



Agenda

Oxford City Council

Court House

TUESDAY, AUGUST 21, 2012

EXECUTIVE SESSION

None.

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

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

REGULAR MEETING

7:30 P.M.

PLEDGE OF ALLEGIANCE

2. Approval of Agenda.

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

3. Public Participation.

A. Public Comments.

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

4. Consent Agenda.

- A. Minutes of the August 7, 2012 City Council Meeting. (Mary Ann Eaton, Clerk of Council)



Minutes

- B. Report regarding the August 1, 2012 Historic and Architectural Preservation Commission Meeting. (Jung-Han Chen, Community Development Director)



Report

- C. Report regarding the August 1, 2012 Environmental Commission Meeting. (Mike Dreisbach, Service Director)



Report

- D. A Resolution authorizing the sale of salvaged, junk and/or abandoned motor vehicles. (Bob Holzworth, Police Chief)



Staff Report/Resolution

5. Resolutions.

1. A Resolution authorizing the City Manager to enter into a new agreement with Oxford Township, Butler County Ohio, and authorizing the City of Oxford to provide fire protection and emergency medical services to Oxford Township pursuant to the terms of the agreement. (Doug Elliott, City Manager).



Staff Report/Resolution

2. A Resolution authorizing the City Manager to extend the current contract with RE/Max Alpha Commercial Group to list for sale and market the City owned real estate at 4293 Oxford Reily Road for a twelve (12) month period ending July 15, 2013. (Alan Kyger, Economic Development Director).



Staff Report/Resolution

6. Ordinances.

- A. First Reading

1. An Ordinance Levying Upon The Lots And Lands Enumerated In The List Of Estimated Assessments (Exhibit A) The Amounts Set Forth On Such List And Setting Forth Terms For Payments Of Assessments. (Mike Dreisbach, Service Director)



Staff Report/Ordinance

B. Second Reading

1. An Ordinance Accepting The Planning Commission's Recommendation And Granting A Zoning Map Amendment For 40.113 Acres Of Land On Kehr Road, Oxford, Ohio (Oxford Parcel H4000132000015) And Rezoning The Property From A-1 (Township Zoning) To City of Oxford Agricultural Open Space (AOS) Zoning District. (Jung-Han Chen, Community Development Director)



Staff Report/Ordinance

2. An Ordinance Accepting The Planning Commission's Recommendation And Granting A Zoning Map Amendment For 237.51 Acres Of Land On Oxford Trenton Road, Oxford, Ohio (Oxford Parcels H3610027000008, H3610027000009 and H3510027000007) And Rezoning The Property From A-1 (Township Zoning) To City Of Oxford Miami University (MU) Zoning District. (Jung-Han Chen, Community Development Director)



Staff Report/Ordinance

3. An Ordinance Accepting The Planning Commission's Recommendation And Granting A Zoning Map Amendment For 74.42 Acres Of Land On Oxford Trenton Road, Oxford, Ohio (Oxford parcel H3610027000005) And Rezoning The Property From B-PUD (Township Zoning) To City Of Oxford Office & Light Industrial (OI) Zoning District. (Jung-Han Chen, Community Development Director)



Staff Report/Ordinance

4. An Ordinance Accepting The Planning Commission's Recommendation And Granting A Zoning Map Amendment For 47.069 Acres Of Land Known As Yager Stadium And Surrounding Areas (Parcel H3510026000031, Being Part Of Lot #4 And Parcel H3510026000031, Being Part Of Lot #5 When Annexed Into The City Of Oxford And Now Know As Consolidated Parcel H4100009000004) And Rezoning The Property From A-1 (Township Zoning) To City Of Oxford Miami University (MU) Zoning District. (Jung-Han Chen, Community Development Director)



Staff Report/Ordinance

5. An Ordinance Changing The Name Of "Wooster Court" in the Campus Commons Subdivision to "Wooster Place" And Directing The Clerk To Forward A Certified Copy Of This Ordinance To The County Engineer For The Appropriate Change On The Subdivision Plat. (Jung-Han Chen, Community Development Director)



Staff Report/Ordinance

6. An Ordinance Repealing Current Oxford Property Maintenance Code Section 309.2, Agent Required, And Adopting New Section 309.2, Agent Required. (Jung-Han Chen,

Community Development Director).



Staff Report/Ordinance

7. An Ordinance Amending Ordinance No. 3159. Supplemental Budget Ordinance Number 3 To Make Supplemental Appropriations For Fiscal Year 2012. (Joe Newlin, Finance Director)



Staff Report/Ordinance

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

1. Remarks from City Council and City Staff.

- B. Future Meetings.

WED - Aug 22 Civil Service Commission Meeting 7:00 p.m. Cancelled

FRI - Aug 24 Community Improvement Corporation Meeting 12:00 p.m. LCNB

FRI - Aug 24 Student Community Relations Commission Meeting 3:45 p.m. LCNB

MON - Sept 3 Holiday - City Offices Closed

TUES - Sept 4 City Council Meeting 7:30 p.m.

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

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

FRI - Sept 7 Student Community Relations Commission Meeting 3:45 p.m. LCNB

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

THUR - Sept 13 Police Advisory Board Meeting 7:00 p.m. Senior Citizens Center

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

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

THUR - Sept 20 Recreation Board Meeting 4:00 p.m. Senior Citizens Center

FRI - Sept 21 Student Community Relations Commission Meeting 3:45 p.m. LCNB

WED - Sept 26 Civil Service Commission Meeting 7:00 p.m.

FRI - Sept 28 Community Improvement Corporation Meeting 12:00 p.m. LCNB

8. Adjourn.

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting of: August 21, 2012

Service Department
Originating Department

Account Code #: N/A

David Treleaven
Prepared By

Budgeted Amount: N/A

August 6, 2012
Date Prepared

Agenda Title:	Environmental Commission Meeting of August 1, 2012
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Recommendation:	For Review and Consideration
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Discussion:

Environmental Commission members present at the Wednesday, August 1, 2012 meeting were: Chair, Mr. Charlie Ford; Vice-Chair, Mr. Wright Gwyn; Mr. Kevin Armitage, and Mr. Vince Hand. A quorum was present. City Council Representative, Ms. Kate Rousmaniere and Planning Commission Representative, Mr. Ted Wong, had previously notified the Commission that they would be unable to attend the August 1st Commission meeting.

Minutes from the July 11, 2012 Commission meeting was unanimously accepted as presented.

Elections of Chair and Vice-Chair for the Commission were held. Mr. Vince Hand was unanimously elected as Chair and Mr. Kevin Armitage was unanimously elected as Vice-Chair. Chair-elect Vince Hand had previously informed the Commissioners that he had accepted a teaching position with Miami University (MU) that has a course already scheduled for Wednesday evenings. Commissioners decided that potentially for the next four meetings, (September – December 2012), the starting time for the monthly Commission meeting would be moved back to 7:30 pm to allow for Chair-elect's teaching responsibilities.

Commissioners were updated on urban forestry activities by Staff. To date, the 2012 Tree Maintenance Program had removed 32 of 33 street scheduled trees, with a majority of the stumps also removed. Upon completion of the Tree Maintenance Program, Oxford is to submit documentation to the Ohio Department of Natural Resources, Division of Forestry, requesting a \$3,178 reimbursement for Ash tree removals. These funds are available to Oxford in association with a 2012 Ash Removal and Canopy Restoration Grant awarded to Oxford earlier this summer. A total of 12 Ash trees were removed at a total cost of \$9,355.

Commissioners discussed the bicycle and pedestrian plan recently presented to the Oxford Planning Commission by Ms. Anna Dragovich, a graduate student with MU's Institute for the Environment and Sustainability. Commissioners felt that it was important to keep progress on the plan. Mr. Wright Gwyn was to contact Planning Commission Chair David Prytherch and offer the Environmental Commission's assistance as needed in regards to the bicycle and pedestrian plan.

The Commission adjourned at 8:45 p.m. The next regularly scheduled meeting of the Environmental Commission is on Wednesday, September 5, 2012 at 7:30 p.m. in the Municipal Building's Second Floor Conference Room.

Approved By:	Department Head:	Initial	Date
	City Manager:	<u>[Signature]</u>	<u>8/8/12</u>

A Regular meeting of the Oxford City Council was called to order by Mayor Richard Keebler on Tuesday, August 7, 2012 at 7:15 p.m. Those members present were Ken Bogard, Bob Blackburn, Kevin McKeehan, and John Harman. Steve Snyder and Kate Rousmaniere were excused.

Staff members present: Mr. Doug Elliott, City Manager; Mr. Mike Dreisbach, Service Director; Mr. Bob Holzworth, Police Chief; Mr. Joe Newlin, Finance Director; Mr. Jung-Han Chen, Community Development Director; Ms. Gail Brahier, Parks and Recreation Director; Mr. Andrew Wilson, Administrative Assistant to Director (Technical); Mr. Steve McHugh, Law Director, and Ms. Mary Ann Eaton, Clerk of Council.

ADJOURN TO EXECUTIVE SESSION

Mr. Blackburn moved to adjourn to Executive Session immediately in accordance with Ohio Revised Code Section 121.22 (G) 1 for the purpose of discussing appointments to Boards and Commissions and 3 for the purpose of discussing pending litigation. Mr. McKeehan seconded. The motion passed by the following roll call:

AYE: Mr. Blackburn, Mr. Bogard, Mr. McKeehan, Ms. Rousmaniere, Mr. Keebler (5)

NAY: None (0)

ABS: None (0)

RETURN FROM EXECUTIVE SESSION

Mr. Blackburn moved to return from Executive Session at 7:30 p.m. Mr. Harman seconded. The motion passed 5-0-0.

PLEDGE OF ALLEGIANCE

Mayor Keebler requested the Pledge of Allegiance.

APPROVAL OF AGENDA

Mr. Bogard moved to approve the agenda. Mr. Blackburn seconded. The motion passed 5-0-0.

PUBLIC PARTICIPATION

REQUEST FOR USE OF PARK

Mr. Guy Moore, 520 Windingbrook Dr., advised he reserved the Uptown Park for a fundraiser for the Cancer Wellness Center of Cincinnati and would like to include food and merchandise vendors as part of the event.

Mayor Keebler noted the event took place last year without coming to Council because staff was unaware there would be vendors on site. Mayor Keebler inquired if there were any issues with the event last year and Mr. Elliott and Chief Holzworth advised no.

Mr. Bogard inquired if the food vendors would be local and Mr. Moore advised yes.

Mr. McKeehan inquired how many vendors would participate in the event and Mr. Moore advised 15 to 20.

Mr. Blackburn moved to approve the request to have vendors in the Uptown Park for the Oxford Battle of the Surfing Bands event. Mr. Harman seconded. The motion passed 5-0-0.

PRESENTATION **SHAREFEST OXFORD**

Ms. Carol Michael, 409 E. Chestnut Street, provided a PowerPoint presentation with the assistance of Andrew Wilson regarding the ShareFest Oxford 2012 event which took place May 3, 2012 through May 8, 2012. Ms. Michael noted ShareFest provided departing Miami University students with a convenient and environmentally friendly way to donate usable furniture, food and clothing to local social service agencies and the general public. Ms. Michael discussed marketing efforts for the event, operational costs, volunteers, donations and impact, sponsors and the ShareFest Oxford 2012 Planning Committee. Ms. Michael recognized the sponsors and thanked all of the volunteers and the Planning Committee for their efforts. Ms. Michael noted the event was successful again this year and the Planning Committee was looking forward to an even better event next year. Ms. Michael thanked Council for their support.

Mayor Keebler thanked Ms. Michael noting the event was an extremely worthwhile community endeavor which helped so many people and the recycling effort was very valuable as well.

APPOINTMENTS TO **BOARDS AND COMMISSIONS**

Mr. Bogard moved to appoint Marguerite Moul to the Student Community Relations Commission as a resident representative for a three year term ending June 30, 2015 and Jason Grunkemeyer to the Recreation Board as a Talawanda School District representative for a three year term expiring June 30, 2015. Mr. Blackburn seconded. The motion passed 5-0-0.

PUBLIC COMMENTS

None.

CONSENT AGENDA

MINUTES

Minutes of the July 17, 2012 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

REPORTS

Report regarding the July 10, 2012 Planning Commission Meeting. (Jung-Han Chen, Community Development Director)

Report regarding the July 11, 2012 Historic and Architectural Preservation Commission Meeting. (Jung-Han Chen, Community Development Director)

Report regarding the July 11, 2012 Environmental Commission Meeting. (Mike Dreisbach, Service Director)

Report regarding the July 18, 2012 Board of Zoning Appeals Meeting. (Jung-Han Chen, Community Development Director)

Report regarding the July 25, 2012 Civil Service Commission Meeting. (Donna Heck, Human Resources Director)

RESOLUTION

A Resolution No. 4692 authorizing the Police Chief and Finance Director to dispose of contraband no longer needed as evidence. (Bob Holzworth, Police Chief)

Mr. Bogard moved to approve the consent agenda. Mr. McKeehan seconded. The motion passed 5-0-0.

RESOLUTIONS

RESOLUTION

AMEND LOAN AGREEMENT

A Resolution No. 4693 authorizing the City Manager to amend the loan agreement between the City of Oxford and Moon Cooperative Services, Inc. with conditions. (Alan Kyger, Community Development Director)

Mr. Kyger advised approximately a year ago Moon Cooperative Services, Inc. was granted a Revolving Loan Fund loan through the Oxford Community Improvement Corporation for \$245,000.00 for a period of 5 years. Mr. Kyger noted Moon had quite a bit of working capital but the cost of starting-up and building out the site caused them to have less cash flow than they had hoped. Mr. Kyger advised in May the CIC Revolving Loan Fund Committee recommended amending the agreement to add one year to the loan and allow them to make interest only payments for a one year period. Mr. Kyger noted the full CIC Board approved the recommendation in May with conditions that the borrower provided the City with financial and bank statements monthly and if it was determined that the amended agreement was no longer needed the City could request resumption of the original loan payment. Mr. Kyger advised Beth Eacker from the Moon Cooperative Services, Inc. Board was in attendance to address any questions.

Ms. Beth Eacker, thanked the CIC and City Council for considering the amended agreement noting the board was very appreciative. Ms. Eacker noted Moon's store was fabulous and encouraged everyone to visit. Ms. Eacker thanked all of Moon's shoppers for their support.

Mayor Keebler inquired if measures were in place to show that the loan modification would be a big help and it would be unlikely that further loan modification would be needed. Ms. Eacker advised staff costs had been reduced and a basics program was put in place reducing the food costs more than the initial costs. Ms. Eacker noted Moon held several successful fundraisers including a community dinner where they made \$11,000.00 in three hours. Ms. Eacker advised another fundraiser would take place on August 18, 2012.

Mr. Kyger noted there was no guarantee that additional modifications wouldn't be necessary as it depended on sales.

Mr. McKeenan advised he was on the CIC as the Council representative and the Revolving Loan Fund Committee and the committee received assurance that Moon was making significant changes to improve their bottom line.

Mr. Blackburn noted the loan modification showed that the City and the CIC were business friendly.

Mr. Harman noted he was a member of Moon Cooperative Services, Inc. and he had noticed the changes being made to reduce overhead. Mr. Harman advised customers were asked not to purchase items with a credit card to eliminate that fee. Mr. Harman advised he felt they were doing the right things and going in the right direction.

Mr. Blackburn moved to adopt Resolution No. 4693. Mr. Harman seconded. The motion passed 5-0-0.

RESOLUTION
CONTRACT WITH RAM
CONSTRUCTION SERVICES

A Resolution No. 4694 accepting the bid and authorizing the City Manager to enter into a contract with Ram Construction Services for improvements to the Municipal Parking Garage as set forth in Exhibit "A" attached hereto at a cost of \$244,925.00 plus a contingency amount of ten percent (10%) of the contract price or \$24,492.50 for a total cost not to exceed 269,417.50. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised the City hired a consultant to perform an assessment of the parking garage's condition as well as to recommend a restoration plan for the 10 year old facility. Mr. Dreisbach noted the plan proposed improvements over a five year period with an expected cost of \$625,000.00. Mr. Dreisbach noted the City advertised for bids for years one and two of the plan and had three responders with Ram Construction Services providing the lowest bid. Mr. Dreisbach advised staff was recommending approval of a contract to take care of the first 2 years of the proposed restoration plan and noted the structure was 10 years old and would need ongoing maintenance to ensure it lasted several more decades. Mr. Dreisbach advised additional funds were needed for the project and a Supplemental Budget was on tonight's agenda.

Mayor Keebler inquired what was budgeted for year one of the plan and Mr. Dreisbach advised \$120,000.00.

Mr. McKeehan inquired if the City had any experience with Ram Construction Services or if the City obtained references. Mr. Dreisbach advised the City had no direct experience with the company although the consultant did and the consultant felt they did good work.

Mayor Keebler noted concern that \$120,000.00 was budgeted and \$244,925.00 would be spent on the restoration. Mr. Elliott advised staff wanted to speed up the plan and until the waterproof membrane was replaced all of the parking spaces could not be leased. Mr. Elliott noted the City needed to protect its investment in the parking garage and funds were available in the Parking Improvement Fund to do that.

Mr. Blackburn noted replacing the waterproof membrane would reduce further deterioration and repair costs in the future.

Mr. Bogard noted the repair work was starting at the top of the garage by replacing the waterproof membrane and asked Mr. Dreisbach to explain the process for the public.

Mr. Dreisbach advised the first priority in year one was to install structural steel in some weakened areas of the garage. Mr. Dreisbach noted the major cost of year two was the installation of the traffic bearing membrane on both halves of the upper deck which would stop water infiltration from going through the concrete and would direct water to the existing drainage system. Mr. Dreisbach advised the City received the nice pricing by combining two major steps of the restoration.

Mr. Blackburn inquired how long the project would take. Mr. Dreisbach advised the work would begin after the second reading of the Supplemental Budget Ordinance and should be complete by December. Mr. Dreisbach noted much of the work was temperature sensitive and needed to be done in the autumn.

Mr. Bogard moved to adopt Resolution No. 4694. Mr. Harman seconded. The motion passed 5-0-0.

ORDINANCES

FIRST READING

ORDINANCE

ZONING MAP AMENDMENT

An Ordinance Accepting The Planning Commission's Recommendation And Granting A Zoning Map Amendment For 40.113 Acres Of Land On Kehr Road, Oxford, Ohio (Oxford Parcel H4000132000015) And Rezoning The Property From A-1 (County Zoning) To Oxford AOS (Agricultural Open Space) Zoning District. (Jung-Han Chen, Community Development Director)

Mr. Chen advised when territory was annexed into the City it needed to receive initial City zoning and this property was annexed in 2008. Mr. Chen noted the owner originally wanted to develop an affordable housing subdivision but that project never materialized.

Mr. Chen advised the property had been used for agricultural purposes for quite some time and the Planning Commission voted unanimously to recommend to Council that the initial City zoning should be Agricultural Open Space (AOS).

Mr. Bogard inquired what the process was if the owner wanted to develop the land in the future. Mr. Chen advised the owner you need to go through the Planning Commission and City Council for any future development and there would be ample opportunity for public input.

ORDINANCE
ZONING MAP AMENDMENT

An Ordinance Accepting The Planning Commission's Recommendation And Granting A Zoning Map Amendment For 237.51 Acres Of Land On Oxford Trenton Road, Oxford, Ohio (Oxford Parcels H3610027000008, H3610027000009 and H3510027000007) And Rezoning The Property From A-1 (Township Zoning) To City of Oxford MU (Miami University) Zoning District. (Jung-Han Chen, Community Development Director)

Mr. Chen advised Ordinance number 2 and 3 were considered together at the Planning Commission meeting and, to make the proposed initial zoning clearer, this Ordinance dealt with the Miami University property only. Mr. Chen noted these parcels were part of the Miami Heritage Tech Park annexation and the township zoning was agricultural. Mr. Chen advised the initial City Zoning would be MU (Miami University) because the university owned the property.

Mr. Bogard and Mayor Keebler noted the proposed Ordinance was straight forward.

ORDINANCE
ZONING MAP AMENDMENT

An Ordinance Accepting The Planning Commission's Recommendation And Granting A Zoning Map Amendment For 74.42 Acres Of Land On Oxford Trenton Road, Oxford, Ohio (Oxford parcel H3610027000005) And Rezoning The Property From B-PUD (County Zoning) To City of Oxford OI (Office & Light Industrial) Zoning District. (Jung-Han Chen, Community Development Director)

Mr. Chen advised this parcel was where the proposed Tech Park would be built and was zoned B-PUD under the township. Mr. Chen noted the pre-annexation agreement with the City included a provision that the City zoning would be comparable to the township zoning and therefore it would be OI (Office and Light Industrial).

Mr. Bogard noted his hope the Tech Park would develop in a timely fashion and this was part of the process to make that happen.

ORDINANCE
ZONING MAP AMENDMENT

An Ordinance Accepting The Planning Commission's Recommendation And Granting A Zoning Map Amendment For 47.069 Acres Of Land Known As Yager Stadium And Surrounding Areas (Oxford parcel H3510026000031, Being Part Of Lot #4 And Part Of Lot #5) And Rezoning The Property From A-1 (County Zoning) To City of Oxford MU (Miami University) Zoning District. (Jung-Han Chen, Community Development Director)

Mr. Chen advised the 47 acres included Yager Stadium and the sports complex and it was annexed into the City in 2010. Mr. Chen noted the initial City zoning should be MU (Miami University).

There were no comments from the public or from Council.

ORDINANCE
STREET NAME CHANGE

An Ordinance Changing The Name Of "Wooster Court" In The Campus Commons Subdivision To "Wooster Place" And Directing The Clerk To Forward A Certified Copy Of This Ordinance To The County Engineer For The Appropriate Change On The Subdivision Plat. (Jung-Han Chen, Community Development Director)

Mr. Chen referred to page 98 of the agenda and advised the recorded final plat for this subdivision showed that the extension of Wooster Place was named Wooster Court. Mr. Chen noted for safety purposes and for logical address numbering the extension should be renamed to Wooster Place.

There were no comments from the public or from Council.

ORDINANCE
NEW SECTION 309.2 PROPERTY
MAINTENANCE CODE

An Ordinance Repealing Current Oxford Property Maintenance Code Section 309.2, Agent Required, And Adopting New Section 309.2, Agent Required. (Jung-Han Chen, Community Development Director)

Mr. Chen advised the current Property Maintenance Code stipulated that the owner of a rental property needed to designate an agent (which could be the owner) and that the agent must reside in Butler County or an adjacent township to Oxford Township. Mr. Chen noted this seemed too restrictive and staff felt the agent or agency should be allowed to reside in an adjacent county including Hamilton, Montgomery, Preble, and Warren Counties in Ohio, and Dearborn, Franklin, and Union Counties in Indiana.

Mr. McKeehan noted the proposed expansion seemed to be more business friendly.

ORDINANCE
SUPPLEMENTAL BUDGET

An Ordinance Amending Ordinance No. 3159. Supplemental Budget Ordinance Number 3 To Make Supplemental Appropriations For Fiscal Year 2012. (Joe Newlin, Finance Director)

Mr. Newlin advised the first item of Supplemental Budget Number 3 was an increase in the appropriation for the parking garage improvements that Mr. Dreisbach discussed earlier this evening. Mr. Newlin noted the second item would record the revenue received from a donation from the Oxford Community Foundation, Red Brick and Ivey Fund for maintenance items in the Uptown Park.

ORDINANCE
SECOND READING

ORDINANCE
CONDITIONAL USE PERMIT

An Ordinance No. 3177 Approving A Conditional Use Permit For A Fast Food Restaurant With A Drive-Through In The General Business District At 321 W. Spring Street With One Condition. (Jung-Han Chen, Community Development Director)

Mr. McKeehan recused himself from the discussion and vote.

Mr. Chen advised he had no new information since the first reading of the Ordinance.

Mr. Harman noted a drive through was already at this location.

Mayor Keebler advised there were no changes to the structure and a drive through was there when the site was a bank. Mayor Keebler noted the request met favorably with the Planning Commission and with Council at the last meeting.

Mr. Blackburn moved to adopt Ordinance No. 3177. Mr. Harman seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Harman, Mr. Blackburn, Mr. Bogard, Mr. Keebler (4)

NAY: None (0)

ABS: None (0)

ANNOUNCEMENTS

DISCUSSION ITEM

DISORDERLY HOUSE LEGISLATION

Mr. Chen advised the Housing Advisory Commission (HAC) had been discussing initiatives to make the Mile Square a more attractive place for prospective home owners. Mr. Chen noted the HAC had made recommendations to City Council in the past; including the requirement of waste wheelers for all rental properties, and a Neighborhood Conservation Overlay District. Mr. Chen advised the HAC believed legislation monitoring disorderly houses might be another way to improve the mile square as several properties received multiple citations from the Oxford Police Department within one year. Mr. Chen noted the HAC looked at legislation from other college towns and were in favor of an Ordinance from Durham, NH because the property owners were involved in the process. Mr. Chen advised Mr. McKeehan served on the HAC and may have additional comments.

Mr. McKeehan noted the HAC had discussed this issue for about a year and felt the legislation from Durham was the most neutral. Mr. McKeehan advised some of the legislation they looked at had very harsh penalties including the removal of rental permits. Mr. McKeehan noted the legislation from Durham would need to be modified to be a better fit in Oxford.

Mr. Chen noted when the Planning Commission discussed the definition for a fraternity house the consensus at that time was that land use regulations was not the place to deal with behavioral matters and there needed to be another mechanism.

Mayor Keebler inquired if Council wanted the HAC to work with the Law Director to draft legislation for Oxford.

Mr. Bogard noted fraternity houses got noisy at times but house parties were the same way. Mr. McKeehan advised fraternity houses played a much smaller role in the HAC discussions than privately owned properties. Mr. McKeehan noted approximately 6 houses received over 4 calls to the Oxford Police Department within one school year. Mr. Blackburn noted he felt landlords should be involved but not cited, the tenants should be cited. Mr. Harman inquired who paid the fine currently and Mr. Chen advised the tenant. Mr. Harman noted the proposed legislation would make the property owner responsible for what went on at the rental property and Mr. Chen advised yes, along with the tenants. Mr. Elliott noted the first Notice of Disorderly House was just a notice and the second one included a fine which was waived if the landlord attended a meeting and put together a plan to remedy the situation with the Police Chief and others. Mr. McHugh noted having an Ordinance to address disorderly houses would give landlords an incentive that if residents were out of control it might be time to file a forcible eviction. Mr. McHugh advised landlords could also put provisions in lease agreements addressing the consequences of receiving these types of citations. Mr. Bogard suggested Council send the matter back to the HAC to develop the proper language. Mayor Keebler noted he was a landlord and landlords didn't have a lot of control over tenant's activities and he felt there should be healthy fines against the residents.

Mr. Elliott thanked Council for adopting the Resolution authorizing the improvements to the parking garage and noted the garage was ten years old and he knew Council wanted to protect the City's investment and make sure the facility continued to provide the needed parking in the Uptown area.

Mr. Elliott advised staff was in the process of reviewing the CIP requests from Department Heads and would finalize their recommendations and send them to Council on August 16, 2012. Mr. Elliott noted a Council Work Session would take place August 21, 2012 to review his recommendations.

Mr. Elliott discussed the meeting that took place last week with the Oxford Township Trustees to negotiate a new contract for the City to provide Fire and Emergency Medical Services for the unincorporated portion of the township. Mr. Elliott noted he attended the meeting along with the Mayor, Vice Mayor and Fire Chief. Mr. Elliott noted the meeting went well and he would present a draft contract to Council at the next meeting.

Mr. Kyger advised storefronts in Uptown Oxford were 99% full and noted O'Pub received its occupancy permit, Bluetique would open soon at 35 W. High Street and Orange Leaf Frozen Yogurt would open soon Uptown. Mr. Kyger advised Moonshine Printing was moving Uptown. Mr. Kyger noted Spring Street Treats opened in July and was a very nice addition to the town.

Mr. Harman advised Butler County was getting ready to start the early voting process and noted now was the time to register for those who had not registered. Mr. Harman encouraged anyone with questions to call the Board of Elections at 513-887-3700.

Mr. Blackburn reminded everyone that the annual Pig Roast would take place on August 23, 2012 and about 6,000 people were expected to attend.

Mr. Bogard congratulated Mr. Newlin, Ms. Hill and the Finance Department for the excellent Comprehensive Annual Financial Report for 2011. Mr. Bogard noted he felt the narrative was very good and it was written with understandable language.

Mr. Bogard encouraged Councilors who had not done so to volunteer for the Walk About event on Sunday, August 19th and Monday, August 20th. Mr. Bogard noted he would rejoin his good friend Jerome Conley and participant in the event.

Mr. McKeehan noted due to a family matter he had spent a lot of time at McCullough Hyde Hospital and the Knolls of Oxford and both operations were doing a fine job. Mr. McKeehan advised he felt Oxford was blessed to have a fine hospital as well as nursing and rehab facilities.

Mayor Keebler advised the next meeting would take place August 21, 2012 with Work Session beginning at 6:30 p.m. to discuss the CIP.

Mr. Elliott noted the CAFR was available on the City's website and it contained a lot of useful information.

ADJOURN

Mr. Bogard moved to adjourn at 8:35 p.m. Mr. McKeehan seconded. The motion passed 5-0-0.

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: August 21, 2012

Sam Perry

Account Code No. #:

Prepared By

Budgeted Amount:

August 14, 2012
Date Prepared

HAPC MEETING REPORT – August 1, 2012

Requests for Review:

HAPC-10-2012; 7 W. High Street, Orange Leaf Frozen Yogurt, installation of wall sign, Mark Stottman, Quality Signs, Applicant, Agent

The applicant proposed indirectly illuminated channel letter sign for this new business. The franchise typically uses vinyl surfaced lettering, which does not have the appearance of historic materials. The HAPC dialogued with the applicant about different sign materials. The decision was tabled, 6-1, until a new sign surface material that is appropriate for the district is presented. The HAPC delegated the potential final approval as administrative.

*As of the date of this summary, an administrative approval has been granted for a metal-surfaced sign, which closes this HAPC case.

- The HAPC discussed more details of the upcoming ceremony on September 27 at 5:00 p.m. in the Oxford Community Arts Center at 10 South College Avenue, which is open to the public.
- Sam reported that the data from the 1999 Certified Local Government Mile Square Survey was being resurrected and would hopefully be converted and made available to the public via the web sometime next year.

Department Head:
City Attorney:
City Manager:

JHC / 8/15/12
/
DE / 8/14/12

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: August 7, 2012

Jung-Han Chen
Prepared By

Account Code No. #:

Budgeted Amount: N/A

July 17, 2012
Date Prepared

Agenda Title:	Street Renaming: Wooster Court to Wooster Place
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Recommendation:	Approval
------------------------	-----------------

The Final Subdivision of Campus Commons Subdivision Phase II was approved in 2011 and the public improvements (infrastructure improvements) have begun. During the recording of Phase II, Staff discovered that certain street names could create confusion should a request for emergency assistance be made and during government service delivery. The street has not yet been built. To rename the street, the only change needed would be on the recorded plat at the County Recorder's Office.

The recorded final plat shows that the extension of Wooster Place is named Wooster Court. In checking with the City Police Chief and the City Fire Chief regarding correcting the street name from Wooster Court to Wooster Place, they agreed with Staff.

Public safety should be taken into account with this decision. Street names need to be continued across intersecting streets to avoid confusion and to provide logical address numbering for direct first responders to the caller's residence with minimal delay.

Approved By:	Department Head:	Initial	Date
	City Attorney:	<u>JHC</u>	<u>12/30/12</u>
	City Manager:	<u>[Signature]</u>	<u>8/13/12</u>

ORDINANCE NO.

ORDINANCE CHANGING THE NAME OF "WOOSTER COURT" IN THE CAMPUS COMMONS SUBDIVISION TO "WOOSTER PLACE" AND DIRECTING THE CLERK TO FORWARD A CERTIFIED COPY OF THIS ORDINANCE TO THE COUNTY ENGINEER FOR THE APPROPRIATE CHANGE ON THE SUBDIVISION PLAT.

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

Section 1: Council hereby finds extending Wooster Place and naming the extension portion of the street Wooster Court could create confusion for emergency personnel.

SECTION 2: Council hereby without petition pursuant to O.R.C. Section 723.05 orders the change of that certain street in the Campus Commons Subdivision presently designated as "Wooster Court" be hereby changed and officially designated as "Wooster Place".

SECTION 3: The Clerk of Council shall prepare a certified copy of this Ordinance upon its passage and shall forward the same to the office of the County Engineer, requesting that the appropriate change of said street name be entered upon the subdivision plat, and appropriate records.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

Wooster Place/Court



0 37.5 75 150 Feet



**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: August 7, 2012

Jung-Han Chen
Prepared By:

Account Code No. #:

Budgeted Amount:

July 17, 2012
Date Prepared:

Agenda Title:	An Ordinance to Repeal Section 309.2 of the Property Maintenance Code and to Adopt a New Section 309.2 of the Property Maintenance Code for the City of Oxford
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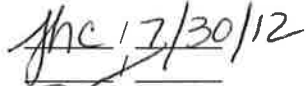
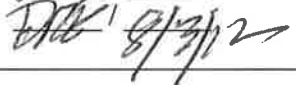
Recommendation: Approval

Current Agent regulations stipulate that the designated Agent shall be a resident of Butler County, or a resident of any township in Ohio or Indiana, that adjoins Oxford Township, Butler County, Ohio. The reasoning for the City requiring an Agent is to have a local contact person that can act in a timely and responsive manner in place of the property owner who may reside outside of the immediate area.

Staff has found that the current requirements may be too burdensome and restrictive. In reviewing the requirements from other college towns, it is common to allow for a wider residency area requirement expand into adjoining counties. Given the easy travel from those counties to Oxford, it would not seem to be a difficult adventure for those agents to be in Oxford within a reasonable period of time. The proposed changes would allow for the inclusion of property maintenance companies and apartment complexes that operate business offices in the area.

Additionally, the current regulation does not contain a definition of what constitutes an Agent. It is prudent to generally outline what an Agent is and some general responsibilities of an Agent. However, the specific responsibilities would be determined between the property owner and the Agent-to-be.

Staff is recommending revising the current requirements to widen the territory where the Agent may reside and/or operate a business and to include the definition of Agent as it applies in the rental process.

Approved By:	Department Head:	 
	City Attorney:	
	City Manager:	

ORDINANCE NO. _____

ORDINANCE REPEALING CURRENT OXFORD PROPERTY MAINTENANCE CODE SECTION 309.2, AGENT REQUIRED, AND ADOPTING NEW SECTION 309.2, AGENT REQUIRED.

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

SECTION 1: Council having received the recommendations from the City Manager and the Community Development Director to repeal the current property maintenance regulations pertaining to rental agents and having reviewed said recommendations hereby agree with said recommendations.

SECTION 2: Council hereby repeals current Oxford Property Maintenance Code Section 309.2, Agent required, and adopts new Section 309.2, Agent required. Additions are in **bold** and deletions are ~~struck through~~ as follows:

309.2 Agent required. Every owner of a dwelling not residing on the premises shall appoint and designate an agent to act on his/her behalf. **An owner may act as his/her own agent. The owner** ~~and~~ shall notify the Code Official with the **contact information (mailing address, home, work and cell phone number and email address) of the appointed agent.** ~~telephone number of the appointed agent and~~ The notification shall contain an acceptance of such appointment signed by the designated agent. ~~An individual may act as his/her own agent.~~ The agent required by this section shall be a **permanent** resident of Butler County, Ohio, or ~~a resident of any township, in Ohio or Indiana, that adjoins Oxford Township, Butler County, Ohio.~~ **an adjoining county or an entity operating a permanent office in Butler County, Ohio or an adjoining county.** **Adjoining counties are Hamilton, Montgomery, Preble and Warren Counties in Ohio, and Dearborn, Franklin and Union Counties in Indiana.**

Section 309.2.1 Definitions.

Agent. An agent is defined as a responsible person or entity who acts for, or in place of, the owner of a property with the responsibility of providing a healthy and safe environment for the inhabitants by complying with all applicable rules and regulations.

SECTION 3: This Ordinance shall take effect at the earliest time allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

CITY OF OXFORD STAFF SUMMARY REPORT

Report to City Manager

Finance

Originating Department

Council Meeting Of : 8/7/2012

Joe Newlin

Account Code No. : see below

Prepared By

Budgeted Amount : _____

7/30/2012
Date Prepared

Agenda Title:	2012 Supplemental Budget #3
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Recommendation:	Approve
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Issue 1

Received winning bid of \$269,500 for improvements to the City's parking garage as a result of consultants review of the structure, plus \$14,500 construction inspections by consultant

Action Needed:

Revenue Side

Parking Improvement 142	189,000.00	Transferred from Parking Fund
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Expense Side

Parking 130	189,000.00	Transfer to Parking Improvement Fund
Parking Improvement 142	189,000.00	Increase in appropriation needed to fund improvements

Net Effect on Fund Balance/(s)	(189,000.00)	
Increase/(Decrease)		

Issue 2

Donation from Oxford Community Foundation Red Brick and Ivy Fund of \$2,300 need to record revenue along with an offsetting expenditure of \$2,300 for painting project in Uptown Park

Action Needed:

Revenue Side

General 110	2,300.00	Donation from Oxford Community Foundation
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Expense Side

General 110	2,300.00	Appropriation for painting in uptown park
-------------	----------	---

Net Effect on Fund Balance/(s)	-	
Increase/(Decrease)		

Total Net Effect on Fund Balance/(s)	(189,000.00)	
Increase/(Decrease)		

Breakdown by Fund

General 110	-
Parking 130	(189,000.00)
Parking Improvement 142	-
Net Effect on Fund Balance/(s) Increase/(Decrease)	(189,000.00)

Approved By:

Department Head:

City Manager:

Initials

Date

	/	7/25/12
	/	8/3/12

ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO. 3159. SUPPLEMENTAL BUDGET ORDINANCE NUMBER 3 TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2012.

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

SECTION 1: Additional appropriations are needed for the current fiscal year and monies are available for appropriation in those funds, and changes to estimated revenues;

SECTION 2: The following increase/(decrease)in revenues be made:

General Fund 110	2,300.00
Parking Improvement Fund 142	189,000.00

SECTION 3: The following increase/(decrease)in appropriations from unencumbered balances be made:

General Fund 110	2,300.00
Parking Fund 130	189,000.00
Parking Improvement Fund 142	189,000.00

SECTION 4: The following transfer(s) be executed:

Transfer from:	
Parking Fund 130	189,000.00

Transfer to:	
Parking Improvement Fund 142	189,000.00

SECTION 5: In all other respects, Ordinance No. 3159 shall remain in full force and effect.

SECTION 6: This ordinance shall take effect immediately upon its adoption.

MAYOR

ADOPTED: _____

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: August 7, 2012

Jung-Han Chen
Prepared By:

Account Code No. #:

Budgeted Amount:

July 23, 2012
Date Prepared:

Agenda Title: PC-07-2012 Zoning Map Amendment – To Amend the Zoning Designation of Certain Property, Approximately 47.069 Acres of Land, Generally Known as Yager Stadium and Surrounding Area, being Parcel #H3510026000031, Part of Lot #4 and Parcel #H3510026000031, Part of Lot #5, from Oxford Township A1 to City of Oxford Miami University (MU) District.

(After being annexed into the City and combining these two parcels, the new Parcel number is H4100009000004).

Recommendation: Approval

Discussion:

The Planning Commission held a Public Hearing for this zoning map amendment for these Parcels that were annexed into the City in 2010 with the passage of Ordinance #3134. The purpose of the annexation is to enhance City income tax revenue sources from sites that are contiguous to the City's corporate boundary that may generate additional income stream. This is one of the areas that were identified during City Council's retreat, but would have no impact on other jurisdictions.

These parcels are generally known as Yager Stadium, encompassing the stadium itself and other auxiliary facilities that is part of the University sports complex. This zoning change amendment is merely replacing Oxford Township zoning (A1) with City of Oxford zoning, Miami University (MU) District.

After the Public Hearing, the Commission voted 6-0-0 to recommend the approval of this zoning map amendment from the Township A1 District to the City's University (MU) District for the area in and around Yager Stadium.

Approved By:

Department Head:
City Attorney:
City Manager:

JHC / 7/27/12
[Signature] 8/3/12

ORDINANCE NO.

AN ORDINANCE ACCEPTING THE PLANNING COMMISSION'S RECOMMENDATION AND GRANTING A ZONING MAP AMENDMENT FOR 47.069 ACRES OF LAND KNOWN AS YAGER STADIUM AND SURROUNDING AREAS (PARCEL H3510026000031, BEING PART OF LOT #4 AND PARCEL H3510026000031, BEING PART OF LOT #5 WHEN ANNEXED INTO THE CITY OF OXFORD AND NOW KNOWN AS CONSOLIDATED PARCEL H4100009000004) AND REZONING THE PROPERTY FROM A-1 (TOWNSHIP ZONING) TO CITY OF OXFORD MIAMI UNIVERSITY (MU) ZONING DISTRICT.

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

SECTION 1: Council finds in accordance with Section 1125.01 of the Codified Ordinances of the City of Oxford, the Oxford Planning Commission held a public hearing on July 10, 2012, at 7:30 p.m. on the City of Oxford's application for a Zoning Map Amendment for 47.069 acres of land known as Yager Stadium and surrounding areas (Parcel H3510026000031, being part of Lot #4 and Parcel H3510026000031, being part of Lot #5 when annexed into the City of Oxford and now known as consolidated Parcel H4100009000004) a map of which is attached hereto and incorporated herein as Exhibit "A" and requesting the rezoning of the property from A-1 (Township Zoning) to City of Oxford Miami University (MU) Zoning District.

SECTION 2: The Oxford Planning Commission, after the public hearing and deliberation, recommended granting the Zoning Map Amendment, and found that the proposed rezoning request was in keeping with the intended characteristics of the general vicinity of the property and was the most appropriate zoning classification of the property in question.

SECTION 3: Council hereby accepts the recommendation of the Oxford Planning Commission, and after deliberation, finds for the granting of the Zoning Map Amendment, rezoning 47.069 acres of land known as Yager Stadium and surrounding areas (Parcel H3510026000031, being part of Lot #4 and Parcel H3510026000031, being part of Lot #5 when annexed into the City of Oxford and now known as consolidated Parcel H4100009000004) a map of which is attached hereto and incorporated herein as Exhibit "A" and rezoning the property from A-1 (Township Zoning) to City of Oxford Miami University (MU) Zoning District.

SECTION 4: Council hereby grants the rezoning of the property as requested by the applicant, incorporating the application and documents submitted by the applicant as a term and condition of the granting of this rezoning request and orders that the official zoning map be amended.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

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

<u>Report Date</u>	July 27, 2012
<u>Case Number</u>	PC-07-2012
<u>Applicant Information</u>	City of Oxford, Applicant
<u>Requested Action</u>	Zoning Map Amendment
<u>Summary of Request</u>	To amend the zoning designations of certain property, approximately 47.069 acres of land, generally known as Yager Stadium and surrounding area, Parcel #H3510026000031, being part of Lot # 4 and Parcel #H3510026000031, being part of Lot #5, from Oxford Township A1 to City of Oxford Miami University (MU) District.
<u>Public Hearing Information</u>	On July 10, 2012 a Public Hearing took place at 118 W. High Street. A Public Hearing notice was published in the Oxford Press on May 11, 2012. Public Hearing notices were mailed out to surrounding properties on May 17, 2012 and June 20, 2012.
<u>Commission Action</u>	The Planning Commission voted 6-0-0 recommending approval to City Council.
<u>Commission Findings and Conclusions</u>	The Planning Commission recommended this Zoning Map Amendment approval so that the property will carry a City of Oxford zoning district designation.
<u>Exhibits Submitted to the Commission</u>	1. Staff Report dated May 30, 2012 2. Interoffice Review Transmittal Sheets 3. Zoning Code Text Amendment Application dated April 27, 2012 4. Annexation Plat

City of Oxford
Community Development Department
STAFF REPORT

Planning Commission

Case # PC-07-2012

Date – June 12, 2012

APPLICATION

Applicant:	City of Oxford
Action Request:	Zone Map Amendment to amend the zoning designation of certain property, approximately 47.069 acres of continuous areas, generally known as Yager Stadium and surrounding area, Parcel #H3510026000031, being part of Lot #4 and Parcel #H3510026000031, being part of Lot #5, from Oxford Township A1 to City of Oxford Miami University (MU) District. (The new parcel number, combining these two parcels, after being annexed into the City is H4100009000004)
Address:	
Parcels:	H3510026000031, being part of Lot #4 and H3510026000031, being part of Lot #5 (New parcel number, combining both parcel together and after being annexed, is H4100009000004)

DESCRIPTION

This is part of City Council's goal to capture City income tax revenue sources from sites that are contiguous to the City's corporate boundary that may generate additional income tax revenue. This is one of the areas that were identified as a potential area for annexation that belonged to Miami University and would not have any impact on Oxford Township financially.

City Council approved the annexation of these two parcels in November, 2012 with the passage of Ordinance # 3134. The current parcel number of these two parcels, since being annexed into the City and having been combined into one parcel, is H4100009000004.

Please refer to the attached map for the location of these parcels.

SURROUNDING NEIGHBORHOOD

The municipal zoning in the vicinity of this site is "MU" Miami University to the west; County A-1 to the north, south and east.

COMPREHENSIVE PLAN

Continue to Manage Growth

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

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

AGENCY COMMENTS

Fire	Returned without comment
Police	No comments returned
Engineering	Returned without comment
Economic Development	Returned without comment

PUBLIC COMMENT FORMS

No comments have been received to date.

STAFF ANALYSIS

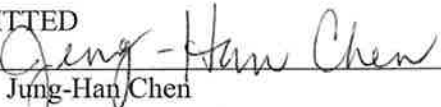
These parcels are generally known as Yager Stadium, encompassing the stadium itself and other auxiliary facilities that are part of the university sport complex. It is the goal of City Council to capture income tax revenue from sites that are contiguous to the corporate boundary. This is one of the areas identified as eligible to be annexed into the City. This is merely changing the zoning designation from Township zoning to Municipal zoning; no other changes are expected to occur with this map amendment. Therefore, the new zoning will be "MU" Miami University.

RECOMMENDATION

Not Applicable.

SUBMITTED

BY:



Jung-Han Chen

Community Development Department

DATE: May 30, 2012

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 5/18/2012

✓

To: ~~Fire Department~~ Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

PC-07-2012 ZONING MAP AMENDMENT to amend the zoning designations of certain property, approximately 47.069 acres of contiguous areas, generally known as Yager Stadium and surrounding areas, Parcel # H3510026000031, being part of lot # 4 and Parcel # H3510026000031, being part of Lot #5, from Oxford Township A1 to City of Oxford Miami University (MU) District, **City of Oxford, Applicant**

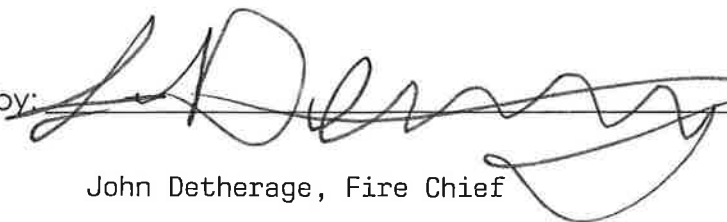
☒ Review ☐ Revisions ☐ Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **6/8/2012** 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, Fire Chief

Date: 5-18-12

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 5/18/2012

To: Fire Department Engineering Division Police Department Economic Development
From: Community Development

Drawings are being submitted to you for the following:

PC-07-2012 ZONING MAP AMENDMENT to amend the zoning designations of certain property, approximately 47.069 acres of contiguous areas, generally known as Yager Stadium and surrounding areas, Parcel # H3510026000031, being part of lot # 4 and Parcel # H3510026000031, being part of Lot #5, from Oxford Township A1 to City of Oxford Miami University (MU) District, **City of Oxford, Applicant**

 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **6/8/2012** 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: 5-24-12

Victor Popescu, City Engineer

MAY 18 2012

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 5/18/2012

To: Fire Department Engineering Division Police Department ~~Economic Development~~

From: Community Development

Drawings are being submitted to you for the following:

PC-07-2012 ZONING MAP AMENDMENT to amend the zoning designations of certain property, approximately 47.069 acres of contiguous areas, generally known as Yager Stadium and surrounding areas, Parcel # H3510026000031, being part of lot # 4 and Parcel # H3510026000031, being part of Lot #5, from Oxford Township A1 to City of Oxford Miami University (MU) District, **City of Oxford, Applicant**

 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **6/8/2012** 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: June - 4 - 2012

Alan Kyger, Economic Development Director

Zoning Map Amendment Application
City of Oxford, Ohio

2012-PC-07

REQUIRED INFORMATION

Name of Applicant: City of Oxford
(Attach a Letter of Agency if the applicant is not the property owner.)
Mailing Address: 101 E High St
Oxford, OH 45056
Telephone Number(s): 524-5204 Email Address: _____
Location of Property: _____
(Indicate address if there is an existing structure or subdivision name and lot number if subdivided.)
Legal Description: H3510026000031, being part of Lot #4 and H3510026000031/
Total Area: 47.069 Acres / Square Feet (circle one) being part of Lot #5
Existing Use of Property: MU
Current Zoning: Township A1
Proposed Zone(s): MU
Proposed Use: Miami University

SUBMISSION REQUIREMENTS

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

On a separate sheet of paper, provide the names and addresses of all adjoining property owners within 200 feet of the site, including those across streets, roads, alleys and highways. NOTE: The Butler County website (www.butlercountyohio.org/auditor) is very helpful when searching for the mailing address of adjoining property owners. Once the site is up, click on online searches, then click on real estate. It will allow you to search by owner, address or parcel number. *Property Owner names will not be provided in the agenda packet.

Attach a statement which responds to the following questions:

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

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

NOTE: Incomplete applications will not be processed. City Staff will erect a public hearing sign on the subject property. It is the Applicant's responsibility to remove the signage once the hearing(s) are completed.

SIGNATURE OF APPLICANT: Jung-Han Chen Date: 4/27/12

PRINTED NAME: Jung-Han Chen

FEE / RECEIPT

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

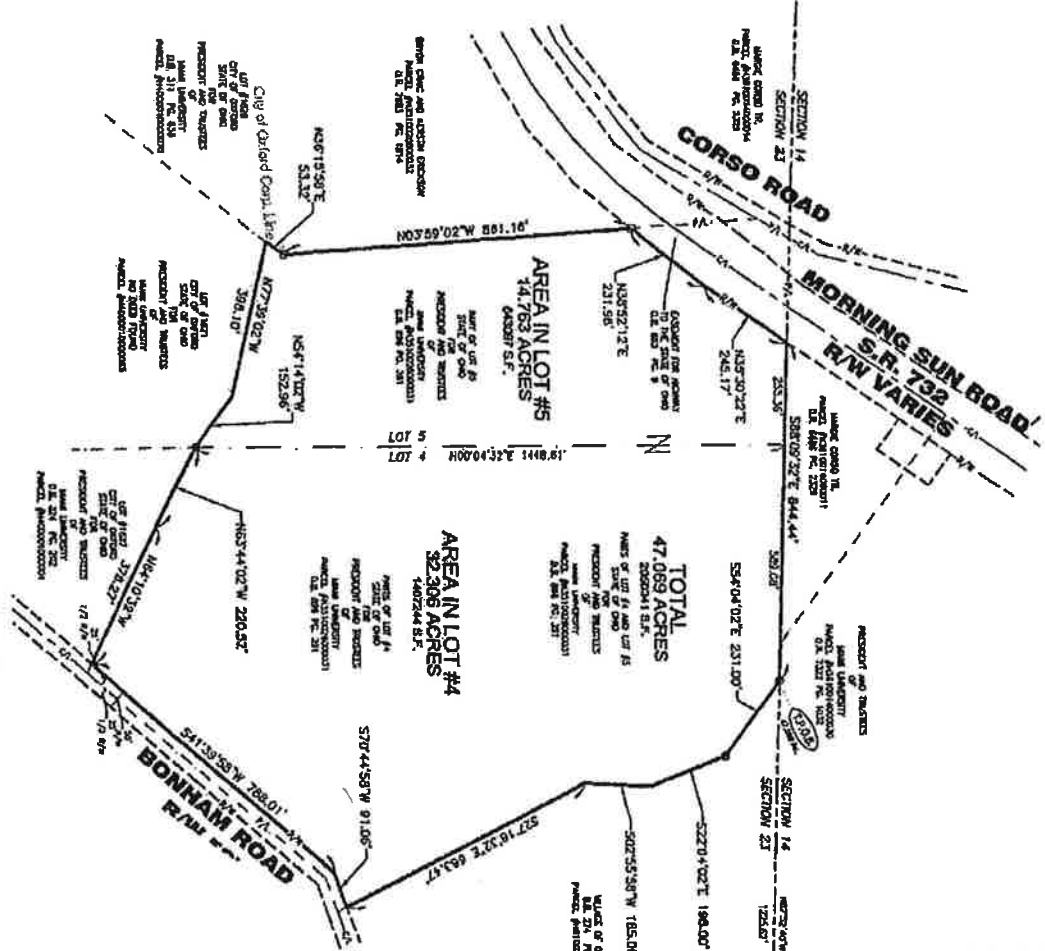
Exhibit "A"

Plot time Oct 23, 2019 - 1:28pm
Drawing name: 10251000000014

SURVEY LEGEND

1. HENRY COUNTY THAT ALL MEASUREMENTS AND MONUMENTS SET AND/OR FOUND AS SHOWN. CURVE DISTANCES ARE MEASURED ON THE ARC. ALL WORK PERFORMED IN ACCORDANCE WITH THE VIRGINIA STANDARDS FOR BOUNDARY SURVEYS IN THE STATE OF OHIO.

DAVID DOUGLAS SMITH PROFESSIONAL SURVEYOR NO.7121 DATE



NOTES

1. Prior David Plot D.S. and P.C. 381
 2. State of Virginia: Ohio Columbus (M.D. 20 Ohio Plots 2000)
 3. Documentation used as follows
 4. Measurement is in good condition unless otherwise shown
 5. Lines of occupation, whenever they exist, generally agree with the survey line except as shown
 6. No new interpretation will
- A Survey of the property has been recorded in volume 54 page 17 of the Butler County Register's record of Land Surveys.

SURVEY REFERENCES

PLAT OF SURVEY BY NELSON M. CLINTON
DATED APRIL 22, 1947

AREA SUMMARY

PARCELS #4310026000031 PART OF LOT 4 32.306 ACRES
PARCELS #4310026000031 PART OF LOT 5 14.763 ACRES
TOTAL TO BE ANNEXED = 47.069 ACRES



Scale: 1" = 300'
1/1

bayer becker

www.bayerbecker.com
318 South College Avenue
Oxford, OH 45056 • 513.523.4290

MIAMI UNIVERSITY
SECTION 23, TOWN 5, RANGE 1
PARTS OF LOT #4 AND LOT #5
Oxford Two
Butler County, Ohio

ANNEXATION PLAT

Item	Revision	Description	Date	Drawn	Chk.
1	1	REVISION	10-25-18	BAU	DOE

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: August 7, 2012

Jung-Han Chen
Prepared By:

Account Code No. #:

Budgeted Amount:

July 23, 2012
Date Prepared:

Agenda Title: PC-06-2012 ZONING MAP AMENDMENT To Amend the Zoning Designations of Certain Property, Approximately 304.7 Acres of Land along SR 73, being Parcel #H3610027000008, Parcel #H3610027000009, Parcel #H3510027000007 and Parcel #H3610027000005 from Oxford Township A1 and B-PUD to City of Oxford Miami University (MU) and Office & Light Industrial (OI) Districts

Recommendation: Approval

Discussion:

The Planning Commission held a Public Hearing for this zoning map amendment for the above Parcels that were annexed into the City in 2012 with the passage of Ordinance #3170. This legislation is to replace the Oxford Township zoning classifications on these properties with City of Oxford's zoning classifications.

Parcel #H3610027000005, owned by Joann Pelly Means, is currently zoned B-PUD. This parcel went through the County Zoning Map Amendment in 2007 from A1 to B-PUD in order to facilitate a proposed tech park development. Due to the scope of the proposed development, municipal services/utilities were critical for the marketing of the project. Additionally, the site received the State of Ohio Job Ready Site Grant and the need for municipal services was even more essential. This tech park site cannot be annexed unless all parcels between the site and the existing corporate boundary are annexed; therefore, University land was also part of the annexation proceedings. A Pre-Annexation Agreement was also entered into stipulating that the City's zoning of the site should be consistent with Township zoning.

Parcel #3610027000008, Parcel #H3610027000009 and Parcel #H3510027000007 are owned by Miami University. Their current zoning classification is A1.

After the Public Hearing, the Commission voted 6-0-0 to recommend the new zoning classifications for Parcel #H3610027000005 be replaced with City of Oxford zoning, Office and Light Industrial (OI) District and Parcels #H3610027000008, #H3610027000009 and #H3510027000007 Miami University (MU) District.

*** The attached Ordinance will provide for the MU zoning only ***

Approved By:

Department Head:
City Attorney:
City Manager:

JHC 12/27/12
DHC 8/3/12

ORDINANCE NO.

AN ORDINANCE ACCEPTING THE PLANNING COMMISSION'S RECOMMENDATION AND GRANTING A ZONING MAP AMENDMENT FOR 237.51 ACRES OF LAND ON OXFORD TRENTON ROAD, OXFORD, OHIO (OXFORD PARCELS H3610027000008, H3610027000009 AND H3510027000007) AND REZONING THE PROPERTY FROM A-1 (TOWNSHIP ZONING) TO CITY OF OXFORD MIAMI UNIVERSITY (MU) ZONING DISTRICT.

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

SECTION 1: Council finds in accordance with Section 1125.01 of the Codified Ordinances of the City of Oxford, the Oxford Planning Commission held a public hearing on July 10, 2012, at 7:30 p.m. on the City of Oxford's application for a Zoning Map Amendment for three parcels of land on Oxford Trenton Road, Oxford, Ohio (Oxford parcels H3610027000008, H3610027000009 and H3510027000007) a map of which is attached hereto and incorporated herein as Exhibit "A" and requesting the rezoning of the property from A-1 (Township Zoning) to City of Oxford Miami University (MU) Zoning District.

SECTION 2: The Oxford Planning Commission, after the public hearing and deliberation, recommended granting the Zoning Map Amendment, and found that the proposed rezoning request was in keeping with the intended characteristics of the general vicinity of the property and was the most appropriate zoning classification of the property in question.

SECTION 3: Council hereby accepts the recommendation of the Oxford Planning Commission, and after deliberation, finds for the granting of the Zoning Map Amendment, rezoning 237.51 acres of land on Oxford Trenton Road, Oxford, Ohio (Oxford parcels H3610027000008, H3610027000009 and H3510027000007) a map of which is attached hereto and incorporated herein as Exhibit "A" and rezoning the property from A-1 (Township Zoning) to City of Oxford Miami University (MU) Zoning District.

SECTION 4: Council hereby grants the rezoning of the property as requested by the applicant, incorporating the application and documents submitted by the applicant as a term and condition of the granting of this rezoning request and orders that the official zoning map be amended.

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

MAYOR

ADOPTED:
ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

Certification of Action

Oxford Planning Commission

Recommendation to City Council

<u>Report Date</u>	July 27, 2012
<u>Case Number</u>	PC-06-2012
<u>Applicant Information</u>	City of Oxford, Applicant
<u>Requested Action</u>	Zoning Map Amendment
<u>Summary of Request</u>	To amend the zoning designations of certain property, approximately 304.7 acres of land along SR 73, being Parcel # H3610027000008, Parcel #H3610027000009, Parcel #H3510027000007 and Parcel #H3610027000005 from Oxford Township A1 and B-PUD to City of Oxford Miami University (MU) and Office & Light Industrial (OI) Districts.
<u>Public Hearing Information</u>	On July 10, 2012 a Public Hearing took place at 118 W. High Street. A Public Hearing notice was published in the Oxford Press on May 11, 2012. Public Hearing notices were mailed out to surrounding properties on May 17, 2012 and June 20, 2012.
<u>Commission Action</u>	The Planning Commission voted 6-0-0 recommending approval to City Council.
<u>Commission Findings and Conclusions</u>	The Planning Commission recommended this Zoning Map Amendment approval so that the property will carry a City of Oxford zoning district designation.
<u>Exhibits Submitted to the Commission</u>	1. Staff Report dated May 30, 2012 2. Interoffice Review Transmittal Sheets 3. Zoning Code Text Amendment Application dated April 27, 2012 4. May 2009 Aerial Photography

City of Oxford
Community Development Department
STAFF REPORT

Planning Commission

Case # PC-06-2012

Date – June 12, 2012

APPLICATION

Applicant:

City of Oxford

Action Request:

Zoning Map Amendment to amend the zoning designation of certain property, approximately 304.704 acres of land along SR 73, being parcel # H3610027000008, Parcel #H3610027000009, Parcel # H3510027000007 and Parcel #H3610027000005 from Oxford Township A-1 and B-PUD to City of Oxford Miami University (MU) District and Office and Light Industrial (OI) District.

Address:

Parcels:

H3610027000008, H3610027000009, H3510027000007 and H3610027000005

DESCRIPTION

There are four parcels included in this application; three are owned by Miami University and one is owned by Joanne Pelly Means. The parcel owned by Ms. Means was the subject of a County zoning map amendment in 2007 from A-1 to B-PUD in order to facilitate a proposed tech park development. Due to the scope of the proposed development, municipal services/utilities are critical for the marketing of the project. Additionally, the site has received the State of Ohio Job Ready Site Grant for the proposed development which further triggered the need for adequate services. A representative for Ms. Means worked with the City to enter into a pre-annexation agreement to outline each party's duties and responsibilities. In that agreement, it stipulated that the zoning of the site should be consistent with County zoning.

However, the site could not be singularly annexed into the City unless all parcels between the site and the existing corporate boundary were annexed. Therefore, this annexation request that was approved by City Council in 2012 with the passage of Ordinance # 3170, include Miami-owned properties. Additionally, the utility provider for the rural part of the County would not be able to supply all the needed utilities for the development as the owner had envisioned.

The parcel, #3610027000005, owned by Joanne Pelly Means, is currently zoned B-PUD and the Miami University parcels are zoned A-1, based on the County Land Use classifications.

Please refer to the attached map for the location of these parcels.

SURROUNDING NEIGHBORHOOD

The municipal zoning in the vicinity of this site is "MU" Miami University to the west; County A-1 to the north, south and east.

COMPREHENSIVE PLAN

Land Use Principle

4. Future growth at the edge of the city will preserve open space, protect the area's rural character, and be consistent with other principles
6. New commercial and light industrial development will be developed with pedestrian amenities and green spaces.

Economic Development Objective: Improve the residents work force through new employment services

ED 3.2 Continue to work with the CIC and Miami University to development economic strategies especially related to research and development.

AGENCY COMMENTS

Fire	Returned without comment
Police	No comments returned
Engineering	Returned without comment
Economic Development	Returned without comment

PUBLIC COMMENT FORMS

No comments have been received to date.

STAFF ANALYSIS

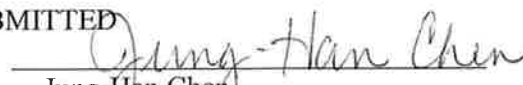
The annexation of this parcel, #H3610027000005, was based on a pre-annexation agreement as a result of receiving the State of Ohio Job Ready Site Grant for the development of a proposed tech park. In order to facilitate the development at this site, municipal utility services are critically needed and no municipal services can be provided unless all parcels between this site and the existing Corporation boundary are annexed. Additionally, the pre-annexation agreement also stipulated the type of land use the site, parcel # H3610027000005, for the development of the tech park. Therefore, the recommended land use should be consistent with the county approved land use category. The remaining parcels are owned by Miami University and are recommended to be zoned as "MU" Miami University District.

RECOMMENDATION

Not Applicable.

SUBMITTED

BY:


Jung-Han Chen

Community Development Department

DATE: May 30, 2012

1/28

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 5/18/2012

To: ~~Fire Department~~ Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

PC-06-2012 ZONING MAP AMENDMENT to amend the zoning designations of certain property, approximately 304.7 acres of land along SR 73, being Parcel # H3610027000008, Parcel # H3610027000009, Parcel # H3510027000007 and Parcel # H3610027000005 from Oxford Township A1 and B-PUD to City of Oxford Miami University (MU) and Office & Light Industrial (OI) Districts, **City of Oxford, Applicant**

☒ Review ☐ Revisions ☐ Other

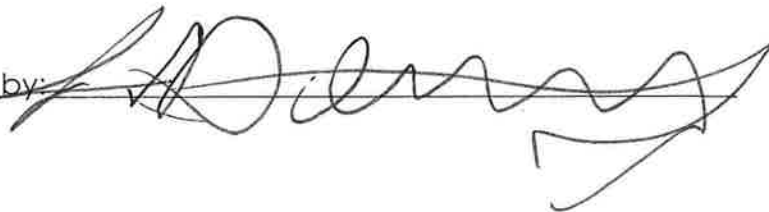
Comments or status update requested by: Lynn Taylor

Please return no later than: **6/8/2012** 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: 5-18-12

John Detherage, Fire Chief

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 5/18/2012

To: Fire Department **Engineering Division** Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

PC-06-2012 ZONING MAP AMENDMENT to amend the zoning designations of certain property, approximately 304.7 acres of land along SR 73, being Parcel # H3610027000008, Parcel # H3610027000009, Parcel # H3510027000007 and Parcel # H3610027000005 from Oxford Township A1 and B-PUD to City of Oxford Miami University (MU) and Office & Light Industrial (OI) Districts, **City of Oxford, Applicant**

☒ Review ☐ Revisions ☐ Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **6/8/2012** 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: 5-22-12

Victor Popescu, City Engineer

MAY 18 2012

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 5/18/2012

To: Fire Department Engineering Division Police Department **Economic Development**

From: Community Development

Drawings are being submitted to you for the following:

PC-06-2012 ZONING MAP AMENDMENT to amend the zoning designations of certain property, approximately 304.7 acres of land along SR 73, being Parcel # H3610027000008, Parcel # H3610027000009, Parcel # H3510027000007 and Parcel # H3610027000005 from Oxford Township A1 and B-PUD to City of Oxford Miami University (MU) and Office & Light Industrial (OI) Districts, **City of Oxford, Applicant**

 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **6/8/2012** 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: June 4-2012

Alan Kyger
Economic Development Director

Zoning Map Amendment Application
City of Oxford, Ohio

REQUIRED INFORMATION

Name of Applicant:

City of Oxford
(Attach a Letter of Agency if the applicant is not the property owner.)

Mailing Address:

101 E. High St
Oxford, OH 45056

Telephone Number(s)

524-5204 Email Address _____

Location of Property:

(Indicate address if there is an existing structure or subdivision name and lot number if subdivided.) H3510027000007; H3610027000005

Legal Description:

H3610027000008; H3610027000009.

Total Area:

Acres / Square Feet (circle one)

Existing Use of Property:

University Property / Agriculture

Current Zoning:

Township A EB-PUD

Proposed Zone(s):

MU / O1

Proposed Use:

SUBMISSION REQUIREMENTS

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

On a separate sheet of paper, provide the names and addresses of all adjoining property owners within 200 feet of the site, including those across streets, roads, alleys and highways. NOTE: The Butler County website (www.butlercountyohio.org/auditor) is very helpful when searching for the mailing address of adjoining property owners. Once the site is up, click on online searches, then click on real estate. It will allow you to search by owner, address or parcel number. *Property Owner names will not be provided in the agenda packet.

Attach a statement which responds to the following questions:

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

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

NOTE: Incomplete applications will not be processed. City Staff will erect a public hearing sign on the subject property. It is the Applicant's responsibility to remove the signage once the hearing(s) are completed.

SIGNATURE OF APPLICANT:

Jung-Han Chen

Date:

4/27/12

PRINTED NAME:

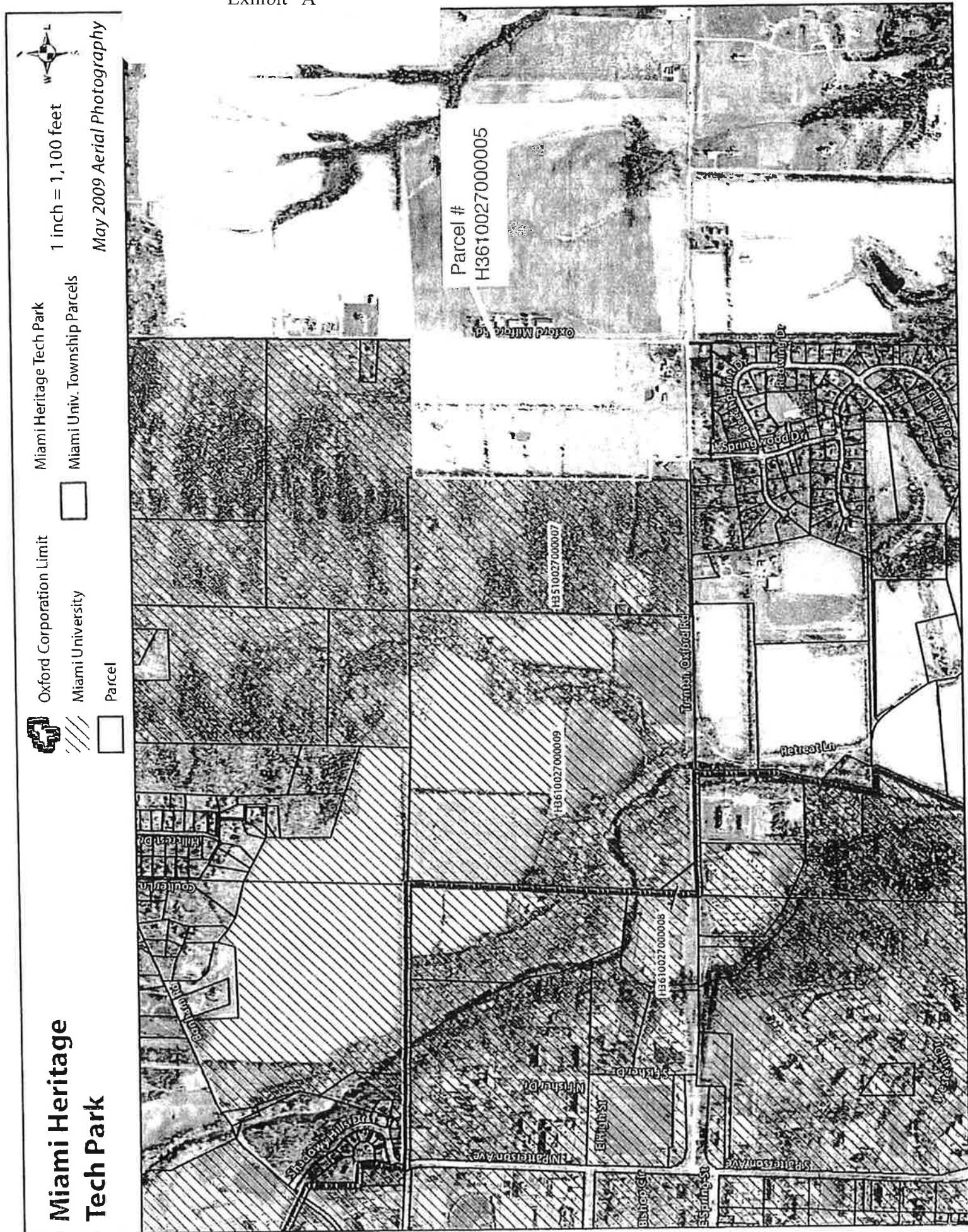
Jung-Han Chen

FEE / RECEIPT

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

NA

Exhibit "A"



**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: August 7, 2012

Jung-Han Chen

Account Code No. #:

Prepared By:

Budgeted Amount:

July 23, 2012

Date Prepared:

Agenda Title: PC-06-2012 ZONING MAP AMENDMENT To Amend the Zoning Designations of Certain Property, Approximately 304.7 Acres of Land along SR 73, being Parcel #H3610027000008, Parcel #H3610027000009, Parcel #H3510027000007 and Parcel #H3610027000005 from Oxford Township A1 and B-PUD to City of Oxford Miami University (MU) and Office & Light Industrial (OI) Districts

Recommendation: Approval

Discussion:

The Planning Commission held a Public Hearing for this zoning map amendment for the above Parcels that were annexed into the City in 2012 with the passage of Ordinance #3170. This legislation is to replace the Oxford Township zoning classifications on these properties with City of Oxford's zoning classifications.

Parcel #H3610027000005, owned by Joann Pelly Means, is currently zoned B-PUD. This parcel went through the County Zoning Map Amendment in 2007 from A1 to B-PUD in order to facilitate a proposed tech park development. Due to the scope of the proposed development, municipal services/utilities were critical for the marketing of the project. Additionally, the site received the State of Ohio Job Ready Site Grant and the need for municipal services was even more essential. This tech park site cannot be annexed unless all parcels between the site and the existing corporate boundary are annexed; therefore, University land was also part of the annexation proceedings. A Pre-Annexation Agreement was also entered into stipulating that the City's zoning of the site should be consistent with Township zoning.

Parcel #H3610027000008, Parcel #H3610027000009 and Parcel #H3510027000007 are owned by Miami University. Their current zoning classification is A1.

After the Public Hearing, the Commission voted 6-0-0 to recommend the new zoning classifications for Parcel #H3610027000005 be replaced with City of Oxford zoning, Office and Light Industrial (OI) District and Parcels #H3610027000008, #H3610027000009 and #H3510027000007 Miami University (MU) District.

*** The attached Ordinance will provide for the OI zoning only ***

Approved By:

Department Head:
City Attorney:
City Manager:

JHC 7/27/12
DHC 8/3/12

ORDINANCE NO.

AN ORDINANCE ACCEPTING THE PLANNING COMMISSION'S RECOMMENDATION AND GRANTING A ZONING MAP AMENDMENT FOR 74.42 ACRES OF LAND ON OXFORD TRENTON ROAD, OXFORD, OHIO (OXFORD PARCEL H3610027000005) AND REZONING THE PROPERTY FROM B-PUD (TOWNSHIP ZONING) TO CITY OF OXFORD OFFICE & LIGHT INDUSTRIAL (OI) ZONING DISTRICT.

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

SECTION 1: Council finds in accordance with Section 1125.01 of the Codified Ordinances of the City of Oxford, the Oxford Planning Commission held a public hearing on July 10, 2012, at 7:30 p.m. on the City of Oxford's application for a Zoning Map Amendment for 74.42 acres of land on Oxford Trenton Road (Oxford parcel H3610027000005) a map of which is attached hereto and incorporated herein as Exhibit "A" and requesting the rezoning of the property from B-PUD (Township Zoning) to City of Oxford Office & Light Industrial (OI) Zoning District.

SECTION 2: The Oxford Planning Commission, after the public hearing and deliberation, recommended granting the Zoning Map Amendment, and found that the proposed rezoning request was in keeping with the intended characteristics of the general vicinity of the property and was the most appropriate zoning classification of the property in question.

SECTION 3: Council hereby accepts the recommendation of the Oxford Planning Commission, and after deliberation, finds for the granting of the Zoning Map Amendment, rezoning 74.42 acres of land on Oxford Trenton Road, Oxford, Ohio (Oxford parcel H3610027000005) a map of which is attached hereto and incorporated herein as Exhibit "A" and rezoning the property from B-PUD (Township Zoning) to City of Oxford Office & Light Industrial (OI) Zoning District.

SECTION 4: Council hereby grants the rezoning of the property as requested by the applicant, incorporating the application and documents submitted by the applicant as a term and condition of the granting of this rezoning request and orders that the official zoning map be amended.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

Certification of Action

Oxford Planning Commission

Recommendation to City Council

<u>Report Date</u>	July 27, 2012
<u>Case Number</u>	PC-06-2012
<u>Applicant Information</u>	City of Oxford, Applicant
<u>Requested Action</u>	Zoning Map Amendment
<u>Summary of Request</u>	To amend the zoning designations of certain property, approximately 304.7 acres of land along SR 73, being Parcel # H3610027000008, Parcel #H3610027000009, Parcel #H3510027000007 and Parcel #H3610027000005 from Oxford Township A1 and B-PUD to City of Oxford Miami University (MU) and Office & Light Industrial (OI) Districts.
<u>Public Hearing Information</u>	On July 10, 2012 a Public Hearing took place at 118 W. High Street. A Public Hearing notice was published in the Oxford Press on May 11, 2012. Public Hearing notices were mailed out to surrounding properties on May 17, 2012 and June 20, 2012.
<u>Commission Action</u>	The Planning Commission voted 6-0-0 recommending approval to City Council.
<u>Commission Findings and Conclusions</u>	The Planning Commission recommended this Zoning Map Amendment approval so that the property will carry a City of Oxford zoning district designation.
<u>Exhibits Submitted to the Commission</u>	1. Staff Report dated May 30, 2012 2. Interoffice Review Transmittal Sheets 3. Zoning Code Text Amendment Application dated April 27, 2012 4. May 2009 Aerial Photography

City of Oxford
Community Development Department
STAFF REPORT

Planning Commission

Case # PC-06-2012

Date – June 12, 2012

APPLICATION

Applicant:

City of Oxford

Action Request:

Zoning Map Amendment to amend the zoning designation of certain property, approximately 304.704 acres of land along SR 73, being parcel # H3610027000008, Parcel #H3610027000009, Parcel # H3510027000007 and Parcel #H3610027000005 from Oxford Township A-1 and B-PUD to City of Oxford Miami University (MU) District and Office and Light Industrial (OI) District.

Address:

Parcels:

H3610027000008, H3610027000009, H3510027000007 and H3610027000005

DESCRIPTION

There are four parcels included in this application; three are owned by Miami University and one is owned by Joanne Pelly Means. The parcel owned by Ms. Means was the subject of a County zoning map amendment in 2007 from A-1 to B-PUD in order to facilitate a proposed tech park development. Due to the scope of the proposed development, municipal services/utilities are critical for the marketing of the project. Additionally, the site has received the State of Ohio Job Ready Site Grant for the proposed development which further triggered the need for adequate services. A representative for Ms. Means worked with the City to enter into a pre-annexation agreement to outline each party's duties and responsibilities. In that agreement, it stipulated that the zoning of the site should be consistent with County zoning.

However, the site could not be singularly annexed into the City unless all parcels between the site and the existing corporate boundary were annexed. Therefore, this annexation request that was approved by City Council in 2012 with the passage of Ordinance # 3170, include Miami-owned properties. Additionally, the utility provider for the rural part of the County would not be able to supply all the needed utilities for the development as the owner had envisioned.

The parcel, #3610027000005, owned by Joanne Pelly Means, is currently zoned B-PUD and the Miami University parcels are zoned A-1, based on the County Land Use classifications.

Please refer to the attached map for the location of these parcels.

SURROUNDING NEIGHBORHOOD

The municipal zoning in the vicinity of this site is "MU" Miami University to the west; County A-1 to the north, south and east.

COMPREHENSIVE PLAN

Land Use Principle

4. Future growth at the edge of the city will preserve open space, protect the area's rural character, and be consistent with other principles
6. New commercial and light industrial development will be developed with pedestrian amenities and green spaces.

Economic Development Objective: Improve the residents work force through new employment services

ED 3.2 Continue to work with the CIC and Miami University to develop economic strategies especially related to research and development.

AGENCY COMMENTS

Fire	Returned without comment
Police	No comments returned
Engineering	Returned without comment
Economic Development	Returned without comment

PUBLIC COMMENT FORMS

No comments have been received to date.

STAFF ANALYSIS

The annexation of this parcel, #H3610027000005, was based on a pre-annexation agreement as a result of receiving the State of Ohio Job Ready Site Grant for the development of a proposed tech park. In order to facilitate the development at this site, municipal utility services are critically needed and no municipal services can be provided unless all parcels between this site and the existing Corporation boundary are annexed. Additionally, the pre-annexation agreement also stipulated the type of land use the site, parcel # H3610027000005, for the development of the tech park. Therefore, the recommended land use should be consistent with the county approved land use category. The remaining parcels are owned by Miami University and are recommended to be zoned as "MU" Miami University District.

RECOMMENDATION

Not Applicable.

SUBMITTED

BY:


Jung-Han Chen

Community Development Department

DATE: May 30, 2012

1/28

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 5/18/2012

To: ~~Fire Department~~ Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

PC-06-2012 ZONING MAP AMENDMENT to amend the zoning designations of certain property, approximately 304.7 acres of land along SR 73, being Parcel # H3610027000008, Parcel # H3610027000009, Parcel # H3510027000007 and Parcel # H3610027000005 from Oxford Township A1 and B-PUD to City of Oxford Miami University (MU) and Office & Light Industrial (OI) Districts, **City of Oxford, Applicant**

☒ Review ☐ Revisions ☐ Other

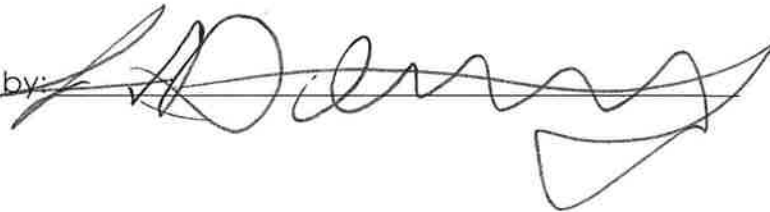
Comments or status update requested by: Lynn Taylor

Please return no later than: **6/8/2012** 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: 5-18-12

John Detherage, Fire Chief

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 5/18/2012

To: Fire Department **Engineering Division** Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

PC-06-2012 ZONING MAP AMENDMENT to amend the zoning designations of certain property, approximately 304.7 acres of land along SR 73, being Parcel # H3610027000008, Parcel # H3610027000009, Parcel # H3510027000007 and Parcel # H3610027000005 from Oxford Township A1 and B-PUD to City of Oxford Miami University (MU) and Office & Light Industrial (OI) Districts, **City of Oxford, Applicant**

 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **6/8/2012** 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: 5-22-12

Victor Popescu, City Engineer

MAY 18 2012

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 5/18/2012

To: Fire Department Engineering Division Police Department **Economic Development**

From: Community Development

Drawings are being submitted to you for the following:

PC-06-2012 ZONING MAP AMENDMENT to amend the zoning designations of certain property, approximately 304.7 acres of land along SR 73, being Parcel # H3610027000008, Parcel # H3610027000009, Parcel # H3510027000007 and Parcel # H3610027000005 from Oxford Township A1 and B-PUD to City of Oxford Miami University (MU) and Office & Light Industrial (OI) Districts, **City of Oxford, Applicant**

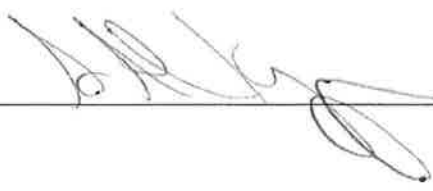
 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **6/8/2012** 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: June 4-2012

Alan Kyger
Economic Development Director

Zoning Map Amendment Application
City of Oxford, Ohio

REQUIRED INFORMATION

Name of Applicant:

City of Oxford
(Attach a Letter of Agency if the applicant is not the property owner.)

Mailing Address:

101 E. High St
Oxford, OH 45056

Telephone Number(s)

524 5204 Email Address _____

Location of Property:

(Indicate address if there is an existing structure or subdivision name and lot number if subdivided.) H3510027000007; H3610027000005

Legal Description:

H3610027000008; H3610027000009.

Total Area:

Acres / Square Feet (circle one)

Existing Use of Property:

University Property / Agriculture

Current Zoning:

Township A EB-PUD

Proposed Zone(s):

MU/01

Proposed Use:

SUBMISSION REQUIREMENTS

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

On a separate sheet of paper, provide the names and addresses of all adjoining property owners within 200 feet of the site, including those across streets, roads, alleys and highways. NOTE: The Butler County website (www.butlercountyohio.org/auditor) is very helpful when searching for the mailing address of adjoining property owners. Once the site is up, click on online searches, then click on real estate. It will allow you to search by owner, address or parcel number. *Property Owner names will not be provided in the agenda packet.

Attach a statement which responds to the following questions:

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

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

NOTE: Incomplete applications will not be processed. City Staff will erect a public hearing sign on the subject property. It is the Applicant's responsibility to remove the signage once the hearing(s) are completed.

SIGNATURE OF APPLICANT:

[Signature]

Date:

4/27/12

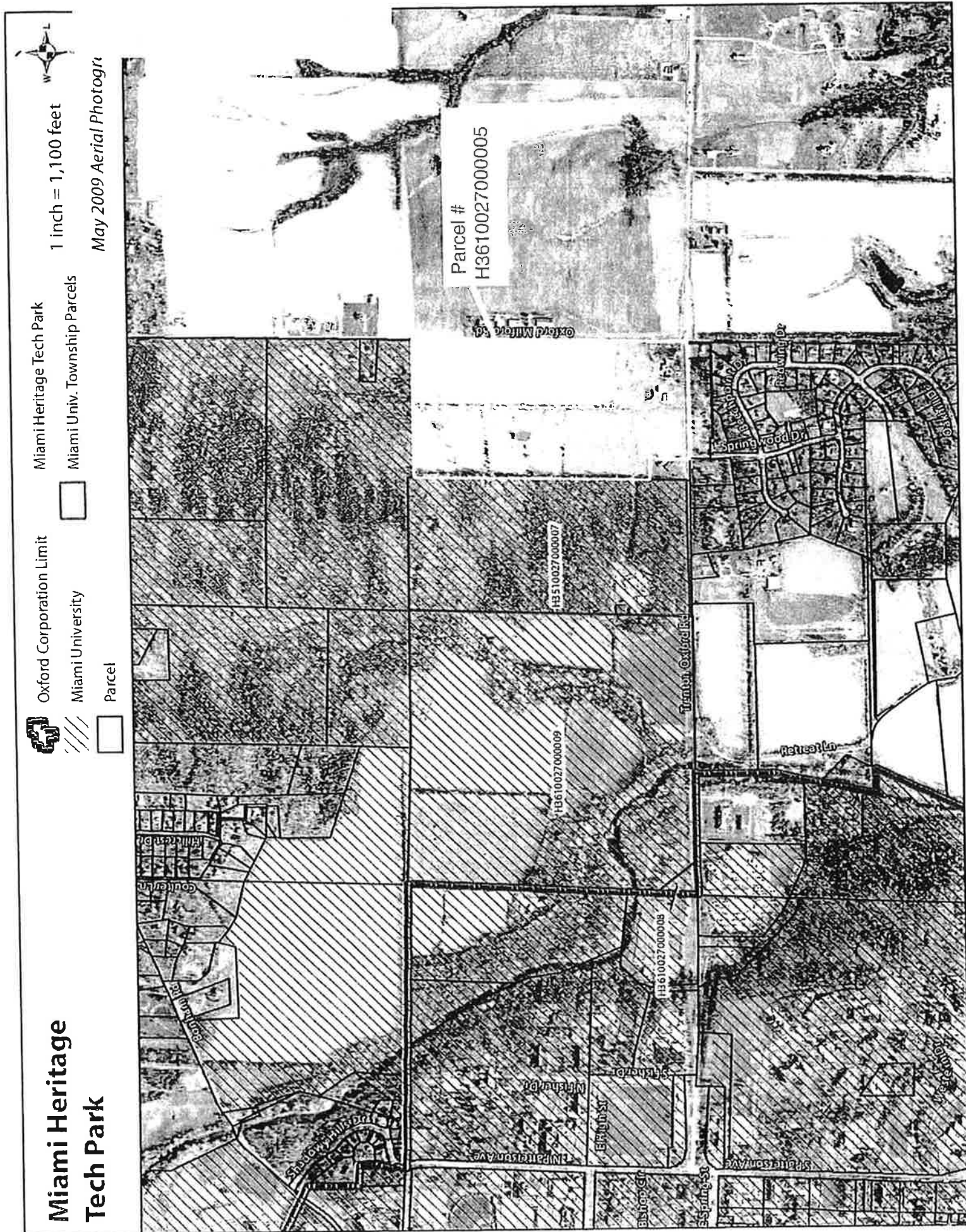
PRINTED NAME:

Jung-Han Chen

FEE / RECEIPT

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

NA



**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: August 7, 2012

Jung-Han Chen

Account Code No. #:

Prepared By:

Budgeted Amount:

July 13, 2012
Date Prepared:

Agenda Title:	PC-05-2012 Zoning Map Amendment – To Amend the Zoning Designation of a Property, Approximately 40.113 Acres of Land, being Parcel#H4000132000015 with Frontage on Kehr and Booth Roads, from Oxford Township A1 to City of Oxford Agricultural Open Space (AOS) District
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Recommendation: Approval

Discussion:

The Planning Commission held a Public Hearing for this zoning map amendment for this Parcel that was annexed into the City in 2008; however, the zoning designation was never changed from Township zoning to the City's zoning classification.

The zoning classification of a newly annexed territory cannot be changed until the legislative body of a municipality has gone through the zoning map amendment to designate a new zoning classification to the territory; otherwise, the property shall continue to carry Township zoning. In order to eliminate any confusion, the change of the zoning classification from a Township classification to a municipal one needs to happen in a reasonable time.

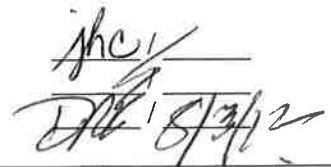
City Council created an Agricultural Open Space District in 2011 in order to allow agricultural uses to be continued in the Corporate Limits. This property has been used for agricultural purposes for quite some time. There is no immediate development pressure for this site and is ideal for the Agricultural Open Space District classification. The owner maintains that should an opportunity become available that he would develop the site.

Many neighbors from the Silverleaf Subdivision attended the Planning Commission meeting and raised their concern about drainage issues for this site. Unfortunately, this is a zoning change and drainage is not relevant to the request. However, the Commission sympathized with the neighbors and will review the drainage issue when the site development proposal comes forward in the future.

After the Hearing, the Commission voted 6-0-0 to recommend the zoning change of this property from Oxford Township A1 to City of Oxford Agricultural Open Space District.

Approved By:

Department Head:
City Attorney:
City Manager:



ORDINANCE NO.

AN ORDINANCE ACCEPTING THE PLANNING COMMISSION'S RECOMMENDATION AND GRANTING A ZONING MAP AMENDMENT FOR 40.113 ACRES OF LAND ON KEHR ROAD, OXFORD, OHIO, (OXFORD PARCEL H4000132000015) AND REZONING THE PROPERTY FROM A-1 (TOWNSHIP ZONING) TO CITY OF OXFORD AGRICULTURAL OPEN SPACE (AOS) ZONING DISTRICT.

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

SECTION 1: Council finds in accordance with Section 1125.01 of the Codified Ordinances of the City of Oxford, the Oxford Planning Commission held a public hearing on July 10, 2012, at 7:30 p.m. on Nancy and Bill Colwell's application for a Zoning Map Amendment for 40.113 acres of land on Kehr Road, Oxford, Ohio, (Oxford Parcel H4000132000015) attached hereto and incorporated herein as Exhibit "A" and requesting the rezoning of the property from A-1 (Township Zoning) to City of Oxford Agricultural Open Space (AOS) Zoning District.

SECTION 2: The Oxford Planning Commission, after the public hearing and deliberation, recommended granting the Zoning Map Amendment, and found that the proposed rezoning request was in keeping with the intended characteristics of the general vicinity of the property and was the most appropriate zoning classification of the property in question.

SECTION 3: Council hereby accepts the recommendation of the Oxford Planning Commission, and after deliberation, finds for the granting of the Zoning Map Amendment, rezoning 40.113 acres of land on Kehr Road, Oxford, Ohio, (Oxford Parcel H4000132000015) attached hereto and incorporated herein as Exhibit "A" and rezoning the property from A-1 (Township Zoning) to City of Oxford Agricultural Open Space (AOS) Zoning District.

SECTION 4: Council hereby grants the rezoning of the property as requested by the applicant, incorporating the application and documents submitted by the applicant as a term and condition of the granting of this rezoning request and orders that the official zoning map be amended.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

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

<u>Report Date</u>	July 27, 2012
<u>Case Number</u>	PC-05-2012
<u>Applicant Information</u>	City of Oxford, Applicant
<u>Requested Action</u>	Zoning Map Amendment
<u>Summary of Request</u>	Zoning Map Amendment to Amend the Zoning Designation of a Property, Approximately 40.113 Acres of Land, being Parcel #H4000132000015 with Frontage on Kehr and Booth Roads, from Oxford Township A1 to City of Oxford Agricultural Open Space (AOS) District
<u>Public Hearing Information</u>	On July 10, 2012 a Public Hearing took place at 118 W. High Street. A Public Hearing notice was published in the Oxford Press on May 11, 2012. Public Hearing notices were mailed out to surrounding properties on May 17, 2012 and June 20, 2012.
<u>Commission Action</u>	The Planning Commission voted 6-0-0 recommending approval to City Council.
<u>Commission Findings and Conclusions</u>	The Planning Commission recommended this Zoning Map Amendment approval so that the property will carry a City of Oxford zoning district designation.
<u>Exhibits Submitted to the Commission</u>	1. Staff Report dated May 9, 2012 2. Interoffice Review Transmittal Sheets 3. Zoning Code Text Amendment Application dated April 25, 2012 4. Location Map

City of Oxford
Community Development Department
STAFF REPORT

Planning Commission

Case # PC-05-2012

Date – June 12, 2012

APPLICATION

Applicant:	Bill and Nancy Colwell
Action Request:	Zone Map Amendment to amend the zoning designation of a property, approximately 40.113 acres of land, being parcel # H4000132000015 with frontage on Kehr and Booth Roads, from Oxford Township A-1 to City of Oxford Agricultural Open Space (AOS) District
Address:	
Parcels:	H4000132000015

DESCRIPTION

In 2008, City Council approved the annexation petition of this tract of land into the City Limits, Ordinance #4386. The property owners at that time worked with Neighborhood Housing Services in Hamilton to pursue funding from the State of Ohio to build affordable housing. The hope was that if the funding was approved, then the development plan along with zoning change would move forward. Unfortunately, the application was not awarded any funding. No other action has taken place with the property owner to move forward with any development or to change the zoning designation of this parcel. The zoning designation of this tract remained as A-1 Township until an official action was taken by City Council to change the zoning designation to Agricultural Open Space (AOS) District.

Please refer to the attached map for the location of this parcel.

SURROUNDING NEIGHBORHOOD

The municipal zoning in the vicinity of this site is Single Family Medium Density Residential District (R1B) to the north and west; Township A-1 to the south and east.

COMPREHENSIVE PLAN

Land Use Principles

6. Future growth at the edge of the City will preserve open space, protect the area's rural character, and be consistent with other principles.
10. Environmentally sensitive and sustainable practices will be encouraged in future developments.

AGENCY COMMENTS

Fire	Returned without comment
Police	No comments returned
Engineering	Returned without comment
Economic Development	Returned without comment

PUBLIC COMMENT FORMS

Comments attached.

STAFF ANALYSIS

Given that the site does not have any development plans at this point, and the use of the land has been agriculture/crop harvesting, the zoning of this tract of land should be maintained as low intensity as possible. Recently, City Council adopted an ordinance creating a new zoning district- Agricultural Open Space (AOS) District- to allow such types of land use to continue within the City limits. The owners of the land can still develop the site in the future and amend the zoning designation if and when there is a viable development plan for this tract of land.

RECOMMENDATION

Not Applicable.

SUBMITTED

BY:


Jung-Han Chen
Community Development Director

DATE: May 9, 2012

✓

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 5/18/2012

To: ~~Fire Department~~ Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

PC-05-2012 ZONING MAP AMENDMENT to amend the zoning designation of a property, approximately 40.113 acres of land, being Parcel # H4000132000015 with frontage on Kehr and Booth Roads, from Oxford Township A1 to City of Oxford Agricultural Open Space (AOS) District, **Nancy and Bill Colwell, Applicants**

 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **6/8/2012** 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, Fire Chief

Date: 5-18-12

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 5/18/2012

To: Fire Department **Engineering Division** Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

PC-05-2012 ZONING MAP AMENDMENT to amend the zoning designation of a property, approximately 40.113 acres of land, being Parcel # H4000132000015 with frontage on Kehr and Booth Roads, from Oxford Township A1 to City of Oxford Agricultural Open Space (AOS) District, **Nancy and Bill Colwell, Applicants**

 X Review Revisions Other

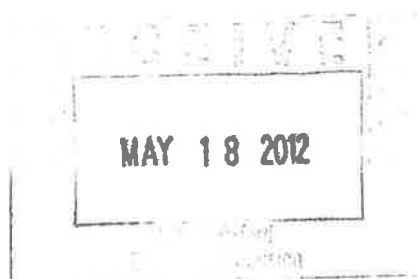
Comments or status update requested by: Lynn Taylor

Please return no later than: **6/8/2012** 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: *V. Popescu*
Victor Popescu, City Engineer

Date: 5-22-12



City of Oxford
Inter-Office Review Transmittal Sheet

Date: 5/18/2012

To: Fire Department Engineering Division Police Department **Economic Development**

From: Community Development

Drawings are being submitted to you for the following:

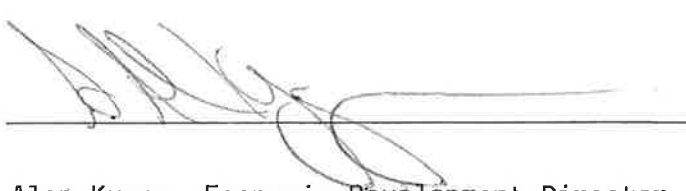
PC-05-2012 ZONING MAP AMENDMENT to amend the zoning designation of a property, approximately 40.113 acres of land, being Parcel # H4000132000015 with frontage on Kehr and Booth Roads, from Oxford Township A1 to City of Oxford Agricultural Open Space (AOS) District, **Nancy and Bill Colwell, Applicants**

 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **6/8/2012** Note: If no comments are received, we will assume the project meets your department's standards.

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

Drawings reviewed by: 

Date: 6-4-2012

Alan Kyger, Economic Development Director

Case No.: PC-05-2012
Date Filed: 4/25/12

Zoning Map Amendment Application
City of Oxford, Ohio

6/12/12 mtg

REQUIRED INFORMATION

Name of Applicant: Bill D & Nancy S

(Attach a Letter of Agency if the applicant is not the property owner.)

Mailing Address: 2530 Regina Place

Hamilton Ohio 45013

Telephone Number(s): 513 895-1475

Email Address: colwellnancy@yahoo.com

Location of Property: Kehr & Booth

(Indicate address if there is an existing structure or subdivision name and lot number if subdivided.)

Legal Description: Lot 3732

Lot 3732

Total Area: 40.1

Acres / Square Feet (circle one)

40

Existing Use of Property: Ag.

Current Zoning: A-1

Proposed Zone(s): Agricultural Open Space

AOS

Proposed Use:

SUBMISSION REQUIREMENTS

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

On a separate sheet of paper, provide the names and addresses of all adjoining property owners within 200 feet of the site, including those across streets, roads, alleys and highways. NOTE: The Butler County website (www.butlercountyoio.org/auditor) is very helpful when searching for the mailing address of adjoining property owners. Once the site is up, click on online searches, then click on real estate. It will allow you to search by owner, address or parcel number. *Property Owner names will not be provided in the agenda packet.

Attach a statement which responds to the following questions:

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

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

NOTE: Incomplete applications will not be processed. City Staff will erect a public hearing sign on the subject property. It is the Applicant's responsibility to remove the signage once the hearing(s) are completed.

SIGNATURE OF APPLICANT: Nancy S Colwell

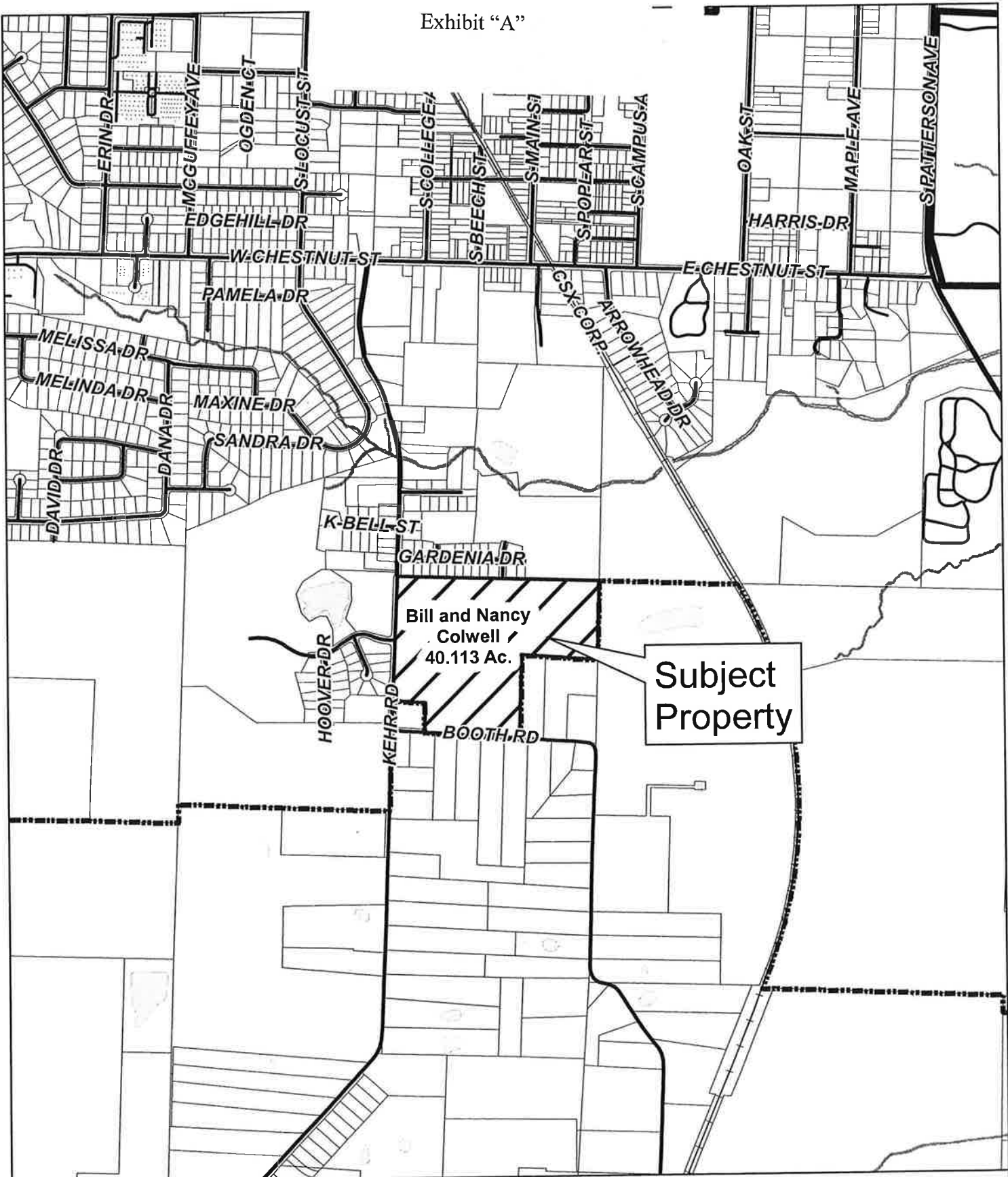
Date: 4-25-2012

PRINTED NAME: Bill D & Nancy S Colwell

FEE / RECEIPT

\$150 Fee plus Actual Postage Paid / Receipt Number: 17571

Exhibit "A"



Location Map

Colwell Rezoning



Map created by the City of Oxford
Community Development Department May 15, 2012

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Council Meeting of: August 21, 2012

Account Code #: Not Applicable

Budgeted Amount: Not Applicable

Service Department

Originating Department

Michael B. Dreisbach

Prepared By

August 10, 2012

Date Prepared

Agenda Title: An Ordinance to Levy Assessments for Curb, Gutter, and Sidewalk Repairs

Recommendation: Approve

Discussion:

Through a series of Resolutions, the City has caused the repair of deficient curb, gutter, and sidewalk on parcels identified in the attached Exhibit "A" including:

Feb. 2012 Resolution No. 4663 – Declaring the necessity to make improvements
June 2012 Resolution No. 4680 – Authorizing a contract to perform the improvements
July 2012 Resolution No. 4691 – Determination of the total cost of assessment by lot

The proposed assessment costs were advertised as required by Ohio Revised Code; no objections were received from parcel owners as detailed in Exhibit "A". Upon passage of this Ordinance, an owner may pay cash for the assessment within 30 days. Otherwise, the amount will be levied to the owner's property tax bill and must be paid in five (5) annual installments with City assessed interest on deferred payments at a rate of 5%.

Staff recommends City Council approve this assessment Ordinance, and authorize the City Manager or his designee to take all steps necessary to cause the amounts listed in Exhibit "A" to be levied upon the lots and lands enumerated in the listing.

Approved By:

Department Head:

Initial Date
MBA 8/10/12

City Manager:

DRE 8/16/12

ORDINANCE NO.

ORDINANCE LEVYING UPON THE LOTS AND LANDS ENUMERATED IN THE LIST OF ESTIMATED ASSESSMENTS (EXHIBIT A) THE AMOUNTS SET FORTH ON SUCH LIST AND SETTING FORTH TERMS FOR PAYMENT OF ASSESSMENTS.

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

SECTION 1: Pursuant to Ohio Rev. Code 729.07, Council filed a list of estimated assessments (Exhibit A) with the Clerk of City Council and ordered it open for public inspection.

SECTION 2: Pursuant to Ohio Rev. Code 729.08, Council published a notice in *The Oxford Press*, beginning July 20, 2012 and ending August 3, 2012 stating that the list of estimated assessments (Exhibit A) was on file with the Clerk of City Council and was available for public inspections.

SECTION 3: The Clerk of Council has received no written objections to the assessments.

SECTION 4: Property owners shall be assessed the actual cost over five years as set forth on Exhibit "A" attached hereto.

SECTION 5: Property owners may pay the assessment in five (5) annual installments with interest on deferred payments at 5%. Conversely, property owners may pay the assessment in cash within 30 days after passage of this Ordinance.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

Exhibit "A"

Curb, Gutter, Sidewalk, for Foxfire Drive 2011-2012

Address	Direction	Street Name	Property Owner	Parcel #	Lineal Ft Curb	Square Feet Sidewalk	Square Ft Drive Apron	Actual Cost to be Assessed to Property Owner
601	S	Locust	McDonalds Real Estate Co.	H4100104000062	310	25		\$ 9,640.55
330		Foxfire	Young, William Edward & Deborah L	H4100104000061	40			\$ 1,154.00

\$ 10,794.55

Curb, Gutter, Sidewalk, for Tallawanda Road 2012

Address	Direction	Street Name	Property Owner	Parcel #	Lineal Ft Curb	Square Feet Sidewalk	Square Ft Drive Apron	Actual Cost to be Assessed to Property Owner
102		Tallawanda	Ohio Alpha Phi Delta Theta	H4100006000173	125			\$ 3,923.60
112		Tallawanda	Kacachos Thomas A Etal	H4100006000158	10	50		\$ 644.00
114		Tallawanda	Kacachos Thomas A Etal	H4100006000157	30	100		\$ 1,898.50
116		Tallawanda	Kacachos Thomas A Etal	H4100006000156	25	175		\$ 1,919.00
300		Tallawanda	Epsilon Nu of Sigma Nu Corp	H4000006000143	93	400	70	\$ 7,017.80

\$ 15,402.90

Curb, Gutter, Sidewalk, for High Street Rehabilitation Main St. to Poplar St. 2011-2012

Address	Direction	Street Name	Property Owner	Parcel #	Lineal Ft Curb	Square Feet Sidewalk	Square Ft Drive Apron	Actual Cost to be Assessed to Property Owner
11	E	High	Minnis Rentals LLC	H4100003000240	23	0		\$ 663.55
32	E	High	Star Bank N/A TR	H4100003000163	0	154		\$ 770.00
36	E	High	36 East High Street LLC	H4100003000162	22	784		\$ 4,700.00
41	E	High	43 East High St. LLC	H4100003000160	5	88		\$ 769.93
43	E	High	43 East High St. LLC	H4000003000161	5	320		\$ 1,420.00

83 124

\$ 8,323.48

revised 8/15/12

GRAND TOTAL

\$ 34,520.93

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting Of: August 21, 2012

Originating Department: Economic Development

Prepared By: Alan Kyger

Date Prepared: August 14, 2012

Agenda Title: A Resolution authorizing the City Manager to enter into a contract extension with RE/Max Alpha Commercial Group to list for sale and market, City real estate at 4293 Oxford Reily Road.

Recommendation: Approval

Discussion:

On July 20, 2010 the Oxford City Council passed Resolution 4551. Resolution 4551 authorized the City Manager to enter into a 12 month contract with RE/Max Alpha Commercial Group to list for sale & market 47.46 acres of land on Oxford Reily Road and Brookville Road. The address for this parcel is 4293 Oxford Reily Road and the Butler County parcel number is H4100119000029.

On July 19, 2011 the contract was extended for another year. The current listing contract expired on July 15, 2012. RE/Max Alpha Commercial Group has submitted a request to extend the existing listing for a year.

RE/Max Alpha Commercial Group has handled the listing and marketing of this property over the last two years. As we all know, non-rental residential real estate has yet to recover from the great recession. Our agent, Dan Mawer is in ongoing discussions with a potential purchaser for part of the land.

At this time, our options are:

- Renew the current listing with RE/Max Alpha Commercial Group.
- Seek another request for listing proposals from the real estate community.
- Bring the listing back inside the City.

City staff is recommending extending the current real estate listing with RE/Max Alpha Commercial Group for 12 months.

Approved By:

Department Head:  / 8-14-12
City Attorney: 
City Manager: 

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXTEND THE CURRENT CONTRACT WITH RE/MAX ALPHA COMMERCIAL GROUP TO LIST FOR SALE AND MARKET THE CITY OWNED REAL ESTATE AT 4293 OXFORD REILY ROAD FOR A TWELVE (12) MONTH PERIOD ENDING JULY 15, 2013.

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

SECTION 1: The City of Oxford advertised for a Request for Proposal in 2010 and RE/Max Alpha Commercial Group was the only firm that responded.

SECTION 2: The City Manager and the Economic Development Director recommend the contract with RE/Max Alpha Commercial Group to list for sale and market the City owned real estate at 4293 Oxford Reily Road with six percent (6%) commission payable at closing, be extended for a twelve (12) month period ending July 15, 2013.

SECTION 3: Council hereby accepts the recommendation of the City Manager and the Economic Development Director and authorizes the City Manager to extend the current contract with RE/Max Alpha Commercial Group to list for sale and market the City owned real estate at 4293 Oxford Reily Road with a six percent (6%) commission payable at closing, for a period of twelve (12) months ending July 15, 2013.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW(STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Manager

Originating Department

Council Meeting Of: August 21, 2012

Doug Elliott

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

August 14, 2012

Date Prepared

Agenda Title: A Resolution authorizing the City Manager to enter into a new agreement with Oxford Township, Butler County, Ohio, and authorizing the City of Oxford to provide fire protection and emergency medical services to Oxford Township pursuant to the terms of the agreement.

Recommendation: Adopt the Resolution.

Discussion:

The present contract for the provision of Fire and EMS Services to Oxford Township by the City of Oxford expires on 12/31/12. The Mayor, Vice Mayor, Fire Chief and I met on July 31, 2012 with the Oxford Township Trustees to negotiate a new Fire/EMS contract. As the result of the meeting, I am recommending that the City of Oxford enter into a three (3) year contract and Oxford Township would compensate the City of Oxford \$60,000 each year (an 11% increase). I believe that is a fair and equitable amount since the township's percentage of Fire/EMS incidents in 2011 was 6%.

Approved By:

Initial Date

Department Head:

City Manager:

 \
DRE 8/16/12

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A NEW AGREEMENT WITH OXFORD TOWNSHIP, BUTLER COUNTY OHIO, AND AUTHORIZING THE CITY OF OXFORD TO PROVIDE FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES TO OXFORD TOWNSHIP PURSUANT TO THE TERMS OF THE AGREEMENT.

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

SECTION 1: The City Manager and the Fire Chief recommend Council authorize the City Manager to enter into a new agreement with Oxford Township, Butler County Ohio, and authorizing the City of Oxford to provide Fire Protection and Emergency Medical Services to Oxford Township pursuant to an agreement in a form substantially similar to the agreement attached hereto as Exhibit "A" and acceptable to the Law Director.

SECTION 2: Council accepts the recommendation of the City Manager and the Fire Chief and hereby authorizes the City Manager to enter into a new agreement with Oxford Township, Butler County Ohio, and authorizing the City of Oxford to provide Fire Protection and Emergency Medical Services to Oxford Township pursuant to an agreement in a form substantially similar to the agreement attached hereto as Exhibit "A" and acceptable to the Law Director.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW(STAFF)

Exhibit "A"

AGREEMENT BETWEEN THE CITY OF OXFORD AND OXFORD TOWNSHIP, BUTLER COUNTY, OHIO

This **Agreement** is made and entered into this ____ day of _____ 2012, by and between the City of Oxford and Oxford Township, Butler County, Ohio.

WITNESSETH:

Whereas, Oxford Township desires to avail itself of the fire protection and emergency medical service offered and provided by the City of Oxford and to fairly compensate the City of Oxford for such services; and

Whereas, the City of Oxford wishes to provide such services and to be fairly compensated.

Now, therefore, it is mutually agreed and undertaken by and between the parties as follows:

1. The City of Oxford, Ohio agrees to furnish Oxford Township, Ohio fire protection and emergency medical services for a period beginning January 1, 2013 and continuing through December 31, 2015, unless sooner terminated by either party as provided hereafter.
2. The City of Oxford agrees to provide the above services on a twenty-four (24) hours per day, seven (7) days per week basis for the term of this agreement.
3. Oxford Township agrees to compensate the City of Oxford a total sum of \$60,000 each year. Payment for services will be due as follows: 50% or \$30,000 on June 30 of the contract year and the remaining amount of \$30,000 on or before December 31 of the same year.
4. As part of the consideration for this Agreement, pursuant to O.R.C. §505.441 and O.R.C. §505.84, Oxford Township hereby delegates to the City of Oxford the authority to bill, collect and retain all applicable charges for emergency medical services, the charge as set by the City of Oxford and as adopted by Oxford Township. No credit will be given for any of the money collected by the City of Oxford, as this Agreement is based on the City of Oxford receiving that money. No accounting of the money collected for emergency medical services provided to unincorporated Township residents shall be required by the City of Oxford.
5. The parties agree that negotiations for a new contract will begin no later than July 1, 2015. The parties also agree to meet annually to discuss equipment replacement plans and other Fire/EMS issues of mutual interest.

6. The parties agree that all equipment of whatever kind and nature owned by Oxford Township presently used by the City of Oxford or added to the existing equipment inventory during the life of this agreement shall remain the property of Oxford Township throughout the life of this contract and thereafter. Oxford Township shall be responsible for all maintenance and repair costs for equipment owned by the Township and oil expense incurred in operating said equipment.
7. The City agrees to provide general liability insurance with a limit of One Million Dollars (\$1,000,000) and to list Oxford Township as an additional insured for any and all claims related to the services performed under this agreement. Oxford Township agrees to carry general liability insurance with a limit of One Million Dollars (\$1,000,000) with the City of Oxford listed as an additional insured for any and all claims related to the services performed under this agreement. Each party shall be responsible for the cost of its own insurance.
8. An Advisory Committee consisting of at least two Oxford City Councilors, two Oxford Township Trustees, the Oxford City Manager, and the City of Oxford Fire Chief will be formed to review the Oxford Fire/EMS operation and to make recommendations to the Oxford City Council for improvements. The Advisory Committee shall meet at least once each year before April 30th and at such other times as may be requested by either or both of the parties.
9. City of Oxford agrees to provide Oxford Township with an annual report of all calls/runs in Oxford Township including type of response.
10. The City of Oxford agrees to provide computer access to Oxford Township so that Oxford Township can obtain a report or compile a report monthly of all calls/runs in Oxford Township including type of response, and the amount billed for each run and the amount received for each run from the person or entity, for each run. Annually the total amount collected will be provided. The cost of preparing any additional reports required by Oxford Township will be billed to Oxford Township.
11. This Agreement constitutes the entire understanding between the parties concerning the City of Oxford's obligation to Oxford Township for providing fire protection and emergency medical service in Oxford Township, Butler County, Ohio. Any amendment or modifications to this Agreement shall only be effective when reduced to writing and signed by both parties.
12. In order to facilitate communications between the City of Oxford and Oxford Township, the following individuals are designated as the persons to whom all inquiries or communication should be directed on behalf of their respective entity:

City of Oxford
Douglas R. Elliott Jr.
City Manager
101 E. High St.
Oxford, OH 45056

Oxford Township
Larry Frimerman
Oxford Township Trustee
Collins Run Road
Oxford, OH 45056

13. This contract shall become effective upon its execution by both parties.
Executed on the day and date first above written.

CITY OF OXFORD, OHIO

OXFORD TOWNSHIP

Douglas R. Elliott, Jr.
City Manager
Pursuant to Resolution
No.

Larry Frimerman
Board President

Gary Salmon
Trustee

John Kinne
Trustee

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager: Douglas R. Elliott, Jr.

Police

Originating Department

Council Meeting Of: August 21, 2012

Robert Holzworth

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

August 9, 2012

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 approve the sale of salvage/junk/abandoned motor vehicles described in the attached memorandum 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

[Signature] 8/9/2012

[Signature] 8/16/12

RESOLUTION NO.

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

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

SECTION 1: The Chief of Police recommends that unclaimed motor vehicles ordered into storage pursuant to Section 4513.60 (A)(1) or Section 4513.61 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 in Attachment "A" attached hereto and incorporated herein by reference.

SECTION 2: City Council hereby accepts the recommendation of the Chief of Police and authorizes the sale of the salvaged, junk and/or abandoned motor vehicles listed in Attachment "A" to a motor vehicle salvage dealer or scrap metal processing facility at the highest obtainable salvage price.

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

MAYOR

ADOPTED:

ATTEST

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEN BOGARD

PREPARED BY: LAW (STAFF)

Memorandum

To: Chief Holzworth
Fr: Mike O'Leary, Property Technician
Re: Salvage Vehicles
Dt: August 9, 2012

Sir,

We respectfully request that the Oxford Police Department dispose of the attached list of vehicles in accordance with ORC section 4513.62.

Attachment "A"

11T3069



1990 Buick LeSaber
VIN: 1G4HR54C4LH477879
Reason for Tow: DUS
* Poor Condition
Date of Tow: 08/06/2011

11T3070



1995 Pontiac Grand Prix
VIN: 1G2WJ52M2SF285759
Reason for Tow: Parking
* Poor Condition
Date of Tow: 08/15/2011

11T3078



1994 Ford Explorer
VIN: 1FMDU34X2RUE08225
Reason for Tow: DUS
* Poor Condition
Date of Tow: 08/28/2011

11T3110



1999 Ford Contour
VIN: 1FAFP66L8XK191035
Reason for Tow: OVI
* Poor Condition
Date of Tow: 11/21/2011

12T3171



1993 Toyota Tercel
VIN: JT2EL46S7P0287594
Reason for Tow: Abandoned
* Poor Condition*
Date for Tow: 05-12-2012

12T3143



2001 Honda Civic
VIN: 1HGES165X1L054416
Reason for Tow: DUS
Fair Condition
Date of Tow: 02-22-12

12T3161



1996 Chevy Cavalier
VIN: 1G1JC1246T7101291
Reason for Tow: DUS
* Poor Condition

12T3140



1999 Dodge Durango
VIN: 1B4HS28Y1XF527813
Reason for Tow: 72 Hour Violation
*Poor Condition
Date of Tow: 02-18-12

11T3128



1995 Chevrolet Blazer
VIN: 1GNDT13W152I65990
Reason for Tow: Burglary
* Poor Condition
Date of Tow: 12/24/2011

11T3081



1998 Mercury Mountaineer
VIN: 4M2ZU54EXWUJ16185
Reason for Tow: Vehicular Homicide
* Poor Condition
Date of Tow: 09/02/2011

12T3178



1996 Ford Explorer
VIN: 1FMDU32PSTZB43118
Reason for Tow: DUS
* Poor Condition
Date of Tow: 05/30/2012