amount of \$12,361.70 for the 2018-2019 academic year to assist with the compensation of the City's School Resource Officers and with Drug Use Prevention Programs conducted in the schools.

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY RESOLVES THAT:

SECTION 1: Council accepts the recommendation of the City Manager and the Police Chief and hereby authorizes the City Manager to accept the Ohio Attorney General's Office Drug Use Prevention grant in the amount of \$12,361.70 for the 2018-2019 academic year to assist with the compensation of the City's School Resource Officers and with Drug Use Prevention Programs conducted in the schools.

SECTION 2: This resolution shall take effect at the earliest date allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)



MIKE DEWINE

★ OHIO ATTORNEY GENERAL ★

2018–2019 Drug Use Prevention Grant Program Award Acceptance

This award acceptance contains the terms and conditions of the 2018-2019 Drug Use Prevention Grant received by your agency. The Chief or Sheriff must review and sign this document prior to submission.

Grant payments cannot be processed until a signed award acceptance has been received.

AWARD ACCEPTANCE IS DUE BY SEPTEMBER 15, 2018

**Ohio Attorney General's Office
Finance Section**

• 30 East Broad St, 15th Floor • Columbus, Ohio 43215 • PHONE: (614) 466-6963 •
Email: DrugUsePrevention@OhioAttorneyGeneral.gov

INSTRUCTIONS

- The Chief or Sheriff must sign the following Award Acceptance and comply with the terms and conditions listed below.
- Grant award payments cannot be disbursed before this signed Award Acceptance has been submitted.
- Please contact Attorney General's Finance Section at (614) 466-6963 or via e-mail at DrugUsePrevention@OhioAttorneyGeneral.gov with any questions regarding the Drug Use Prevention Grant.

Please upload the completed form at Ohio Attorney General's Office - Drug Use Prevention Grant Management System (DUP GMS)

AWARD ACCEPTANCE IS DUE BY SEPTEMBER 15, 2017

AGENCY INFORMATION

Recipient Organization: Oxford Police Department

Award Amount: \$12,361.70

Award Period: 9/1/2018 to 8/31/2019

ACCEPTANCE

The Recipient Organization agrees as follows:

I. **Funding Purpose and Recapture of Funds.** In accordance with the terms hereof, the Recipient Organization (the "Recipient") agrees to expend certain funds to pay up to Fifty Percent (50%) of the salaries of law enforcement personnel who conduct drug abuse resistance education programs in Ohio public schools in accordance with Ohio Revised Code ("R.C.") 4511.191(F)(4). The Recipient agrees that it will be liable to repay any Funds spent in a manner inconsistent with this Agreement or the stated purpose as determined by the Ohio Attorney General (the "Attorney General"). This Award Acceptance may only be modified in a writing signed by the Attorney General and the Recipient.

II. **Limitations on Use of Funds.** Funds received under the Drug Use Prevention Grant Program ("Funds") will not be used for any political campaign or governmental lobbying in a partisan manner. Funds must be used during the Award Period as stated above.

III. **Disbursement of Funds.** Direct payments will be made by Electronic Funds Transfers to Recipients that have submitted an Authorization Agreement for Direct Deposit of EFT Payments form to the Attorney General. Otherwise, payment will be made by check from the Office of Budget and Management. For all awards, 50% of the funds will be disbursed at the beginning of the Award Period and 50% will be disbursed at the midpoint of the Award Period. Disbursements are contingent upon the timely submission and approval of all required program and financial reports and requirements set forth in Paragraph XI below. Unexpended funds must be returned to the Attorney General's Office with the final report.

IV. **Reimbursement for DARE Material.** The Attorney General will reimburse the Recipient for DARE Workbooks and OTC/RX Pamphlets ("DARE Material") purchased for use in public schools. In order to be reimbursed, a copy of the invoice for the DARE Material must be submitted by October 31, 2017 via e-mail to DrugUsePrevention@OhioAttorneyGeneral.gov.

V. **Ethics/Conflict of Interest.** The Recipient, by signature on this Award Acceptance, certifies that it has reviewed and understands the Ohio ethics and conflict of interest laws, and will take no action inconsistent with those laws.

VI. **Non-Discrimination.** Pursuant to R.C. 125.111 and the Attorney General's policy, Recipient agrees that Recipient and any person acting on behalf of Recipient shall not discriminate, by reason of race, color, religion, sex, sexual orientation, age, disability, military status, national origin, or ancestry against any citizen of this state in the employment of any person qualified and available to perform the work described herein. Recipient further agrees that Recipient and any person acting on behalf of Recipient shall not, in any manner, discriminate against, intimidate, or retaliate against any employee hired for the performance of work described herein on account of race, color, religion, sex, sexual orientation, age, disability, military status, national origin, or ancestry.

VII. Campaign Contribution Limits. The Recipient hereby certifies that neither Recipient nor any of Recipient's partners, officers, directors or shareholders, if any, nor the spouses of any such person, have made contributions in excess of the limitations specified in R.C. 3517.13.

VIII. Compliance with Law. The Recipient, in expending the Funds, agrees to comply with all applicable federal, state and local laws, rules, regulations and ordinances.

IX. Authority to Bind Parties. The person signing this Award Acceptance on behalf of Recipient is legally authorized to obligate the Recipient.

X. Certification of Funds. It is expressly understood and agreed by Recipient that none of the rights, duties, and obligations described herein shall be binding until all relevant statutory provisions of the Ohio Revised Code, including, but not limited to, R.C. 126.07, have been complied with, and until such time as all necessary funds are available or encumbered and, when required, such expenditure of funds is approved by the Controlling Board of the State of Ohio, or in the event that grant funds are used, until such time that the Attorney General gives Recipient written notice that such funds have been made available to the Attorney General by the Attorney General's funding source.

XI. Reporting Requirement. Recipient shall submit two reports, one mid-year report and one final report at the end of the Award Period listed above describing the use of the Funds during the project period and the outcome received from the expenditure of the Funds. The 2018-2019 Mid-Year report is due March 31, 2019. The 2018-2019 Final report is due October 14, 2019. These reports shall be submitted via upload to Ohio Attorney General's Office - DUP GMS.

XII. Time of Performance. Notwithstanding the foregoing, this Award Acceptance shall expire when the obligations set forth herein are complete.

IN WITNESS WHEREOF, the Recipient has caused this Award Acceptance to be executed by its authorized officers.

DRUG USE PREVENTION GRANT RECIPIENT

Chief/Sheriff Printed Name: _____ Title: _____

Chief/Sheriff Signature: _____ Date: _____

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: August 7, 2018

Sam Perry
Prepared By:

Account Code No. #:

Budgeted Amount:

July 31, 2018
Date Prepared:

Resolution authorizing the City Manager to enter into a Pre-Annexation Agreement with The Knolls of Oxford regarding 1 acre of land.

Recommendation: Approval

Discussion:

The Knolls of Oxford, approximately 40 acres was originally annexed into the City and approved as a Planned Development in 1997 and 98. Final development phases have been for two-family buildings on a private street called White Tail Run. The Knolls would like to build three more two-family buildings, two of which are located on a one acre tract of land currently outside the city limits. Oxford Code Section 921 requires annexation for new water and sewer service. Local engineering firm Bayer & Becker approached the city about annexation for this one acre tract. Staff provided a pre-annexation agreement for signature, which is attached. Also attached is a map of the subject area. Bayer & Becker has agreed to provide an annexation plat for the City Manager.

If the agreement is signed, the City Manager will move forward with a petition to Butler County as well as begin assisting The Knolls with building and zoning permits for construction. The R1A zoning map and Planned Development Overlay would also be amended to be consistent with the existing Knolls area.

As part of standard process, the City did reach out to surrounding property owners to gauge interest and did not find any additional interested parties at this time.

Approved By:

Department Head: *Intaim SP* / *8-2-18*

City Manager: *DRE* / *8-3-18*

RESOLUTION NO.

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

WHEREAS, the Petitioner is owner of one parcel adjoining the City, parcel number H3610021000046, totaling 0.98 acres which is a land-locked property between private street Whitetail Run and 6694 Fairfield Road; and

WHEREAS, the property is located within Oxford Township, Butler County, Ohio; and

WHEREAS, the City and the Petitioner desire to annex the property into the City under certain conditions.

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY RESOLVES THAT:

SECTION 1: Council hereby approves the Pre-Annexation Agreement and authorizes the City Manager to sign the same in substantially the same form as the agreement attached hereto as Exhibit "A" and incorporated herein.

SECTION 2: Council finds that the annexation of the property in accordance with the terms of the Pre-Annexation Agreement is in the best interest of the City and would promote the health, safety and welfare of the citizens and hereby approves the same.

SECTION 3: The City Manager is hereby directed to execute the Pre-Annexation Agreement on behalf of the City.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE
PREPARED BY: LAW (STAFF)

Pre-Annexation Agreement

Knolls of Oxford, Oxford, Ohio; 45056, ("Petitioner") and the City of Oxford ("City") have entered into this Pre-Annexation Agreement ("Agreement") this 17th day of July, 2018.

WHEREAS, Petitioner is owner of (1) parcel adjoining the City, parcel number H3610021000046, totaling 0.98 acres, to be collectively referred to as the "Property", a land-locked parcel between private street Whitetail Run and 6694 Fairfield Road; and

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

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

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

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

1. Petitioner agrees to sign an annexation petition for the Property to annex it to the City after the execution of this Agreement.
2. The City recognizes that once the annexation has been approved by the Butler County Commissioners and is placed before City Council by the clerk at the next regular meeting of City Council following sixty days from the receipt of the approval of the annexation by the county commissioners, the City has 120 days to accept or reject the annexation.
3. Upon annexation of the property to the City the Petitioner shall be eligible to take all steps required to extend City water and sewer and other services to the Property subject to City rules and regulations.
4. The City will make every effort possible to respond to building and zoning permit applications and to avoid any unnecessary delays in processing said permit applications while waiting for annexation procedures.
5. All other sections of the Oxford Code of Ordinances are enforceable as applicable.
6. This Agreement shall be binding on the parties hereto and their successors and assigns.
7. This Agreement shall only be amended in writing by each party.
8. This Agreement is intended to be severable. If part of the Agreement is deemed unenforceable, the remainder shall be enforced to the extent necessary to accomplish the purpose of Petitioner to develop the Property or allow it to de-annex the Property.

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

CITY OF OXFORD, OHIO

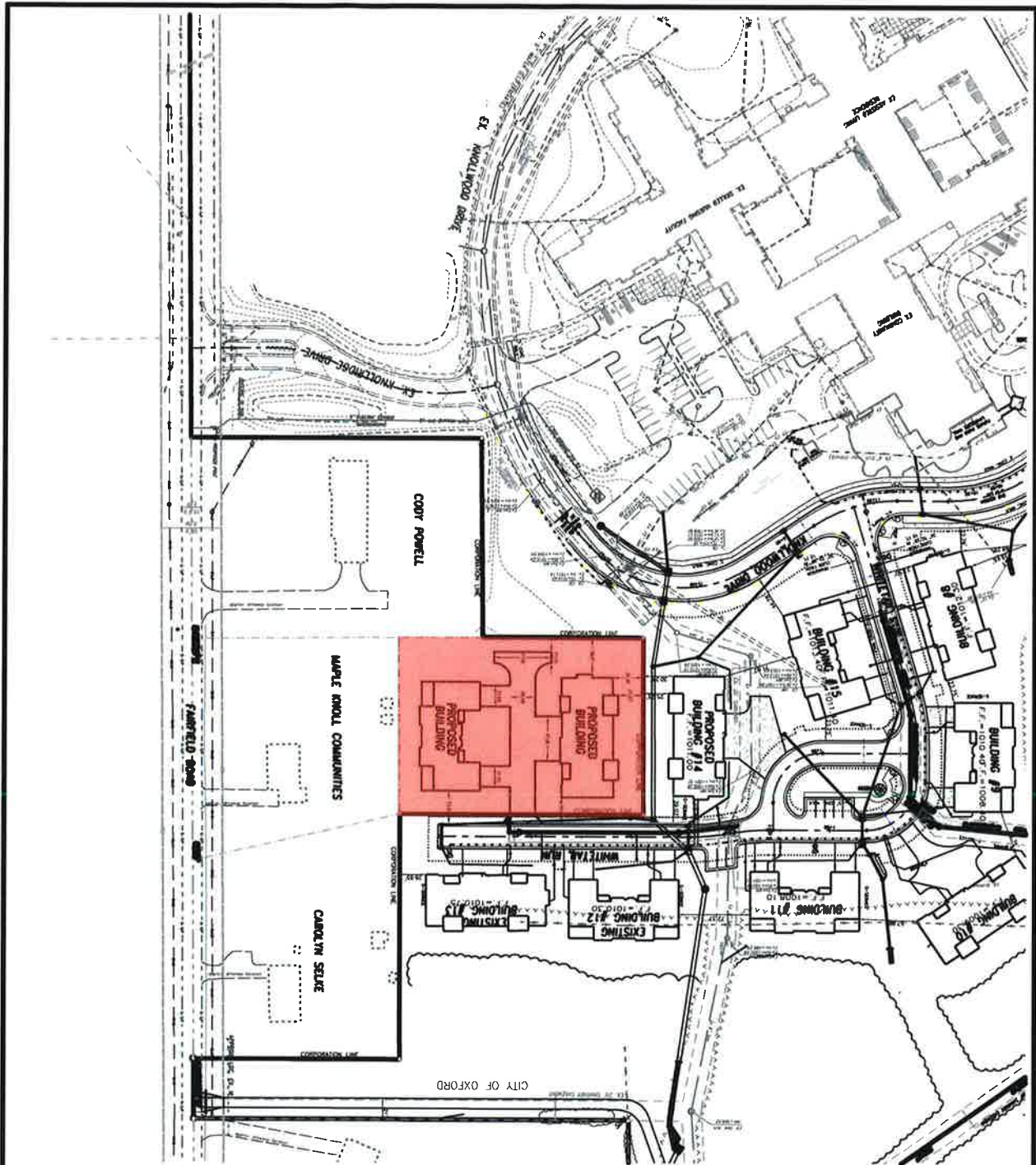
Douglas R. Elliott, Jr., City Manager

OWNERS NAME:

Knolls of Oxford

By: *Timothy P. McGowan*

Tim McGowan, V.P. of Operations



1"=100'

NOTES:

1. 4 Units per Acre.
2. Existing house to remain.
3. Property will need to be annexed for utility connections.
4. Driveways to be concrete.

**KNOLLS OF OXFORD
PHASE 2B
6727 CONTRERAS ROAD
OXFORD, OHIO 45056**

CONCEPT A

**bayer
becker**

110 South College Avenue
Oxford, Ohio 45056 513.523.4270

Drawing:	18-0070 CONCEPT A
Scale:	1"=100'
Drawn by:	MAR
Checked by:	
Issue Date:	5-14-18

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: August 7, 2018

Sam Perry
Prepared By

Account Code No. #:

Budgeted Amount:

July 31, 2018
Date Prepared

Agenda Title: Planning Commission Meeting Report- July 10, 2018
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PC-2018-10, CONDITIONAL USE, 104 McKee Avenue, to allow for a home based business in an R1A Zoning District, Jon Sanford, Applicant (Tabled, 6/12/2018)

This case came about as a home based music lessons business that expanded beyond the limits of a permitted-by-right home occupation. The owner/occupant/applicant opted to pursue a conditional use for a school rather than re-locate the business or reduce it to a home occupation. There was originally 6 non-resident teachers which has now been reduced to 2 at any given time. The number of teachers seems to be a controlling factor of any potential neighborhood impacts. There was extensive feedback from the neighborhood at the June meeting, followed by emails. For July 10, the applicant had a two page letter revised plan and there were no new public comments; therefore, the case was recommended for approval as revised.

After the removing of the case from the table, the Commission heard from staff and the applicant. There were no new public comments. The Commission voted 5-0 to recommend approval of the request with the following conditions: 1. That, customer parking will not be allowed on McKee Avenue. 2. That, no more than two non-resident instructors are permitted at one time

PC-2018-13, CONDITIONAL USE, 117 W. Church Street, to allow for a lodging service without food service or owner occupancy, Kristine and David Winkler, Owners, Applicants

This case came about as an effort by the owners to find a use for their building that would help to preserve it for future generations. The goal being to become an income-producing property. This 1911 Neo-Classical style building was previously a professional office and a residential rental. The property is zoned Uptown which does not permit residential use on the ground floor.

Oxford Zoning Code contains a rarely used provision in nearly every zoning district for a conditional use for a Bed and Breakfast. The provision requires on-site management and a meal for guests. Staff directed the owners to the option of seeking the conditional use with requested waivers. The proposal would be for guests to use an internet-based reservation service. The owners do not occupy the home and would not be providing on-site management or a meal.

The Commission held a hearing. Based on the decision criteria, the Commission voted 5-0 to recommend approval of the conditional use request with the following waivers to be granted: 1. On-site management not required, 2. No meal required.

PC-2018-14, CONDITIONAL USE, 22 S. Beech Street, Mesler Auto Body, to allow for a new mixed use building with a proposed hotel, **Scott Webb, Applicant, Agent**

Architect Scott Webb requested a conditional use for a single-level hotel within a proposed new four story building at the corner of Walnut and Beech Streets. If the ground level space were intended for a retail tenant, the Planning Commission would not review this case. However, the conditional use process presents an opportunity for a more public process to influence the outcome. The discussion and decision was directed to the hotel aspect due to the fact that the project would not otherwise require a special approval. Additional floor area ratio was also requested in the form of a waiver within the conditional use process.

The site is currently an automotive service (Mesler Auto) with an apartment above the commercial space. The proposal presented on behalf of Stewart Developers LLC is for a new four-story building to replace the current automotive service/parking lot. A 12-unit hotel would use the ground floor as an extension of The Elms Hotel, which is located one block to the east. There was considerable discussion regarding the potential impact on parking demand and design of the building and sidewalk. A representative of the Bethel A.M.E., neighboring church spoke about the impact of development on their property. Mr. Webb updated the Commission that the exterior design was only conceptual and that he was willing to accept the case being tabled and they would come back next month with more detail. The Commission tabled the case.

PC-2018-15, ZONING MAP AMENDMENT, 4 N. College Avenue, .123 acres, from RO (Residential Office) District to UP (Uptown) District, **Scott Webb, Applicant, Agent**

This building and property was recently vacated by the bank that relocated to Stewart Square. The 1965 mid-20th century modern building is considered historic in the 2018 inventory. The proposed map amendment would extend the Uptown Zoning District west of College Ave for this one parcel; making way for increased development potential. The Commission held a hearty discussion on this topic, including public comments. Ultimately, the Commission did not find that any of the four decision criteria warranted expanding the Uptown zoning district west of College Avenue to include this parcel. The reality of the current site usage is that any new user other than a bank is not permitted to use the nonconforming use drive-through. Auto-oriented uses are prohibited in *both* RO and UP. Conditional use is not an option. However, the re-use potential is not listed as one of the decision criteria.

The Commission heard from staff, applicant and public. Based on the decision criteria, the Commission voted 5-0 to recommend denial of the map amendment.

PC-2018-16, CONDITIONAL USE, 11 E. Walnut Street, to allow for the renovation of the existing Hillel Student Center, **Craig Moyer, The Architectural Group, Applicant, Agent**

The Hillel Foundation has strong ties to the Miami University community and seeks to broaden their community outreach using their facility. A total interior and exterior renovation is planned. The exterior changes were approved by HAPC. This project would nearly double their building square footage and also increase their lot coverage. Increasing from 5,000 to 9,000 gross square feet. Their current 1973 facility is considered a non-contributing building in the Uptown Historic District and cannot be expanded without a conditional use for a place of worship from City Council. The applicant design team offered pervious pavement at the hearing to offset the increased lot and building coverage. The case was recommended to Council for approval with the requested waivers of lot coverage, building coverage, side setback and front setback.

The Commission held a hearing; based on the decision criteria, the Commission voted 5-0 to recommend approval of the conditional use request with the following waivers to be granted: lot coverage, building coverage, side yard setbacks, front yard setbacks.

PC-2018-02, ZONING CODE TEXT AMENDMENT, to amend Chapter 1141.01 Accessory Regulations, adding 1141.01(a)(5) Short Term Rentals, **City of Oxford, Applicant**

Staff and Commission have been discussing modernizing the Oxford Zoning Code for Airbnb for two years. This was a slightly tweaked version that came out of a subcommittee of the Planning Commission earlier this year. Implementation will be challenging but the time has come. It is a popular side income stream for homeowners and an added convenience for visitors desiring to stay local. Thanks to former Planning chair Robert Bell and former member Peter McCarthy who spent much of their volunteer time researching, editing and discussing it with other members. The consensus of the Commission was that more work needs to be done to further study whether the staff-proposed limit in overlay districts is justifiable. Case tabled again, more subcommittee work next week. Shana volunteered to lead the new subcommittee to move this forward.

Approved By:

Department Head: Interim SP, 8-2-18

City Manager: DRE, 8-3-18

CITY OF OXFORD STAFF SUMMARY REPORT

Report to the City Manager

Finance Department
Originating Department

Council Meeting Of: August 7, 2018

Account Code No. #: _____

Joe Newlin
Prepared By

Budgeted Amount: _____

July 27, 2018
Date Prepared

Agenda Title: Donation for Oxford Area Trails

Recommendation: Approve

Discussion:

Staff is requesting Council to approve the donation of \$11,000 from the Oxford Community Foundation. These are funds left over from the fund raising effort for the construction of the OAT's first phase. The donation will go towards the Black Covered Bridge repairs.

Approved By:

Department Head:
City Manager:

Initial Date

DRE 8-3-18

RESOLUTION NO.

A RESOLUTION ACCEPTING THE DONATION OF \$11,000.00 FROM THE OXFORD COMMUNITY FOUNDATION TO BE UTILIZED FOR THE NECESSARY REPAIRS TO THE BLACK COVERED BRIDGE.

WHEREAS, the grantor, the Oxford Community Foundation, has offered to give, and the City is desirous of accepting, funds remaining from a fund raising effort for the construction of the Oxford Area Trails Phase I project; and

WHEREAS, the City Manager and the Finance Director recommend acceptance of the donation of \$11,000.00 from the Oxford Community Foundation to be utilized for the necessary repairs to the Black Covered Bridge.

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY RESOLVES THAT:

SECTION 1: Council has determined that the City would benefit from accepting the donation of \$11,000.00 from the Oxford Community Foundation to be utilized for the necessary repairs to the Black Covered Bridge.

SECTION 2: City Council hereby accepts the donation of \$11,000.00 from the Oxford Community Foundation to be utilized for the necessary repairs to the Black Covered Bridge.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: August 7, 2018

Account Code No. #:

Sam Perry
Prepared By

Budgeted Amount:

August 2, 2018
Date Prepared

Agenda Title: Board of Zoning Appeals Meeting Report – July 18, 2018
--

Adjudication Hearings

BZA-2018-15, 406 E. Withrow, variances to Section 1151.05(b) signage size and number of, **Tommy Reed, Atlantic Signs, Appellant/Agent**

On behalf of Crossroads Outpost, Tommy Reed requested variances for: wall sign 28 square feet instead of 12, additional hanging sign from the patio roof structure. Non-residential land uses in residential districts are permitted one 12 square foot sign, either ground or wall. Crossroads requested 3 signs. The 12 sf ground sign was previously permitted but not installed.

The BZA deliberated the case and at the request of the applicant, tabled. The applicant planned to bring back designs for less square footage rather than have the case denied.

The next regular BZA meeting will be at 6:30 p.m. on Wednesday, August 15, 2018 at 118 West High Street.

Approved By:

Department Head:

Initial SP Date 8-2-18

City Manager:

DRE 8-3-18

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Parks and Recreation

Originating Department

Council Meeting Of: August 7, 2018

Account Code No. #: N/A

Prepared By: Casey D. Wooddell

Budgeted Amount: N/A

Date Prepared: August 1, 2018

Agenda Title: Oxford Recreation Board Meeting, 7/12/18

Recommendation: Approve

Attendance: Present: Ken Bogard (Chair), Edna Southard (Council Rep), Craig Bennett

Not Present: Wes Cole, Kevin Ackley, Holli Morrish

Liaisons: Casey Wooddell, City Staff; Deanna Barbour, Secretary

Discussion:

Board Chair Mr. Bogard opened the meeting of the Oxford Recreation Board on Thursday, July 12, 2018 at the Oxford Senior Center at 4:00pm.

Report from Recreation Director: Casey Wooddell provided the Parks and Recreation Report. This report included information about the Freedom Festival events on July 2nd and 3rd. City Parade on July 2nd, followed by Music Festival event and City Event/Celebration on July 3rd at Oxford Community Park. Mr. Wooddell also discussed the new parking charge at OCP for 2018, and how it was implemented and the revenue it produced.

New Business:

Fundraising – Mr. Wooddell is working with Ms. Leah Flynn to create a pamphlet and marketing materials to begin fundraising for the new aquatic center. This will include items such as tables, benches, umbrellas, scholarships, shade trees, touchpads and pavers. Mr. Wooddell also noted the swim team has been asked to cover the costs of new starting blocks, backstroke flags and stanchion poles, with an approximate cost of \$20,000. Mr. Wooddell added the City is providing the swim team with a storage closet, 8 lane competition pool and lane lines.

Initial target date for fundraising materials was August 1st, but that's being pushed back due to lack of finalized materials and images to provide within the brochures. New target date is September 1.

PUBLIC INFORMATION SESSION - Mr. Wooddell discussed the idea of a public information session once the contract is finalized with Wilcon and the design drawings are complete. It was suggested this could possibly happen at the End of Season pool party in September. More information to come on this topic.

GROUND-BREAKING - Additionally, a ceremonial ground-breaking event was discussed. Board decided on Tuesday, August 7th just before the City Council Meeting. Mr. Wooddell will send out invites to the appropriate groups and individuals.

Next meeting: Thursday, August 9th – 4pm

Meeting Adjourned: 5:01pm.

Approved By:

Initial Date

Department Head: CDW \ 8/1/2018

City Manager:

DRE \ 8/3/18

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: July 17, 2018

Sam Perry

Account Code No. #:

Prepared By:

Budgeted Amount:

July 9, 2018

Date Prepared:

PC-2018-12, Zoning Map Amendment, 5111 Morning Sun Road, Office-Light Industrial (OI) District, to Single- and Two- Family Residential (R2-MS) District, Scott Webb, Applicant/Agent

Recommendation: Denial

Discussion: On behalf of H&P Properties (Shane Coffman), Mr. Webb requested a recommendation of map amendment approval for a vacant parcel of land on the north side of Oxford. The parcel is approximately 1 acre. The surrounding corridor of Morning Sun Road (extension of North Main Street) is also zoned OI ((Office and Light Industrial) District. The amendment would remove the parcel from the OI District and add it to the adjacent R2-MS (Single- and Two-Family Mile-Square Residential) District, to the west. Notices were mailed to surrounding property owners, advertised in the newspaper and a sign was placed on the property prior to the June 12 hearing. The Commission held a hearing and discussed the case. The applicant and a real estate broker spoke documenting the past development difficulties. The Commission had difficulty in linking the past development challenges to the four decision criteria. Only one of the four criteria is required for an approval. The Commission voted 6-1 to recommend denial of the map amendment to City Council.

Approved By:

Department Head: *acting SP* 7/9/18
City Attorney: WD 7/13/18
City Manager: *DRE* 8/3/18

ORDINANCE NO.

AN ORDINANCE ACCEPTING THE RECOMMENDATION OF THE PLANNING COMMISSION TO DENY A ZONING MAP AMENDMENT APPLICATION TO REZONE THE PROPERTY LOCATED AT 5111 MORNING SUN ROAD FROM OI (OFFICE AND LIGHT INDUSTRIAL) DISTRICT TO R2MS (SINGLE AND TWO FAMILY MILE SQUARE RESIDENTIAL) DISTRICT.

WHEREAS: the Planning Commission held a public hearing on June 12, 2018 in accordance with Section 1147.02 of the Codified Ordinances of the City of Oxford, on the application of Scott Webb, Applicant, Architect, for a Zoning Map Amendment, to rezone the property located at 5111 Morning Sun Road from OI (Office and Light Industrial) District to R2MS (Single and Two Family Mile Square Residential) District; and

WHEREAS, after public hearing and deliberation, the Planning Commission recommended to deny the Zoning Map Amendment application to rezone the property located at 5111 Morning Sun Road from OI (Office and Light Industrial) District to R2MS (Single and Two Family Mile Square Residential) District.

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY ORDAINS THAT:

SECTION 1: 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 denies the Zoning Map Amendment application to rezone the property located at 5111 Morning Sun Road from OI (Office and Light Industrial) District to R2MS (Single and Two Family Mile Square Residential) District.

SECTION 2: This Ordinance shall take effect at the earliest time allowed by law.

MAYOR

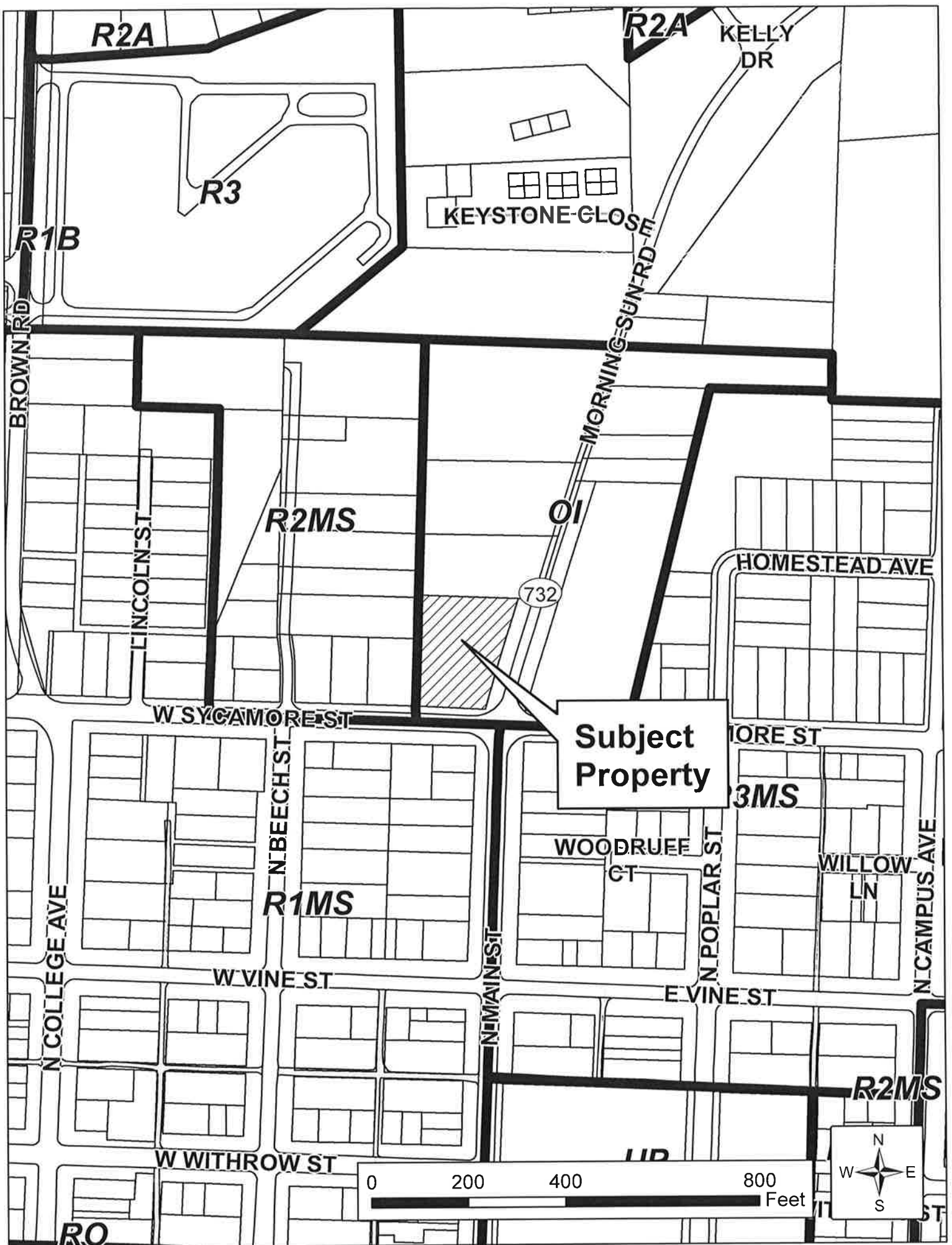
ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)



City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2018-12

Date – June 12, 2018

APPLICATION

Applicant:	Architect Scott Webb
Action Request:	Zoning Map Amendment from OI (Office and Light Industrial) to R2MS (Single and Two Family Residential)
Location:	5111 Morning Sun Road
Acreage:	1 Acre
Owner:	H&P Properties (Shane Coffman)
Current Use:	Vacant/Agricultural/Wooded
Surrounding Land Uses:	Professional Office
Comp Plan Designation:	Developed Area/Neighborhood General 3

DESCRIPTION

This is a map amendment request for a 1 acre parcel at the intersection of Morning Sun Road and Sycamore Street. The parcel is vacant and partially wooded.

The request is to amend the zoning map for this parcel from OI (Office and Light Industrial) to R2MS (Single and Two Family Residential). There is R2MS zoned land to the west and R1MS land to the south, across Sycamore Street. Across the street to the east is OI land, where a hotel is located.

Mr. Webb has provided a letter regarding the map amendment decision standards.

Below is the staff analysis:

SITE BACKGROUND

The farmhouse formerly on this lot was removed around 2005-07, leaving the lot currently vacant of development. The property has changed hands twice in the past 10 years but no development has resulted. City staff has reviewed at least two different development proposals, one including only this lot, one including other lots. Neither resulted in development. The lot is sloping with the general (pre-developed) topography of the area. The lot appears deceptively small from the roadway because the rear half is steeply sloping and wooded. Up to three two-family lots could be created by-right if the rezoning were granted. If the zoning remains OI, the existing dimensional requirements nearly prohibit a development without some type of variance or Planned Development approval.

COMPREHENSIVE PLAN

The comprehensive plan does not provide specific guidance on this individual parcel. The land is labeled as already developed on the Conservation and Development Map 3.6. This appears to be because it was included in with the surrounding area unless the former house was considered a “developed” condition at the time. The Character Area Map 3.7 labels the land as part of Neighborhood General 3, which is the 2,300 acre residential area outside of the Mile Square.

Although the Comp Plan does not provide specific guidance, it does provide general guidance through the Land Use Principles found on pages 3.8 to 3.12. Some pertinent excerpts of those principles are included below. *Italics are staff comments.*

Infill development and redevelopment of underutilized sites is a priority

- Reuse of vacant and underutilized sites will be encouraged prior to new development.
Utilizing land already within urbanized areas rather than sprawl is a common theme throughout the Comp Plan. This particular parcel is a vacant parcel and likely has all utilities available to the property; therefore it is a good candidate for development that does not require substantial expenditure.

Future growth at the edge of the city will preserve open space, protect the area’s rural character, and be consistent with the other principles.

- New growth on the edge of the community will not compromise the rural landscape or the community’s small town character.

Determining that there is a transition is not an issue, but determining where the transition should happen is difficult. Sycamore street is a natural boundary where the existing urban form changes from larger lot development to smaller residential lots. This is a result of the Mile Square boundary. Rezoning a parcel to residential on the north side of Sycamore street would likely result in an alteration to this natural boundary in the near future.

Streets will create an attractive public realm.

- Roads in rural areas will complement the character of rural areas (i.e., width, setbacks, landscaping buffers).

The street is the gateway into the community. The streetscape north of Sycamore street is currently more rural in nature than south of Sycamore Street. There are no curbs, the buildings are set back farther and there are fewer curb cuts. Although a Planned Development that maintains this character is possible with a R2MS zoning, it is not a guarantee.

Places will be connected to create better opportunities to walk, bike and access public transportation throughout the community.

- Bike paths and walking paths will be integrated into new development and areas undergoing redevelopment

A sidewalk was recently installed along this property in order to provide access to the Oxford Area Trail. Any Rezoning or redevelopment of this land should be done sensitively to avoid creating conflicts or safety issues that do not already exist.

AGENCY REVIEWS

Police:	Returned with no comments
Engineering:	Returned with no comments
Econ. Dev.	No comments returned
Fire:	Returned with no comments

DECISION CRITERIA

A copy of the Zoning Text Amendment Decision Criteria is attached.

Oxford Zoning Code Chapter 1135 outlines the map amendment process and decision standards that the Planning Commission needs to follow, and the decision standards are as follows and attached:

- A. There is an error on the Official Zoning Map or in the delineation between the districts.

As stated by the applicant, the OI zoning was formally established by Oxford City Council in 2003. This was not an error. An error would be something that was made due to a technical problem in the recording of the line on the map. This same boundary line was clearly known and advertised the same before the hearing as it was after the publication.

- B. The proposed amendment will make the map conform more closely with the Comprehensive Plan.

Citing principles of economic development and infill development, an argument can be made for allowing a map amendment for whichever zoning district would permit development the soonest. However, those principles should not be cited in a vacuum. Other principles that protect the character of the area are equally important.

- C. There has been a substantial change in area conditions that necessitated the amendment.

The staff interpretation of this decision criteria is that the substantial change is referring to the time period since the adoption of the Comp Plan. The physical conditions of the area have not changed; the same buildings and roads that surround this lot are the same ones that existed in 2008. However, the enrollment at Miami University has increased, new student residential development has occurred in the community and Miami itself has been in the process of implementing their Housing Master Plan.

It should be noted that the past few years have also brought significant investments from health care entities into the community. In addition to TriHealth, Oxford also has regional providers: Mercy, Primary Health and Kettering facilities. There may be potential for expanded offices in the community but it is of course unclear if this particular property would benefit from the recent health care additions in the community.

- D. There is a legitimate need for additional land area in the zoning district that will be expanded.

Vacant R2MS land is likely non-existent in Oxford, however, categorically speaking more land has been rezoned from non-residential to residential since the time of the Comp Plan. This includes the 37 acres for The Annex on Southpointe Parkway.

Much of the recent land loss from the R2MS district has been an upzoning to R3MS, which includes nearly identical development rights. Therefore this may not be considered an actual decrease.

The Planning Commission needs to evaluate the application based on the decision standards outlined in Chapter 1135 to determine whether the request meets at least one criteria and if the benefits will likely outweigh any potential pitfalls.

RECOMMENDATION

It should be noted that at least two attempts for development have been made, which document at least some difficulty. It should also be noted that although substantial effort has been made to protect rural to urban transitions in the Comp Plan, this specific gateway was not called out as an area of concern. Perhaps because of its nearly developed condition with the exception of this one lot.

If the Planning Commission deliberates through the decision criteria, this staff report and any new facts presented will provide an ample record in order for a well-founded recommendation to be forwarded to the City Council. The decision of whether to approve or deny the map amendment request from OI to

R2MS for this 1 acre parcel at 5111 Morning Sun Road should be solely focused on the findings of the four decision criteria.

SUBMITTED

BY:

A handwritten signature in black ink, appearing to read "Sam Perry", with a long horizontal flourish extending to the right.

Sam Perry, AICP
Planner

DATE: June 7, 2018

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.

Map Amendments

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

City of Oxford
Inter-Office Review Transmittal Sheet

Date: May 9, 2018

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2018-12, ZONING MAP AMENDMENT, 5111 Morning Sun Road, for 1.25 area parcel from an OI (Office Industrial) District to a R2MS (Single- and Two-Family Mile-Square Residential) District, **Scott Webb, Applicant, Agent**

 X Review Revisions Other

Please return no later than: **June 1, 2018** Note: If no comments are received, we will assume the project meets your department's standards.

.....
Drawings are returned: w/comments

without/comments

Drawings reviewed by:



Date:

5-10-18

PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: May 9, 2018

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

From: Community Development Department

PC-2018-12, ZONING MAP AMENDMENT, 5111 Morning Sun Road, for 1.25 area parcel from an OI (Office Industrial) District to a R2MS (Single- and Two-Family Mile-Square Residential) District, **Scott Webb, Applicant, Agent**

 X Review Revisions Other

Please return no later than: **June 1, 2018** 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: 5-9-18

 VICTOR POPESCU
PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: May 9, 2018

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2018-12, ZONING MAP AMENDMENT, 5111 Morning Sun Road, for 1.25 area parcel from an OI (Office Industrial) District to a R2MS (Single- and Two-Family Mile-Square Residential) District, **Scott Webb, Applicant, Agent**

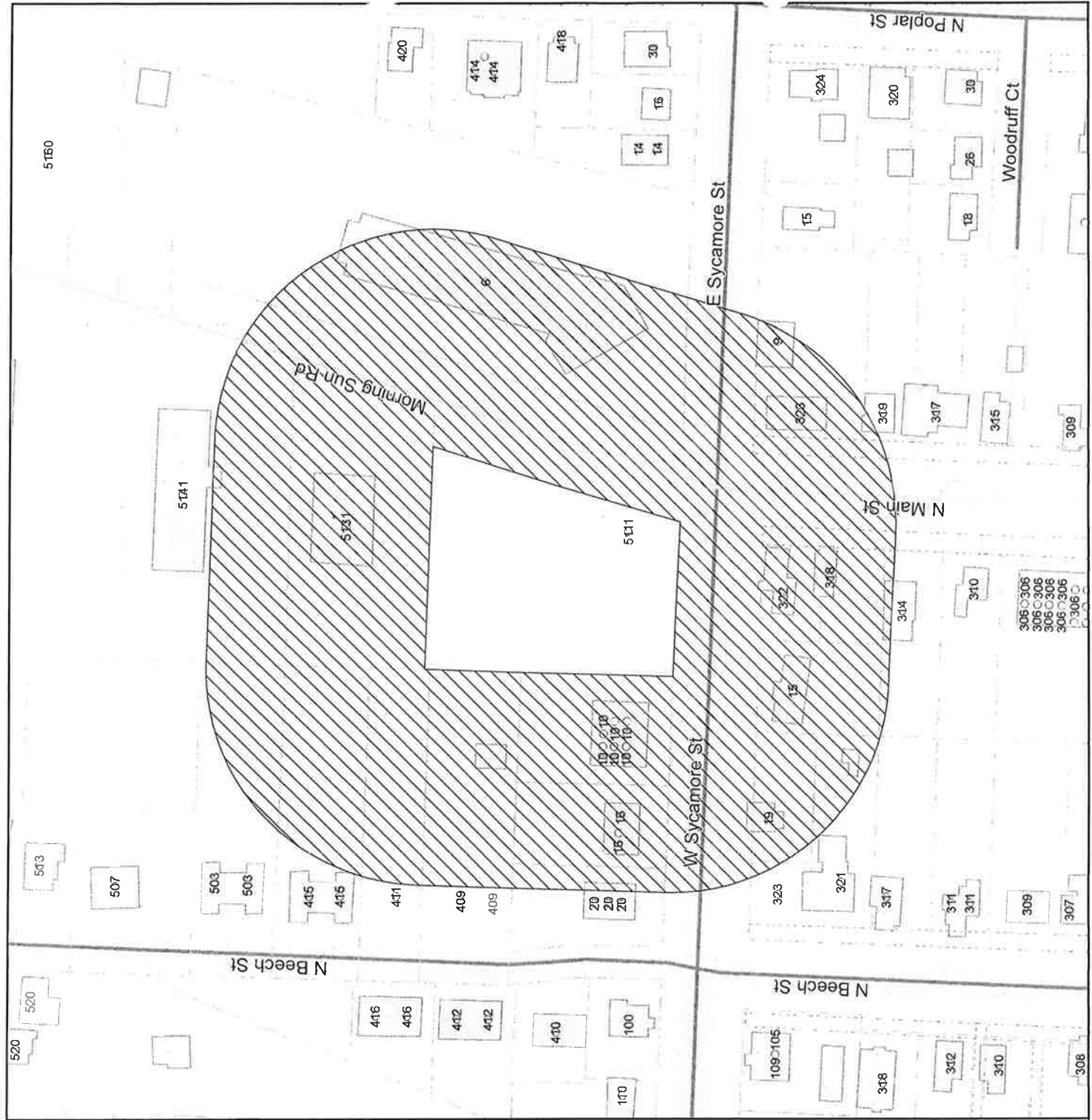
 X Review Revisions Other

Please return no later than: **June 1, 2018** Note: If no comments are received, we will assume the project meets your department's standards.

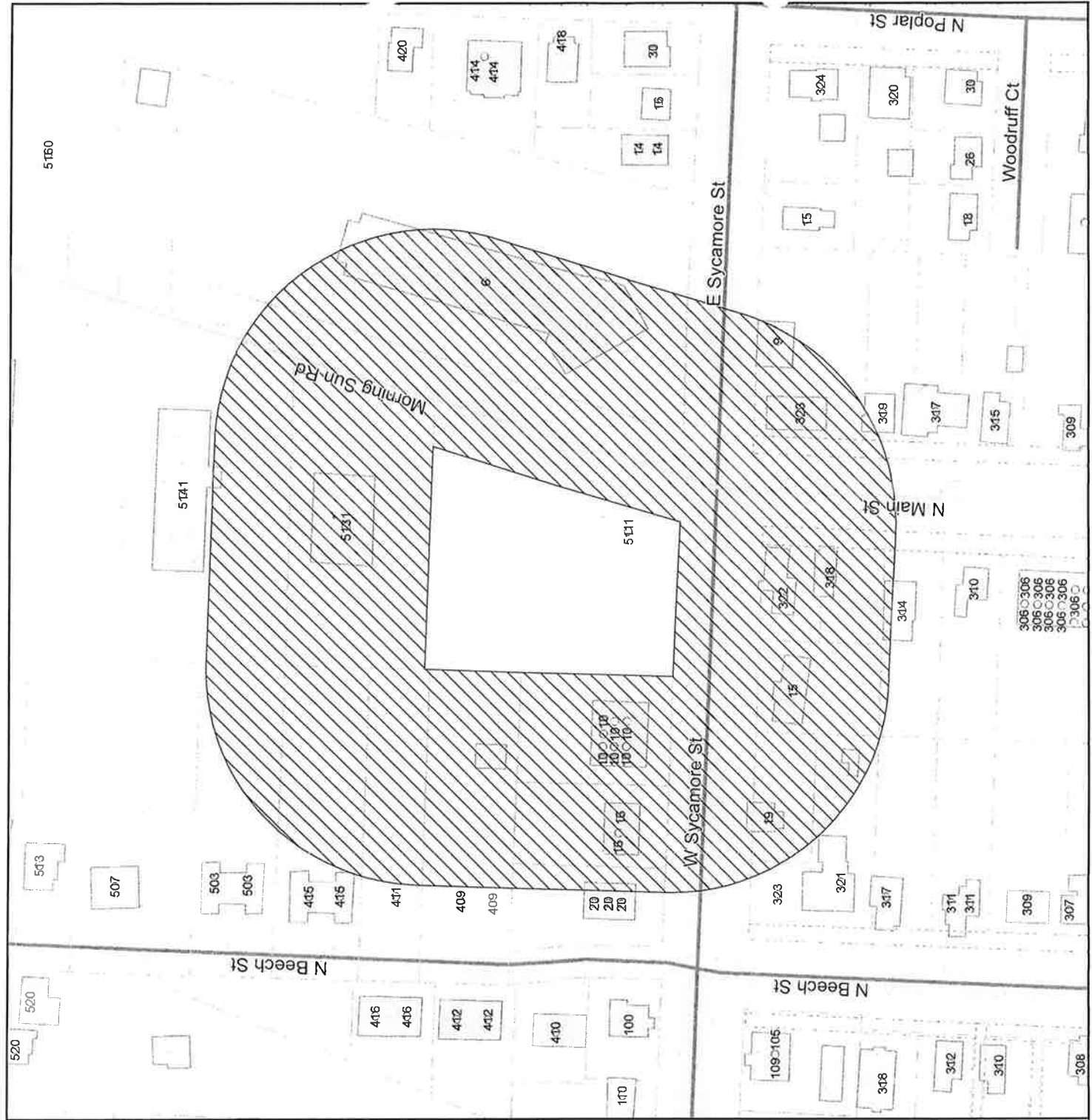
.....

Drawings are returned: w/comments without/comments

Drawings reviewed by:  Date: 5/17/18
JOHN A. JONES
PRINTED NAME

[illegible][illegible]

-





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

CASE NO.: PC-2018-12

DATE OF HEARING: June 12, 2018

ZONING MAP AMENDMENT, 5111 Morning Sun Road, for 1.25 area parcel from an OI (Office Industrial) District to a R2MS (Single- and Two-Family Mile-Square Residential) District, **Scott Webb, Applicant, Agent**

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

Name: Tony Miller
(Print)
Address: 4721 Riggs Rd
Oxford OH 45056
Telephone: Home: 513-532-7565 Work: _____

COMMENT:

*I would like to see this parcel remain
Office Industrial.*

*This is a prime business location with-in the
city. I'd like to see more business created on the
north side of town. This lot is the first thing you
see entering town & the last thing leaving town.*

*The city needs to think about creating jobs
through promoting businesses to locate in town.
protect this parcel, don't change the*

map. Don't create another south 27
Taylor
Signature _____ Date 6-10-18



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

CASE NO.: PC-2018-12

DATE OF HEARING: June 12, 2018

ZONING MAP AMENDMENT, 5111 Morning Sun Road, for 1.25 area parcel from an OI (Office Industrial) District to a R2MS (Single- and Two-Family Mile-Square Residential) District, **Scott Webb, Applicant, Agent**

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

Name:

(Print)

Address:

Rick Metz & Jackie

310 @ 314 N. Main

Box 154 B.G. 43402

Telephone:

Home: 419-3527872

Work: _____

COMMENT:

SAM —

It's OK with us!


Signature

6/11/18
Date

LETTER OF AGENCY

To Whom It May Concern:

Please be advised that Scott Webb, Architect has permission to represent our interest with the City of Oxford's Board of Planning Commission & City Council regarding a proposed Zoning Map Amendment at 5111 Morning Sun Road

Thank you,

Signed:


Shane Coffman, H & P Properties, Inc.

4/26/18
Date:



Internal Use Only:	
Case No.	PC-2018-12
Date Filed	4/27/18

Zoning Map Amendment Application

Applicant Information

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

Name *	Scott Webb, Architect
Mailing Address *	103 West Walnut Street
City, State & Zip Code *	Oxford, Ohio 45056
Telephone Number(s) *	513-523-3838
Email Address	scott@scottwebbarchitect.com

Location and Lot Information

Location *	5111 Morning Sun Road
General Description of Proposed Amendment *	Request for a change in Zoning Designation for a single 1.25 area parcel
Current Zoning *	OI (Office Industrial)
Proposed Zone(s) *	R2MS Single and Two-Family Mile Square Residential

Submission Requirements and Documentation

From Section 1135.02 Procedure¹.

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

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

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

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

Surrounding Property Owners

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

Decision Process

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

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

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

Fees & Receipt

The required fee is \$150.00, plus \$10.00 postage charge. 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 *


4/27/2018

Submit Application, Submission Requirements and Documentation, and Fees

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

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

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

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

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/>

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



SCOTT
WEBB

ARCHITECT

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

www.scottwebbarchitect.com

Re: Application for Zoning Map Amendment
5111 Morning Sun Road
Oxford, Ohio 45056

May 23, 2018

Dear Mr. Chen,

Please accept this letter as a formal request for a review hearing by the City of Oxford Planning Commission and Oxford City Council for a Zoning Map Amendment for the property at 5111 Morning Sun Road, at the corner of Sycamore and Morning Sun Road. The proposed Zoning Map Amendment will change the affected property from OI (Office Industrial) to R2MS, Mile Square Single and 2-Family Residential District.

Statement responding to Decision Standards on the Application.

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

A. There is an error on the official Zoning Map or in the delineations between districts.

Prior to the 2003 Map Amendment, the property was Zoned R4A, Suburban Multiple Dwelling. In 2003, despite being surrounded by residential development, the zoning was changed to OI, Office Industrial, with Planning Commission predicting a future Medical Office use, and eliminating most other opportunities for the property owner.

B. The proposed amendment will make the map conform more closely with the Comprehensive Plan.

The Comprehensive Plan refers to this area generally as part of the "*Neighborhood 3*" area on the **Character Map**, described as being on the outskirts of the Mile Square with the lowest residential density, though containing single to multi-family density per the Character Area Matrix. While the **Conservation and Development Map** considers this location as a developed area it was also identified as a "*Weak Place*", presumably due to the lack of interest in developing it over the years. "Weak Places" are further described as areas that need improvement, or areas where infill and redevelopment would be appropriate.

There are competing objectives and strategies in the **Land Use chapter**; *Objective 4* suggesting the need for research, development, and office space, yet further suggesting this should be along the north 27 corridor.

Objective 2 suggests enhancing the neighborhoods in the Mile Square. As this is identified as a residential area, residential infill in this location would develop a site that has been vacant for a couple decades.

C. There has been substantial change in the area conditions that necessitates the amendment.

The current zoning was likely decided with the development of a variety of medical offices further north along Morning Sun Road. After 15 years and numerous owners, the site has never produced a viable project fitting within the narrow confines of the OI Zoning District. Grading, access from the intersection and parking requirements for commercial uses on small sites has affected the feasibility of such a project.

A zoning change in this area will provide a more compatible use for the neighborhood than an Office Industrial, commercial use.

As the property resides in the Mile Square Charter Amendment area and would potentially receive a Mile Square Zoning Designation, development would be required to be compatible with the neighboring property in scale and with regard to the Mile Square Design Guidelines.

Development in line with its current Zoning designation would result in higher traffic, parking lots, and commercial buildings.

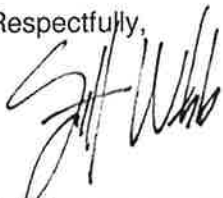
D. There is legitimate need for additional land area in the zoning district that will be expanded

Planning Commission spent over a year looking for additional density in the Mile Square, particularly in the North quadrant of the Mile Square, adjacent to the University and their parking areas.

With no interest in a commercial use for the property and Planning Commission's expressed need for additional residential development adjacent to campus, the Map Amendment would allow the development of a vacant parcel, and take pressure off of other neighborhoods in the City.

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

Respectfully,

A handwritten signature in black ink, appearing to read 'Scott Webb', written over the word 'Respectfully,'.

Scott Webb, Architect

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



SCOTT
WEBB

ARCHITECT

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

www.scottwebbarchitect.com

Re: Application for Zoning Map Amendment
5111 Morning Sun Road
Oxford, Ohio 45056

April 27, 2018

Dear Mr. Chen,

Please accept this letter as a formal request for a review hearing by the City of Oxford Planning Commission and Oxford City Council for a Zoning Map Amendment for the property at 5111 Morning Sun Road, at the corner of Sycamore and Morning Sun Road. The proposed Zoning Map Amendment will change the affected property from OI (Office Industrial) to R2MS, Mile Square Single and 2-Family Residential District.

Statement responding to questions posed on the Application.

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

A. *What is the relationship of the proposed zone change to the City of Oxford's Comprehensive Plan?*

The Comprehensive Plan refers to this area generally as part of the "Neighborhood 3" area on the Character Map, described as being on the outskirts of the Mile Square with the lowest residential density, though containing single to multi-family density per the Character Area Matrix. While the Conservation and Development Map considers this location as a developed area it was also identified as a "Weak Place", presumably due to the lack of interest in developing it over the years. "Weak Places" are further described as areas that need improvement, or areas where infill and redevelopment would be appropriate.

There are competing objectives and strategies in the Land Use chapter;

Objective 4 suggesting the need for research, development, and office space, yet further suggesting this should be along the north 27 corridor.

Objective 2 suggests enhancing the neighborhoods in the Mile Square. As this is identified as a residential area, residential infill in this location would develop a site that has been vacant for a couple decades.

B. *How will the zone change affect the neighborhood in which the property is located? Briefly describe any impacts of the change as proposed.*

A zoning change in this area will affect the properties in the neighborhood, by providing a more compatible use than an Office Industrial, commercial one. As the property resides in the Mile Square Charter Amendment area, and would potentially receive a Mile Square Zoning Designation, development would be required to be compatible with the neighboring property in scale and with regard to the Mile Square Design Guidelines.

Development in line with its current Zoning designation would result in higher traffic, parking lots, and commercial buildings.

- C. *How will the zone change affect public facilities such as sewer and water service, drainage, schools and roads, if applicable?*

Public facilities will not be affected, since this is an infill development, all public facilities are available at this location. At over an acre a plan development application will likely follow, ensuring comprehensive design of the site addressing storm water, etc.

- D. *What mitigating actions might be suggested to offset problems resulting from adverse impacts on private property and public facilities (e.g., landscape screening, drainage improvements, changes in traffic signalization, provision of additional turn lanes).*

Comprehensive design of the site through a Planned Development application will address all mitigating factors, and will be designed in cooperation with Planning Commission through this process.

- E. *Why is the current zoning classification of the property no longer appropriate?*

The current zoning was likely decided with the development of a variety of medical offices further north along Morning Sun Road. After 15 years and numerous owners, the site has never produced a viable project fitting within the narrow confines of the OI Zoning District. Grading, access from the intersection and parking requirements for commercial uses on small sites has affected the feasibility of such a project.

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

Respectfully,

A handwritten signature in black ink, appearing to read 'Scott Webb', written over the word 'Respectfully,'.

Scott Webb, Architect

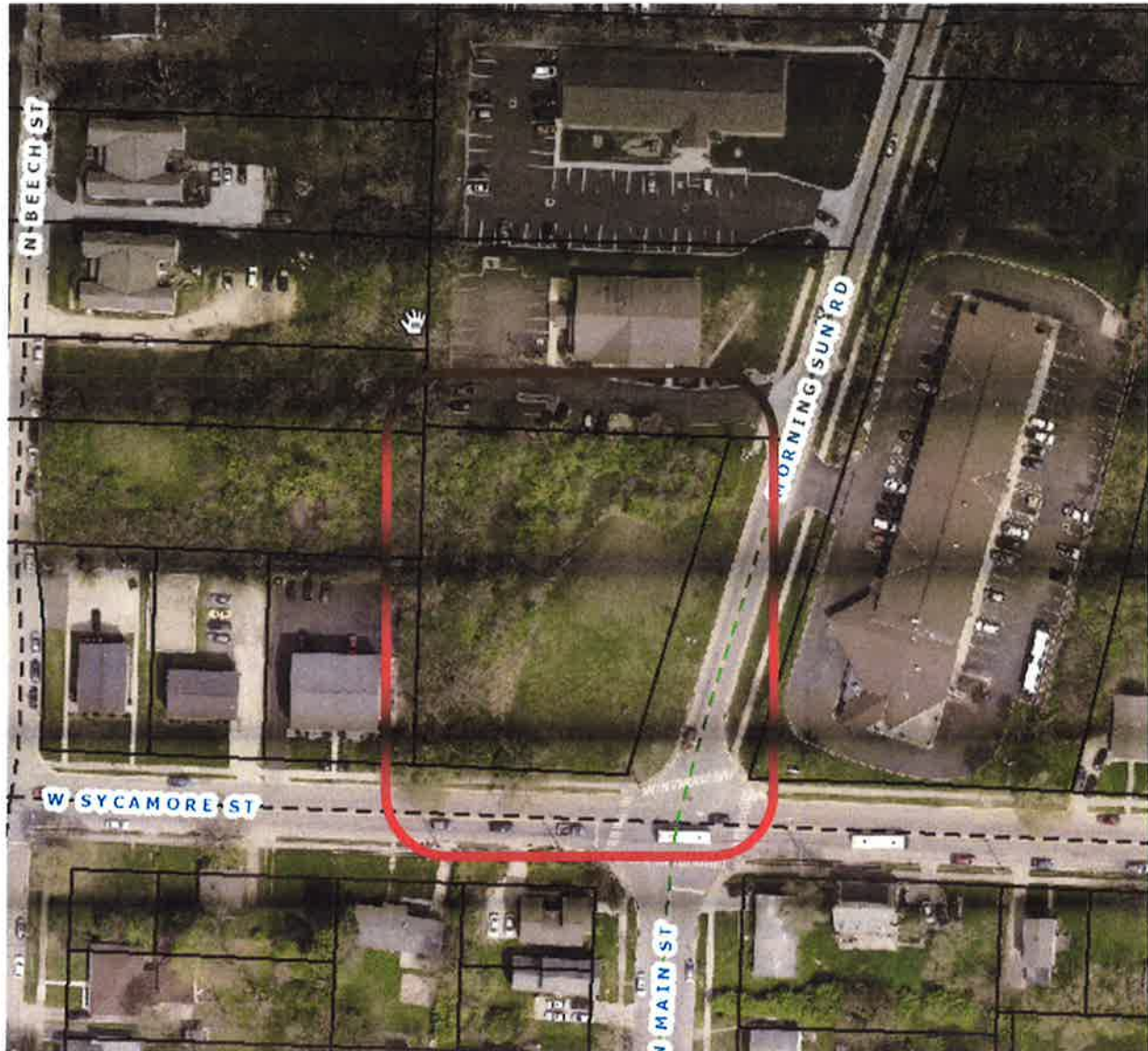
Zoning Area Map Showing Adjacent Zoning



Enlarged Zoning Area Map Showing Adjacent Zoning



Aerial Photograph Showing Adjacent Development



**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: July 17, 2018

Sam Perry

Account Code No. #:

Prepared By:

Budgeted Amount:

July 9, 2018

Date Prepared:

PC-2018-12, Zoning Map Amendment, 5111 Morning Sun Road, Office-Light Industrial (OI) District, to Single- and Two- Family Residential (R2-MS) District, Scott Webb, Applicant/Agent

Recommendation: Denial

Discussion: On behalf of H&P Properties (Shane Coffman), Mr. Webb requested a recommendation of map amendment approval for a vacant parcel of land on the north side of Oxford. The parcel is approximately 1 acre. The surrounding corridor of Morning Sun Road (extension of North Main Street) is also zoned OI ((Office and Light Industrial) District. The amendment would remove the parcel from the OI District and add it to the adjacent R2-MS (Single- and Two-Family Mile-Square Residential) District, to the west. Notices were mailed to surrounding property owners, advertised in the newspaper and a sign was placed on the property prior to the June 12 hearing. The Commission held a hearing and discussed the case. The applicant and a real estate broker spoke documenting the past development difficulties. The Commission had difficulty in linking the past development challenges to the four decision criteria. Only one of the four criteria is required for an approval. The Commission voted 6-1 to recommend denial of the map amendment to City Council.

Approved By:

Department Head: *acting SP, 7/9/18*
City Attorney:
City Manager: *WJD 7/13/18*

ORDINANCE NO.

AN ORDINANCE ACCEPTING THE RECOMMENDATION OF THE PLANNING COMMISSION TO DENY A ZONING MAP AMENDMENT APPLICATION TO REZONE THE PROPERTY LOCATED AT 5111 MORNING SUN ROAD FROM OI (OFFICE AND LIGHT INDUSTRIAL) DISTRICT TO R2MS (SINGLE AND TWO FAMILY MILE SQUARE RESIDENTIAL) DISTRICT.

WHEREAS: the Planning Commission held a public hearing on June 12, 2018 in accordance with Section 1147.02 of the Codified Ordinances of the City of Oxford, on the application of Scott Webb, Applicant, Architect, for a Zoning Map Amendment, to rezone the property located at 5111 Morning Sun Road from OI (Office and Light Industrial) District to R2MS (Single and Two Family Mile Square Residential) District; and

WHEREAS, after public hearing and deliberation, the Planning Commission recommended to deny the Zoning Map Amendment application to rezone the property located at 5111 Morning Sun Road from OI (Office and Light Industrial) District to R2MS (Single and Two Family Mile Square Residential) District.

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY ORDAINS THAT:

SECTION 1: 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 denies the Zoning Map Amendment application to rezone the property located at 5111 Morning Sun Road from OI (Office and Light Industrial) District to R2MS (Single and Two Family Mile Square Residential) District.

SECTION 2: This Ordinance shall take effect at the earliest time allowed by law.

MAYOR

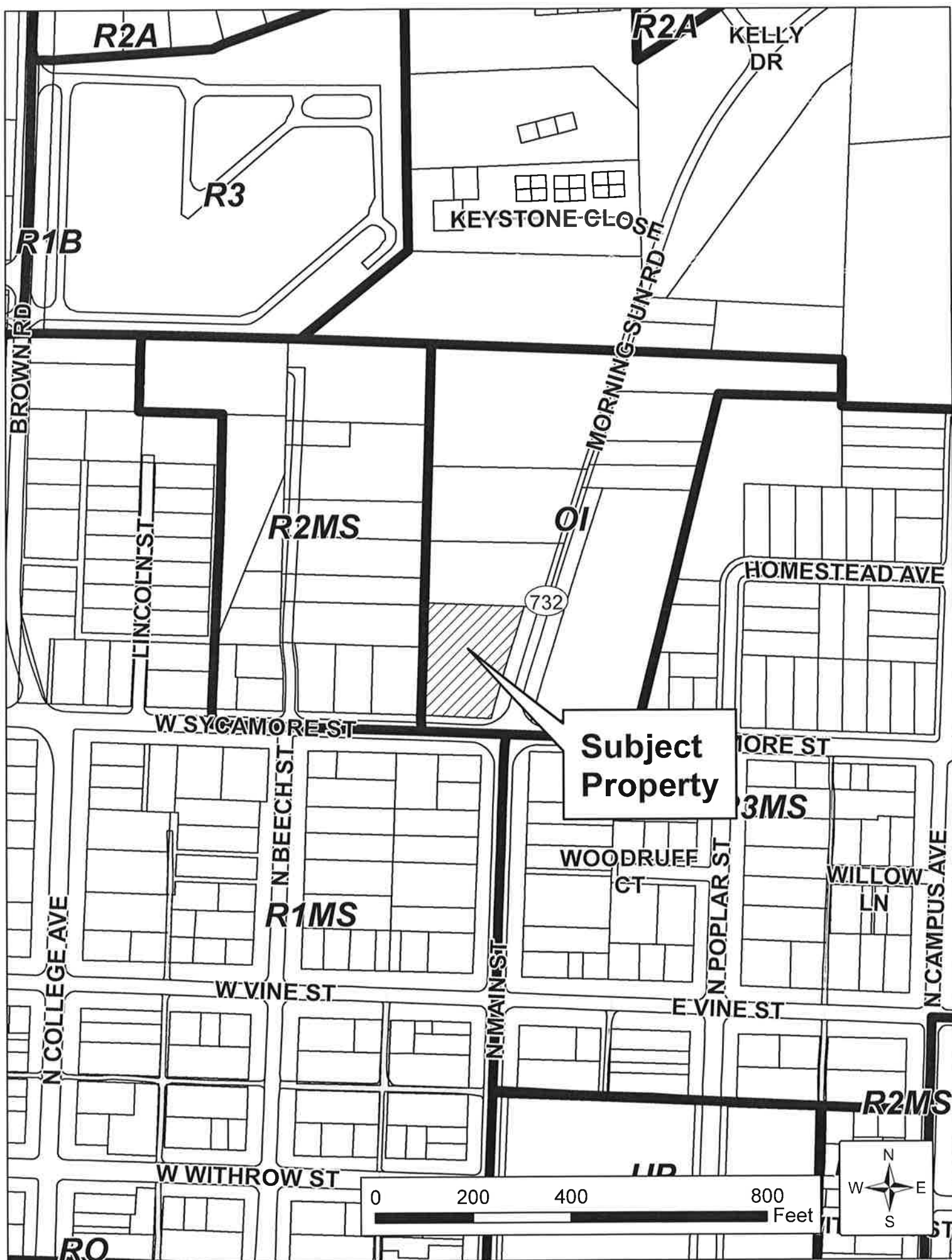
ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)



City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2018-12

Date – June 12, 2018

APPLICATION

Applicant:	Architect Scott Webb
Action Request:	Zoning Map Amendment from OI (Office and Light Industrial) to R2MS (Single and Two Family Residential)
Location:	5111 Morning Sun Road
Acreage:	1 Acre
Owner:	H&P Properties (Shane Coffman)
Current Use:	Vacant/Agricultural/Wooded
Surrounding Land Uses:	Professional Office
Comp Plan Designation:	Developed Area/Neighborhood General 3

DESCRIPTION

This is a map amendment request for a 1 acre parcel at the intersection of Morning Sun Road and Sycamore Street. The parcel is vacant and partially wooded.

The request is to amend the zoning map for this parcel from OI (Office and Light Industrial) to R2MS (Single and Two Family Residential). There is R2MS zoned land to the west and R1MS land to the south, across Sycamore Street. Across the street to the east is OI land, where a hotel is located.

Mr. Webb has provided a letter regarding the map amendment decision standards.

Below is the staff analysis:

SITE BACKGROUND

The farmhouse formerly on this lot was removed around 2005-07, leaving the lot currently vacant of development. The property has changed hands twice in the past 10 years but no development has resulted. City staff has reviewed at least two different development proposals, one including only this lot, one including other lots. Neither resulted in development. The lot is sloping with the general (pre-developed) topography of the area. The lot appears deceptively small from the roadway because the rear half is steeply sloping and wooded. Up to three two-family lots could be created by-right if the rezoning were granted. If the zoning remains OI, the existing dimensional requirements nearly prohibit a development without some type of variance or Planned Development approval.

COMPREHENSIVE PLAN

The comprehensive plan does not provide specific guidance on this individual parcel. The land is labeled as already developed on the Conservation and Development Map 3.6. This appears to be because it was included in with the surrounding area unless the former house was considered a “developed” condition at the time. The Character Area Map 3.7 labels the land as part of Neighborhood General 3, which is the 2,300 acre residential area outside of the Mile Square.

Although the Comp Plan does not provide specific guidance, it does provide general guidance through the Land Use Principles found on pages 3.8 to 3.12. Some pertinent excerpts of those principles are included below. *Italics are staff comments.*

Infill development and redevelopment of underutilized sites is a priority

- Reuse of vacant and underutilized sites will be encouraged prior to new development.
Utilizing land already within urbanized areas rather than sprawl is a common theme throughout the Comp Plan. This particular parcel is a vacant parcel and likely has all utilities available to the property; therefore it is a good candidate for development that does not require substantial expenditure.

Future growth at the edge of the city will preserve open space, protect the area's rural character, and be consistent with the other principles.

- New growth on the edge of the community will not compromise the rural landscape or the community's small town character.

Determining that there is a transition is not an issue, but determining where the transition should happen is difficult. Sycamore street is a natural boundary where the existing urban form changes from larger lot development to smaller residential lots. This is a result of the Mile Square boundary. Rezoning a parcel to residential on the north side of Sycamore street would likely result in an alteration to this natural boundary in the near future.

Streets will create an attractive public realm.

- Roads in rural areas will complement the character of rural areas (i.e., width, setbacks, landscaping buffers).

The street is the gateway into the community. The streetscape north of Sycamore street is currently more rural in nature than south of Sycamore Street. There are no curbs, the buildings are set back farther and there are fewer curb cuts. Although a Planned Development that maintains this character is possible with a R2MS zoning, it is not a guarantee.

Places will be connected to create better opportunities to walk, bike and access public transportation throughout the community.

- Bike paths and walking paths will be integrated into new development and areas undergoing redevelopment

A sidewalk was recently installed along this property in order to provide access to the Oxford Area Trail. Any Rezoning or redevelopment of this land should be done sensitively to avoid creating conflicts or safety issues that do not already exist.

AGENCY REVIEWS

Police:	Returned with no comments
Engineering:	Returned with no comments
Econ. Dev.	No comments returned
Fire:	Returned with no comments

DECISION CRITERIA

A copy of the Zoning Text Amendment Decision Criteria is attached.

Oxford Zoning Code Chapter 1135 outlines the map amendment process and decision standards that the Planning Commission needs to follow, and the decision standards are as follows and attached:

- A. There is an error on the Official Zoning Map or in the delineation between the districts.

As stated by the applicant, the OI zoning was formally established by Oxford City Council in 2003. This was not an error. An error would be something that was made due to a technical problem in the recording of the line on the map. This same boundary line was clearly known and advertised the same before the hearing as it was after the publication.

- B. The proposed amendment will make the map conform more closely with the Comprehensive Plan.

Citing principles of economic development and infill development, an argument can be made for allowing a map amendment for whichever zoning district would permit development the soonest. However, those principles should not be cited in a vacuum. Other principles that protect the character of the area are equally important.

- C. There has been a substantial change in area conditions that necessitated the amendment.

The staff interpretation of this decision criteria is that the substantial change is referring to the time period since the adoption of the Comp Plan. The physical conditions of the area have not changed; the same buildings and roads that surround this lot are the same ones that existed in 2008. However, the enrollment at Miami University has increased, new student residential development has occurred in the community and Miami itself has been in the process of implementing their Housing Master Plan.

It should be noted that the past few years have also brought significant investments from health care entities into the community. In addition to TriHealth, Oxford also has regional providers: Mercy, Primary Health and Kettering facilities. There may be potential for expanded offices in the community but it is of course unclear if this particular property would benefit from the recent health care additions in the community.

- D. There is a legitimate need for additional land area in the zoning district that will be expanded.

Vacant R2MS land is likely non-existent in Oxford, however, categorically speaking more land has been rezoned from non-residential to residential since the time of the Comp Plan. This includes the 37 acres for The Annex on Southpointe Parkway.

Much of the recent land loss from the R2MS district has been an upzoning to R3MS, which includes nearly identical development rights. Therefore this may not be considered an actual decrease.

The Planning Commission needs to evaluate the application based on the decision standards outlined in Chapter 1135 to determine whether the request meets at least one criteria and if the benefits will likely outweigh any potential pitfalls.

RECOMMENDATION

It should be noted that at least two attempts for development have been made, which document at least some difficulty. It should also be noted that although substantial effort has been made to protect rural to urban transitions in the Comp Plan, this specific gateway was not called out as an area of concern. Perhaps because of its nearly developed condition with the exception of this one lot.

If the Planning Commission deliberates through the decision criteria, this staff report and any new facts presented will provide an ample record in order for a well-founded recommendation to be forwarded to the City Council. The decision of whether to approve or deny the map amendment request from OI to

R2MS for this 1 acre parcel at 5111 Morning Sun Road should be solely focused on the findings of the four decision criteria.

SUBMITTED

BY:

A handwritten signature in cursive script, reading "Sam Perry", followed by a horizontal line extending to the right.

Sam Perry, AICP
Planner

DATE: June 7, 2018

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.

Map Amendments

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

City of Oxford
Inter-Office Review Transmittal Sheet

Date: May 9, 2018

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2018-12, ZONING MAP AMENDMENT, 5111 Morning Sun Road, for 1.25 area parcel from an OI (Office Industrial) District to a R2MS (Single- and Two-Family Mile-Square Residential) District, **Scott Webb, Applicant, Agent**

 X Review Revisions Other

Please return no later than: **June 1, 2018** 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: _____


VICTOR POPESCU
PRINTED NAME

Date: _____

5-9-18

City of Oxford
Inter-Office Review Transmittal Sheet

Date: May 9, 2018

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2018-12, ZONING MAP AMENDMENT, 5111 Morning Sun Road, for 1.25 area parcel from an OI (Office Industrial) District to a R2MS (Single- and Two-Family Mile-Square Residential) District, **Scott Webb, Applicant, Agent**

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.....

Drawings are returned: w/comments without/comments

Drawings reviewed by: _____

Date: 5/17/18

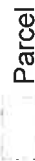
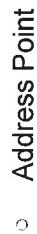
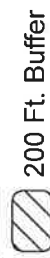
JOHN A. JONES

PRINTED NAME



51241

Morning Sun-Rd



521



W Sycamore St

E Sycamore St



N Main St

Woodruff Ct

306 ○ 306
306 ○ 306
306 ○ 306
306 ○ 306



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

CASE NO.: PC-2018-12

DATE OF HEARING: June 12, 2018

ZONING MAP AMENDMENT, 5111 Morning Sun Road, for 1.25 area parcel from an OI (Office Industrial) District to a R2MS (Single- and Two-Family Mile-Square Residential) District, **Scott Webb, Applicant, Agent**

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

Name:

Tony Miller

(Print)

Address:

4721 Riggs Rd
Oxford OH 45056

Telephone:

Home:

513-532-7565

Work:

COMMENT:

*I would like to see this parcel remain
Office Industrial.*

*This is a prime business location with-in the
city. I'd like to see more business created on the
north side of town. This lot is the first thing you
see entering town & the last thing leaving town.*

*The city needs to think about creating jobs
through promoting businesses to locate in town.*

*protect this parcel, don't change the
map. Don't create another south 27*

Signature

Date

Tony Miller

6-10-18



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

CASE NO.: PC-2018-12

DATE OF HEARING: June 12, 2018

ZONING MAP AMENDMENT, 5111 Morning Sun Road, for 1.25 area parcel from an OI (Office Industrial) District to a R2MS (Single- and Two-Family Mile-Square Residential) District, **Scott Webb, Applicant, Agent**

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

Name:

(Print)

Address:

Rick Metz & Jackie

310 & 314 N. Main

Box 154 B.G. 43402

Telephone:

Home: 419-3527872

Work: _____

COMMENT:

SAM —

It's OK with us!


Signature

6/11/18
Date

LETTER OF AGENCY

To Whom It May Concern:

Please be advised that Scott Webb, Architect has permission to represent our interest with the City of Oxford's Board of Planning Commission & City Council regarding a proposed Zoning Map Amendment at 5111 Morning Sun Road

Thank you,

Signed:


Shane Coffman, H & P Properties, Inc.


Date:



Internal Use Only:

Case No.

PC-2018-12

Date Filed

4/27/18

Zoning Map Amendment Application

Applicant Information

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

Name * Scott Webb, Architect

Mailing Address * 103 West Walnut Street

City, State & Zip Code * Oxford, Ohio 45056

Telephone Number(s) * 513-523-3838

Email Address scott@scottwebbarchitect.com

Location and Lot Information

Location * 5111 Morning Sun Road

General Description of Proposed Amendment * Request for a change in Zoning Designation for a single 1.25 area parcel

Current Zoning * OI (Office Industrial)

Proposed Zone(s) * R2MS Single and Two-Family Mile Square Residential

Submission Requirements and Documentation

From Section 1135.02 Procedure¹.

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

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

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

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

Surrounding Property Owners

On a separate sheet, provide the parcel numbers, names, and mailing addresses of all property owners within 200 feet of all boundaries of the property in question. The [Butler County Auditor Real Estate Search](#)² is helpful when searching for the mailing address of adjoining property owners. It allows you to search by owner, address, or parcel number. *Property Owner names will not be provided in the agenda packet.*

Decision Process

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

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

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

Fees & Receipt

The required fee is \$150.00, plus \$10.00 postage charge. 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 *


 4/27/2018

Submit Application, Submission Requirements and Documentation, and Fees

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

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

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

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

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May 23, 2018

Dear Mr. Chen,

Please accept this letter as a formal request for a review hearing by the City of Oxford Planning Commission and Oxford City Council for a Zoning Map Amendment for the property at 5111 Morning Sun Road, at the corner of Sycamore and Morning Sun Road. The proposed Zoning Map Amendment will change the affected property from OI (Office Industrial) to R2MS, Mile Square Single and 2-Family Residential District.

Statement responding to Decision Standards on the Application.

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

- A. *There is an error on the official Zoning Map or in the delineations between districts.*

Prior to the 2003 Map Amendment, the property was Zoned R4A, Suburban Multiple Dwelling. In 2003, despite being surrounded by residential development, the zoning was changed to OI, Office Industrial, with Planning Commission predicting a future Medical Office use, and eliminating most other opportunities for the property owner.

- B. *The proposed amendment will make the map conform more closely with the Comprehensive Plan.*

The Comprehensive Plan refers to this area generally as part of the "*Neighborhood 3*" area on the **Character Map**, described as being on the outskirts of the Mile Square with the lowest residential density, though containing single to multi-family density per the Character Area Matrix. While the **Conservation and Development Map** considers this location as a developed area it was also identified as a "*Weak Place*", presumably due to the lack of interest in developing it over the years. "*Weak Places*" are further described as areas that need improvement, or areas where infill and redevelopment would be appropriate.

There are competing objectives and strategies in the **Land Use chapter**, *Objective 4* suggesting the need for research, development, and office space, yet further suggesting this should be along the north 27 corridor.

Objective 2 suggests enhancing the neighborhoods in the Mile Square. As this is identified as a residential area, residential infill in this location would develop a site that has been vacant for a couple decades.

C. There has been substantial change in the area conditions that necessitates the amendment.

The current zoning was likely decided with the development of a variety of medical offices further north along Morning Sun Road. After 15 years and numerous owners, the site has never produced a viable project fitting within the narrow confines of the OI Zoning District. Grading, access from the intersection and parking requirements for commercial uses on small sites has affected the feasibility of such a project.

A zoning change in this area will provide a more compatible use for the neighborhood than an Office Industrial, commercial use.

As the property resides in the Mile Square Charter Amendment area and would potentially receive a Mile Square Zoning Designation, development would be required to be compatible with the neighboring property in scale and with regard to the Mile Square Design Guidelines.

Development in line with its current Zoning designation would result in higher traffic, parking lots, and commercial buildings.

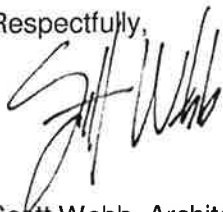
D. There is legitimate need for additional land area in the zoning district that will be expanded

Planning Commission spent over a year looking for additional density in the Mile Square, particularly in the North quadrant of the Mile Square, adjacent to the University and their parking areas.

With no interest in a commercial use for the property and Planning Commission's expressed need for additional residential development adjacent to campus, the Map Amendment would allow the development of a vacant parcel, and take pressure off of other neighborhoods in the City.

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

Respectfully,

A handwritten signature in black ink, appearing to read "Scott Webb", written over a light blue rectangular background.

Scott Webb, Architect

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



SCOTT
WEBB

ARCHITECT

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

www.scottwebbarchitect.com

Re: Application for Zoning Map Amendment
5111 Morning Sun Road
Oxford, Ohio 45056

April 27, 2018

Dear Mr. Chen,

Please accept this letter as a formal request for a review hearing by the City of Oxford Planning Commission and Oxford City Council for a Zoning Map Amendment for the property at 5111 Morning Sun Road, at the corner of Sycamore and Morning Sun Road. The proposed Zoning Map Amendment will change the affected property from OI (Office Industrial) to R2MS, Mile Square Single and 2-Family Residential District.

Statement responding to questions posed on the Application.

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

A. *What is the relationship of the proposed zone change to the City of Oxford's Comprehensive Plan?*

The Comprehensive Plan refers to this area generally as part of the "Neighborhood 3" area on the Character Map, described as being on the outskirts of the Mile Square with the lowest residential density, though containing single to multi-family density per the Character Area Matrix. While the Conservation and Development Map considers this location as a developed area it was also identified as a "Weak Place", presumably due to the lack of interest in developing it over the years. "Weak Places" are further described as areas that need improvement, or areas where infill and redevelopment would be appropriate.

There are competing objectives and strategies in the Land Use chapter; *Objective 4* suggesting the need for research, development, and office space, yet further suggesting this should be along the north 27 corridor. *Objective 2* suggests enhancing the neighborhoods in the Mile Square. As this is identified as a residential area, residential infill in this location would develop a site that has been vacant for a couple decades.

B. *How will the zone change affect the neighborhood in which the property is located? Briefly describe any impacts of the change as proposed.*

A zoning change in this area will affect the properties in the neighborhood, by providing a more compatible use than an Office Industrial, commercial one. As the property resides in the Mile Square Charter Amendment area, and would potentially receive a Mile Square Zoning Designation, development would be required to be compatible with the neighboring property in scale and with regard to the Mile Square Design Guidelines.

Development in line with its current Zoning designation would result in higher traffic, parking lots, and commercial buildings.

- C. *How will the zone change affect public facilities such as sewer and water service, drainage, schools and roads, if applicable?*

Public facilities will not be affected, since this is an infill development, all public facilities are available at this location. At over an acre a plan development application will likely follow, ensuring comprehensive design of the site addressing storm water, etc.

- D. *What mitigating actions might be suggested to offset problems resulting from adverse impacts on private property and public facilities (e.g., landscape screening, drainage improvements, changes in traffic signalization, provision of additional turn lanes).*

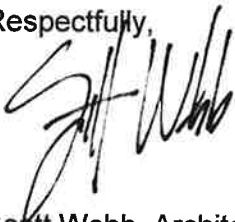
Comprehensive design of the site through a Planned Development application will address all mitigating factors, and will be designed in cooperation with Planning Commission through this process.

- E. *Why is the current zoning classification of the property no longer appropriate?*

The current zoning was likely decided with the development of a variety of medical offices further north along Morning Sun Road. After 15 years and numerous owners, the site has never produced a viable project fitting within the narrow confines of the OI Zoning District. Grading, access from the intersection and parking requirements for commercial uses on small sites has affected the feasibility of such a project.

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

Respectfully,

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

Scott Webb, Architect

Zoning Area Map Showing Adjacent Zoning



Enlarged Zoning Area Map Showing Adjacent Zoning



Aerial Photograph Showing Adjacent Development



**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: August 7, 2018

Sam Perry
Prepared By:

Account Code No. #:

Budgeted Amount:

July 31, 2018
Date Prepared:

PC-2018-10, CONDITIONAL USE, 104 McKee Avenue, to allow for a home based music school in an R1A Zoning District, Jon Sanford, Applicant

Recommendation: Approval with conditions

Discussion:

This case came about as a home based music lessons business that expanded beyond the limits of a permitted-by-right home occupation. The owner/occupant/applicant opted to pursue a conditional use for a school rather than re-locate the business or reduce it to a home occupation. There was originally 6 non-resident teachers which has now been reduced to 2 at any given time. The number of teachers seems to be a controlling factor of any potential neighborhood impacts. There was extensive feedback from the neighborhood at the June meeting, followed by emails. For July 10, the applicant had a two page letter revised plan and there were no new public comments; therefore, the case was recommended for approval as revised. There has been recent communication between neighbors and the applicant that may result in additional conditions requested. These were not reviewed by the Planning Commission.

After the removing the case from the table on July 10, the Commission heard from staff and the applicant. There were no new public comments. The Commission voted 5-0 to recommend approval of the request with the following conditions:

1. That, customer parking will not be allowed on McKee Avenue.
2. That, no more than two non-resident instructors are permitted at one time

Approved By:

Department Head: *Intaim SP* / 8-2-18

City Manager:

DRE / 8-3-18

ORDINANCE NO.

AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT TO ALLOW A PRIVATE HOME-BASED MUSIC SCHOOL IN A R1A (SINGLE-FAMILY LOW-DENSITY RESIDENTIAL) DISTRICT LOCATED AT 104 MCKEE AVENUE OXFORD, OHIO WITH CONDITIONS.

WHEREAS, the Planning Commission held public hearings on June 12, 2018 and on July 10, 2018 in accordance with Section 1147.02 of the Codified Ordinances of the City of Oxford, on the application of Jon Sanford, Applicant, for a conditional use permit to allow a Private Home-Based Music School in a R1A (Single-Family Low-Density Residential) District located at 104 McKee Avenue in the City of Oxford, Ohio; and

WHEREAS, the Planning Commission, after two public hearings and discussion, voted to approve a motion recommending approval of the conditional use permit application to allow a Private Home-Based Music School in a R1A (Single-Family Low-Density Residential) District located at 104 McKee Avenue in the City of Oxford, Ohio with conditions.

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY ORDAINS THAT:

SECTION 1: 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 a Private Home-Based Music School in a R1A (Single-Family Low-Density Residential) District located at 104 McKee Avenue Oxford, Ohio with the following conditions:

1. Customer parking shall not be permitted on McKee Avenue.
2. No more than two non-resident instructors shall be permitted on site at one time.

SECTION 2: This Ordinance shall take effect at the earliest time allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

Memo



To: Planning Commission
From: Sam Perry, Community Development
Date: 7/5/2018
Re: 104 McKee Ave music lessons, PC 2018-10

Since the time of the June 12 hearing on this case:

- Staff met with Oxford Police Department to discuss some of the safety concerns raised. The department looked at the area at different times of day.
- The June 12 meeting minutes are only complete for this case. See attached. June and July minutes will be provided at the August meeting.
- We received four email messages from members of the neighborhood. All of those have been forwarded to owner/applicant Mr. Jon Sanford. Mr. Sanford has reached out to neighbors again and also researched other options. Staff has had good collaboration with Mr. Sanford.
- Mr. Sanford has submitted the attached written proposal to the Commission to reduce the impact of the business primarily by limiting the number of non-resident teachers from 7 to 2. The number of client visits per week would likely still exceed 10, which would require the conditional use process, rather than the permitted home occupation. A permitted home occupation would mean that Mr. Sanford could withdraw his conditional use application.
- The Commission can remove the case from the table and continue discussion or re-open the hearing to take any new information. All other previous findings and information for the case will be contained in the June agenda/packet. A recommendation of the conditional use for music school in a residential district should be forwarded to City Council. The recommendation based upon written findings of fact can be for:
 - Approval with conditions or
 - Denial

June 28, 2018

Dear Mr. Perry,

After learning about the concerns from a number of neighbors at the public hearing on June 12, 2018, I'd like to present a number of significant changes to my original Conditional Use Application which I believe will satisfy the desires of the community and neighborhood. These changes will require a significant amount of sacrifices made by me, the teachers of Oxford Music Academy, as well as the students and families who are currently enrolled in the school. Ultimately, it's my goal to continue to attract teachers to this community who otherwise wouldn't be teaching in Oxford to offer the best services at a price that residents can afford.

After the last hearing, I took immediate action to search for potential locations that could house the entire music school. Comments were made at the last hearing which made me think the Oxford Community Arts Center might be an easy solution. I met with the executive director the very next day and was disappointed to find out that things haven't changed since the last time I contacted them over a year ago. I was told that the spaces weren't conducive for music studios because of issues with sound. Noise complaints are already being made by other renters about the two music studios that are already in operation without adding the 7 teachers that are affiliated with Oxford Music Academy to the mix. Even if there wasn't a noise issue, they simply don't have the space available to house Oxford Music Academy.

Additionally, I enquired about a number of other available commercial spaces in town. None of them were at a price that would be feasible for a school of this size to afford without making a significant increase to the tuition families pay. Raising the rates would make it difficult for many in the community to continue music lessons.

I've also looked into space at the Fitton Arts Center in Hamilton. They only have a total of two studio spaces which are already in use by other instructors. This would have been a last resort because it would be a challenge for many in this community to regularly travel that distance each week for lessons.

Finally, I've contacted a number of churches in the area after learning that there are music studios in other communities that operate out of churches at a cost less than the traditional commercial space. Several are beginning the process to request approval by their boards and committees. These churches would not have the space to house the entirety of Oxford Music Academy, but might be of assistance by housing a portion of our instructors to help with my revised plan.

The first part of my revised plan is to eliminate the third teaching space from my home that was added after the first instructors were hired about a year and a half ago. This would just leave the two rooms that I originally had when I was only teaching by myself – which is the room with the semi-concert grand piano and the digital piano lab on the opposite side of the home.

This one change alone would reduce the total number of vehicles, teachers, and students that are present at any given time as well as significantly reduce the number of potential students throughout the course of the entire week.

I'm proposing that I would continue to offer my own Accelerated Piano Group Program and Traditional Private Piano Lessons out of my home. Even though I hope to relocate the violin, voice and guitar lessons, it's not as easy as it might seem to relocate the other piano teachers as well. Even though many churches do have pianos, many are not at a quality suitable for professional lessons. Even if they were, they are often in spaces that are already used for weekly rehearsals or meetings. It took a lot of work and loans to acquire the instruments we currently have and we would not be in a position to provide additional instruments of the same quality to the each piano teacher if they were forced to teach in different locations. These instruments are something we're currently able to share which benefit both the teachers and students from the community.

Because of these reasons, I'm requesting to have up to two non-resident instructors teaching out of my home – one to assist in the accelerated group classes and the other to offer private piano lessons. With the potential of a church hosting 1 or 2 studio spaces, it would hopefully be possible for me to relocate the violin, guitar, and voice lessons. Additionally, it would be much easier for me to implement a buffer zone between group classes. I would no longer be able to coordinate schedules for multiple students in the same family learning multiple instruments at the same time, which unfortunately is a loss and inconvenience to the families enrolled in the school.

These changes would produce a large cut in the number of teachers, students and parents present at one time. One of the major issues presented at the previous hearing was the danger to pedestrians when vehicles park on McKee Avenue. This change would completely eliminate the need for any parking on McKee. Another concern was a congested cul-de-sac on Tenney Court. However, anybody coming for the group piano class would be able to park on my driveway which holds at least 4 vehicles. These vehicles wouldn't have a need to even enter the cul-de-sac. This reduction would perhaps only require a maximum of 1-2 cars parked on Tenney Court, if any at all.

Some were concerned about reckless drivers coming into the neighborhood. Although I'm sure that could still happen whether this conditional use was permitted or not, the studio contract would remind our students about simple traffic rules to obey such as speed limits, U-turns, stop signs, or inappropriate parking. I would ask parents, students and neighbors to report any violations to me – not that I'd be taking on the role of law enforcement – but to let any offenders know that future offenses would be grounds for dismissal from the studio so that the poor actions of one client don't ruin the opportunities we provide to the rest of the community.

I'm confident that these changes will satisfy the desires of the neighborhood, as they address the major concerns that have been brought up to me. These changes come with me, our teachers, our students and parents making a significant amount of sacrifice in order to continue to offer our services to the community, so I hope it will be seen as a fair compromise when considering conditional use approval.

Sincerely,

A handwritten signature in black ink, appearing to read "Jon Sanford". The signature is stylized with a large, bold "J" and "S".

Jon Sanford

City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2018-10

Date – June 12, 2018

APPLICATION

Applicant:	Jon Sanford
Location:	104 McKee Avenue
Owner:	Jon Sanford
Action Request:	Conditional Use Permit for Private Music School
Current Use:	Single Family Residence with Private Music School
Zoning:	R1A (Single Family Low Density Residential District)
Surrounding Land Uses:	Single Family Residential

GENERAL DESCRIPTION

Jon Sanford currently operates a private music lesson home-based business at 104 McKee Ave. McKee Ave is in a single-family neighborhood on the south side of Oxford. The business currently exceeds the limits of the home occupation provisions of Oxford Zoning Code, but it is not large enough to justify moving to a commercial location. Therefore, Mr. Sanford seeks approval from the City to retain his business as it currently operates. Mr. Sanford owns and occupies the home as his own residence. No changes have been made to the home for this use.

ZONING CODE BACKGROUND

While the home occupation code of 1141.01(c)5 is very specific(as noted below) in what is permitted by right, the conditional use concerns of a private school are comparably, very broad. This leaves the City latitude in determining if this use is a good fit in the neighborhood. This background information also helps to establish the basis for why the conditional use is the only option for Mr. Sanford that does not involve downsizing, closing or relocating. The below limits of the Home Occupation **do not have to be followed** if a conditional use is approved.

Client visits: Home occupation code limits the number of “business visitors” per week to 10. The current weekly visitors to this use is approximately 100.

Employees: Home occupation code limits the number of non-resident employees to 2, with only 1 being allowed to be present at a time. There are times when both are present.

Percent of home: Home occupation code limits the use to 25% of the home. This use exceeds 25%

Overlapping clients: Home occupation code prohibits overlapping client visits. There are currently overlapping client visits.

Traffic: Home occupation code states that the use “should not generate a greater volume of traffic or parking need than would normally be expected in a residential neighborhood.” The use generates more traffic and parking than the surrounding neighborhood.

PUBLIC COMMENTS

Public notices were mailed to surrounding property owners and a notice sign was placed in front of the property. As a result of the City’s mailing one letter of support was received from an adjacent owner. 31 letters of support were provided by Mr. Sanford from his clientele.

AGENCY REVIEWS

Requests for review were made to the Police, Fire, Engineering and Economic Development

Departments. The following comments have been received:

Police:	No comment returned
Fire:	No comment returned
Engineering:	No comment returned
Econ. Dev.:	No comment returned

ZONING CODE REVIEW

Below is an excerpt from Oxford Zoning Code Section 1147.03, Use-Specific Regulations with staff comments in ***bold/italic***. The code below is the same code used for conditional use review of new public elementary, middle and high schools.

(40) Schools

A. Potential Concerns

1. Adequate lot size to permit future expansions – *n/a*
2. Bus and van storage - *n/a*
3. Access to streets that can handle traffic generated by the use – *n/a*
4. Design of vehicle management area – *n/a*
5. Location of outdoor facilities such as ball fields and band practice areas – *n/a*
6. Proximity to incompatible uses (establishments serving alcohol) - *none*

B. Regulations

1. Parking spaces shall not be located in a yard adjacent to a residential zoning district – *clients park on street*
2. Structure shall be setback a minimum of 30 feet from a residential zoning district – *structure is an existing home*

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 it is possible. However, as noted in Section 1147.02(c)2:

Planning Commission may waive or modify dimensional regulations of the Zoning Code, or impose more strict regulations and any additional conditions, guarantees, and safeguards it deems necessary to satisfy the purposes of this Zoning Code.

Since this use is already in operation it makes it somewhat simple for the City to determine if this is a good fit or not. If so, the current parameters could be placed as conditions in order to safeguard the neighborhood from any nuisance that could occur from increased traffic, parking or hours of operation.

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

Yes

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

Yes

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

None expected.

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.

No excessive nuisance conditions expected.

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 additional accessory uses expected

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.

Opportunity for comment has been provided to Police, Fire and Service Department.

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

Opportunity for comment has been provided to Police, Fire and Service Department.

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.

No changes for the home exterior are planned.

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.

Opportunity for comment has been provided to Police, Fire and Service Department.

Mr. Sanford states that clientele only park on one side of McKee Avenue. The should be made a condition for safety purposes because this property is on a curved part of McKee Ave.

Staff recommends a condition that Mr. Sanford require a specified buffer time between clients so that the number of simultaneous parking is minimized. It would be difficult for clientele to park on Tenney Court certain times of the year because there are no public sidewalks on this part of McKee Ave.

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

No construction is proposed.

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.

Staff is not aware of any licenses required.

RECOMMENDATION

Based upon the zoning code review within and the above analysis, if the Planning Commission finds the proposal to meet the general and site specific requirements, it can forward a recommendation of approval to the City Council.

Given that the use is already in operation and no concerns have been received from the neighborhood, staff recommends approval, with the following conditions (to be discussed):

1. Limited to X number of cars on the street in front of 104 McKee (three?)
2. No cars parked on other side of the street associated with this business
3. Remain an owner-occupied home
4. Non-resident employees limited to 2
5. Buffer of X number of minutes between clients

SUBMITTED BY:

A handwritten signature in cursive script that reads "Sam Perry". The signature is written in black ink and extends to the right with a long horizontal stroke.

Sam Perry, AICP
Planner

DATE: June 3, 2018

ATTACHMENT

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

(1) Burden of proof.

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

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

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

(d) Action by Planning Commission.

- (1) The Planning Commission shall recommend to Council approval, approval with conditions, or denial of an application as presented and shall clearly state the findings upon which its recommendation is based.
- (2) The Planning Commission shall base its recommendation to Council upon how well the application satisfies the General Decision Standards and the Decision Standards for the proposed use. In its recommendation, Planning Commission may waive or modify dimensional regulations of the Zoning Code, **or impose more strict regulations and any additional conditions, guarantees, and safeguards it deems necessary to satisfy the purposes of this Zoning Code.**

City of Oxford
Inter-Office Review Transmittal Sheet



Date: May 9, 2018

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2018-10, CONDITIONAL USE, 104 McKee Avenue, to allow for a home based business in an R1A Zoning District, **Jon Sanford, Applicant**

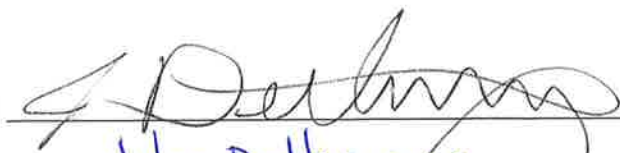
 X Review Revisions Other

Please return no later than: **June 1, 2018** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by:


John Detherage
PRINTED NAME

Date:

5-10-18

City of Oxford
Inter-Office Review Transmittal Sheet

Date: May 9, 2018

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2018-10, CONDITIONAL USE, 104 McKee Avenue, to allow for a home based business in an R1A Zoning District, **Jon Sanford, Applicant**

 X Review Revisions Other

Please return no later than: **June 1, 2018** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by: _____



Date: 5-9-18

VICTOR POPESCU

PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: May 9, 2018

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2018-10, CONDITIONAL USE, 104 McKee Avenue, to allow for a home based business in an R1A Zoning District, **Jon Sanford, Applicant**

 X Review Revisions Other

Please return no later than: **June 1, 2018** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by: _____



Date: _____

5/17/18

John A. Jones

PRINTED NAME



PC-2018-10 Surrounding Property Owners Notifications Map

Legend

-  Subject Parcel
-  200 Ft. Buffer
-  Oxford Corp. Limit
-  Address Point
-  Parcel
-  16.5' Vacated ROW
-  Building Footprint
-  Paved Roadway



1 inch = 100 feet

Prepared on Friday, May 25, 2018

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





Internal Use Only:	
Case No.	PC-2018-10
Date Filed	4/27/18

Conditional Use Permit Application

Applicant Information

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

Name * Jon Sanford

Mailing Address * 104 McKee Ave

City, State & Zip Code * Oxford, OH 45056

Telephone Number(s) * (513) 377-8188

Email Address jonsanford620@gmail.com

Owner Information

Name * Jon Sanford

Mailing Address * 104 McKee Ave

City, State & Zip Code * Oxford, OH 45056

Telephone Number(s) * (513) 377-8188

Email Address jonsanford620@gmail.com

Location and Lot Information

Location of Property * 104 McKee Ave Oxford, OH 45056

Legal Description * Lot #950, Parcel # H4100-111-000-013

Zoning District * R1A

Total Area * .567 → Check One * Acres ☒ Square Feet ☐

Existing Use Description * Single Family Dwelling

Proposed Use Description * Private Home-Based Music School

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.

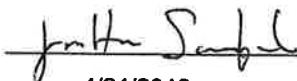
- A. The proposed use is in fact a Conditional Use appropriate for the zoning district in which it is proposed.
- B. The use and site will satisfy the general intent of this Zoning Code.
- C. The use and site will be compatible with the general intent of the Comprehensive Plan.
- D. The size and shape 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 fees are \$400.00 plus \$10.00 for postage. You may write a \$410.00 check payable to **City of Oxford**. You may also pay in-person using Visa, MasterCard, and Discover.

Sign and Date

Applicant Signature *



Date *

4/24/2018

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

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

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

For Staff Use Only

Fee Paid Date *

4/27/18

Receipt Number *

200029

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/>

April 25, 2018

Mr. Jung Han Chen
Community Development Director
City of Oxford
101 East High Street
Oxford, OH 45056

Re: Oxford Music Academy Conditional Use Submittal

Dear Mr. Chen:

Enclosed please find thirteen complete sets of the Conditional Use Permit Application regarding Oxford Music Academy's approval to continue as a home-based business at 104 McKee Avenue. Specifically, the application materials provided include:

- Executed Conditional Use Permit Application
- Check in the amount of \$410.00 made payable to the City of Oxford for the application fee
- Description of the Proposed Use and Site (follows)
- Listing of all property owners within 200 feet of all property lines
- Interior floor plans showing the use of space inside the home
- Site Plan
- Exterior Photographs (a substitute for the elevation plan)
- Photographs of current surroundings
- Letters of support from current community members

Description of Use and Site:

- 1) Applicant and Owner
 - Jon Sanford
 - 104 McKee Ave
 - Oxford, OH 45056
 - (513) 377-8188
- 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
 - The applicant is the owner
- 3) Legal Description of the Site: Lot #950, Parcel # H4100-111-000-013
- 4) Description of existing uses of the site:
 - The site is currently used as a single family dwelling with a home-based business.
- 5) The zoning district in which the site is located: R1A
- 6) A description of the proposed use.
 - A description of operations, including types of goods sold, services performed, and expected number of customers, clientele, delivery, and service vehicles
 - The proposed home-based business will offer private and group music lessons. It provides lessons on a weekly basis to approximately 60 families and 10 adult students. No business related deliveries or service vehicles would be present.
 - Hours of Operation
 - Regular teaching hours occur on weekdays in the late afternoon/evening as well as on weekends. Lessons are never taught after 9:00pm.

- 7) A narrative statement that evaluates the compatibility of the proposed use with the general vicinity and adjacent properties.
- 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.
 - The home would continue to function as a single-family dwelling for the majority of the time. Lessons are predominantly taught during the relatively small window of time each day that children aren't in school. Dedicated areas inside the home would be used to operate the home-based business.
 - How any existing structures, proposed structures, and the site design relate to adjacent structures and sites
 - The physical appearance of the existing structure will not change.
 - If the use will involve any operations that create potential nuisances such as excessive noise, lighting, odor, fumes, vibration, or emissions.
 - The proposed home-based business will not involve any operations that create potential nuisances. As a single family dwelling, there are no shared walls between other neighbors so the sound created from music instruments is not an issue.
 - How any potential negative effects on adjacent land will be mitigated.
 - The proposed home-based business will not have any negative effects on adjacent land.
- 8) A statement about why the location proposed is more appropriate for the use than other locations.
- It is a long held tradition that music lessons be given in a home. Without any conditional-use approval, the current zoning regulations would prevent a home-studio teacher from being able to make a living doing their profession in Oxford.
 - Affording the cost to have a music school out of a commercial location in Oxford is unfeasible. The vast majority of clients are children. There is only a relatively small window of time between when a child gets home from school and gets ready for bed. Paying for the 24/7 use of a commercial space would be impractical considering how little it would be used. Even though students are encouraged to take lessons year-round, several need to take breaks over the summer which would make a commercial space even more impractical during the summer months.
 - Additionally, the majority of commercial locations available in the area would have adjoining walls with other businesses. Sound could be a nuisance to the neighboring businesses which isn't an issue where it's currently located being detached from any neighbors.
 - Even though commercial music schools do exist in other communities, these communities are large enough to support music schools that serve well over 500-1,000 students with 30 or more teachers. Considering Oxford's size in comparison to the nearby cities and suburbs, it's unrealistic to think a music school that large could exist in this community.
- 9) A statement of necessity or desirability of the proposed use to the neighborhood or community
- In addition to the inherent pleasure of making music, research shows that music lessons provide students countless benefits in non-music areas as well, including increased academic performance, higher IQ's, improved memory, better problem solving skills, social and emotional benefits, etc.
 - By partnering with other independent music teachers, resources such as instruments, teaching space, and a music library can be shared among them, encouraging other teachers to bring their skills and services to members of this community. This is particularly helpful for new teachers in the community wanting to start a career as well as those teachers who teach instruments that are relatively less popular. Without sharing

resources in a setting like Oxford Music Academy, it would be very difficult to attract new music teachers to this community.

- Parents love the convenience that a local music school can offer. A broad range of offerings allows students and family members with multiple interests to have different lessons at the same time and place, saving them valuable time and energy.
- The proposed use would create a “safe-house” for other neighbors – a place where children would know somebody was home after school in the afternoon/evenings, providing them a safe place to go if needed.
- See attached letters of support from current community members showing their desire of the proposed use to the neighborhood and community.

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

- Adequate lot size to permit future expansion
 - There would be no future expansions done to the exterior of the home.
- Bus and van storage.
 - There would be no busses or vans transporting students to music lessons.
- Access to streets that can handle traffic generated by the use.
 - Clients arrive either one at a time or in small groups. This would not have any major impact to the surrounding streets.
- Design of vehicle management area.
 - Most parents drop off their children and leave for the duration of the lesson. However, especially since the property is on a corner lot, there would be sufficient room for everybody to park on either Tenney Court or McKee Ave in front of the property and only on the same side as the property. Considering the width of the streets, this would still allow for any traffic on McKee Avenue and Tenney Court to safely flow in both directions.
- Location of outdoor facilities such as ball fields and band practices areas.
 - No outdoor facilities would be necessary.
- Proximity to incompatible uses (establishments serving alcohol).
 - No incompatible uses are in close proximity.

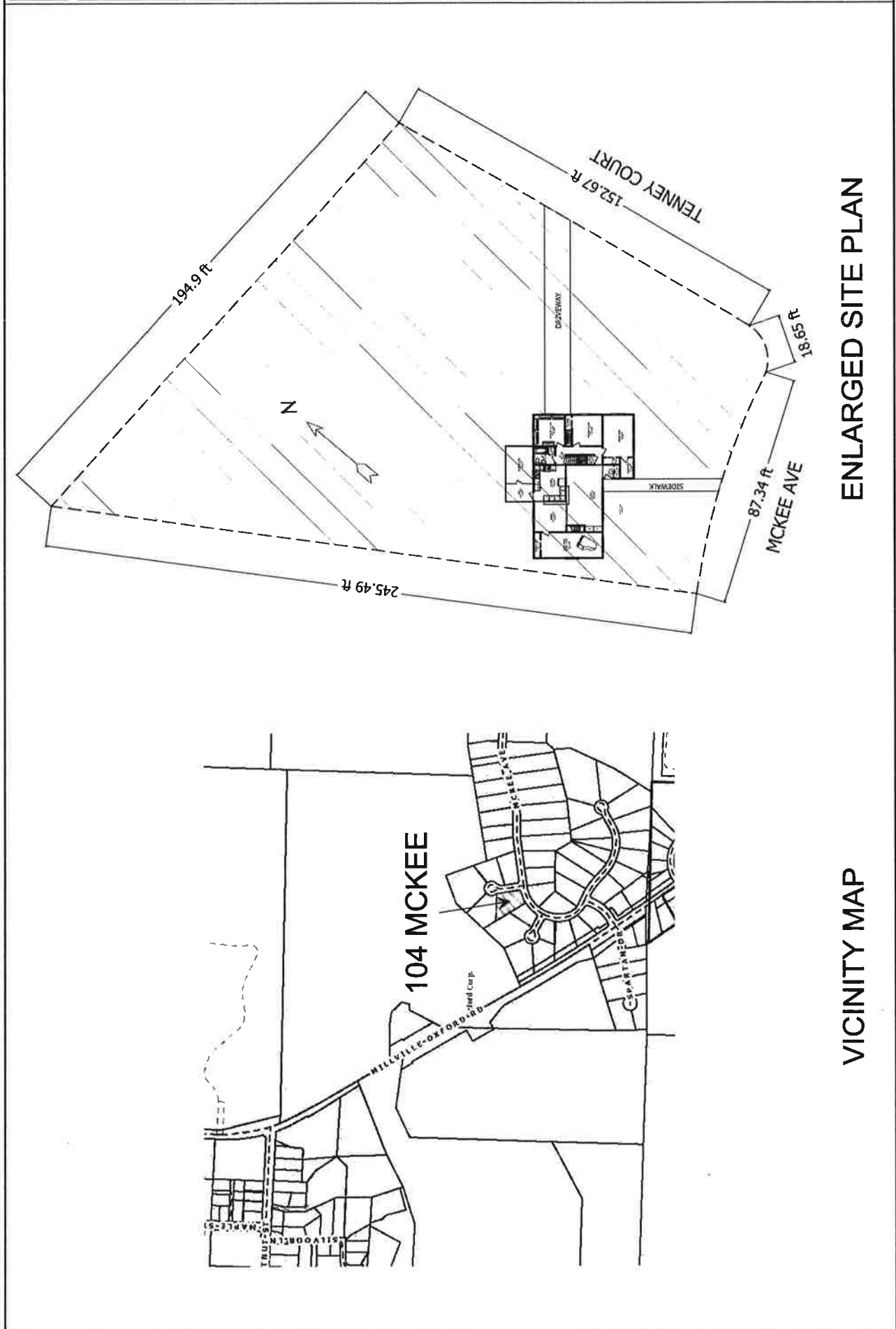
Please place this item on the June 12th Planning Commission Meeting agenda.

Should you have any questions or need any additional information, please do not hesitate to contact me.

Sincerely,



Jon Sanford, MM, NCTM
(513) 377-8188
jonsanford620@gmail.com

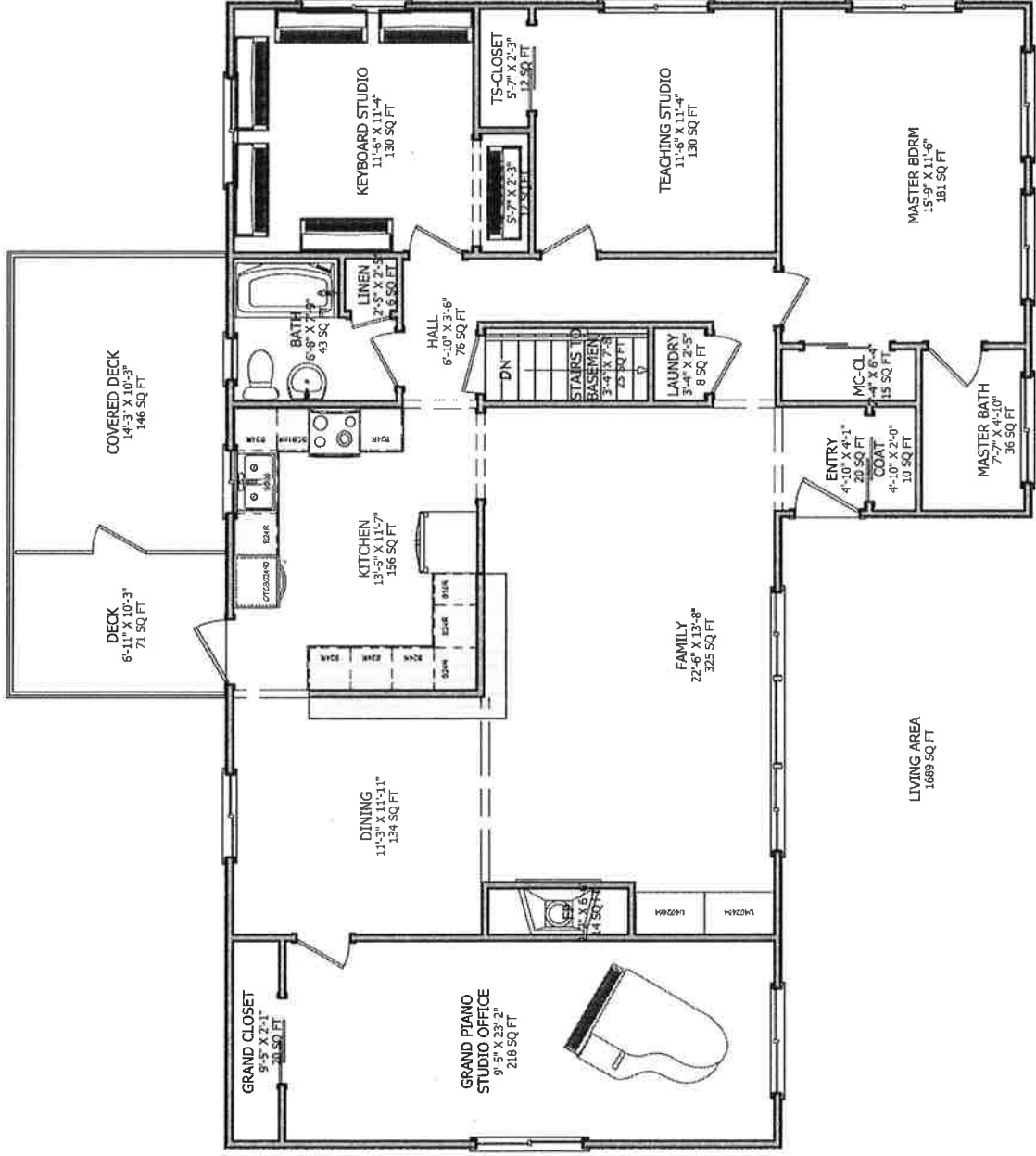




1) View of south side of house (substitution for elevation plan)



2) View from east side of house (substitution for Elevation Plan)

[illegible]

STUDIO ONLY		
ROOM TYPE	ROOM NAME	AREA, INTERIOR (SQ. FT.)
STUDIO	REARBOARD STUDIO	130
STUDIO	EDWARD CLOSET	20
STUDIO	GRAND PIANO STUDIO OFFICE	218
STUDIO	SS-CLOSET	12
STUDIO	TEACHING STUDIO	130
STUDIO	115-CLOSET	12
STUDIO	STUDIO 5	572



**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: August 7, 2018

Sam Perry
Prepared By:

Account Code No. #:

Budgeted Amount:

July 31, 2018
Date Prepared:

PC-2018-13, CONDITIONAL USE, 117 W. Church Street, to allow for a lodging service without food service or owner occupancy, Kristine and David Winkler, Owners, Applicants

Recommendation: Approval with waivers

Discussion:

This case came about as an effort by the owners to find a use for their building that would help to preserve it for future generations. The goal being to become an income-producing property. This 1911 Neo-Classical style building was previously a professional office and a residential rental. The property is zoned Uptown which does not permit residential use on the ground floor.

Oxford Zoning Code contains a rarely used provision in nearly every zoning district for a conditional use for a Bed and Breakfast. The provision requires on-site management and a meal for guests. Staff directed the owners to the option of seeking the conditional use with requested waivers. The proposal would be for guests to use an internet-based reservation service. The owners do not occupy the home and would not be providing on-site management or a meal.

The Commission held a hearing on July 10. Based on the decision criteria, the Commission voted 5-0 to recommend approval of the conditional use request with the following waivers to be granted:

1. On-site management not required
2. No meal required

Approved By:

Department Head: *Interim SP* / *8-2-18*

City Manager:

DRE / *8-3-18*

ORDINANCE NO.

AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT TO ALLOW A LODGING SERVICE IN THE UP (UPTOWN) DISTRICT LOCATED AT 117 WEST CHURCH STREET OXFORD, OHIO WITH CONDITIONS.

WHEREAS, the Planning Commission held a public hearing on July 10, 2018 in accordance with Section 1147.02 of the Codified Ordinances of the City of Oxford, on the application of Kristine and David Winkler, Applicants, for a conditional use permit to allow a lodging Service in the UP (Uptown) District located at 117 West Church Street in the City of Oxford, Ohio; and

WHEREAS, the Planning Commission, after a public hearing and discussion, voted to approve a motion recommending approval of the conditional use permit application to allow a Lodging Service in the UP (Uptown) District located at 117 West Church Street Oxford, Ohio with conditions.

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY ORDAINS THAT:

SECTION 1: 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 a Lodging Service in the UP (Uptown) District located at 117 West Church Street Oxford, Ohio with the following conditions:

1. The onsite management regulation for Bed & Breakfast shall be waived.
2. The food service regulation for Bed & Breakfast shall be waived.

SECTION 2: This Ordinance shall take effect at the earliest time allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2018-13

Date –July 10, 2018

APPLICATION

Applicant:	Kristine and David Winkler
Location:	117 West Church Street
Owner:	Kristine and David Winkler
Action Request:	Conditional Use Permit Application for a lodging service in the Uptown District
Current Use:	Professional Office
Zoning:	UP (Uptown)
Surrounding Existing Land Uses:	Mixed-Use Residential, Institutional, Retail

GENERAL DESCRIPTION

The owners of the existing two-story historic home located at 117 West Church Street are requesting a conditional use for a lodging service in the Uptown District. The property was formerly a residential rental before becoming a professional office for the past several years. This district provides for a lodging service under the traditional bed and breakfast model which includes on-site management as well as a meal. The Winklers are requesting permission to convert the use of the property without the on-site management and meal being provided.

PUBLIC COMMENTS

Public notices were mailed to surrounding property owners, a notice was posted on the property and in the newspaper. No comments were received in response to these notices.

AGENCY REVIEWS

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

Police:	Comment returned
Fire:	No comment returned
Engineering:	No comment returned
Econ. Dev.:	No comment returned

ZONING CODE REVIEW

Chapter 1147 governs the Conditional Use application and outlines the potential concerns and use regulations for each permissible Conditional Use.

1147.02(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 testimony 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 appropriate for 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.

- (d) Action by Planning Commission.
 - (1) The Planning Commission shall recommend to Council approval, approval with conditions, or denial of an application as presented and shall clearly state the findings upon which its recommendation is based.
 - (2) The Planning Commission shall base its recommendation to Council upon how well the application satisfies the General Decision Standards and the Decision Standards for the proposed use. In its recommendation, Planning Commission may waive or modify dimensional regulations of the Zoning Code, or impose more strict regulations and any additional conditions, guarantees, and safeguards it deems necessary to satisfy the purposes of this Zoning Code.

1147.03(b)(4)

- (4) Bed & Breakfast.
 - A. Potential Concerns.
 - 1. Appropriate number of rooms for the neighborhood in which it is proposed.
 - 2. Location of separate entrances.
 - B. Regulations.
 - 1. No more than 8 rooms for rent in any structure.
 - 2. Owner or manager must live in the structure.

3. At least one meal must be provided to guests on site.

ANALYSIS:

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

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

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

Yes, the use can be allowed as a conditional use. It is specifically listed.

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

Yes, the proposed use can satisfy the general intent of the Zoning Code, one of which is to protect areas from the harmful encroachment of incompatible uses. (Chapter 1123)

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

*One of the objectives of the Comp Plan is to preserve historic properties. (Section 4.5)
Allowing feasible adaptive re-uses for existing buildings meets this objective.*

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

The site size needs for the use are a result of the building size related to maximum number of transient occupants. There is on-street and off-street parking adjacent to the building.

- 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 unrelated accessory uses are being 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.**

Opportunity for comment was provided to Fire, Police and Service Departments.

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

Opportunity for comment was provided to Fire, Police and Service Departments.

- 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 building is existing. No significant changes to the building are proposed. A 3-stall parking area is accessed by the north/south alley.

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

The site is accessed by foot from the front sidewalk or by car from the side parking.

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

There is no proposed construction. The existing building is considered historic and is in the Uptown Historic District.

- 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.**

The proposed use is considered a change of use by zoning and building codes. The owners plan to apply for a change of use permit from the Oxford Building Official after the conditional use hearing.

1147.03(b)(4)

(4) Bed & Breakfast.

A. Potential Concerns.

1. Appropriate number of rooms for the neighborhood in which it is proposed.
The neighborhood is a mixed-use area between low density housing and core uptown commercial and institutional services. Four overnight rooms for a use such as this is an appropriate number for the immediate area.
2. Location of separate entrances.
The Building Official will review the floor plan for compliance with this requirement. This review is coordinated with the Oxford Fire Department.

B. Regulations.

1. No more than 8 rooms for rent in any structure.
The proposed number is four.
2. Owner or manager must live in the structure.
The owners are requesting a waiver from this requirement. The owners live locally.
3. At least one meal must be provided to guests on site.
The owners are requesting a waiver from this requirement.

RECOMMENDATION:

Staff recommends that the conditional use be granted with the two waivers requested. Because this is considered a change of use by Ohio Building Code, life safety compliance reviews will be conducted without the need for additional conditions placed by the Planning Commission or City Council.

SUBMITTED BY:



Sam Perry, AICP
Planner

DATE: July 3, 2018

ATTACHMENT

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

(1) Burden of proof.

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

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

- A. The proposed use is in fact a Conditional Use in the zoning district in which it is proposed.
- B. The use and site will satisfy the general intent of this Zoning Code.
- C. The use and site will be compatible with the general intent of the Comprehensive Plan.
- D. The size and shape of the site are sufficient for the proposed use.
- E. The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district.
- F. The use will not involve activities, processes, materials, equipment, or conditions of operation that will be detrimental to any person, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare, odors, or other emissions.
- G. The only accessory uses will be directly related to the operation of the principal use and will not be operated independent of the principal use.
- H. The use and site will be adequately served by public facilities and services such as streets, water and sewer, drainage structures, police and fire protection, and refuse disposal, or adequate provisions will be made to provide the same services privately.
- I. Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services.
- J. The site will be designed, constructed, and maintained in a character harmonious in appearance and general character with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area. Structures to be constructed, reconstructed, or altered in a residential zoning district shall have the appearance of residential buildings permitted in the zoning district.
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- 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 5, 2018

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2018-13, CONDITIONAL USE, 117 W. Church Street, to allow for a lodging service without food service or owner occupancy, Kristine and David Winkler, Owners, Applicants

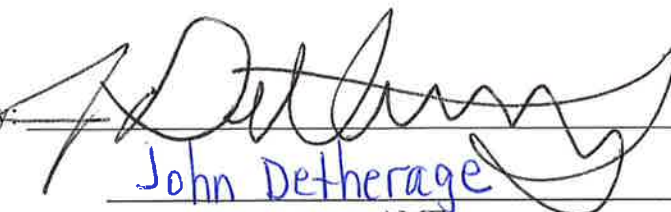
 X Review Revisions Other

Please return no later than: **July 2, 2018** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments

without/comments

Drawings reviewed by:


John Detherage
PRINTED NAME

Date:

6-8-18

City of Oxford
Inter-Office Review Transmittal Sheet

Date: June 5, 2018

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2018-13, CONDITIONAL USE, 117 W. Church Street, to allow for a lodging service without food service or owner occupancy, **Kristine and David Winkler, Owners, Applicants**

 X Review Revisions Other

Please return no later than: **July 2, 2018** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments without/comments

*This would create less strain on
police resources than a student rental.
I would support this conditional use.*

Drawings reviewed by: _____

[Signature]

Date: 6-18-18

John A. Jones, Chief

PRINTED NAME



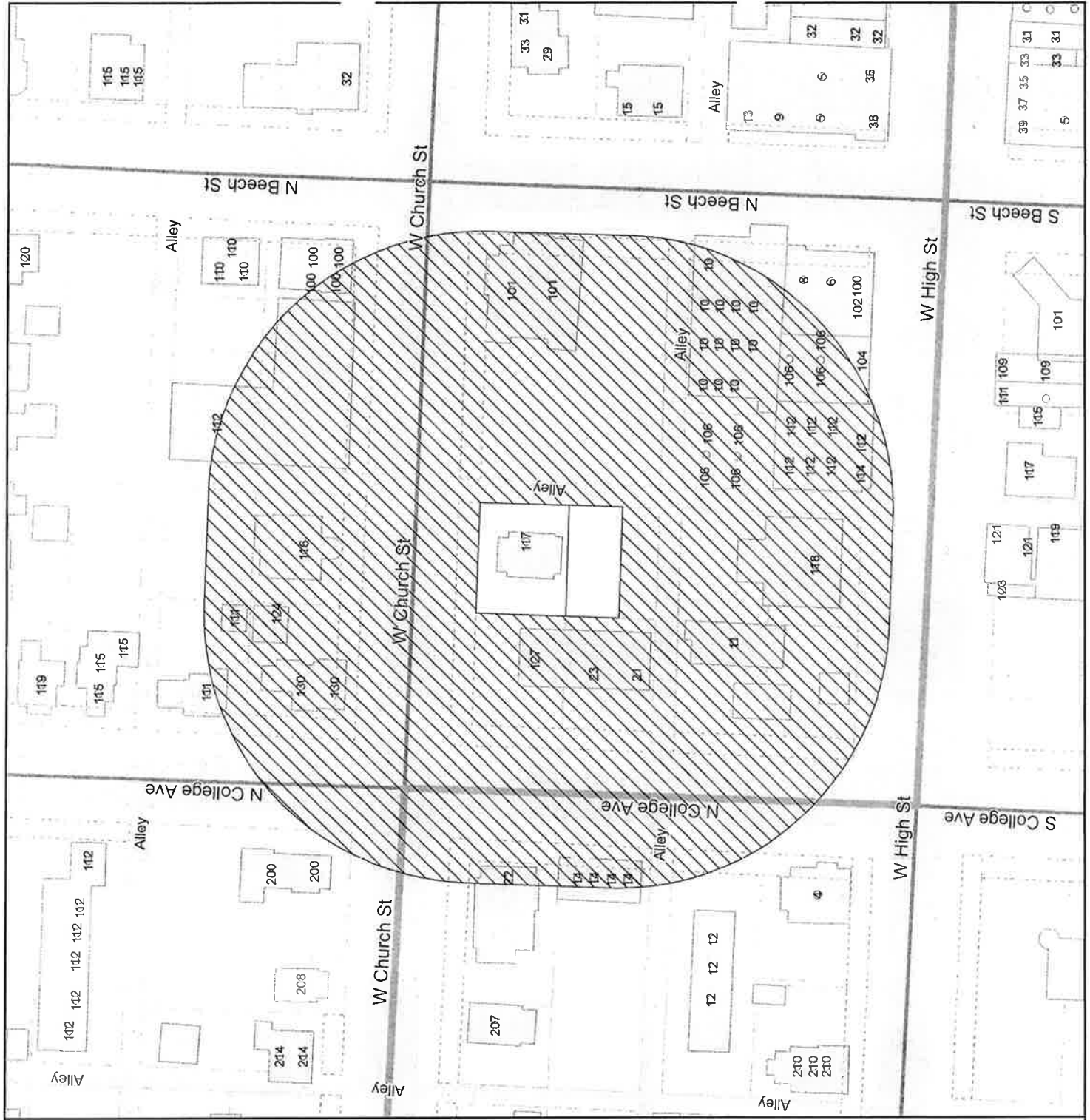
PC-2018-13 **Surrounding** **Property Owners** **Notifications Map**

Legend

-  Subject Parcels
-  200 Ft. Buffer
-  Oxford Corp. Limit
-  Address Point
-  Parcel
-  16.5' Vacated ROW
-  Building Footprint
-  Paved Roadway



1 inch = 100 feet



Prepared on Monday, June 25, 2018
 The City of Oxford does not guarantee the dimensional accuracy of this map. Precise dimensional accuracy should be based upon recorded deeds, plats or a professional survey.



Internal Use Only:

Case No.

Date Filed

PC-2018-13
5/21/18

Conditional Use Permit Application

Applicant Information

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

Name * Kristine and David Winkler

Mailing Address * PO Box 53

City, State & Zip Code * Oxford, Ohio 45056

Telephone Number(s) * 513-255-0949

Email Address Kris.almamaterdesigns@gmail.com

Owner Information

Name * Kristine and David Winkler

Mailing Address * PO Box 53

City, State & Zip Code * Oxford, Ohio 45056

Telephone Number(s) * 513-255-0949

Email Address Kris.almamaterdesigns@gmail.com

Location and Lot Information

Location of Property * 117 West Church Street

Legal Description * H41000080000181 and 182

Zoning District * UP

Total Area * .232 → Check One * Acres ☒ Square Feet ☐

Existing Use Description * office space

Proposed Use Description * lodging service without food service or owner occupancy

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 fees are \$400.00 plus \$10.00 for postage. You may write a \$410.00 check payable to **City of Oxford**. You may also pay in-person using Visa, MasterCard, and Discover.

Sign and Date

Applicant Signature *



Date *

5/21/2018

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 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 *

5/21/18

Receipt Number *

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

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

Conditional Use Permit Application

A) Application Fee \$410.00 To City of Oxford or CC

B) Description of Use and Site

- a. Kristine and David Winkler, PO Box 53, Oxford, Ohio 45056 (513)255-0949
- b. NA
- c. H41000080000181 and 182
- d. The site is currently being used as office space
- e. Zoning District is UP
- f. The proposed use is for a lodging service/Bed NO Breakfast without owner occupancy or food service
 - i. We are proposing a Lodging Service for 117 West Church Street. This would include 4 bedrooms, 2 full and one half baths, living room, dining room, off street parking, two porches, and back patio. The entire home would be rented to Oxford visitors. We would require a 2/two night minimum and the renter would have to be 25/twenty-five years or older to rent. Price/night would range from \$300-1000, depending on needs of the guests. This too is subject to change. We would not be selling any goods, at this time. We would accommodate Miami visitors, Oxford visitors, parents, business people and other travelers who would value our setting, location and accommodations. Ideally we hope to be occupied all weekends and sporadically during the week. With a two night minimum stay/reservation, that would be a maximum of three reservations/week OR one, if the client rents the entire house for a week. Since beds are such a premium in Oxford, we could alleviate a lot of the stress put on the existing hotels. There would not be any deliveries to the house. Service vehicles would be as needed-electrician, cleaning service plumber, contractor, etc They would park in the off street parking on the side of the house; therefore, not taking up any valuable street parking.
 - ii. The hours of operation would be check in after 4:00 PM and check out at noon-subject to change
- g. We believe a lodging service at 117 West Church Street would add to the ever changing atmosphere of the UP District. We are surrounded by countless student rentals, an office building and the courthouse. With the addition of the mixed use growth in the UP District, the need to preserve this home is vital. Putting it in the hands of students, is not the most advantageous way to serve Oxford or the home's integrity. Allowing a change in use would give Oxford a much needed elegant and unique lodging experience. It will also enhance the

visitor's time in Oxford, since they can walk to Miami's campus, sporting events, uptown restaurants, churches and parks. This would allow them to explore the shops, spend money and not worry about finding a parking spot or driving after dinner and cocktails. We will be reaching out to businesses about partnering with us on discount coupons for the uptown shops and restaurants. A win win for everyone.

- i. The lodging service would be different from the current use. It is now office space. There would be no interaction with my current business and the lodging house.
 - ii. There would be no changes to the existing site.
 - iii. There will not be any issue with listed concerns.
 - iv. There won't be negative effects on adjacent land, since no changes are being proposed to the structure or the land.
- h. Oxford needs beds. It's clear during Miami events, there are not enough beds in Oxford to accommodate visitors. By adding space, we would keep those families spending money in Oxford-coffee shops, boutiques, ice cream, gas, restaurants, etc. More tax dollars going to the city and happy parents and students. As for the location, I believe we are the only non-student rental on our block. If given the opportunity to transform 117 West Church Street into a destination location, we would significantly add to the Oxford economy. Plus, offering a much needed gathering venue would be in the best interest of the community. There are limited opportunities to stay in a home uptown, unless you are bunking with your child. Plus, there aren't any other lodging options on this side of town in the uptown district. We would not be offering food service and ask that on site occupancy of owner be waived.

In today's exploding BNB market, the ability to offer lodging in a beautifully maintained and decorated home in uptown Oxford, would be unique and sought after. For the guests to feel welcome and at home in our space, having the owner present can be awkward and would hinder the guests to entertain their children, business clients or family members freely. We will not allow parties but assume gatherings will take place while parents are visiting their children. To have us on site, the guests' experience will more than likely be negative. Plus, it would take away a room for guests, which would be less tax dollars to the city. Our wish is to create a welcoming atmosphere with strict rules and regulations. Allowing guests to feel at home and at ease while enjoying Oxford and all it has to offer, is our goal.

- i. See Above statement

- j. I do not foresee any issues with offering more beds, more tax dollars, and a non-student rental to the city.
- k. Land Owners within 200 feet
 - i. Robert Blackburn Trustee-4363 Kehr Road, Oxford, Ohio 45056
 - 1. Property 127 West Church Street
 - ii. Terry Dudley-6744 Contreras Road
 - 1. Property 101 West Church Street
 - iii. Hoelzer/Hoelzer Rentals-116 East High Street
 - 1. Property 116 West Church Street
 - iv. Red Brick Rentals-21 N Poplar Street
 - 1. Property-124-130 West Church Street
 - 2. Property-10 North Beech
 - v. Allan Kyger-101 East High Street
 - 1. New building attached to Phan Shin-address unknown
 - vi. City of Oxford Court House-108 West High Street

C) Site Plan

- a. Please see Plat of Survey-submitted

D) There are no proposed changes to the structure

E) Please see photos

Dear Sam and Planning Commission,

As Dave and I contemplated selling 117 West Church Street, we struggled knowing that whomever bought it would more than likely turn it into a student rental. We just couldn't stomach the thought of that happening. When we rented it to Miami students, we had a relationship with one family. They had four children go to Miami. We rented only to them and kept them abreast of any issues. It was a wonderful relationship which allowed us to keep the house in rare form. We were lucky.

After starting my collegiate fabric business in 2011, I knew I wanted to relocate to 117 West Church. What a glorious spot in which to work, each and every day. After my business partner and I dissolved AMD in 2017, the house became too much for me. The space was too big for one person, and I knew it couldn't stay as is.

With the explosion of the Air BNB business and the ability for travelers to find you via the internet, we wanted to see what we could do. After a lot of research, we want to give the lodging service a shot. Rather than abandoning 117, we are more than willing to outlay funds to see if the permit change is even possible. The Plat Survey, the application fees, the time and energy it has taken to get to this point has been worth it.

The potential is tremendous. Not only would we be happy to keep the home in our hands, but we would be thrilled with the opportunity to add to the character of Oxford. Imagine a home in uptown Oxford that offers a homelike atmosphere to weary business travelers. Imagine Miami families and students ordering pizza and sitting on the front porch. Imagine wedding parties staying here the night before they are married in Oxford. Imagine the possibilities.

We would welcome an opportunity to help grow the Oxford economy. We would like to partner with local businesses and the university. We would like to offer an elegant, unique, experience to visitors and have them coming back time and time again. We would be willing to host charity events for local businesses, during the off season. The possibilities are endless.

We ask that you grant us the permit change so that we can keep 117 West Church out of the student rental market, allow us to add to the charm of Oxford, allow us to happily add to the Oxford economy, allow us to offer a unique lodging experience and finally allow us an opportunity to make 117 West Church Street a destination for Oxford visitors for years to come.

Thank you,

Kristine and David Winkler

Plat of Survey/Lot Combination

Part Lot #117, Part Lot #118 & 16.5' of Vacated W Church Street

New Lot # 3927

City of Oxford, Butler County, Ohio.

For: Winkler David & Kristine M.

Deed Bk: 8995 Pg: 1613

Address: 117 W Church Street

Date: 5/3/2018

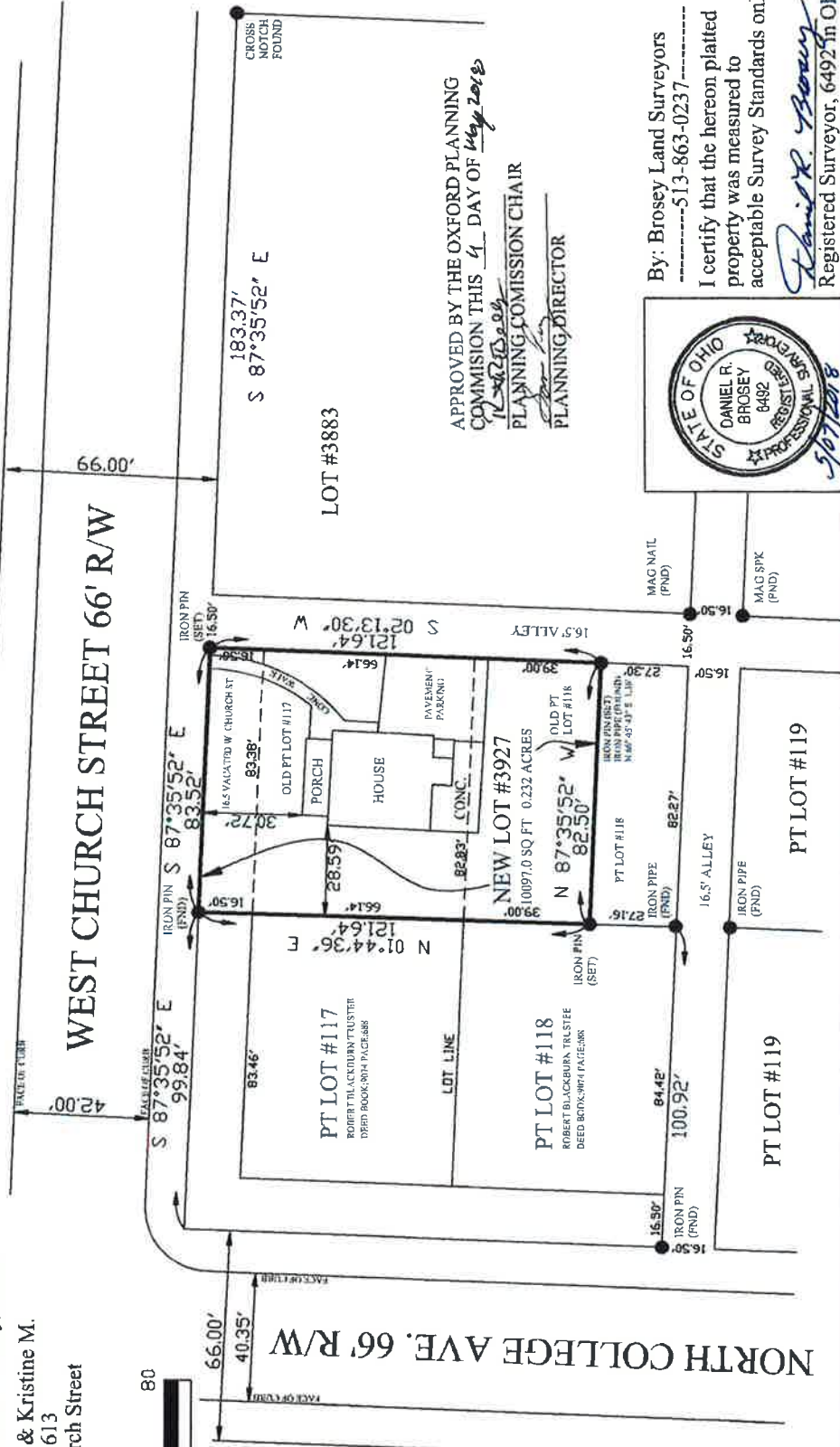
SCALE 1"=40'



NEW LOT #3927 COVERAGES & CALCULATIONS

CONCRETE WALKS & PAD		HOUSE		PAVEMENT		TOTAL LOT COVERAGE	
362.2 SQ. FT.		1255.3 SQ. FT.		1255.3 SQ. FT.		611.3 SQ. FT. CONCRETE	
148.1 SQ. FT.		10097.0 SQ. FT.		10097.0 SQ. FT.		1255.3 SQ. FT. PAVEMENT	
TOTAL 510.3 SQ. FT.		TOTAL 11252.3 SQ. FT.		TOTAL 11252.3 SQ. FT.		2366.6 SQ. FT. TOTAL LOT COVERAGE	
0.0065 X 100 = 0.65%		0.1243 X 100 = 12.43%		0.0817 X 100 = 8.17%			
						0.2366 X 100 = 23.66% TOTAL LOT COVERAGE	

"Note" This plat made in pursuant to section 5713.16 of the Ohio Revised Code.



Bearings shown hereon are based on State Plane Coordinates (Ohio South Zone) May 2018

