

CITY OF OXFORD STAFF SUMMARY REPORT

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: August 21, 2018

Account Code No. #:

Sam Perry
Prepared By

Budgeted Amount:

August 16, 2018
Date Prepared

Agenda Title:	Board of Zoning Appeals Meeting Report – August 15, 2018
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Adjudication Hearings

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

This case had been tabled from July at the applicant's consent for a possible revised sign design. One sign was reduced in size by 10 square feet. On behalf of Crossroads Outpost, Tommy Reed requested variances for: wall sign 18 square feet instead of 12, an additional hanging sign from the patio roof structure. Non-residential land uses in residential districts are permitted one 12 square foot sign, either ground or wall. Crossroads requested 2 signs instead of the 3 in July. The 12 sf ground sign was previously permitted but not installed. The hanging sign was installed without permission.

After deliberation, a motion was made to approve only the oversized wall sign based upon the reduced size for intent of the zoning code. The motion failed due to lack of second. Another motion was made to deny all the variances based upon the awareness of the zoning restriction and existing beneficial use. The variances were denied with a 3-1 vote.

The denial still allows the owner to install either a wall or ground sign compliant with code.

The next regular BZA meeting will be at 6:30 p.m. on Wednesday, September 19, 2018 at 118 West High Street.

Approved By:	Department Head: City Attorney City Manager:	<table style="width: 100%; border-collapse: collapse;"><tr><td style="text-align: center; border-bottom: 1px solid black;">Initial</td><td style="text-align: center; border-bottom: 1px solid black;">Date</td></tr><tr><td style="text-align: center; border-bottom: 1px solid black;"><i>SB/Neptis</i></td><td style="text-align: center; border-bottom: 1px solid black;">8-16-18</td></tr><tr><td style="text-align: center; border-bottom: 1px solid black;"><i>DRE</i></td><td style="text-align: center; border-bottom: 1px solid black;">8-17-18</td></tr></table>	Initial	Date	<i>SB/Neptis</i>	8-16-18	<i>DRE</i>	8-17-18
Initial	Date							
<i>SB/Neptis</i>	8-16-18							
<i>DRE</i>	8-17-18							

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting of: August 21, 2018

Account Code #: N/A

Budgeted Amount: N/A

Service Department

Originating Department

Michael Dreisbach, Service Director

Prepared By

August 10, 2018

Date Prepared

Agenda Title: Water Main Boring under CSX Railroad ROW – Contreras Rd. Crossing – Application for Ohio Public Works Commission - Issue One Funding.

Recommendation: Approve

Discussion: Over the past several years, the City has completed the installation of utility borings under the CSX railroad right of way for the installation or replacement of City utilities. Two boring were installed under the Chestnut St. crossing and one under the Locust St. crossing. The City will be replacing an antiquated water main under the Contreras Rd. (aka High St.) crossing and a new boring will be necessary to accommodate the new water main. This project is currently listed in the City's Capital Improvement Plan using \$350,000 of water utility funds.

Ohio Public Works Commission - Issue One funds, administered by the Butler County Engineer's Office, are available to local governments for projects that improve safety. The City of Oxford, through an application process, has the opportunity to apply for Issue One funds to be used for installation of a new utility boring and water main under the Contreras Rd. rail crossing. Total project costs are estimated to be approximately \$350,000. The City may be eligible to receive approximately \$276,500 from the Commission (79%). The City would be required to provide approximately \$73,500 as the local match to completely fund the project (21%). The local funding would be required in FY 2019 as we would contract for the work in December of 2019 for construction in the summer of 2020. Construction would be timed to try to minimize impact on area residents, BCRTA operations, and school bus transportation for Talawanda School District.

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

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

It is Staff's recommendation that Council authorize the City Manager to apply for and sign all documents necessary to receive a grant from the Ohio Public Works Commission for the design and installation of a utility boring and water main under the Contreras Rd. rail crossing.

Approved By:

Department Head:

City Manager:

Initial Date

MBD \ 8/10/18

DRE \ 8/17/18

RESOLUTION NO.

A RESOLUTION OF COUNCIL SUPPORTING THE SUBMISSION OF A GRANT APPLICATION FOR OHIO PUBLIC WORKS COMMISSION ISSUE 1 FUNDS IN THE AMOUNT OF \$276,500.00 TO BE USED FOR THE DESIGN AND INSTALLATION OF A NEW UTILITY BORING AND WATER MAIN UNDER THE CONTRERAS ROAD RAIL CROSSING.

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

WHEREAS, the City is replacing an antiquated water main under the Contreras Road rail crossing and a new utility boring will be necessary to accommodate the new water main; and

WHEREAS, the City Manager and the Service Director recommend Council authorize the City Manager to apply for and sign all documents necessary to receive a grant from the Ohio Public Works Commission for the design and installation of a new utility boring and water main under the Contreras Road rail crossing.

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

SECTION 1: Council, having determined the design and installation of a new utility boring and water main under the Contreras Road rail crossing to be beneficial to the City, hereby supports the use of grant funds to assist with the cost.

SECTION 2: Council hereby authorizes the City Manager to submit a grant application to the Ohio Public Works Commission requesting Issue 1 funds for the design and installation of a new utility boring and water main under the Contreras Road rail crossing.

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

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting of: August 21, 2018

Service Department
Originating Department

Account Code #: N/A

David Treleaven
Prepared By

Budgeted Amount: N/A

August 3, 2018
Date Prepared

Agenda Title:	Environmental Commission Meeting of August 1, 2018
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Recommendation:	For Review and Consideration
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Discussion:

Environmental Commission members present at the Wednesday, August 1, 2018 meeting were: Planning Commission Representative, Ms. Shana Rosenberg; Mr. Jon Ralinovsky, and Mr. Andor Kiss. A quorum was not present. Ms. Molly O'Donnell, a Miami University (MU) undergraduate student and the Secretary of Infrastructure and Sustainability for the MU's Association of Student Government was in attendance, as was Mr. Ben Kauffman, a newspaper reporter with the Hamilton Journal News. Vice-Chair, Ms. Madeline Maurer, and Mr. Vince Hand had previously informed the Commission that they would be unable to attend the August 1st meeting. City Council Representative Ms. Chantel Ragu had unexpected, employment-related responsibilities that prevented her attendance at this meeting.

The Commission welcomed Ms. Rosenberg to the Environmental Commission. Ms. Rosenberg replaces Mr. Bill Snavelly, who was recently elected as Chair to the Planning Commission.

As there was not a quorum at the August 1st Environmental Commission meeting, no official business was conducted. Commissioners discussed topics on the meeting's agenda.

Mr. Kiss informed the Commission that he will discuss the Tesla electrical vehicle charging stations with the City Manager (tentatively on Thursday, August 2, 2018), and is of the understanding that official permission to proceed should then be provided to Tesla. Subsequently, Tesla would investigate Oxford's suggested locations for the charging stations, and their installation process would commence.

Staff was asked to provide a copy of the current refuse and recycling contract's specifications to Commissioners. Next year (2019) is the final year of the existing contract. The Commissioners intend to investigate ways to reduce the volume of refuse generated by the community and encourage recycling.

Commissioners concluded the informal discussions at 8:20 p.m. The next Environmental Commission meeting is scheduled for 7:00 pm on Wednesday, September 5, 2018, in the Municipal Building's First Floor Conference Room.

Approved By:	Department Head: City Manager:	Initial <u>DRE</u>	Date <u>8/6/18</u> <u>8/17/18</u>
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CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Parks and Recreation

Originating Department

Council Meeting Of: August 21, 2018

Account Code No. #: N/A

Prepared By: Casey D. Wooddell

Budgeted Amount: N/A

Date Prepared: August 16, 2018

Agenda Title: Oxford Recreation Board Meeting, 8/9/18

Recommendation: Approve

Attendance: Present: Ken Bogard (Chair), Edna Southard (Council Rep), Craig Bennett
Wes Cole, Kevin Ackley, Holli Morrish
Liaisons: Casey Wooddell, City Staff; Deanna Barbour, Secretary

Discussion:

Board Chair Mr. Bogard opened the meeting of the Oxford Recreation Board on Thursday, August 9, 2018 at the Oxford Senior Center at 4:00pm.

Report from Recreation Director: Casey Wooddell provided the Parks and Recreation Report. This report included information about summer Camp POP! ending on August 10 and about all the great field trips the campers took this year.

Mr. Wooddell also discussed the Back to School Event at the Pool held August 12, 2018 in partnership with Crossroads Church and Premier Estates. Kids were provided free admission, free food and free school supplies at this event.

Additionally, Mr. Wooddell brief board members about upcoming sports leagues, including Adult Softball, Flag Football and Kickball, as well as the Community Yard Sale event happening on August 18.

Lastly, Mr. Wooddell discussed the closing of the current pool on September 3rd, with the second annual Dog Day event scheduled for September 8th.

Old Business:

GROUND-BREAKING – This was held on Tuesday, August 7th at 6:00pm. Mr. Bogard noted it was a great event and was very well represented. There were members from swim team, City Council, Recreation Board, community members and the contractor in attendance.

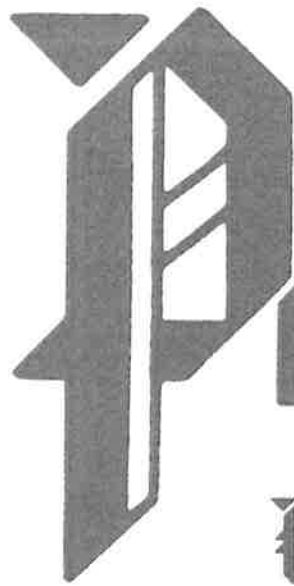
New Business:

FUNDRAISING – Mr. Wooddell distributed a draft brochure from the Community Foundation for the fundraising campaign. This is the first draft and there will be several changes coming, including adding a colored image of the new site plan. Scholarships were discussed in detail, as well as the idea of including a transportation fund. Board members agreed more information is needed to consider including a transportation fund with this information.

PUBLIC INFORMATION SESSION - Mr. Wooddell discussed the idea of a public information session and when would be the best time. Mr. Wooddell suggested something similar to the session hosted by Enjoy Oxford for the new OATS trail levy. Thursday, October 11 at 6:30pm was the date and time determined to be the best, and Mr. Wooddell confirmed this with the Oxford Community Arts Center.

Next meeting: Tuesday, September 11 at 11:30am – Oxford Municipal Building.
Meeting Adjourned: 5:17pm.

Approved By:**Initial Date****Department Head:**CDW \ 8/16/2018**City Manager:**DRE \ 8/17/18



Office of the Mayor

Proclamation

Whereas:

Wil Haygood has served at Miami University in a variety of honorary positions, including his current positions as the Broadway Distinguished Scholar-In Residence in the Department of Media Journalism & Film for which he teaches nonfiction writing and film, with a focus on cultural reporting; and

WHEREAS, Wil Haygood is a proud Ohio native, raised in Columbus, Ohio, graduating from Miami University in 1976, and continually returning to Ohio to teach Miami's classes, deliver lectures, and contribute to other cultural developments for the state, such as, serving as Guest Curator for the multi-media Columbus Museum of Art's 100th Anniversary of the Harlem Renaissance, titled "I, Too, Sing America," scheduled to open October 19, 2018 – January 20, 2019; and

WHEREAS, Wil Haygood was a long-time journalist for two of our nation's finest papers – the Boston Globe and the Washington Post, working as both a national writer and foreign correspondent, his *Washington Post* story on White House butler Eugene Allen won multiple awards and was adapted as a book, "The Butler: A Witness to History" which has been translated into 12 languages and served as the base of a prizewinning motion picture "The Butler", for which Haygood served as an associate producer of the film; and

WHEREAS, Wil Haygood has written biographies of Adam Clayton Powell, Jr., Sugar Ray Robinson, Sammy David, Jr., and Thurgood Marshall all of which won literary prizes. He has also written a moving memoir of his family in Columbus, Ohio; and

WHEREAS, Will Haygood has received a number of national recognitions, fellowships and awards for his reporting and writing, including fellowships from the National Endowment for the humanities and the Guggenheim Memorial Foundation, and awards from National Headliner, the New England Associated Press, the National Association of Black Journalists, and Nonfiction Book of the Year from the Black Caucus of the American Library Association, and was a Pulitzer Prize finalist; and

WHEREAS, Wil Haygood retains a regular presence in the Oxford area, participating in author events for the Lane Public Library and in a public conversation on race in America through the lens of Freedom Summer, a marker year in U.S. civil rights, at the National Underground Railroad Freedom Center in Cincinnati; and

WHEREAS, Wil Haygood's newest book "Tigerland: The Miracle on East Broad Street," which will be out this fall, tells the story of an all black high school's sports teams in Columbus, Ohio in the 1968-69 school year, a turbulent time for race relations, following the assassinations of Martin Luther King Jr. and Robert Kennedy. Despite the tremendous odds, the baseball and basketball teams at this segregated, all black East High School won the state championships the same year, a first for Class AA Ohio. "Tigerland" will serve as the common reading for Miami first year students this fall, 2018, and as a Lane Library Community read book in the spring 2019. Although the book is not published until September, 2019, it will be exclusively premiered for Miami students at Convocation on August 24 where he will speak; and

WHEREAS, Haygood says he is thrilled to have his new book premiered at his alma mater. "It is a book about America. It is a book about history, and race, and politics. Most wonderfully, it is a book about triumph."

NOW, THEREFORE, I, Kate Rousmaniere Mayor of the City of Oxford, Ohio, do hereby proclaim August 24, 2018 as:

'WIL HAYGOOD DAY'

in the City of Oxford and urge all citizens to recognize this occasion and reflect on our mutual commitment to confront inequality, promote efforts for justice, inclusion, civil rights and wide awake activism. urge all citizens to support this most worthwhile effort to raise awareness about human rights and social justice.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Oxford to be affixed this 21st day of August, 2018.


KATE ROUSMANIERE, MAYOR



**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: August 21, 2018

Sam Perry
Prepared By

Account Code No. #:

Budgeted Amount:

August 14, 2018
Date Prepared

HAPC MEETING REPORT – AUGUST 8, 2018

The Commission welcomed new member, Planning Commission representative, Corey Watt.

Planning Consultant Wendy Moeller, FAICP, attended the meeting at the request of staff to provide some feedback on advancing the 2018 goals. A lengthy discussion was held since there were no design review cases scheduled.

Ms. Moeller provided some example scenarios of how planning and zoning rules can assist historic preservation, both in historic districts, and outside of historic districts. Ms. Moeller explained that a work proposal had been forwarded to staff for review. Staff Planner Sam Perry explained that Ms. Moeller's services through Compass Point Planning could be utilized, if there was a good fit between the skill set and the goals.

The Commission members stressed that updating Chapter 1331, the historic and architectural preservation commission chapter, was their primary focus. It was not just the demolition decision criteria that needed clarified. Mr. Skoglund had previously completed a review and comment of it. A subcommittee meeting would be scheduled for a more detailed review.

Eight administrative review cases were reported at this meeting. These were signs, ductwork and an accessible ramp for an entrance. The intent for these is to move minor cases along between monthly meetings.

There were no new Certificate of Appropriateness cases for review at this meeting.

The regular monthly meeting is changing to the 2nd Wednesday of each month. The next one being September 12 at 5:00 p.m. at the Oxford Courthouse at 118 W. High Street.

Department Head:	_____/____
City Attorney:	_____/____
City Manager:	<u>DRE</u> / <u>8/17/18</u>

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Manager

Originating Department

Council Meeting Of: August 21, 2018

Doug Elliott

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

August 14, 2018

Date Prepared

Agenda Title: A Resolution of the Council of the City of Oxford, Ohio, authorizing the City Manager to establish a Pilot Program for a Bicycle and E-Scooter Sharing System Permit Program.

Recommendation: Adopt the Resolution.

Discussion:

Proposed rules and regulations for a bicycle and e-scooter sharing system permit program have been drafted. They include regulations for parking, operations, safety standards, and data sharing. Under this process, it will not be necessary for the City to issue a RFP and solicit vendors. Under the pilot permit program, multiple operators may file for a permit. With established regulations, it will not be necessary for the City to sign an agreement with each operator. Instead it will require the operators to obtain a permit and meet the rules and regulations. After the rules and regulations are in place, the City can issue permits to any company interested in operating in Oxford.

Approved By:

Initial Date

Department Head:

City Manager:

DRE \ 8/17/18

RESOLUTION NO.

A RESOLUTION OF THE COUNCIL OF THE CITY OF OXFORD, OHIO, AUTHORIZING THE CITY MANAGER TO ESTABLISH A PILOT PROGRAM FOR A BICYCLE AND E-SCOOTER SHARING SYSTEM PERMIT PROGRAM.

WHEREAS, the City of Oxford seeks to implement a pilot program to permit the operation of bicycle and e-scooter sharing systems for use by Oxford residents, workers, and visitors; and

WHEREAS, several bicycle and e-scooter sharing systems have expressed an interest in operations within the City of Oxford; and

WHEREAS, with the emergence of stationless bicycle and e-scooter sharing technologies, the absence of a pilot permitting program is likely to result in cluttered and obstructed sidewalks, uneven and inequitable distribution of bicycles and e-scooters, or other threats to the public health and safety.

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY RESOVES THAT

SECTION 1: The City Manager or his designee is hereby authorized to adopt, and from time to time amend, regulations governing the operation of bicycle and e-scooter sharing systems within the City of Oxford. Such regulations shall address, at a minimum, the following topics:

1. Safety;
2. Fleet deployment;
3. Permitted areas for parking;
4. Additional measures to ensure efficient and effective deployment of bicycle and e-scooter sharing systems in the City.

SECTION 2: The pilot program authorized by this resolution shall terminate upon the earlier of August 1, 2019 or the adoption of an ordinance regulating bicycle and e-scooter sharing systems by the Oxford City Council.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: August 7, 2018

Sam Perry
Prepared By:

Account Code No. #:

Budgeted Amount:

July 31, 2018
Date Prepared:

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

Recommendation: Denial

Discussion:

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

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

Approved By:

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

City Manager:

DIRE / *8-3-18*

ORDINANCE NO.

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

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

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

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

SECTION 1: Council hereby accepts the recommendation of the Planning Commission and accepts the recommendation report submitted by the Planning Commission and incorporates the same herein and further denies the Zoning Map Amendment application to rezone the property located at 4 North College Avenue from RO (Residential Office) District to UP (Uptown) District.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2018-15

Date – July 10, 2018

APPLICATION

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

DESCRIPTION

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

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

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

Below is the staff analysis:

SITE BACKGROUND

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

COMPREHENSIVE PLAN

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

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

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

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

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

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

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

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

Expand housing options (Page 7.4)

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

Provide diverse housing options (Page 7.5)

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

AGENCY REVIEWS

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

DECISION CRITERIA

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

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

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

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

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

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

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

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

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

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

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

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

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

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

RECOMMENDATION

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

SUBMITTED

BY:

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

Sam Perry, AICP
Planner

DATE: July 5, 2018

ATTACHMENT

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

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

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

Map Amendments

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

✓

City of Oxford
Inter-Office Review Transmittal Sheet

Date: June 5, 2018

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

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

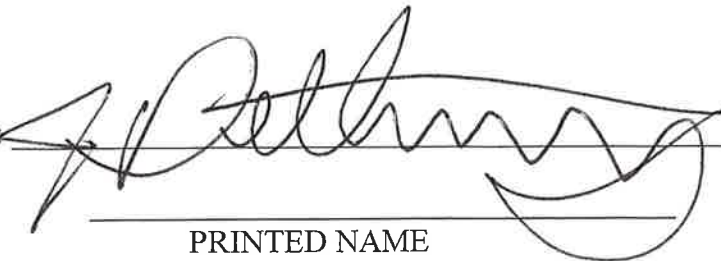
 X Review Revisions Other

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

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by:



PRINTED NAME

Date: 6-8-18

City of Oxford
Inter-Office Review Transmittal Sheet

Date: June 5, 2018

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

From: Community Development Department

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

 X Review Revisions Other

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

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by:



Date:

6-7-18

VICTOR POPESCU

PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: June 5, 2018

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

From: Community Development Department

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

☒ Review ☐ Revisions ☐ Other

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

Drawings are returned: w/comments without/comments

Drawings reviewed by:



Date: 6-18-18

John A. Jones, Police Chief
PRINTED NAME



PC-2018-15 Surrounding Property Owners Notifications Map

Legend

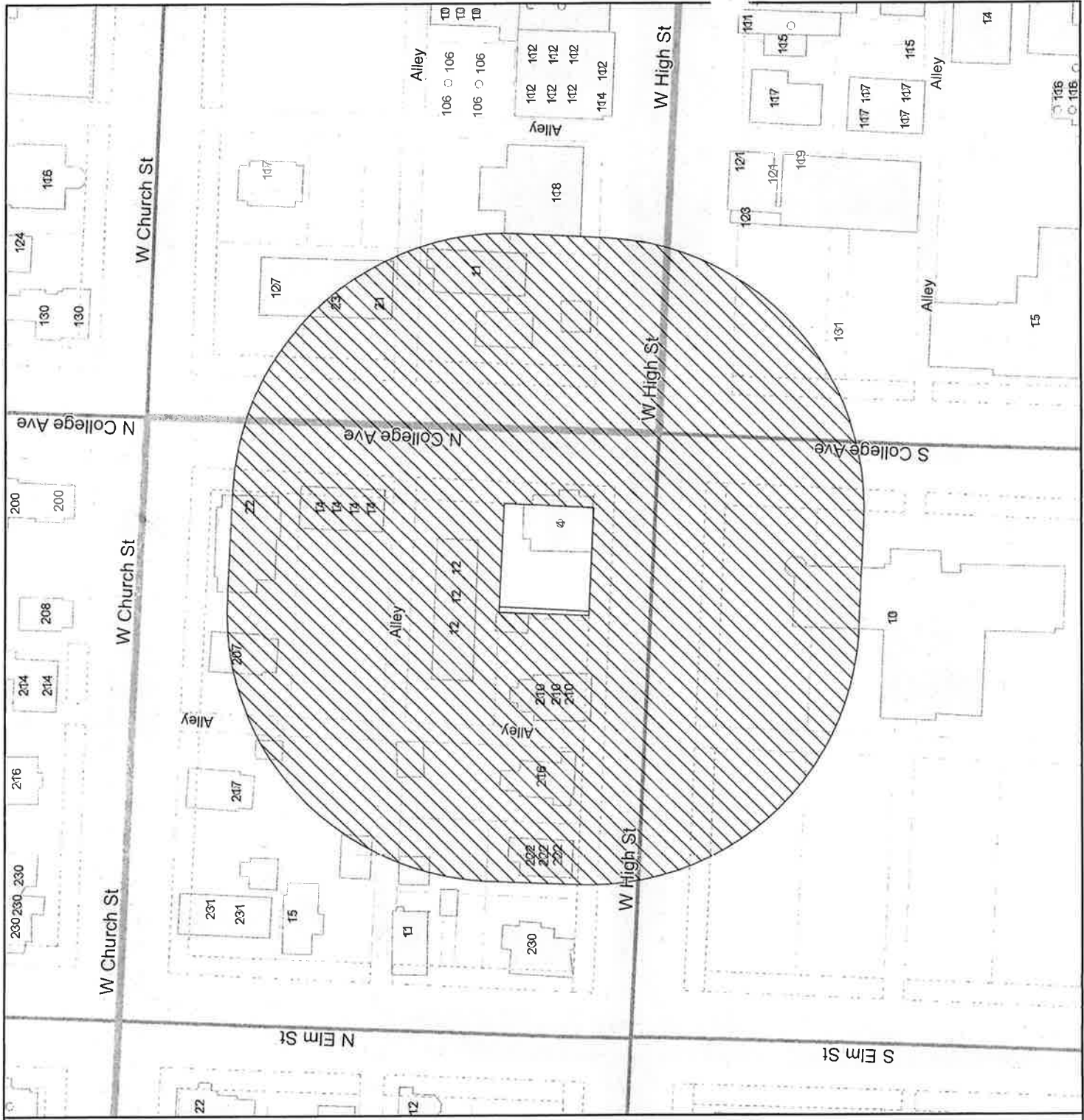
- Subject Parcels
- 200 Ft. Buffer
- Oxford Corp. Limit
- Address Point
- Parcel
- 16.5' Vacated ROW
- Building Footprint
- Paved Roadway



1 inch = 100 feet

Prepared on Monday, June 25, 2018

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



LETTER OF AGENCY

May 21, 2018

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

To Whom It May Concern:

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

Thank you.

First Merchants Bank

Signed:



Printed Name:

KEVIN SCHARNOWSKE

Printed Title:

V.P. DIRECTOR OF FACILITIES

Date:



Internal Use Only:

Case No.

PC-2018-15

Date Filed

5/25/18

Zoning Map Amendment Application

Applicant Information

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

Name * Scott Webb, Architect

Mailing Address * 103 West Walnut Street

City, State & Zip Code * Oxford, Ohio 45056

Telephone Number(s) * 523-3838

Email Address scott@scottwebbarchitect.com

Location and Lot Information

Location * 4 North College Ave.

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

Current Zoning * RO

Proposed Zone(s) * UP

Submission Requirements and Documentation

From Section 1135.02 Procedure¹.

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

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

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

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

Surrounding Property Owners

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

Decision Process

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

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

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

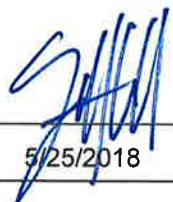
Fees & Receipt

The required fee is \$150.00, plus \$10.00 postage charge. Write a check payable to **City of Oxford**. You may also pay in-person using Visa, MasterCard, and Discover.

Sign and Date

Applicant Signature *

Date *



5/25/2018

Submit Application, Submission Requirements and Documentation, and Fees

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

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

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

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

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

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

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



SCOTT
WEBB

ARCHITECT

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

www.scottwebbarchitect.com

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

May 25, 2018

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

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

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

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

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



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

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

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

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

Proposed Zoning Change to UP (Uptown District)

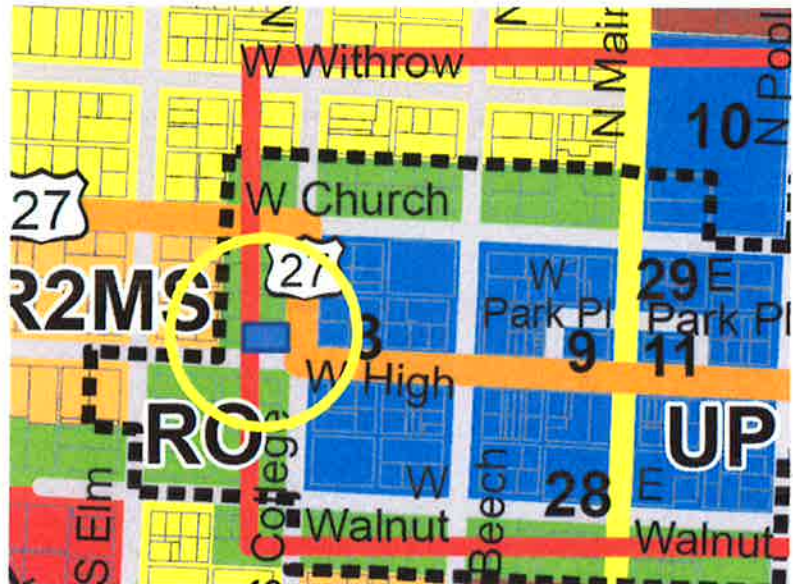
A change in the Zoning designation encourages the redevelopment of the site:

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

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

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

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



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

Statement responding to Decision Standards on the Application.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

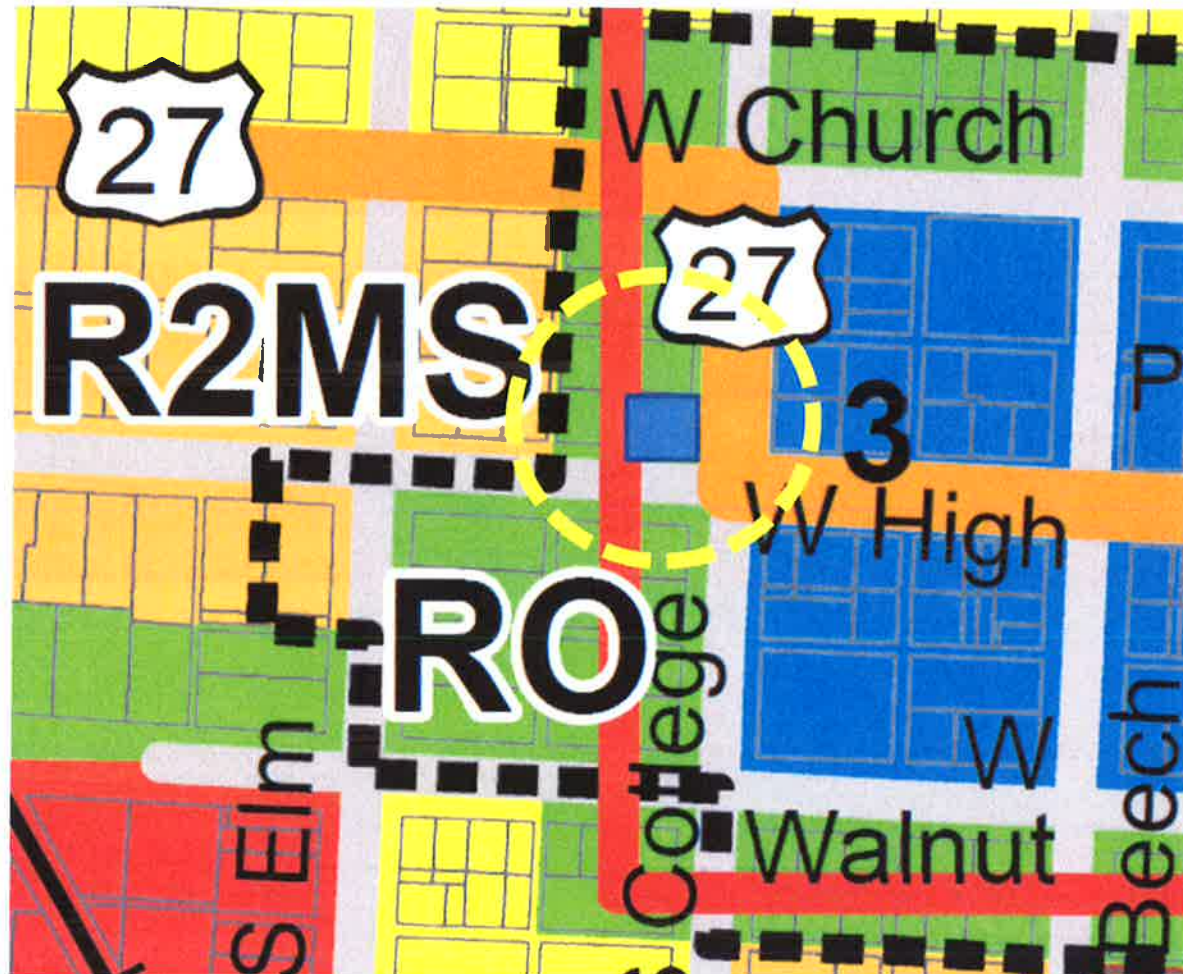
Thank you for your consideration of this proposal. If you have any questions or need any additional information, please call.

Respectfully,

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

Scott Webb, Architect

Zoning Area Map Showing Adjacent Zoning



**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: August 7, 2018

Sam Perry
Prepared By:

Account Code No. #:

Budgeted Amount:

July 31, 2018
Date Prepared:

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

Recommendation: Approval with conditions

Discussion:

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

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

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

Approved By:

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

City Manager:

DRE / *8-3-18*

ORDINANCE NO.

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

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

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

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

SECTION 1: Council hereby accepts the recommendation of the Planning Commission and accepts the recommendation report submitted by the Planning Commission and incorporates the same herein and further grants the conditional use permit application to allow a Private Home-Based Music School in a R1A (Single-Family Low-Density Residential) District located at 104 McKee Avenue Oxford, Ohio with the following conditions:

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

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

Memo



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

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

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

June 28, 2018

Dear Mr. Perry,

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

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

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

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

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

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

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

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

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

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

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

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

Sincerely,

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

Jon Sanford

City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2018-10

Date – June 12, 2018

APPLICATION

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

GENERAL DESCRIPTION

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

ZONING CODE BACKGROUND

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

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

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

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

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

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

PUBLIC COMMENTS

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

AGENCY REVIEWS

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

Departments. The following comments have been received:

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

ZONING CODE REVIEW

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

(40) Schools

A. Potential Concerns

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

B. Regulations

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

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

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

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

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

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

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

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

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

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

Yes

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

Yes

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

None expected.

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

No excessive nuisance conditions expected.

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

No additional accessory uses expected

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

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

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

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

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

No changes for the home exterior are planned.

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

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

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

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

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

No construction is proposed.

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

Staff is not aware of any licenses required.

RECOMMENDATION

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

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

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

SUBMITTED BY:

A handwritten signature in cursive script that reads "Sam Perry". The signature is written in black ink and extends horizontally to the right.

Sam Perry, AICP
Planner

DATE: June 3, 2018

ATTACHMENT

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

(1) Burden of proof.

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

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

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

(d) Action by Planning Commission.

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

City of Oxford
Inter-Office Review Transmittal Sheet



Date: May 9, 2018

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

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

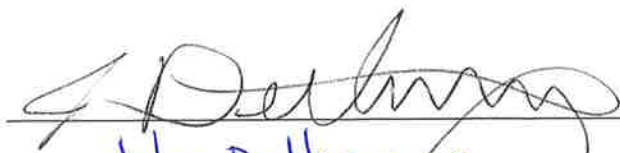
 X Review Revisions Other

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

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by:


John Detherage
PRINTED NAME

Date:

5-10-18

City of Oxford
Inter-Office Review Transmittal Sheet

Date: May 9, 2018

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

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

 X Review Revisions Other

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

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by: _____



Date: 5-9-18

VICTOR POPESCU

PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: May 9, 2018

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

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

 X Review Revisions Other

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

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by: _____



Date: _____

5/17/18

John A. Jones

PRINTED NAME



PC-2018-10 Surrounding Property Owners Notifications Map

Legend

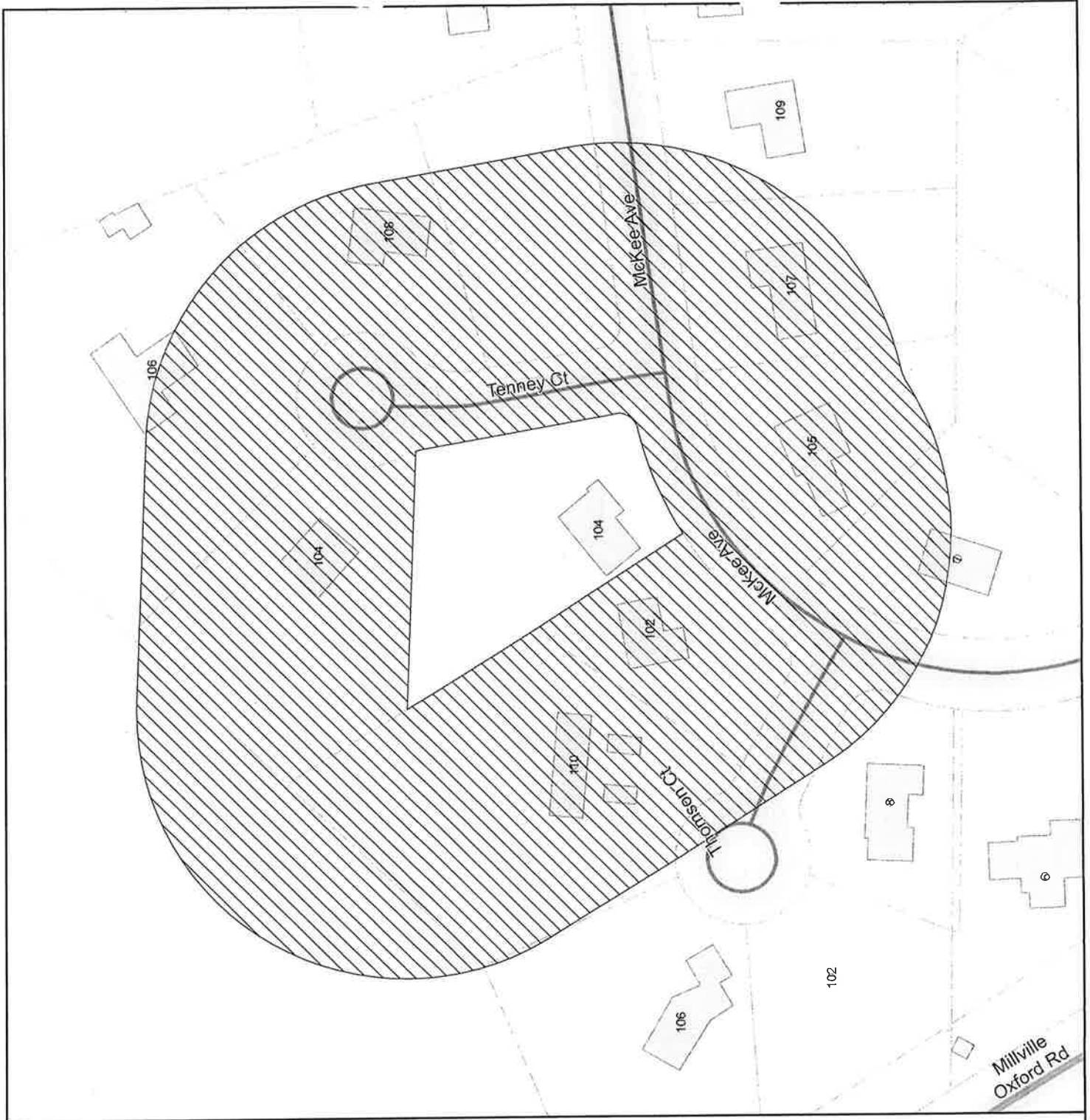
-  Subject Parcel
-  200 Ft. Buffer
-  Oxford Corp. Limit
-  Address Point
-  Parcel
-  16.5' Vacated ROW
-  Building Footprint
-  Paved Roadway



1 inch = 100 feet

Prepared on Friday, May 25, 2018

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





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

Conditional Use Permit Application

Applicant Information

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

Name * Jon Sanford

Mailing Address * 104 McKee Ave

City, State & Zip Code * Oxford, OH 45056

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

Email Address jonsanford620@gmail.com

Owner Information

Name * Jon Sanford

Mailing Address * 104 McKee Ave

City, State & Zip Code * Oxford, OH 45056

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

Email Address jonsanford620@gmail.com

Location and Lot Information

Location of Property * 104 McKee Ave Oxford, OH 45056

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

Zoning District * R1A

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

Existing Use Description * Single Family Dwelling

Proposed Use Description * Private Home-Based Music School

Submission Requirements and Documentation

From Section 1147.02(a)¹.

- (1) Contents of application for conditional use permit. Thirteen complete sets of all information shall be submitted with an application. The Zoning Administrator may modify this requirement based upon the type of materials included. Please contact the Zoning Administrator prior to submitting an application to discuss the submission requirement. If any information is submitted in color or on non-standard paper, more copies may be required.

A. Application Fee.

B. Description of Use and Site.

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

1. The name, mailing address, and telephone number of the applicant and the property owner.
2. If the applicant is not the owner, a statement from the owner that the applicant is entitled to apply on his or her behalf.
3. A legal description of the site, including all separate lots.

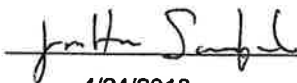
- A. The proposed use is in fact a Conditional Use appropriate for the zoning district in which it is proposed.
- B. The use and site will satisfy the general intent of this Zoning Code.
- C. The use and site will be compatible with the general intent of the Comprehensive Plan.
- D. The size and shape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

Fees & Receipt

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

Sign and Date

Applicant Signature *



Date *

4/24/2018

Submit Application, Submission Requirements and Documentation, and Fees

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

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

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

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

For Staff Use Only

Fee Paid Date *

4/27/18

Receipt Number *

200029

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

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

April 25, 2018

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

Re: Oxford Music Academy Conditional Use Submittal

Dear Mr. Chen:

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

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

Description of Use and Site:

- 1) Applicant and Owner
 - Jon Sanford
 - 104 McKee Ave
 - Oxford, OH 45056
 - (513) 377-8188
- 2) If the applicant is not the owner, a statement from the owner that the applicant is entitled to apply on his or her behalf
 - The applicant is the owner
- 3) Legal Description of the Site: Lot #950, Parcel # H4100-111-000-013
- 4) Description of existing uses of the site:
 - The site is currently used as a single family dwelling with a home-based business.
- 5) The zoning district in which the site is located: R1A
- 6) A description of the proposed use.
 - A description of operations, including types of goods sold, services performed, and expected number of customers, clientele, delivery, and service vehicles
 - The proposed home-based business will offer private and group music lessons. It provides lessons on a weekly basis to approximately 60 families and 10 adult students. No business related deliveries or service vehicles would be present.
 - Hours of Operation
 - Regular teaching hours occur on weekdays in the late afternoon/evening as well as on weekends. Lessons are never taught after 9:00pm.

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

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

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

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

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

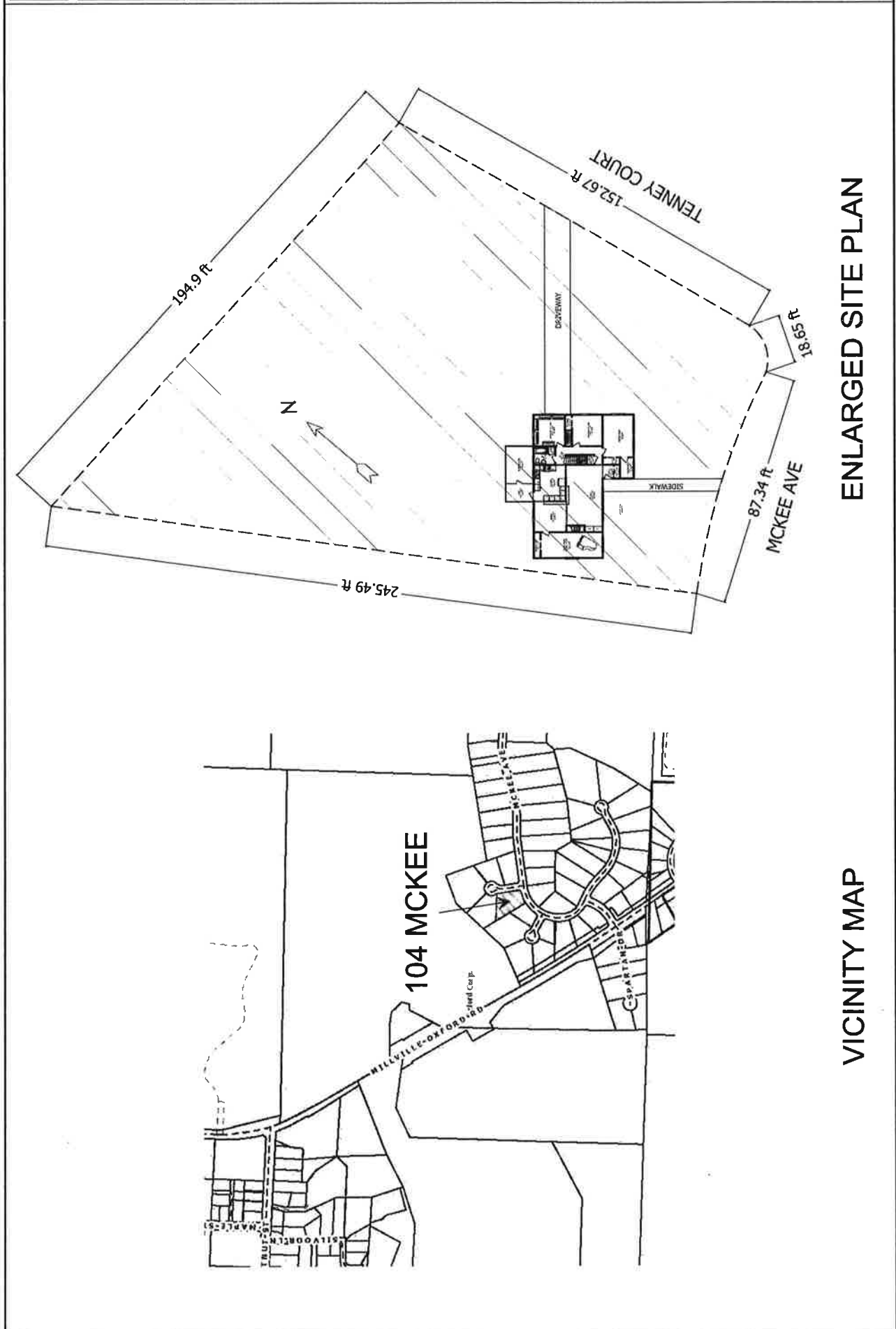
Please place this item on the June 12th Planning Commission Meeting agenda.

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

Sincerely,



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

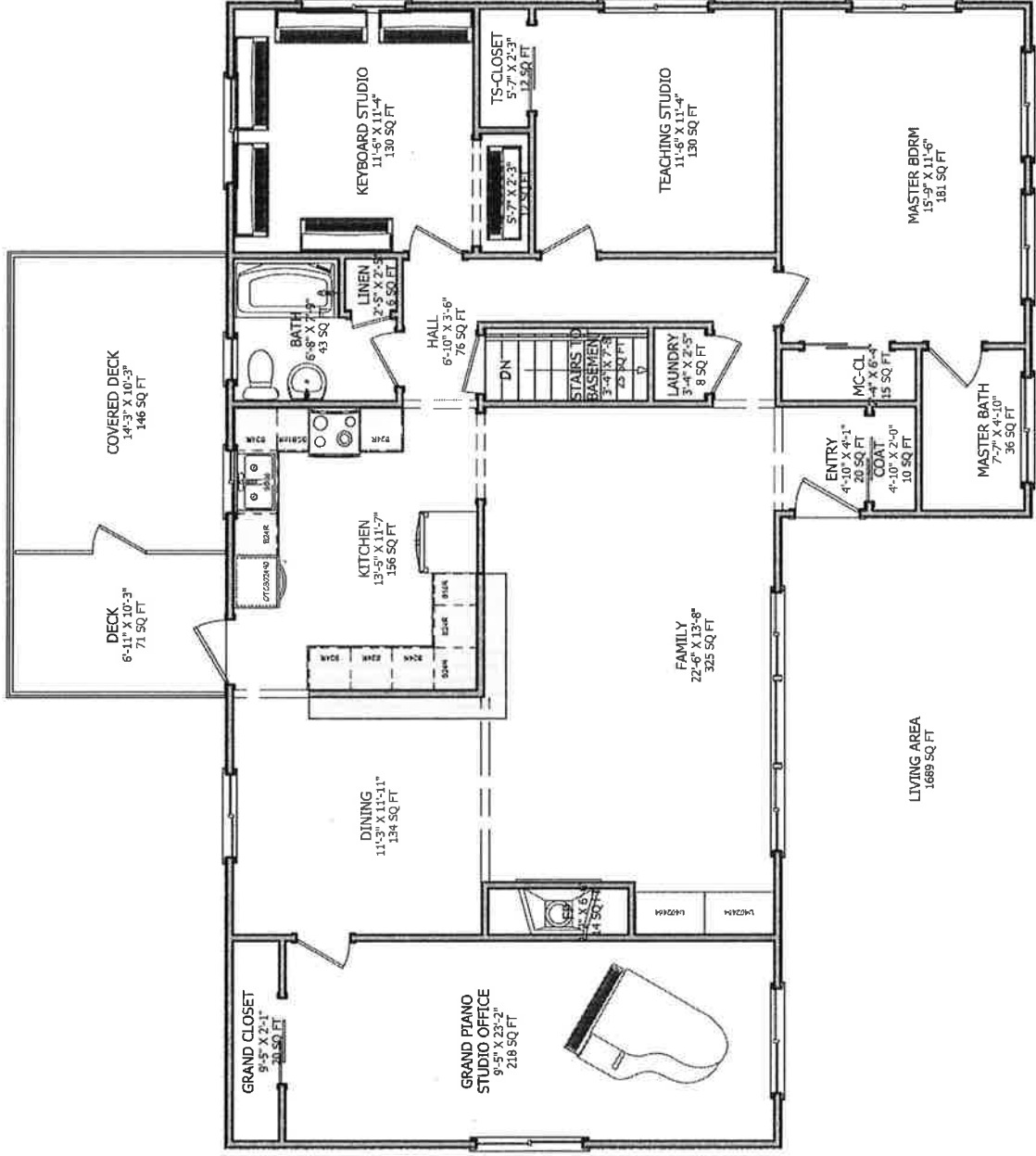




1) View of south side of house (substitution for elevation plan)



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

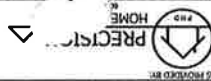
[illegible]

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



OXFORD MUSIC ACADEMY
104 MOUNTAIN RD.
OXFORD, CT 06455

BASEMENT PLAN

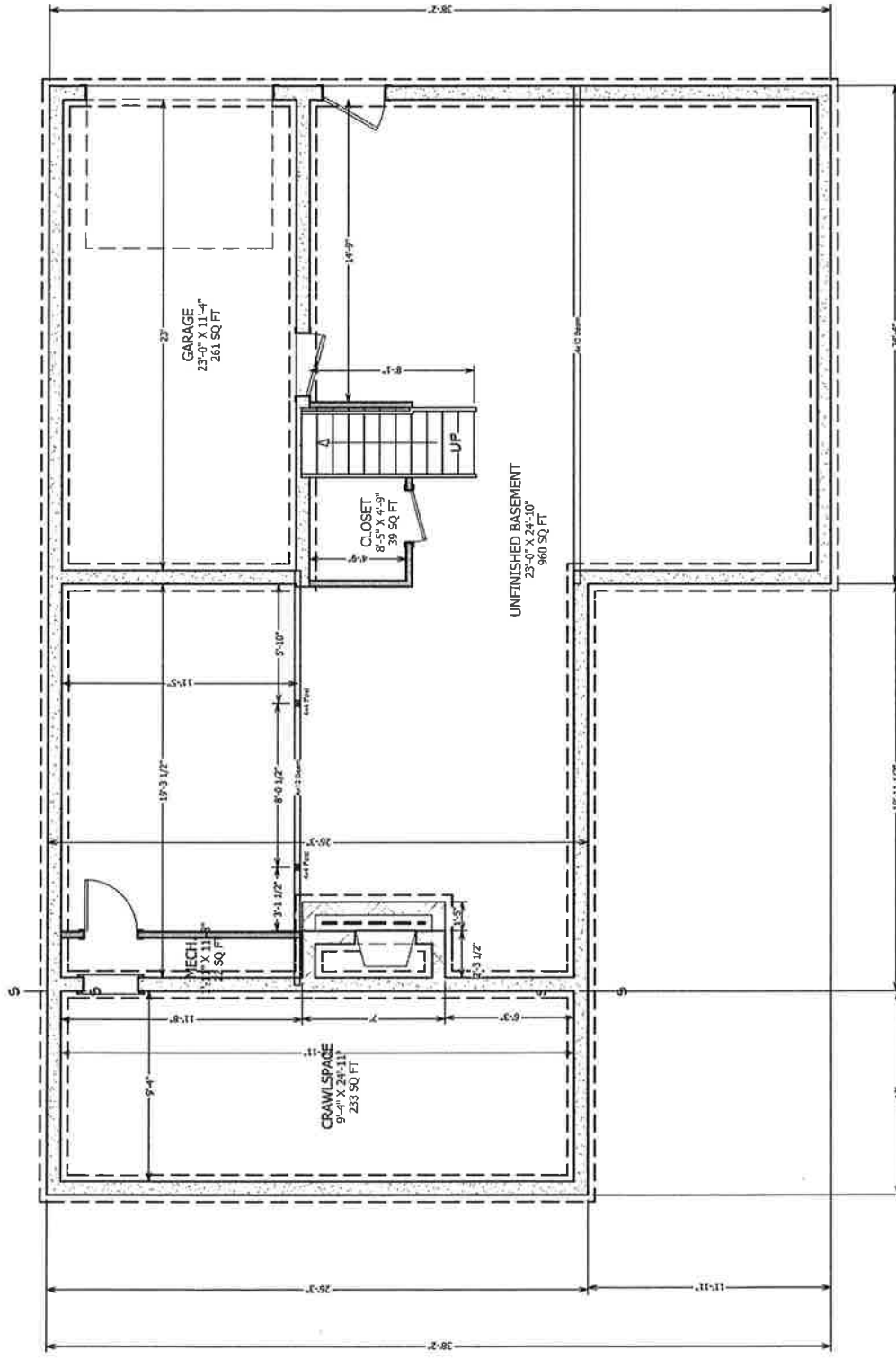


DATE:

4/24/18

SCALE:

A-5



LIVING AREA
1169 SQ FT

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: August 21, 2018

Account Code No. #:

Sam Perry
Prepared By

Budgeted Amount:

August 16, 2018
Date Prepared

Agenda Title: **Resolution Accepting a Petition to Create a Neighborhood Conservation Overlay District for the area of Fairfield Road and Tollgate Drive: Erickson Drive, Albert Circle, Robin Court and Bull Run Drive**

Recommendation: **Approval**

Discussion:

The legislation of creating the Residential Conservation Overlay District was adopted by the City Council in 2012 to protect residential neighborhoods, maintain an attractive community appearance, and to provide a desirable living environment by restricting residential properties to be rented to no more than two unrelated individuals. The process to establish an overlay district begins with a petition with signatures of at least two-thirds of parcel owners within the proposed district. The petition goes before City Council for acceptance and referral to the Planning Commission as a zoning map amendment. There have been fifteen (15) petitions that have come before the City Council since 2014.

There are a total of 77 parcels contained in the proposed overlay (3rd largest). A map of the proposed area is attached. The overlay includes households in Emerald Woods Subdivision #'s 1, 2 and part of 3, which were originally platted in 1965-1967. The signatures in this petition well exceed the two-thirds requirement at 94% per Oxford Zoning Code Section 1146.03(a)(3). The proposed overlay fills a gap between three other existing overlays (see attached map).

This is the first step of public notice process in creating the neighborhood conservation overlay district and requires City Council to formally accept the petition and forward this petition to the Planning Commission for review.

The petition meets the code requirements of Section 1146 therefore Staff recommends accepting the petition and forwarding the request to the Planning Commission for zoning map amendment.

Approved by:

	Initial	Date
Department Head:	<u>SP/Archy</u>	<u>8-16-18</u>
City Attorney:	<u> </u>	<u> </u>
City Manager:	<u>DRE</u>	<u>8-17-18</u>

RESOLUTION NO.

RESOLUTION OF COUNCIL ACCEPTING THE PETITION AS REQUIRED BY OXFORD CODIFIED ORDINANCE §1146.03 TO ESTABLISH A NEIGHBORHOOD CONSERVATION OVERLAY DISTRICT FOR PARCELS ALONG ERICKSON DRIVE, BULL RUN DRIVE, FAIRFIELD ROAD, TOLLGATE DRIVE AND ROBIN COURT AS SET FORTH ON EXHIBIT "A" ATTACHED HERETO AND REFERRING THE PETITION TO THE OXFORD PLANNING COMMISSION FOR RECOMMENDATIONS TO CITY COUNCIL.

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

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY RESOVES THAT

SECTION 1: City Council accepts the recommendation of the Clerk of Council and the Interim Community Development Director and further refers the petition to establish a Neighborhood Conservation Overlay District as set forth on Exhibit "A" attached hereto to the Oxford Planning Commission to make recommendations to City Council.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

OXFORD ZONING PETITION FOR NEIGHBORHOOD CONSERVATION OVERLAY DISTRICT

THE PETITION IS SUBMITTED PURSUANT TO OXFORD ZONING CODE CHAPTER 1146 TO REQUEST CITY COUNCIL TO INTRODUCE AN ORDINANCE ACCEPTING A PETITION WHICH WOULD ALLOW THE INITIATION OF A ZONING MAP AMENDMENT TO CREATE A DISTRICT WITHIN THE DESCRIBED BOUNDARIES WHICH WOULD LIMIT THE USE OF THE PROPERTY TO NOT MORE THAN TWO UNRELATED PERSONS IN A DWELLING UNIT, OR OTHERWISE COMPLIANT WITH OXFORD CODE DEFINITION OF FAMILY SECTION 1159.07.

THIS PETITION, IF ADOPTED, WOULD ALLOW THE PETITIONER TO INITIATE A ZONING MAP AMENDMENT TO LIMIT THE USE OF THE PROPERTY TO NOT MORE THAN TWO UNRELATED PERSONS IN A DWELLING UNIT, OR OTHERWISE COMPLIANT WITH OXFORD CODE DEFINITION OF FAMILY SECTION 1159.07. THIS PETITION WILL NOT AFFECT PROPERTIES ALREADY LICENSED.

PLEASE SEE THE ATTACHED MAP FOR EXACT BOUNDARIES:

EAST BOUNDARY: PARCELS ALONG ERICKSON DR AND BULL RUN DR
NORTH BOUNDARY: PARCELS ALONG FAIRFIELD RD
WEST BOUNDARY: PARCELS ALONG TOLLGATE DR AND ROBIN CT
SOUTH BOUNDARY: PARCELS ALONG WEST BULL RUN DR

CIRCULATOR'S FULL NAME: Jeffrey MacDonald
CIRCULATOR'S ADDRESS: 9 Robin Ct. Oxford, OH
CIRCULATOR'S SIGNATURE: [Signature] DATE SUBMITTED: 7/6/18

(THE PETITION MUST CONTAIN THE SIGNATURE OF AN OWNER OR RECORD OF AT LEAST TWO-THIRDS OF THE PARCELS WITHIN THE PROPOSED DISTRICT. SIGNATURES OVER SIX MONTHS OLD ARE VOID.)

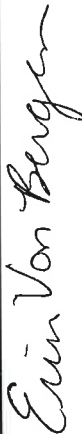
Petition for Albert, Bull Run, Erickson, Fairfield, Fieldcrest, Robin and Tollgate Neighborhood Conservation Overlay District, Oxford, Ohio

Petition Initiator: Jeff and Debra MacDonald (DEBRA G MACDONALD TR), 9 Robin Court

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

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

Please see attached map for boundaries.

Date	Address	Name(s)	Signature	Notes
6/8/18	1217 ALBERT CIR/ H4000125000042 ✓	CHARLES J PETERKA		
7/7/18	1218 ALBERT CIR/ H4100125000049 ✓	DONALD B & REGINA M REECE		
	1219 ALBERT CIR/ H4100125000043	BRODY J & MONISA RUIHLEY		Crossed out
7/7/18	1220 ALBERT CIR/ H4100125000048 ✓	YILDIRIM DILEK CAROL A EDDY DILEK		
7/7/18	1221 ALBERT CIR/ H4100125000044 ✓	BRIAN AND ERIN W VON BERGEN		
7/14/18	1222 ALBERT CIR/ H4100125000047 ✓	JOHN & GERALDINE DUTRA		
7/7/18	1223 ALBERT CIR/ H4100125000045 ✓	JOYCE J FERNANDES KEVIN R SEQUEIRA		
7/7/18	1224 ALBERT CIR/ H4100125000046 ✓	RICHARD H AND BEVERLY M MCCLURE		
7/14/18	2 BULL RUN DR/ H4100125000018 ✓	JEFFREY F & CAROLYN B WINSLOW		
	3 BULL RUN DR/ H4100125000029	THE OXFORD UNITED METHODIST CHURCH		

Petition for Albert, Bull Run, Erickson, Fairfield, Fieldcrest, Robin and Tollgate Neighborhood Conservation Overlay District, Oxford, Ohio

Petition Initiator: Jeff and Debra MacDonald (DEBRA G MACDONALD TR), 9 Robin Court

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	1219 ALBERT CIR/ H4100125000043	BRODY J & MONISA RUIHLEY		
	1220 ALBERT CIR/ H4100125000048	YILDIRIM DILEK CAROL A EDDY DILEK		
	1221 ALBERT CIR/ H4100125000044	BRIAN AND ERIN W VON BERGEN		
	1222 ALBERT CIR/ H4100125000047	JOHN & GERALDINE DUTRA		
	1223 ALBERT CIR/ H4100125000045	JOYCE J FERNANDES KEVIN R SEQUEIRA		
	1224 ALBERT CIR/ H4100125000046	RICHARD H AND BEVERLY M MCCLURE		
	2 BULL RUN DR/ H4100125000018	JEFFREY F & CAROLYN B WINSLOW		
5/21/18	3 BULL RUN DR/ H4100125000029	THE OXFORD UNITED METHODIST CHURCH	 CHAS J PETERKA	

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Date	Address	Name(s)	Signature	Notes
6/16/18	4 BULL RUN DR/ H4100125000019	MATTHEW T & EMILY D LYKINS		
	5 BULL RUN DR/ H4100125000028	ROBERT ABOWITZ KATHLEEN KNIGHT ABOWITZ		7/14/18
	6 BULL RUN DR/ H4100125000020	THOMAS W & MARY S HOUK		5/10/18
	7 BULL RUN DR/ H4100125000027	DAMON E FRIERSON		25 M L E T B 12
	8 BULL RUN DR/ H4100125000021	KATHRYN E MAWER		5/12/18
	9 BULL RUN DR/ H4100125000026	JAMES A AND ANN M DUNLEVY		5/12/18
	10 BULL RUN DR/ H4000125000022	VAUGHN JACK C & MARLENE G M		5-16-18
	11 BULL RUN DR/ H4100125000025	HEATH & MAUREEN KELLY		5/12/18
	14 BULL RUN DR/ H4000126000003	FIRST FINANCIAL BANK NA ATTN HOLLY TROBOK		5.10.18
	BULL RUN DR/ H4000126000043	FIRST FINANCIAL BANK ATTN HOLLY TROBOK		5.10.18

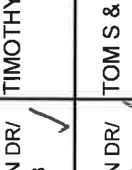
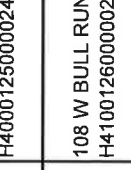
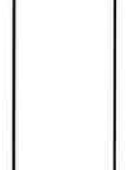
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	BULL RUN DR/ H4000119000019	FIRST FINANCIAL BANK NA ATTN HOLLY TROBOK		5.10.18
	BULL RUN DR/ H4000119000020	FIRST FINANCIAL BANK ATTN HOLLY TROBOK		5.10.18
	15 BULL RUN DR/ H4100126000005	JOHN B FEALLOCK		5/12/18
	19 BULL RUN DR/ H4100126000004	MARY ALICE MAWER		5/11/18
	21 BULL RUN DR/ H4100126000056	SUSAN Z MAXFIELD		5/12/18
	102 W BULL RUN DR/ H4100125000023	TIMOTHY E & KATHERINE A REID		6/16/18
	104 W BULL RUN DR/ H4000125000024	TOM S & KATHRYNE A ROMANO		6/24/18
	108 W BULL RUN DR/ H4100126000002	BRIAN SCHULTZ JENNIFER MCBRIDE SCHULTZ		6/16/18
	110 W BULL RUN DR/ H4100126000001	WEITSE DE BOER PRUDENCE R BAERNSTEIN		6/26/18

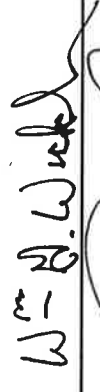
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4/27/18	305 ERICKSON DR/ H4000125000056	MUFI OZDEN		
5/5/18	306 ERICKSON DR/ H4000125000063	TERUO & CATHERINE FUJII		
5/7/18	309 ERICKSON DR/ H4100125000055	CAROLINE B WILKINSON TR		
4/27/18	310 ERICKSON DR/ H4100125000062	STEPHEN L & CAROL A FLEE		
4/27/18	311 ERICKSON DR/ H4100125000054	WILLIAM E BREWER JR		
5/7/18	312 ERICKSON DR/ H4000125000061	WILLIAM GERALD WICKHAM		
5/11/18	315 ERICKSON DR/ H4100125000053	KENT R AND JANCIEL GRIDER DARRYL AND JOSHUA HAUBERT		
5/10/18	316 ERICKSON DR/ H4100125000060	ROBERT & BARBARA KLEEFELD		
	6230 FAIRFIELD RD/ H4100024000010	ROBERT A RATTERMAN		
	6234 FAIRFIELD RD/ H4100024000042	CHRISTOPHER LUKACHKO LINDA LISTER		

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	315 ERICKSON DR/ H4100125000053	KENT R AND JANICE L GRIDER		
	316 ERICKSON DR/ H4100125000060	ROBERT & BARBARA KLEEFELD		
2/8/18	6230 FAIRFIELD RD/ H4100024000010	ROBERT A RATTERMAN	Robert Ratterman	
6/16/18	6234 FAIRFIELD RD/ H4100024000042	CHRISTOPHER LUKACHKO LINDA LISTER	Debra MacDonald	

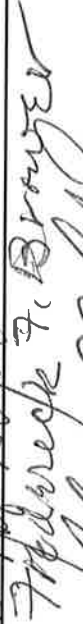
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7.12.18	6242 FAIRFIELD RD/ H4100024000041 ✓	LINDSAY CATHERICE SWIFT		
6-16-18	6284 FAIRFIELD RD/ H4100024000047 ✓	JAMES HUEY ANGEL		
6-16-18	6294 FAIRFIELD RD/ H4100024000046 ✓	RUTH ANN VEST		
	6304 FAIRFIELD RD/ H4100024000045 ✓	KAREN S BACHMAN		6-26-18
	6314 FAIRFIELD RD/ H4100024000044 ✓	JEFFREY & SARAH BLAKELEY		6.16.18
	6324 FAIRFIELD RD/ H4000024000043 ✓	ROBERT A VOGEL		5-27-18
	6334 FAIRFIELD RD/ H4100024000084 ✓	FREDERICK F & MARY JANE BROWER		6-28-18
	6335 FAIRFIELD RD/ H4000125000002 ✓	CHRISTOPHER & PAMELA ROBBRO		5-15-18
	6345 FAIRFIELD RD/ H4100125000003 ✓	VANCYNE JOANN STORCK		5/7/18
	6351 FAIRFIELD RD/ H4100130000006 ✓	WILLIS AND JANE SWIFT		5/11/18

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4/26/18	223 FIELDCREST AVE/ H4100024000085	RICARDO F AVERBACH SILVIA M ROTHSCHILD	Steve Rothchild	
4/26/18	4 ROBIN CT/ H4100125000010	BRANDON M BURKE & QING LIAO	Brandon M. Burke	
4/29/18	5 ROBIN CT/ H4000125000016	JULIA R FISHER	Julia R. Fisher	
4/26/18	6 ROBIN CT/ H4100125000011	KATHLEEN A JANSSEN	Kathleen A Janssen	
4/26/18	7 ROBIN CT/ H4100125000015	JAY & CARRIE S YOUNG	Jay & Carrie S Young	
5/1/18	8 ROBIN CT/ H4100125000012	WOODROW B & BEVERLY A ANDERSON	Woodrow B Anderson	
4/27/18	9 ROBIN CT/ H4000125000014	DEBRA G MACDONALD TR	Debra G. MacDonald, Tr.	
4/26/18	11 ROBIN CT/ H4100125000013	ROGER H & DIANE PRINCELL	Diane Prindle	
7/11/18	1114 TOLLGATE DR/ H4100125000052	CLARE E & JOSEPH P SQUANCE	Clare E & Joseph P Squence	

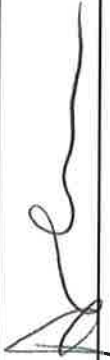
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6/26/18	1122 TOLLGATE DR/ H4100125000050	STEVEN J & SUSAN O BECKMAN		
5/18/18	1126 TOLLGATE DR/ H4100125000041	JOHN R BOWBLIS		
4/26/18	1127 TOLLGATE DR/ H4100125000017	NANCY E & THOMAS K WILSON	Thomas K. Wilson	
4/10/18	1130 TOLLGATE DR/ H4100125000040	ALICE B KETTLER		
5/5/18	1201 TOLLGATE DR/ H4100125000009	RUSSELL L & BRITTANY R PETERSON		
5/10/18	1205 TOLLGATE DR/ H4100125000008	THOMAS & SUE ANN THOMPSON	Thomas Thompson	
5/10/18	TOLLGATE DR/ H4100125000007	THOMAS & SUE ANN THOMPSON	Thomas Thompson	
4/29/18	1210 TOLLGATE DR/ H4000125000039	CHARLES E SKIPPER	Charles E. Skipper	
	1213 TOLLGATE DR/ H4100125000006	VENELIN I & MILA M GANEV		LEFT LEFT LEFT out of context

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5/5/18	1218 TOLLGATE DR/ H4100125000038	MARY L KOLLIN	Mary L Kollin	
	1220 TOLLGATE DR/ H4100125000037	JOHN H BUCKINGHAM TRUST KAREN SHYLO TRUSTEE		SENT KATELZ
5/5/18	1221 TOLLGATE DR/ H4100125000004	TOBY & TERESE ACHESON	T. Acheson	
8/8/18	TOLLGATE DR/ H4100125000005	TOBY & TERESE ACHESON	T. Acheson	
4-26-18	1224 TOLLGATE DR/ H4100125000036	JEFFREY A JOHNSON	Jeff A. Johnson	
6/26/18	1225 TOLLGATE DR/ H4100125000001	STEPHEN A & MAUREEN R NIMIS	Maureen R. Nimis	
4-29-18	1228 TOLLGATE DR/ H4100125000035	JACK & MARCIA PUCKETT	Marcia Puckett	

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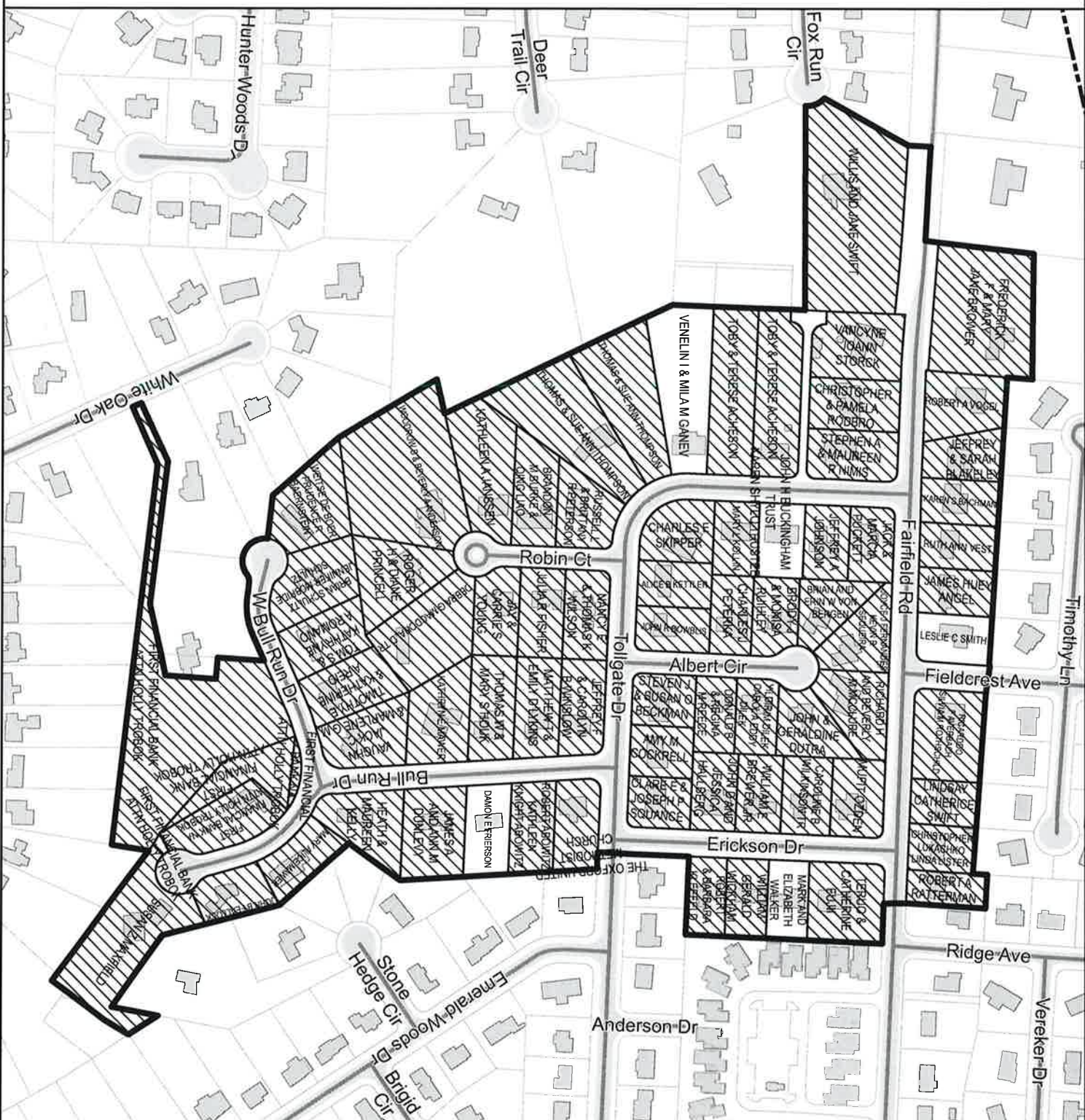
- ☐ Petition Area
- ☒ Petition Parcel: Signed
- ☐ Petition Parcel: Not Signed
- Oxford Corporation Limit

- Address Point
 - Parcel
 - Building Footprint
 - Paved Roadway

1 inch = 300 feet



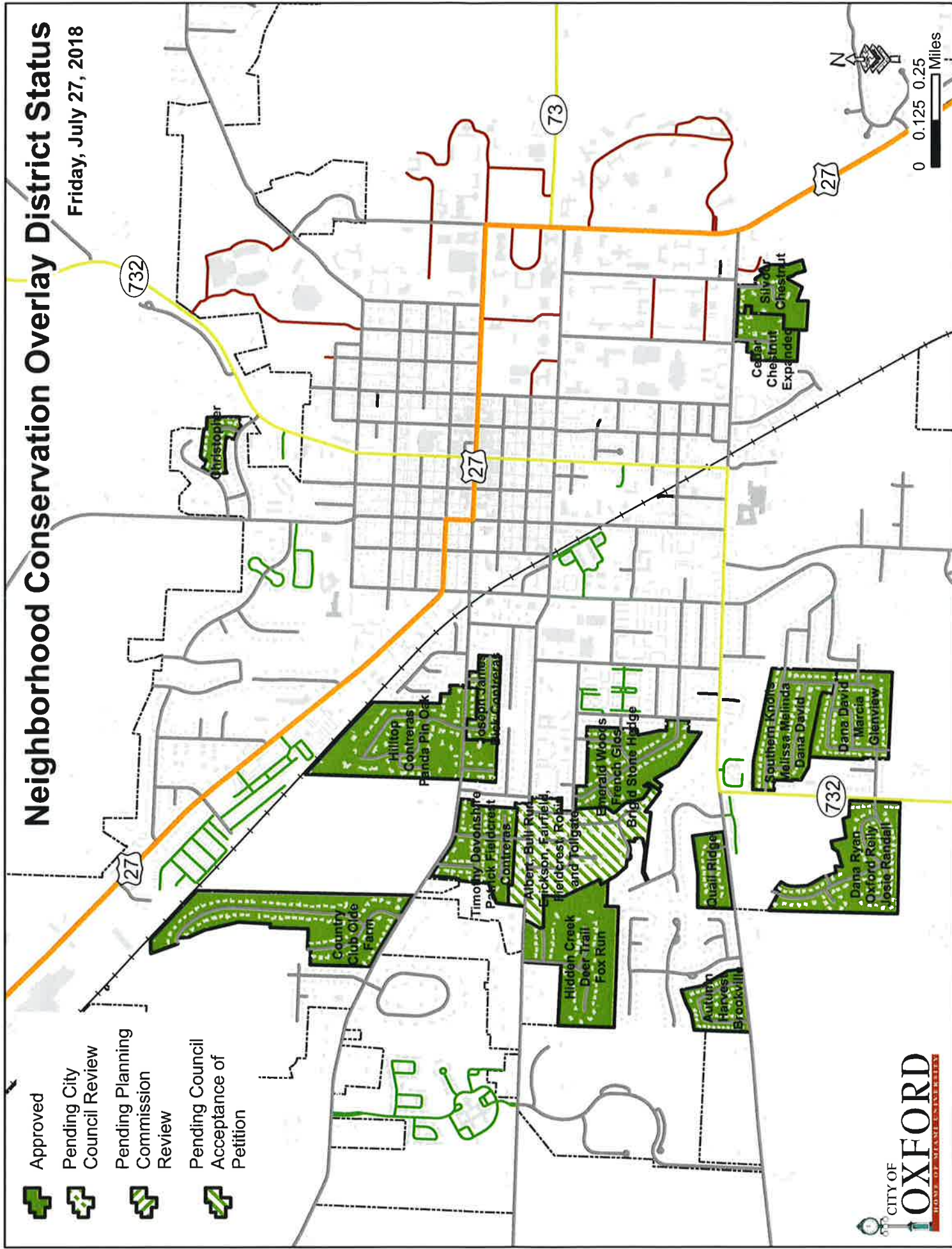
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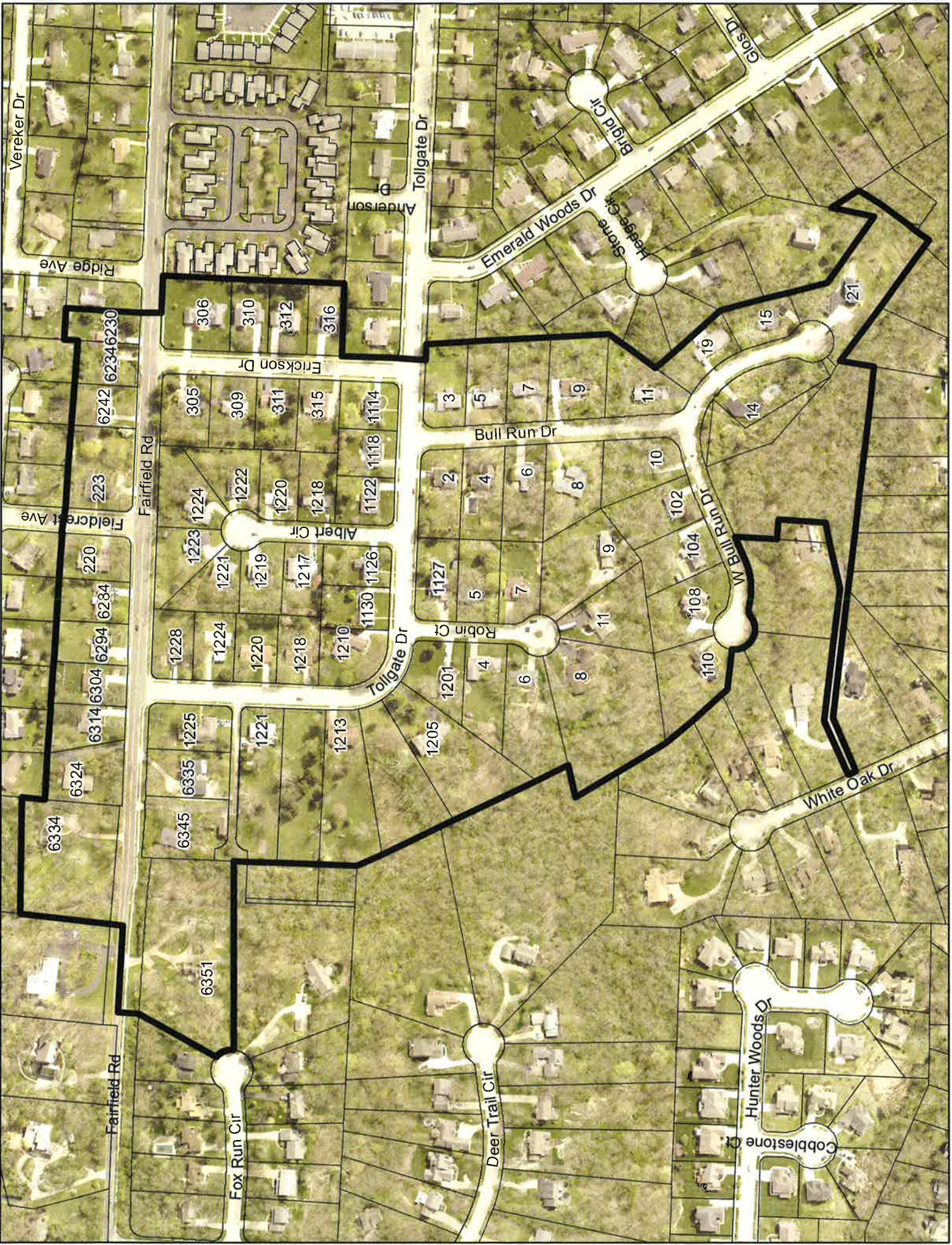


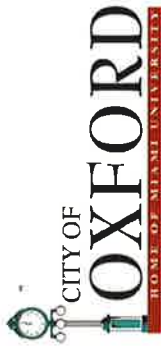
Neighborhood Conservation Overlay District Status

Friday, July 27, 2018

-  Approved
-  Pending City Council Review
-  Pending Planning Commission Review
-  Pending Council Acceptance of Petition







Oak Chestnut Neighborhood Conservation Overlay District Petition Boundaries

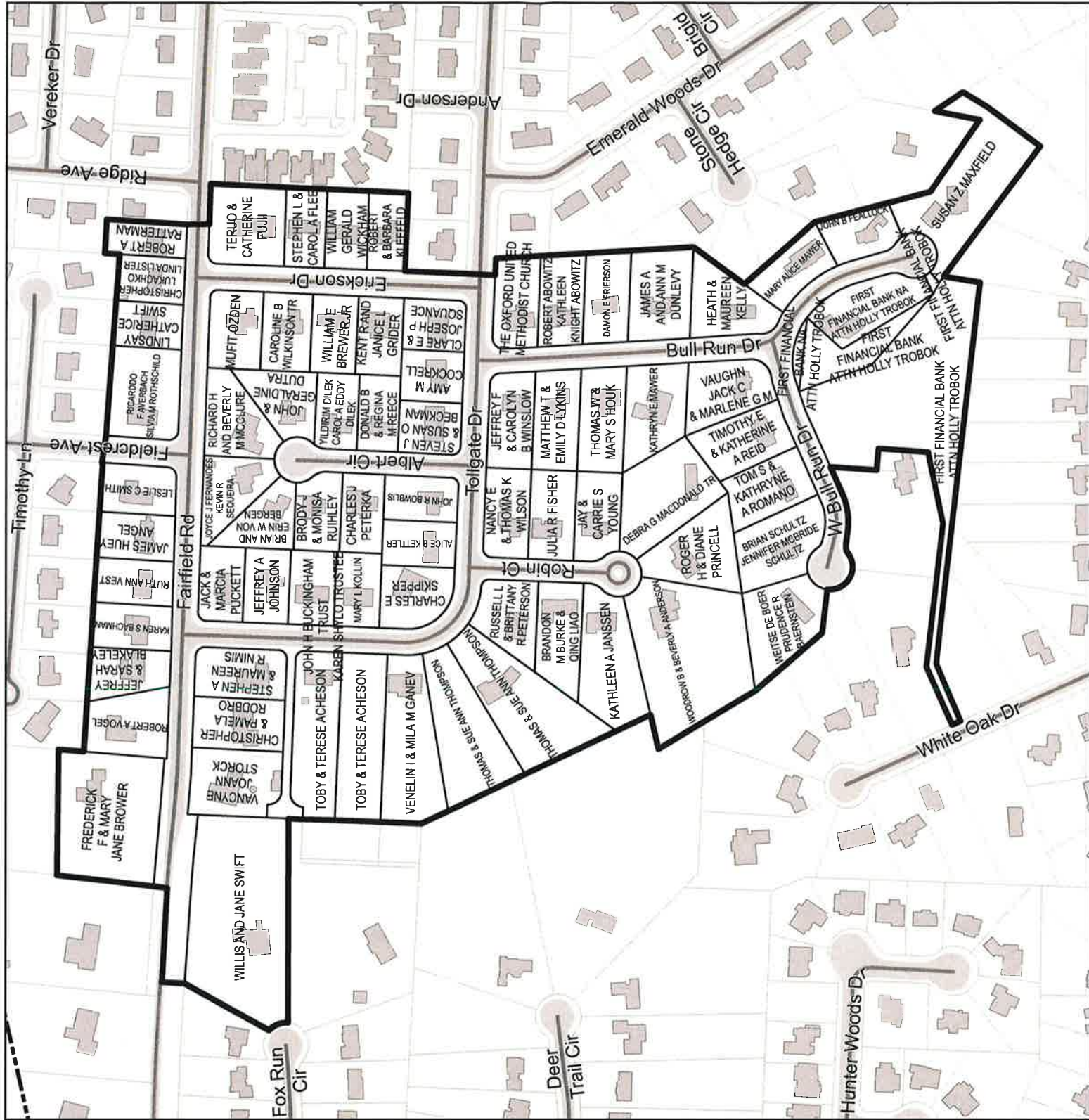
Legend

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CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Council Meeting of: Aug. 21 & Sept 4, 2018

Account Code #: Not Applicable

Budgeted Amount: \$ Not Applicable

Service Department
Originating Department

Michael Dreisbach, Service Director
Prepared By

August 10, 2018
Date Prepared

Agenda Title: An Ordinance Amending Allowable Rates and Charges by Glenwood Energy of Oxford, Inc. in Providing Natural Gas Utility Services in the City of Oxford.

Recommendation: Approval

Discussion:

The Oxford City Council has adopted Ordinance No. 3298 establishing the rates and charges that Glenwood Energy of Oxford, Inc. (Glenwood) is entitled to charge and collect for natural gas service with the City. This Ordinance was amended by Ordinance No. 3387 in December 2016 to include a BTU adjustment rider accounting for a change in gas sources and their energy content. The City continues to retain the services of utility attorney Barth Royer (Bell & Royer Co., LPA) who has reviewed Glenwood's documentation for compliance with the Public Utilities Commission of Ohio (PUCO) standards and procedures.

Glenwood earns its revenue from two main sources with minor contributions from fees for specific services. The first source is the Gas Cost Recovery (GCR) rate. Approximately 60-70% of a customer's monthly bill is directly attributable to the cost of natural gas. The GCR rate is regulated by PUCO and is not changed by this proposed Ordinance. Glenwood should only recover its fuel costs with this rate; the rate is not intended to return profit to the company.

The second main source of revenue and allowable profit for Glenwood comes from a "monthly customer charge" and from the **General Service Rate (GSR)**. Under the proposed Ordinance, the monthly **Residential** customer charge of \$8.00 will not change for the first year of the next period. This charge would increase to \$10 per month for the balance of the Ordinance period, proposed to be a period of three years. The monthly **Commercial** customer charge of \$10.00 will not change for the first year of the next period. This charge would increase to \$12 per month for the balance of the Ordinance period, also suggested for a period of three years. Glenwood also proposed an increase in the GSR of \$0.90 per Mcf (thousand cubic feet of gas), an increase of over 30%. This proposed increase would have raised the GSR to a rate of \$3.93 per Mcf from the existing rate of \$3.03 per Mcf. Mr. Royer and his technical experts thoroughly evaluated the allowable revenue attributable to a GSR rate and found the defensible rate should be an increase in the GSR from the current \$3.03 per Mcf to a new rate of \$3.46 per Mcf, an increase of \$0.43 per Mcf or ~14%. As the GSR rate impacts only a portion of a customer's monthly bill, the impact on a typical monthly bill will be approximately \$2.58.

Continued

Approved By:

Department Head: Initial Date
[Signature] \ 8/10/18

City Manager: DRE \ 8/17/18

Rate payers may expect a reduction in the GSR in early 2019 as the US27 Pipeline Relocation Rider will expire in approximately April 2019. This Rider currently adds \$0.2406 per Mcf to customer's bills. Following the expiration of the Rider, a typical customer's monthly bill will be ~ \$1.45 higher per month as compared to the existing GSR of \$3.03 per Mcf.

Mr. Royer and staff also examined other miscellaneous fees and charges and are recommending the following for the next three year period:

Late Payment fee:	1.5%	No changes to this fee
Returned check fee:	\$25	No changes to this fee
Stop Payment charge:	\$32.50	No changes to this fee
Credit check processing fee:	\$15.00	No changes to this fee
Meter test charge:	\$75	No changes to this fee or stipulations
Field collection fee:	\$20	No changes to this fee
Reconnection charge:	\$50	No changes to this fee
Service Tap charge (res):	\$700	Actual cost up to a max. of \$850
Service Tap charge (comm.):	\$1,200	No changes to this fee
Pressure Test fee:	\$80	No changes to this fee

It is the City's understanding that Glenwood accepts the recommendations of our experts and endorses the adoption of the proposed Ordinance. It is Staff's recommendation that the Oxford City Council approve the Ordinance.

ORDINANCE NO.

AN ORDINANCE TO REGULATE THE RATES AND CHARGES TO BE CHARGED AND COLLECTED AND THE SERVICES TO BE RENDERED BY GLENWOOD ENERGY OF OXFORD, INC., ITS SUCCESSORS AND ASSIGNS, FOR GAS AND GAS SERVICE FURNISHED TO ALL OF ITS CUSTOMERS WITHIN THE CORPORATE LIMITS OF THE CITY OF OXFORD DURING THE PERIOD ENDING OCTOBER 4, 2021, AND REPEALING AND SUPERSEDING ORDINANCE NOS. 3298 AND 3387, WHICH, TOGETHER, PREVIOUSLY REGULATED SUCH RATES, CHARGES, AND SERVICES.

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

SECTION 1: Rates, Charges, Rules, and Regulations. The rates and charges to be charged and collected and the rules and regulations governing services to be rendered by Glenwood Energy of Oxford, Inc., its successors and assigns, for gas and gas service furnished to all of its customers within the limits of the City of Oxford during the period ending October 4, 2021 shall be as set forth in this ordinance, which is hereby adopted pursuant to Article XVIII, Section 4 of the Ohio Constitution and Section 4909.34 of the Ohio Revised Code.

1. Definitions. The following definitions shall apply in the interpretation and enforcement of this ordinance unless the context clearly shows a different meaning is intended.

“City” means City of Oxford, Ohio.

“City Manager” means the city manager of the City of Oxford, Ohio.

“Company” means Glenwood Energy of Oxford, Inc., its successors and assigns.

“Council” means City Council of the City of Oxford, Ohio.

“Gas,” “gas costs,” and “cost of gas” have the same meanings as defined in Chapter 4901:1-14, OAC.

“GCR” means “gas cost recovery rate” as defined in Chapter 4901:1-14, OAC.

“Mcf” means one thousand cubic feet.

“OAC” means the Ohio Administrative Code.

“ORC” means the Ohio Revised Code.

“PIPP” means the “percent of income payment plan” as set forth in Chapter 4901:1-18, OAC.

“PUCO” means the Public Utilities Commission of Ohio.

“Self-Help Arrangement” has the same meaning as defined in Chapter 4901:1-14, OAC.

2. Authorized Gas Distribution Rates and Charges. Effective with bills rendered on or after ____ 1, 2018 through the bills for the monthly service period ending _____, 2021, the Company shall charge the following rates and charges for delivering gas to its customers within the City limits:
 - a. Monthly Customer Charge. The Company shall charge a fixed monthly customer charge per meter per month to each customer regardless of the amount of gas if, any, consumed during the month; provided, however, that the customer charge shall not be imposed in any month in which there is no consumption as a result of a voluntary request by the customer for the shutoff of the meter.

For bills rendered to residential customers on or after ____ 1, 2018 through the bills for the monthly service period ending _____, 2019, the customer charge shall be \$8.00 per meter per month.

For bills rendered to residential customers on or after ____ 1, 2019 through the bills for the monthly service period ending _____, 2021, the customer charge shall be \$10.00 per meter per month.

For bills rendered to commercial customers on or after ____ 1, 2018 through the bills for the monthly service period ending _____, 2019, the customer charge shall be \$10.00 per meter per month.

For bills rendered to commercial customers on or after ____ 1, 2019 through the bills for the monthly service period ending _____, 2021, the customer charge shall be \$12.00 per meter per month.
 - b. General Service Rate. In addition to the Monthly Customer Charge, the Company shall charge a base distribution rate of \$3.46 per Mcf of gas delivered to residential customers and a base distribution rate of \$3.46 per Mcf of gas delivered to commercial customers.
3. Gas Cost Recovery Rate. In addition to the rates and charges for gas distribution service set forth in Section 1.2 above, the Company shall be entitled to recover the cost of obtaining the gas it sells to its customers through a GCR rate, which shall be subject to the jurisdiction of, and regulated by, the PUCO. As provided in Ordinance No. 3147, and in accordance with the PUCO’s September 19, 2007

Opinion and Order in its Case Nos. 06-350-GA-CMR and 06-521-GA-GCR, the Company shall be authorized to include as an expected gas cost eligible for recovery through the GCR rate under Rule 4901:1-14-05, OAC, the amount of the actual, invoiced fixed charges imposed by Duke Energy Ohio in connection with the Company's use of the Duke Energy Ohio's transportation pipeline to transport gas from the Millville Station to the Company's Oxford city gate, up to a maximum of \$200,000 per year. Any such Duke Energy Ohio charges in excess of \$200,000 annually shall not be included by the Company as a cost of gas and shall not be proposed for recovery through the GCR rate. If the arrangement under which the Company transports gas from the Millville Station to the Company's city gate changes during the term of this ordinance, the Company may continue to include the amount of any actual, invoiced fixed charges or, if applicable, capital costs associated with this pipeline as an expected gas cost eligible for recovery through the GCR rate; provided, however that the amount proposed for recovery through the GCR rate shall be limited as necessary to fairly allocate the total charges or costs between the Company's GCR customers and other customers served through the pipeline on a relative throughput basis. The Company shall provide the City Manager with documentation supporting such charges or costs and the allocation methodology prior to including the cost as an expected gas cost in its GCR filings with the PUCO. The Company shall be subject to PUCO financial and management/performance audits relating to its GCR calculations and its gas procurement practices as provided in Rule 4901:1-14-07, OAC.

4. Pipeline Relocation Rider. In addition to all other rates and charges set forth in this section, all gas consumed shall be subject to a Pipeline Relocation Rider of \$0.2406 per Mcf of gas delivered to recover the actual costs incurred by the Company, including the actual carrying costs, associated with moving its natural gas pipeline to accommodate the relocation of US Rt. 27. Pursuant to Ordinance No. 3267, the Pipeline Relocation Rider was implemented effective with bills rendered on or after May 1, 2014, and said rider shall remain in effect through the bills for the monthly service period ending April 30, 2019 or until the costs are fully recovered, whichever first occurs. This Pipeline Relocation Rider shall be the exclusive mechanism for recovery of the costs associated with moving the natural gas pipeline, and the Company shall not be entitled to include said costs in the revenue requirement used to determine rates and charges in any subsequent City rate ordinance or in any proceeding before the PUCO.
5. BTU Adjustment Rider. Ordinance No. 3387 amended Ordinance No. 3298 by implementing a BTU Adjustment Rider to recognize the revenue impact of the difference between the BTU content of the gas volumes delivered to customers on and after January 1, 2015 and the BTU content of annual gas volumes used to calculate the General Service Rate for purposes of Ordinance No. 3298. The \$0.1218 per Mcf Fixed Component of the BTU Adjustment Rider was designed to recover the revenue shortfall of \$182,709 attributable to higher BTU content of the gas supplied to customers for the period January 2015 through December

2016 over a forty-eight (48) month amortization period commencing with the first bills rendered after the January 5, 2017 effective date of Ordinance 3387. In addition to all other rates and charges set forth in this section, the Company shall be entitled to continue to charge the \$0.1218 per Mcf Fixed Component of the BTU Adjustment Rider until the month following the month in which the total \$182,709 revenue shortfall has been recovered, at which time the Fixed Component shall be eliminated. The Company shall continue to provide documentation to the City Manager of the amount recovered through the Fixed Component no less frequently than once every six (6) months during the period the Fixed Component remains in effect. The Variable Component of the BTU Adjustment Rider, currently \$0.648 per MCF, which was designed to recognize, going forward, the revenue impact of the higher BTU content of the gas delivered after the effective date of Ordinance No. 3387, shall be eliminated as of the effective date of this ordinance; provided, however, that the Company shall perform a final true up to reflect the difference, plus or minus, between the estimated average monthly per-Mcf BTU value used to calculate the Variable Component then in effect and the actual average monthly BTU/Mcf value of the gas delivered to customers over the period following the most recent six-month true up required by Ordinance No. 3387. The Company shall provide documentation supporting the calculation of the revised Variable Component to the City Manager for review and approval no later than five (5) business days before including the final revised Variable Component on the first monthly bills rendered after the effective date of this ordinance.

6. Mcf Tax Rider. In addition to all other rates and charges set forth in this section, all gas consumed shall be subject to an Mcf tax rider to provide for the recovery of the Company's excise tax liability under Section 5727.811, ORC.
7. Gross Receipts Tax Rider. In addition to all other rates and charges set forth in this section, amounts billed by the Company shall be subject to a rider at the Company's effective gross receipts tax rate to provide for the recovery of the Company's gross receipts tax liability under Section 5727.25, ORC.
8. PIPP Cost-Recovery Rider. In addition to all other rates and charges set forth in this section, the Company shall be entitled to recover the costs associated with the PIPP program through a PIPP cost-recovery rider, which shall be subject to the jurisdiction of, and regulated by, the PUCO.
9. Uncollectible Expense Rider: In addition to all other rates and charges set forth in this section, the Company shall be entitled to recover its uncollectible expense through an uncollectible expense rider, which shall be subject to the jurisdiction of, and regulated by, the PUCO.
10. Tax Change Adjustments. If, during the term of this ordinance, a governmental authority imposes a new tax, removes an existing tax, or increases or reduces the rate of an existing tax, the effect of which is to increase or reduce the annual tax

liability of the Company, the Company shall be entitled to adjust the rates authorized in this section by implementing a new rider or, if applicable, eliminating or adjusting an existing rider, calculated so as to produce the pro forma annual revenues that will reflect the increase or decrease in the Company's annual tax liability. This provision does not apply to changes in the property tax rates or liability. A rider implemented or adjusted pursuant to this provision may be rounded to nearest one-quarter (\$0.0025) cent per Mcf. The Company shall provide written notice to the City Manager of its intent to implement any such new rider or adjust or eliminate an existing rider, and of the proposed effective date of such rate change, said notice to be provided no later than thirty (30) days prior to the proposed effective date of the rate change. The written notice shall include all documentation, information, and calculations relied on by the Company to support the proposed rate change. The City shall, upon notice to the Company, be entitled to inspect any Company books or records as may be necessary to verify the accuracy of the proposed change. No rate change as described herein shall become effective until the City Manager advises the Company that the City finds the proposed rate change to be a tax-related change of the type contemplated by this provision and that the proposed rate has been properly calculated; provided, however, if the City Manager does not so inform the Company within fourteen (14) days of receipt of the written notice, the rate change shall take effect automatically as of the proposed effective date.

11. Miscellaneous Charges. In addition to all other rates and charges set forth in this section, the Company shall be entitled to impose the following charges:
 - a. Late Payment Charge. If a bill payment is not received in the Company's offices or by the Company's authorized agent within twenty-five (25) days of date of the invoice, an additional amount of one and one-half percent (1.5%) of the unpaid balance will be assessed on the customer's subsequent bill. This charge is not applicable to the unpaid account balances of a customer enrolled in PIPP or a payment plan pursuant to Rule 4901:1-18-04, OAC.
 - b. Returned Check Charge. Where the customer's financial institution returns a customer's check for insufficient funds, the Company shall assess a returned check charge of \$25.00; provided, however, that this charge will not be assessed if the customer establishes that the cause of the dishonored check was bank error.
 - c. Credit Check Processing Charge. The Company may impose a charge of \$15.00 for a credit check on an applicant for service.
 - d. Field Collection Fee. Where a Company employee is dispatched to a customer's premises to disconnect service for nonpayment, the customer may avoid disconnection by paying the full amount owed; provided, however, that the Company may assess a \$20.00 field collection charge

for accepting such payment. This charge may be assessed either at the time the delinquent amount is collected or on a subsequent bill.

- e. Reconnection Charge. Where service to a premises has been disconnected by the Company by shutting off the meter, the Company may charge and collect a reconnection charge of \$50.00 as a condition of restoring service to the premises. The reconnection charge shall apply without regard to the length of time the service was disconnected, whether the disconnection was voluntary or involuntary, or whether the customer requesting reconnection is the same customer as the customer at the time service to the premises was disconnected. Upon a request by a customer for a voluntary disconnection of service to a premises, the Company shall advise the customer that the \$50.00 reconnection charge will apply if service is subsequently restored. If service was disconnected as a result of unauthorized or fraudulent use by the customer, the Company may impose, in addition to the \$50.00 reconnection charge, a charge to recover any actual expense incurred by the Company as a result of such unauthorized or fraudulent use, including an estimate of the cost of gas improperly used, prior to reconnecting service.
- f. New Service Tap Charge. Applicants applying for a new tap on the Company's system shall be assessed a new service tap charge of \$950.00 for single-family residences and \$1,350.00 for multi-family and commercial premises, or the actual cost of the installing the new tap, whichever is less. The Company shall provide documentation to an applicant for a new service tap showing the actual cost of installing the new tap in as a part of, on in conjunction with, the bill on which the charge is assessed.
- g. Meter Test Fee. Upon request by a customer, the Company shall test the accuracy of the meter by removing the meter and engaging a independent outside vendor to perform the test. The Company shall assess a fee of \$75.00 for the meter test; provided, however, that this fee will not be assessed if the meter is not found to be operating within accepted tolerances (plus or minus the 3%), nor shall it be assessed for the first meter test performed in any 36-month period.
- h. Stop Payment Fee – Return of Security Deposit. Upon notification by a customer entitled to the return of all or part of a security deposit held by the Company pursuant to Rules 4901:1-17-04 through 4901:1-17-07, OAC, that the refund check has been lost or has not been received, the Company shall promptly notify its bank to stop payment on the check. If the check was lost by the customer, or was not received by the customer due to the customer's failure to notify the company of a change in the customer's mailing address, the company shall be entitled to assess a fee of \$34.50 for stopping payment on the refund check. The fee shall be

deducted from the amount of the security deposit to be returned to the customer through the replacement check. No stop payment fee shall be assessed if the check was not received by the customer due to the Company's error.

- i. Pressure Test Fee. The Company shall offer to perform the pressure test required by Rule 4901:1-13-05(A)(3)(c), OAC, as a condition of reestablishing service in instances where service has been disconnected for thirty (30) days or longer. The Company may charge and collect a fee of \$80.00 for performing such pressure test, such fee to be in addition to the \$50.00 reconnection fee authorized in Section 2.11.e of this Section. If the piping fails the pressure test, the owner of the premises shall be responsible for all necessary repairs. Upon a request by a customer for a voluntary disconnection of service to a premises, the Company shall advise the customer of the pressure test requirement that must be satisfied prior to reestablishing service and that, if the Company performs the pressure test, the \$80.00 pressure test fee will apply.
11. Self-Help Arrangements. Nothing contained in this ordinance shall prevent the Company from entering into self-help arrangements with customers to provide for the transportation of gas owned by the customer to the customer's premises; provided, however, that all such special contracts must be filed with and approved by the PUCO pursuant to Section 4905.31, ORC.
12. Rules and Regulations. The Company shall be subject to the PUCO's Minimum Gas Service Standards set forth in Chapter 4901:1-13, OAC. The Company's rules and regulations governing the terms and conditions of service to customers within the corporate limits of the City shall be identical to the rules and regulations set forth in the Company's tariff filed with and approved by the PUCO, and any subsequent PUCO-approved amendments thereto; provided, however, that in the event of any conflict between the Company's PUCO-approved tariff and this ordinance (including, but not limited to, conflicts in the specified rates, charges, and fees), the terms of the ordinance shall apply.
13. Notice of PUCO Filings: The Company shall serve a copy of all filings made with the PUCO upon the City Manager on the date the filing is made, including, without limitation, applications for approval of special contracts, all GCR-related filings, applications to adjust the PIPP cost-recovery rider, applications to adjust the uncollectible expense rider, applications to amend its PUCO tariff, and its annual reports to the PUCO. The Company shall provide a copy of any notice it receives from the PUCO initiating a financial and/or management/performance audit pursuant to Rule 4901:1-14-07, OAC, within three (3) business days after the notice is received.
14. Company Office and Information to be Made Available to Customers. The Company shall, by notice to the City Manager, designate a place or places within

the City where customers may play bills, submit complaints, and inspect copies of documents relating to the service provided by the Company. The place or places so designated may be changed at any time by written notice to the City Manager. The Company shall maintain copies of this ordinance, its PUCO-approved tariff, and all ORC statutes and OAC rules cited herein. Such documents shall be made available for inspection upon customer request.

15. City Access to Company Financial Information. The Company shall provide a copy of its annual financial statements to the City Manager within seven (7) days of availability. The financial statements shall include, without limitation, a balance sheet and statements of income, retained earnings, and cash flow.
16. Rates and Charges Upon Expiration of Ordinance. In the event that the City has not enacted a new ordinance to replace and supersede this ordinance upon the expiration of its term, the Company shall continue to render service to customers within the corporate limits of the City pursuant to the terms of this ordinance until a new ordinance takes effect as provided by law or until such time as the PUCO establishes rates, charges, rules and regulations pursuant to Section 4909.18, ORC, or Section 4909.39, ORC. If the Company proposes to increase in its rates and charges following the expiration of this ordinance, the Company shall so advise the City Manager in writing, and shall provide documentation supporting any such proposed increase sufficiently in advance of the expiration of this ordinance to permit the City and the Company to attempt to negotiate a mutually acceptable ordinance prior to the Company filing a 4909.18, ORC, rate increase application with the PUCO.
17. Customer Notice. The Company shall provide written notice to its customers, by bill insert or separate mailing, of the increase in rates and charges authorized by this ordinance. The Company shall submit a copy of this notice to the City Manager or the City Manager's designee for review and approval prior to distributing the notice to its customers.

SECTION 2. Repeal of Prior Ordinances. Ordinance Nos. 3298 and 3387, adopted, respectively, on January 6, 2015 and December 6, 2016, are hereby repealed and superseded by this ordinance.

SECTION 3. Company Acceptance of Ordinance. If the Company accepts this ordinance, the Company shall file a written acceptance of this ordinance with the Clerk of the City within thirty (30) days after its passage by Council and this ordinance shall constitute a contract between the City and the Company. If the Company does not accept this ordinance, the Company shall file a complaint and appeal from this ordinance with the PUCO pursuant to Section 4909.34, ORC, within (30) days after its passage. If the Company does not file a written acceptance of this ordinance with the Clerk of the City within thirty (30) days after its passage and does not file a complaint and appeal from this ordinance with the PUCO within (30) days after its passage by Council, the Company

shall be deemed to have accepted this ordinance and shall be bound by its terms as if it had filed a written acceptance.

SECTION 4: Effective Date. This ordinance shall take effect at the earliest time allowed by law.

Mayor

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: August 7, 2018

Sam Perry
Prepared By:

Account Code No. #:

Budgeted Amount:

July 31, 2018
Date Prepared:

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

Recommendation: Approval with waivers

Discussion:

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

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

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

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

Approved By:

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

City Manager:

DRE / *8-3-18*

ORDINANCE NO.

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

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

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

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

SECTION 1: Council hereby accepts the recommendation of the Planning Commission and accepts the recommendation report submitted by the Planning Commission and incorporates the same herein and further grants the conditional use permit application to allow a Lodging Service in the UP (Uptown) District located at 117 West Church Street Oxford, Ohio with the following conditions:

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

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2018-13

Date –July 10, 2018

APPLICATION

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

GENERAL DESCRIPTION

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

PUBLIC COMMENTS

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

AGENCY REVIEWS

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

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

ZONING CODE REVIEW

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

1147.02(c) Planning Commission Review: The Planning Commission shall base its review of a proposed Conditional Use upon the complete application, upon any staff report, and upon any relevant and credible testimony presented during the public hearing.

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

(1) **Burden of Proof.**

A. Planning Commission has no obligation to recommend approval and City Council has no obligation to approve a Conditional Use. This Zoning Code assumes that the uses listed in this section are not appropriate unless an applicant proves that the use will not be detrimental to the public health, safety, or general welfare of the City or the neighborhood in which it is proposed.

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

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

1147.03(b)(4)

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

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

ANALYSIS:

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

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

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

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

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

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

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

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

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

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

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

None anticipated.

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

Not applicable.

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

No unrelated accessory uses are being proposed.

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

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

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

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

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

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

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

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

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

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

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

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

1147.03(b)(4)

(4) Bed & Breakfast.

A. Potential Concerns.

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

B. Regulations.

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

RECOMMENDATION:

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

SUBMITTED BY:



Sam Perry, AICP
Planner

DATE: July 3, 2018

ATTACHMENT

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

(1) Burden of proof.

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

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

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

City of Oxford
Inter-Office Review Transmittal Sheet



Date: June 5, 2018

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

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

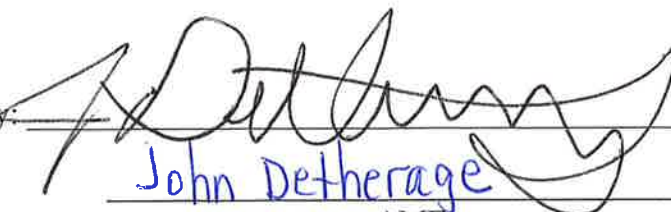
 X Review Revisions Other

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

Drawings are returned: w/comments

without/comments

Drawings reviewed by:


John Detherage
PRINTED NAME

Date:

6-8-18

PRINTED NAME



PC-2018-13

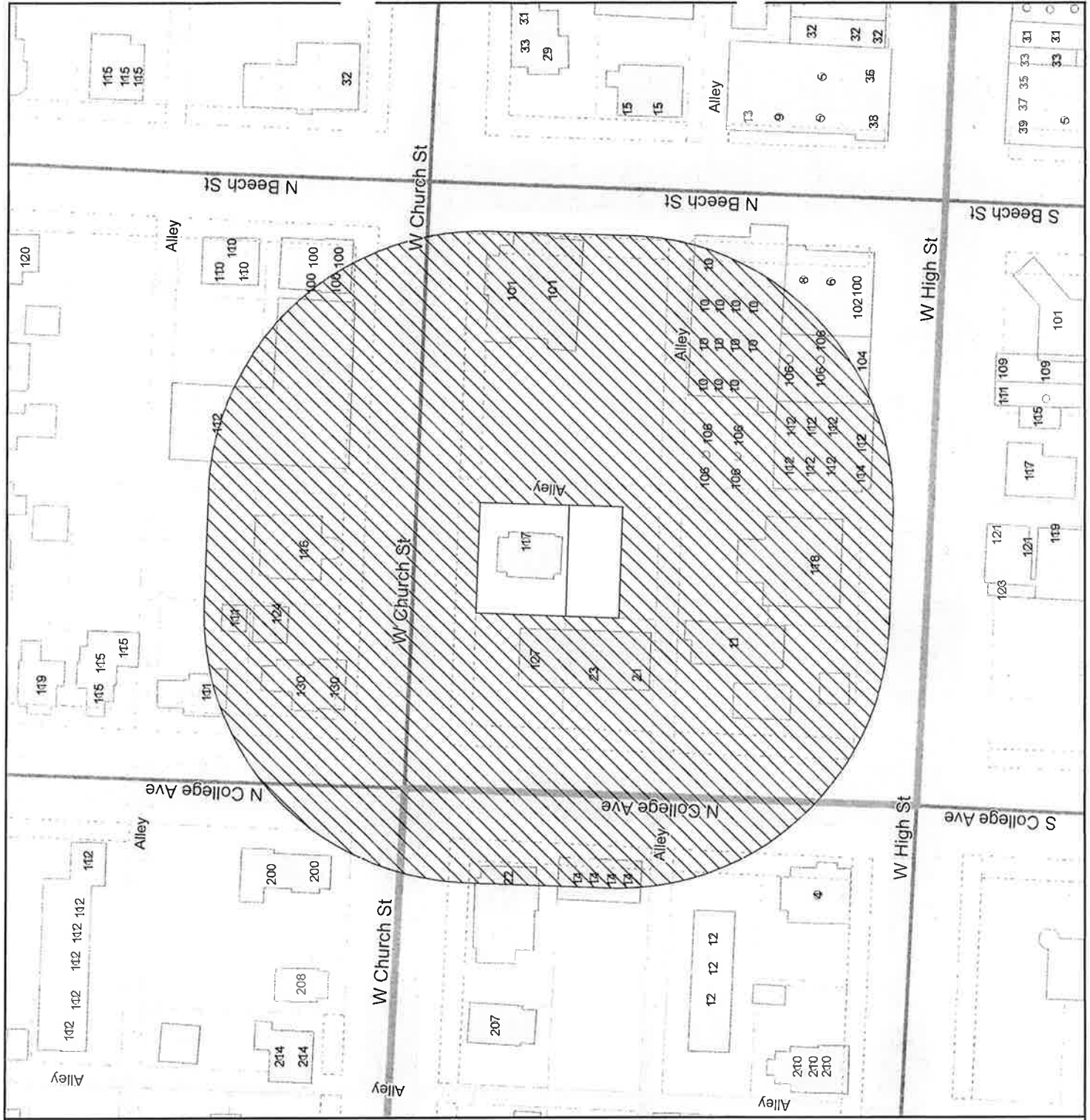
Surrounding Property Owners Notifications Map

Legend

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



1 inch = 100 feet



Prepared on Monday, June 25, 2018

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



Internal Use Only:

Case No.

PC-2018-13

Date Filed

5/21/18

Conditional Use Permit Application

Applicant Information

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

Name * Kristine and David Winkler

Mailing Address * PO Box 53

City, State & Zip Code * Oxford, Ohio 45056

Telephone Number(s) * 513-255-0949

Email Address Kris.almamaterdesigns@gmail.com

Owner Information

Name * Kristine and David Winkler

Mailing Address * PO Box 53

City, State & Zip Code * Oxford, Ohio 45056

Telephone Number(s) * 513-255-0949

Email Address Kris.almamaterdesigns@gmail.com

Location and Lot Information

Location of Property * 117 West Church Street

Legal Description * H41000080000181 and 182

Zoning District * UP

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

Existing Use Description * office space

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

Submission Requirements and Documentation

From Section 1147.02(a)¹.

- (1) Contents of application for conditional use permit. Thirteen complete sets of all information shall be submitted with an application. The Zoning Administrator may modify this requirement based upon the type of materials included. Please contact the Zoning Administrator prior to submitting an application to discuss the submission requirement. If any information is submitted in color or on non-standard paper, more copies may be required.

A. Application Fee.

B. Description of Use and Site.

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

1. The name, mailing address, and telephone number of the applicant and the property owner.
2. If the applicant is not the owner, a statement from the owner that the applicant is entitled to apply on his or her behalf.
3. A legal description of the site, including all separate lots.

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

Fees & Receipt

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

Sign and Date

Applicant Signature *



Date *

5/21/2018

Submit Application, Submission Requirements and Documentation, and Fees

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

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

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

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

For Staff Use Only

Fee Paid Date *

5/21/18

Receipt Number *

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

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

Conditional Use Permit Application

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

B) Description of Use and Site

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

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

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

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

- i. See Above statement

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

C) Site Plan

- a. Please see Plat of Survey-submitted

D) There are no proposed changes to the structure

E) Please see photos

Dear Sam and Planning Commission,

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

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

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

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

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

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

Thank you,

Kristine and David Winkler

Plat of Survey/Lot Combination

Part Lot #117, Part Lot #118 & 16.5' of Vacated W Church Street
New Lot # 3927

City of Oxford, Butler County, Ohio.

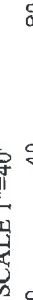
For: Winkler David & Kristine M.

Deed Bk: 8995 Pg: 1613

Address: 117 W Church Street

Date: 5/3/2018

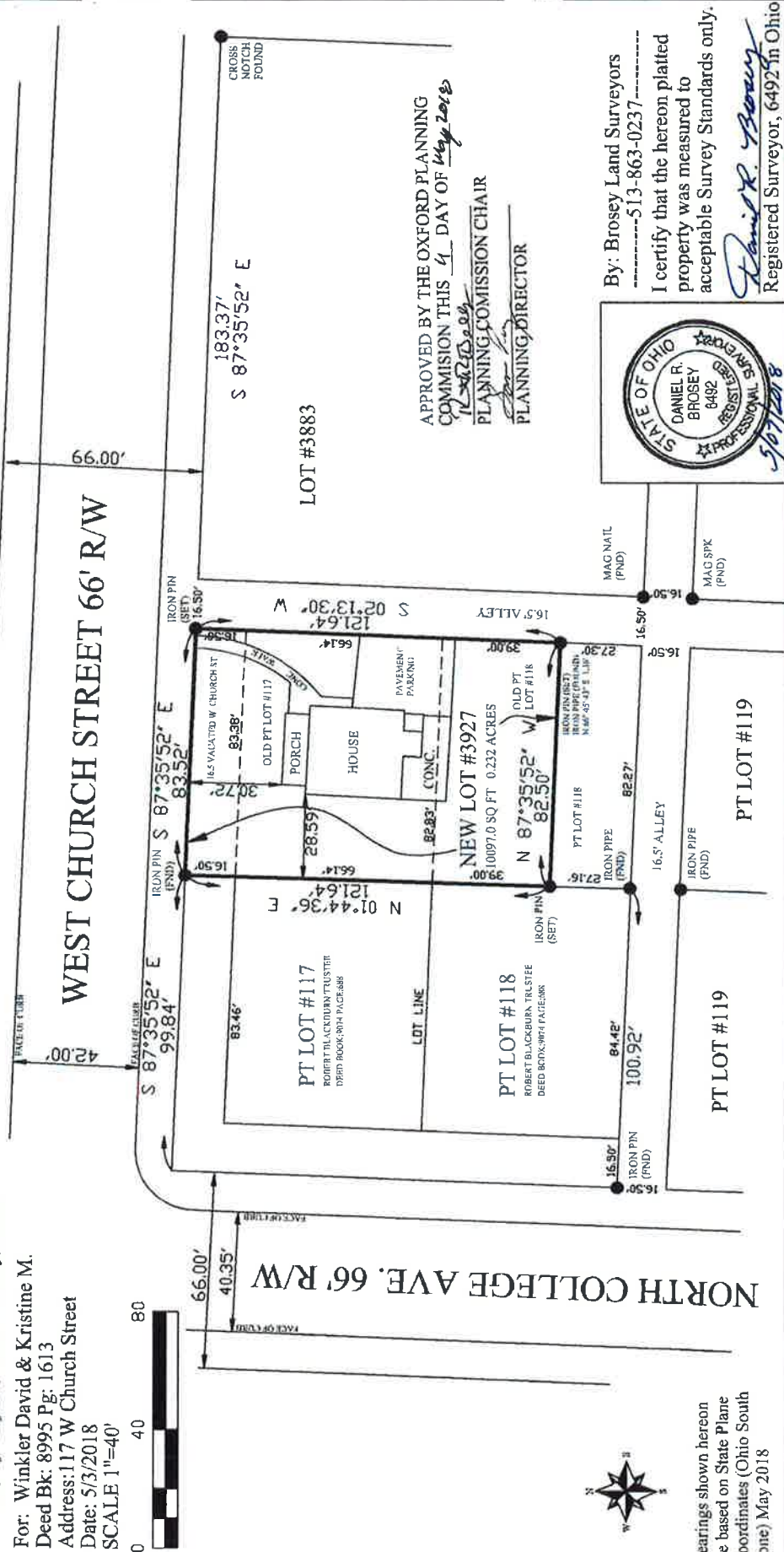
SCALE 1"=40'



NEW LOT #3927 COVERAGES & CALCULATIONS

CONCRETE WALKS & PAD		HOUSE		PAVEMENT		TOTAL LOT COVERAGE	
362.2	SQ. FT.	148.1	SQ. FT.	10097.0	SQ. FT.	12553.3	SQ. FT. CONCRETE
148.1	SQ. FT.	148.1	SQ. FT.	10097.0	SQ. FT.	12553.3	SQ. FT. PAVEMENT
10097.0	SQ. FT.	0.1243	X 100 = 12.43%	10097.0	SQ. FT.	10097.0	SQ. FT. COVERAGE
10097.0	SQ. FT.	0.0865	X 100 = 8.65%	10097.0	SQ. FT.	10097.0	SQ. FT. COVERAGE
						0.2366 X 100 = 23.66% TOTAL LOT COVERAGE	

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



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



By: Brosey Land Surveyors
-----513-863-0237-----
I certify that the hereon platted
property was measured to
acceptable Survey Standards only.
Daniel R. Brosey
Registered Surveyor, 6492 in Ohio



**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: August 7, 2018

Sam Perry
Prepared By:

Account Code No. #:

Budgeted Amount:

July 31, 2018
Date Prepared:

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

Recommendation: Approval with waivers

Discussion:

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

The Commission held a hearing on July 10. Based on the decision criteria, the Commission voted 5-0 to recommend approval of the conditional use request with the following waivers to be granted: Reduce front yard from 20 to 10 feet for ramp; Reduce sideyards from 7.5 to 5 and 7 feet for expansion; increase lot coverage from 50 to 75% - over the 35% permitted and building coverage from 28 to 45% - over the 25% permitted.

Approved By:

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

City Manager:

DRE / *8-3-18*

ORDINANCE NO.

AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT TO ALLOW THE EXPANSION OF A RELIGIOUS STUDENT AND COMMUNITY CENTER FOR THE HILLEL FOUNDATION IN A RO (RESIDENTIAL/OFFICE) DISTRICT LOCATED AT 11 EAST WALNUT STREET OXFORD, OHIO WITH CONDITIONS.

WHEREAS, the Planning Commission held a public hearing on July 10, 2018 in accordance with Section 1147.02 of the Codified Ordinances of the City of Oxford, on the application of Craig Moyer, Applicant, Architect, for a conditional use permit to allow the expansion of a Religious Student and Community Center for the Hillel Foundation in a RO (Residential/Office) District located at 11 East Walnut Street Oxford, Ohio with conditions; and

WHEREAS, the Planning Commission, after a public hearing and discussion, voted to approve a motion recommending approval of the conditional use permit application to allow the expansion of a Religious Student and Community Center for the Hillel Foundation in a RO (Residential/Office) District located at 11 East Walnut Street Oxford, Ohio with conditions.

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

SECTION 1: Council hereby accepts the recommendation of the Planning Commission and accepts the recommendation report submitted by the Planning Commission and incorporates the same herein and further grants the conditional use permit application to allow the expansion of a Religious Student and Community Center for the Hillel Foundation in a RO (Residential/Office) District located at 11 East Walnut Street Oxford, Ohio with the following conditions:

1. The Front Yard Setback requirement shall be reduced from 20 feet to 10 feet.
2. The Side Yard Setback requirement shall be reduced from 7.5 feet on the west side to 5 feet and from 7.5 feet on the east side to 7 feet.
3. The Lot Coverage requirement shall be increased from 50% to 75%.
4. The Building Coverage requirement shall be increased from 28% to 45%.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2018-16

Date –July 10, 2018

APPLICATION

Applicant:	Craig Moyer (The Architectural Group)
Location:	11 East Walnut Street
Owner:	B’Nai B’Rith Hillel Foundation Inc (Marcy Miller, Director)
Action Request:	Conditional Use Permit Application for a place of worship and non-profit office in the RO (Residential Office) district
Current Use:	Student center place of worship and non-profit office
Zoning:	RO (Residential Office)
Surrounding Existing Land Uses:	Place of worship, hotel, restaurant, single, two and multi-family res.

GENERAL DESCRIPTION

The Hillel Foundation at Miami University has operated the off-campus student center at 11 East Walnut Street in the current building since 1973. On behalf of the Foundation, Architect Craig Moyer is requesting a conditional use to expand the center under the provisions for ‘place of worship’ and ‘non-profit office’ in the RO district. The proposal is to utilize the existing building with major renovations to the front façade, rear addition and exterior design treatments to open up the building to the community. The rear addition would nearly double the square footage to accommodate current needs and future plans of the Foundation. The conditional use review offers an opportunity for a public process to determine compliance and cohesion with city policies in the form of a recommendation to City Council. The Certificate of Appropriateness was granted by HAPC in June. A concept review was presented to Planning in April.

PUBLIC COMMENTS

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

AGENCY REVIEWS

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

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

ZONING CODE REVIEW

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

1147.02(c) Planning Commission Review: The Planning Commission shall base its review of a proposed Conditional Use upon the complete application, upon any staff report, and upon any relevant and credible testimony presented during the public hearing.

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

(1) **Burden of Proof.**

A. Planning Commission has no obligation to recommend approval and City Council has no obligation to approve a Conditional Use. This Zoning

Code assumes that the uses listed in this section are not appropriate unless an applicant proves that the use will not be detrimental to the public health, safety, or general welfare of the City or the neighborhood in which it is proposed.

- B. Applicants shall prove that potential negative impacts of elements such as location, size and extent of facilities and operations, site design, traffic generation, site access, and potential impact upon public facilities will be adequately mitigated.

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

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

(d) Action by Planning Commission.

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

1147.03(b)(15)

(15) Churches, Libraries, Community and Recreation Centers.

- A. Potential Concerns
 - 1. Adequate lot size to permit future expansion.
 - 2. Location and screening of outdoor recreation areas.
 - 3. Bus or van storage.

4. Lighting.
 5. Parking and traffic impact.
- B. Regulations.
1. None.

ANALYSIS:

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

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

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

Yes, the use can be allowed as a conditional use. The use is a combination of two categories permitted as conditional uses: Places of worship and offices for non-profit organizations.

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

Yes, the proposed use can satisfy the general intent of the Zoning Code, one of which is to promote and protect the health, safety and general welfare of the people of Oxford. (Chapter 1123) There are, however, numerical conflicts with the Zoning Code, which will need to be discussed: Lot coverage, front and side yard setbacks, in order to determine if the conflicts are appropriate in this particular context.

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

One of the objectives of the 2008 Comp Plan is to preserve and enhance historic resources in the Mile Square and Uptown. (Section 4.5) A strategy within that objective is to guide new construction and renovation of buildings. The building is currently non-contributing with regard to its exterior design. The renovated building would be contributing to the Uptown Historic District.

An additional focus of the Comp Plan has been to maintain development within existing urbanized areas rather than at the perimeter of the City. This application represents a desire of the foundation to remain in close proximity to the community and its user base.

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

The facility is increasing in square footage, which seems counterintuitive to its impact on the surrounding neighborhood. Particularly with parking demand. However, many of the targeted users could arrive on foot, as part of the Miami University community.

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

None anticipated.

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

None anticipated.

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

No unrelated accessory uses are being proposed.

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

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

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

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

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

The exterior design has been approved by the Historic and Architectural Preservation Commission because of its location within the Uptown Historic District of Oxford.

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

Vehicular access is provided directly from the rear east/west alley. There would likely be additional parking demand because of the increased gathering space or future additional staff. Hillel should develop an operational plan for how to meet any increased parking demand without negatively impacting the surrounding neighbors that have their own off-street parking provisions.

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

The existing 1973 building is considered non-contributing in the 2018 Uptown Historic District Inventory. The renovated building would be contributing. Therefore there is no loss expected.

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

The project has not yet been submitted for building permit application review until after the conditional use process has moved forward. Staff does not expect any permit or license issues with an experience architecture firm working on the project.

1147.03(b)(15)

(15) Churches, Libraries, Community and Recreation Centers.

A. Potential Concerns

1. Adequate lot size to permit future expansion.
This place of worship is existing therefore lot selection is pre-determined.
2. Location and screening of outdoor recreation areas.
The basketball court is in the rear only visible from the alleys.
3. Bus or van storage.
None expected.
4. Lighting.
Any exterior lighting is required to comply with zoning code requirements for glare and fixture height.
5. Parking and traffic impact.
The location is walkable from other local destinations; however, some parking from attendees outside the Miami community may occur. As stated earlier, the Foundation should plan for this as part of the expansion. Discussions with neighboring owners and the city should occur. There is not a city-required parking standard for the use or the expansion.

There is not a specific set of potential concerns for a non-profit office expansion beyond 2,500 square feet. The current square footage is 5,000 square feet, increasing to 9,000 which is not all used for office activities. Therefore, this is a hybrid of the two categorical uses.

Zoning Code Analysis:

Front Yard Setback:

The front yard setback requirement for the RO district is 20 feet. There is a new accessible ramp proposed which encroaches into the front yard 10 feet. A six foot encroachment is permitted, therefore, the additional four feet would have to be permitted as a waiver recommended by this Commission.

Side Yard Setback:

The side yard setback requirement for the RO district is 7.5 feet. The existing building is 5 feet from the side lot line rather than the required 7.5 feet. Any expansion is required to comply with the setback. The proposed rear addition is 7 feet along the alley and 5 feet along the west property line. Therefore, the side yards for both sides would need waivers recommended by this Commission.

Lot Coverages:

The total lot coverage is currently 50%. The proposed lot coverage with the rear addition and other features is 75%. The code required total lot coverage limit is 35% which has already been exceeded by current conditions.

The front yard lot coverage is around 10%. The proposed front yard lot coverage with the front ramp entrance addition is around 50%. The code required front yard coverage limit is 5%.

Therefore, both lot coverages would need waivers recommended by this Commission.

Height: compliant

Rear yard setback: compliant

RECOMMENDATION:

This application represents a strong effort by Hillel to be a neighborhood and community partner in the way it grows to fit current needs. A majority of the HAPC believed the exterior design was sensitive and appropriate to the area. The aspect of the increased total lot coverage may need further review in order to be consistent with other similar projects where mitigation was required. The Commission or Council is not duty-bound to grant waivers of Zoning Code without deliberation and a full understanding of any negative impacts that may occur.

Staff does not have any major concerns with the front yard lot coverage or front and side yard encroachments. Any safety concerns that may arise from side setback encroachments are typically handled by the Building Code review, which has yet to occur.

If the total lot coverage is resolved through deliberation, staff recommends that the Commission forward a recommendation of approval with any waivers or conditions in writing to City Council. Commission options:

- Recommend approval/with conditions and waivers
- Recommend denial with written findings of fact or
- Table the case

SUBMITTED BY:



Sam Perry, AICP
Planner

DATE: July 5, 2018

ATTACHMENT

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

(1) Burden of proof.

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

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

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

City of Oxford
Inter-Office Review Transmittal Sheet

Date: June 5, 2018

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

From: Community Development Department

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

☒ X Review ☐ Revisions ☐ Other

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

Drawings are returned: w/comments

without/comments

Drawings reviewed by:



PRINTED NAME

Date:

6-11-18



Memo

Service Department
Engineering Division

513/524-5208 fax 513/524-5267

TO: Community Development Department
FROM: Victor Popescu, P.E.
RE: PC-2018-16
Conditional Use – Hillel Foundation
11 E. Walnut St.

DATE: July 10, 2018

The Engineering Division offers the following comments.

- The proposed project substantially increases the impervious surface. Thus, it is recommended that a Stormwater Management Plan be submitted.
- Fire protection (i.e. fire hydrants, FDC) shall be determined by the Fire Chief.
- Due to the limited size of the facility, a traffic impact study would not be necessary.
- The existing public utilities (sanitary sewer, storm sewer, and water) are to be evaluated for their capability to adequately server the proposed development.

PRINTED NAME

PRINTED NAME



PC-2018-16 Surrounding Property Owners Notifications Map

Legend

Subject Parcels

200 Ft. Buffer

Oxford Corp. Limit

Address Point

Parcel

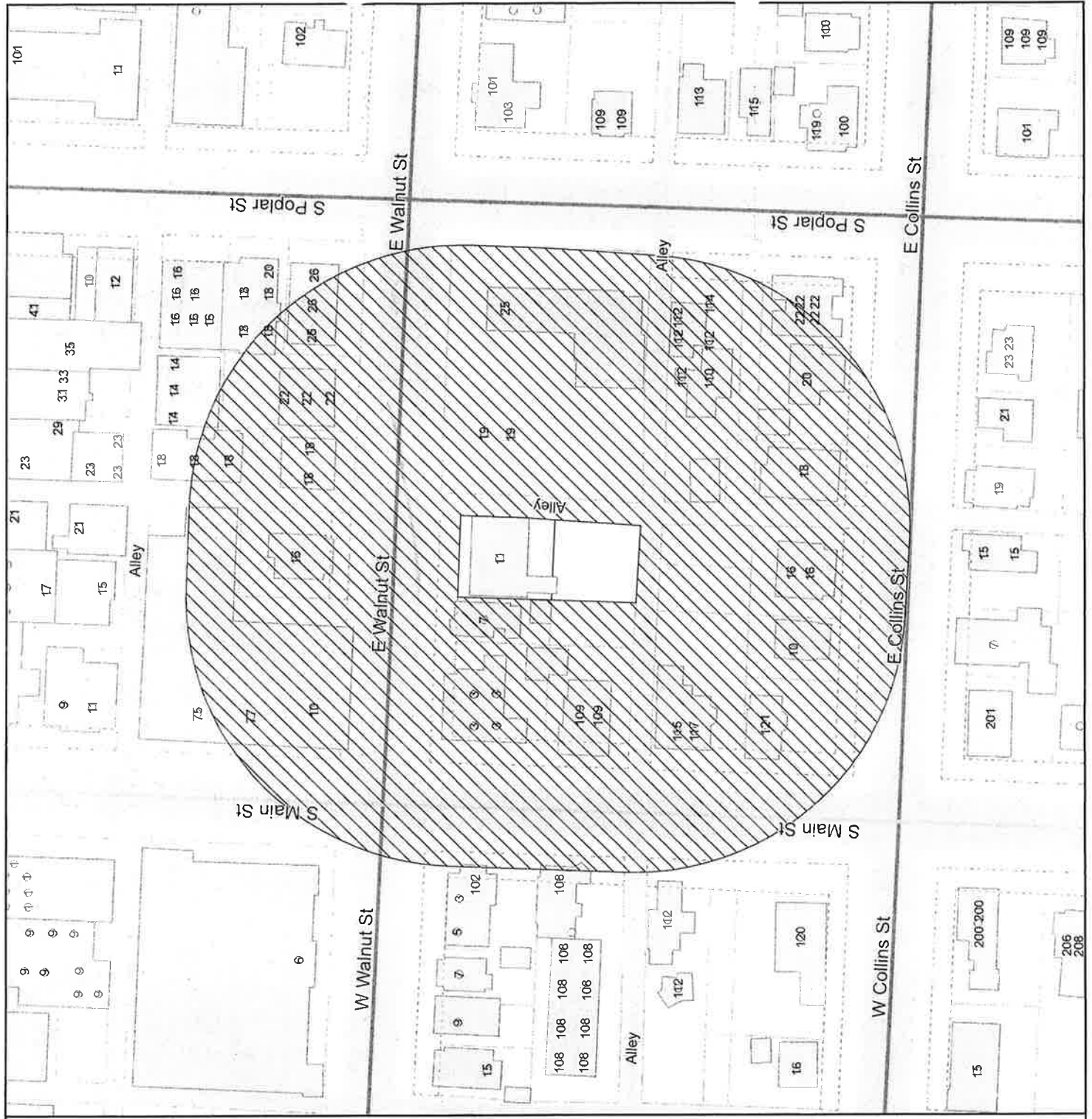
16.5' Vacated ROW

Building Footprint

Paved Roadway



1 inch = 100 feet



Prepared on Monday, June 25, 2018

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



AGENT AUTHORIZATION

April 12, 2018

To the Historic & Architectural Preservation Commission,

Please be advised that The Architectural Group, Inc. has permission to represent our interest with the City of Oxford and act on our behalf for the Historic and Architectural Planning Commission hearing 05/02/2018 regarding the Hillel Foundation Renovation at our property located at 15 E. Walnut St., Oxford, Ohio 45056

Thank-you,

A handwritten signature in cursive script that reads "Marcia Miller".

Marcia Miller
Executive Director

Hillel Foundation at Miami University, Arthur Beerman Center

11 E. Walnut Street * Oxford, OH 45056 * Phone: (513) 523-5190 * Fax: (513) 524-3342

admin@muhillel.org * marcym@muhillel.org * www.muhillel.org



Supported by Donations made to the
Ohio Valley Hillel Consortium





Internal Use Only:

Case No.

PC-2018-16

Date Filed

5/25/18

Conditional Use Permit Application

Applicant Information

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

Name * CRAIG MOYER

Mailing Address * 135 N. MAIN ST.

City, State & Zip Code * DAYTON, OHIO 45402

Telephone Number(s) * 937-223-2500

Email Address MOYERC@TAGUIT.COM

Owner Information

Name * B'NAI B'RITH HILLEL FOUNDATION INC

Mailing Address * 11 E WALNUT ST

City, State & Zip Code * Oxford, OH 45056

Telephone Number(s) * 513-523-5190

Email Address marcym@muhillel.org

Location and Lot Information

Location of Property * 11 E WALNUT ST

Legal Description * 61 E61.5 & PT VAC ST CONS W/106

Zoning District * RO

Total Area * 10141 → Check One * Acres ☐ Square Feet ☒

Existing Use Description * RELIGIOUS STUDENT & COMMUNITY CENTER FOR HILLEL FOUNDATION

Proposed Use Description * RELIGIOUS STUDENT & COMMUNITY CENTER FOR HILLEL FOUNDATION

Submission Requirements and Documentation

From Section 1147.02(a)¹.

- (1) Contents of application for conditional use permit. Thirteen complete sets of all information shall be submitted with an application. The Zoning Administrator may modify this requirement based upon the type of materials included. Please contact the Zoning Administrator prior to submitting an application to discuss the submission requirement. If any information is submitted in color or on non-standard paper, more copies may be required.
- Application Fee.
 - Description of Use and Site.

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

 - The name, mailing address, and telephone number of the applicant and the property owner.
 - If the applicant is not the owner, a statement from the owner that the applicant is entitled to apply on his or her behalf.
 - A legal description of the site, including all separate lots.

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

Fees & Receipt

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

Sign and Date

Applicant Signature *

Date *


5/24/18

Submit Application, Submission Requirements and Documentation, and Fees

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

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

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

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

For Staff Use Only

Fee Paid Date *

Receipt Number *

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

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



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

1721727May 25, 2018

Conditional Use Application
City of Oxford
101 E. High St.
Oxford, OH 45056

TAG COMMISSION NO.: 1727

RE: Conditional Use Application

Hillel Foundation Renovation
11 E. Walnut St.
Oxford, OH 45056

Dear City of Oxford Planning Commission,

We are pleased to submit these documents to you in support for the renovation of the Hillel Student Center at Miami University. We hope that this application, and the documentation contained within can aid and assist you in making your decision in support of our project. We look forward to your review and welcome any commentary from the Planning Commission or the Community at large.

The written, detailed description and responses to the questions in the Conditional Use Permit are as follows, written in bold.

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

Please see attached Condition Use Permit Application for the name(s), mailing addresses and telephone numbers of the applicant and property owner.

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

Please see the attached Agent Authorization Letter dated 4/12/2018.

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

**Parcel Number: H4100003000101; 61 E61.5 & PT VAC ST CONS W/106
Parcel Number: H4000003000106; 62 E 61 ½**

A lot consolidation is desired.

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

The existing site serves community and religious functions open to all residents of Oxford and the Miami University community.

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

The zoning district is RO.

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

The Hillel Center serves a number of community, educational, and religious functions for the Miami University community and the Community of Oxford as well. Community functions on site include: spaces for meetings and gatherings, public dining and meal preparation, as well as community outreach. Educational functions include spaces for student meetings and lectures, a library, and computer equipment for student use. Religious functions include spaces for large gatherings, private consultation rooms, facilities for religious services and facilities to prepare Kosher meals.

B. The hours of operation

The facility is open seven days a week 10AM-6PM and most evenings with the exception of Thursday evenings.

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

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

The existing use will remain unchanged. The new use will be essentially the same as it exists today.

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

This shiplap banding serves a few purposes: first, it reflects the current character of surrounding residential buildings (see attached photographs for an example). Since the existing building does not have a traditional base, shaft and capital, this modification rectifies this problem by defining a capital condition in the language of the surrounding context. Second, the shiplap banding ties the distinct forms of the existing building and the new addition as well as the clerestory together and adds cohesion to an otherwise monolithic configuration. Third, the banding softens the monolithic character of the existing building in form and materiality (rather than underscoring the existing cold, metallic mansard which is out of place in this neighborhood) by introducing some familiarity and warmth.

The increased amount of glazing on the north façade of the building also reflects the surrounding character from the perspective of the neighboring Episcopal Church's new addition which contains a large amount of glazing. It is important in the overall design of the building that the Oxford Community and University functions and activities taking place on the inside of the building are visible and expressed to the Community of Oxford.

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

The use will remain unchanged and introduction of excessive noise, lighting, odor, et cetera is unlikely. We will be adding a trash enclosure, so the improvements will further mitigate existing externalities.

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

Provisions for a new trash enclosure are included in the scope of work.

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

For over twenty years the Hillel Foundation has existed in the Oxford Community, with its contributions increasingly being felt by the Miami University, the Community, and the Hillel Foundation itself. Currently, the existing building obstructs Hillel's ability to functionally meet current and future needs. The existing facility is within one-block of Miami University, which is extremely important for proximity to the student body. Additionally, the facility is located directly adjacent to the uptown district, the heart of the Community of Oxford, which is of equal importance and relevance to the operations of the Center.

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

The Hillel Center has been operating in Oxford for over twenty years, providing gathering and organizing spaces for the students of Miami University but also the Community of Oxford at large. With the renovation and addition of the existing facility, these services will be expanded and enhanced. Currently, religious services can be limited at the existing facility because of its size. It is the intent of the project to not only increase the services available to the community and the students but also be able to service the growing religious needs of the community and the students.

10. *A list of the names and mailing addresses of all land owners within 200 feet of the site.*

Please see the attached document with the mailing addresses of neighboring properties.

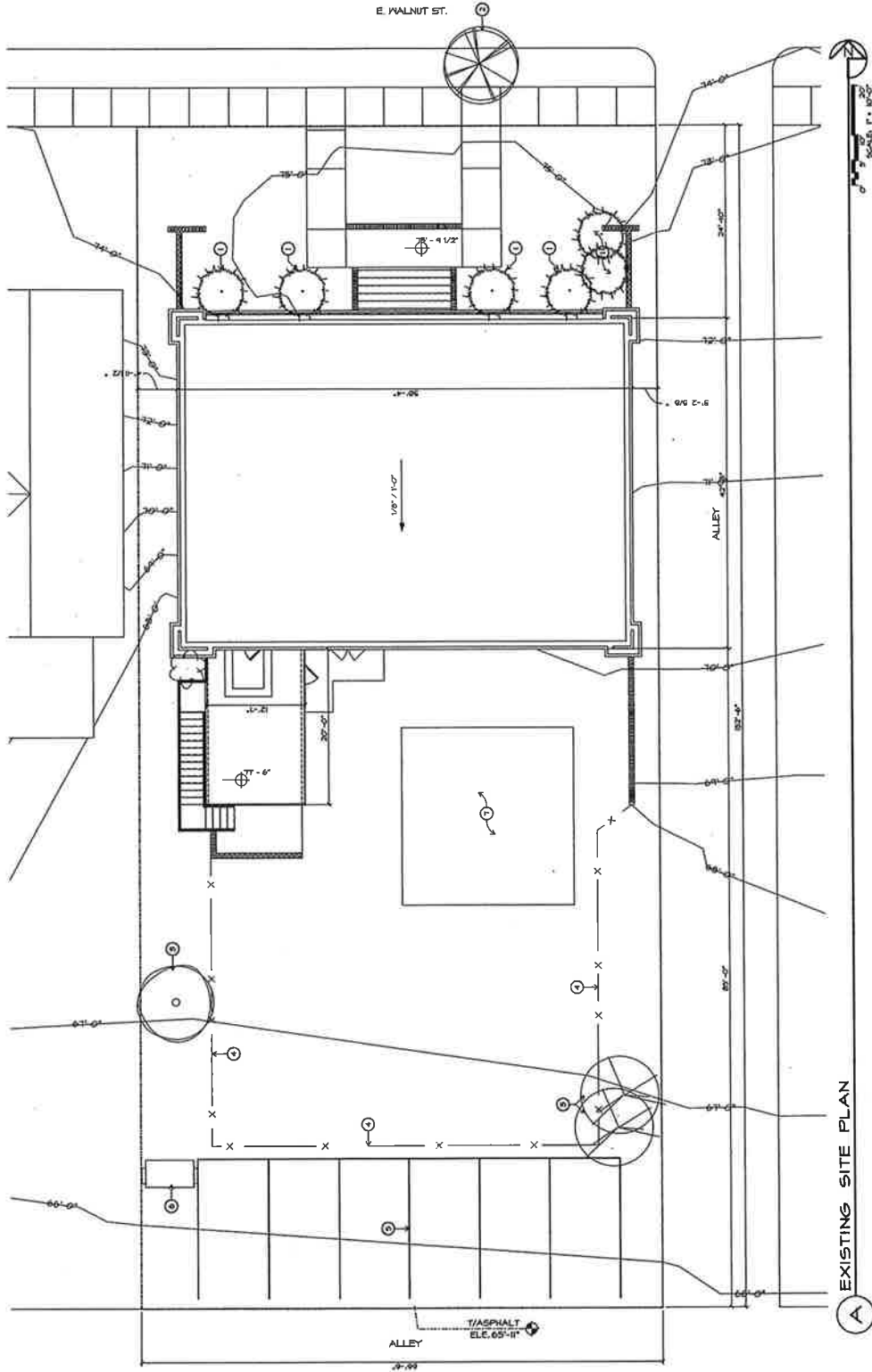
Thank you for reviewing our documents and we look forward to any commentary or questions that may arise!

Respectfully,

Craig E. Moyer
Senior Project Manager

SHEET NOTES:

1. EXISTING TREES TO BE REMOVED
2. EXISTING TREES TO REMAIN
3. EXISTING TREES TO BE REMOVED
4. EXISTING TREES TO BE REMOVED
5. EXISTING PARKING STRIPES
6. EXISTING DRIVE DRIVEWAY
7. EXISTING CONCRETE PAD



EXISTING SITE PLAN

A

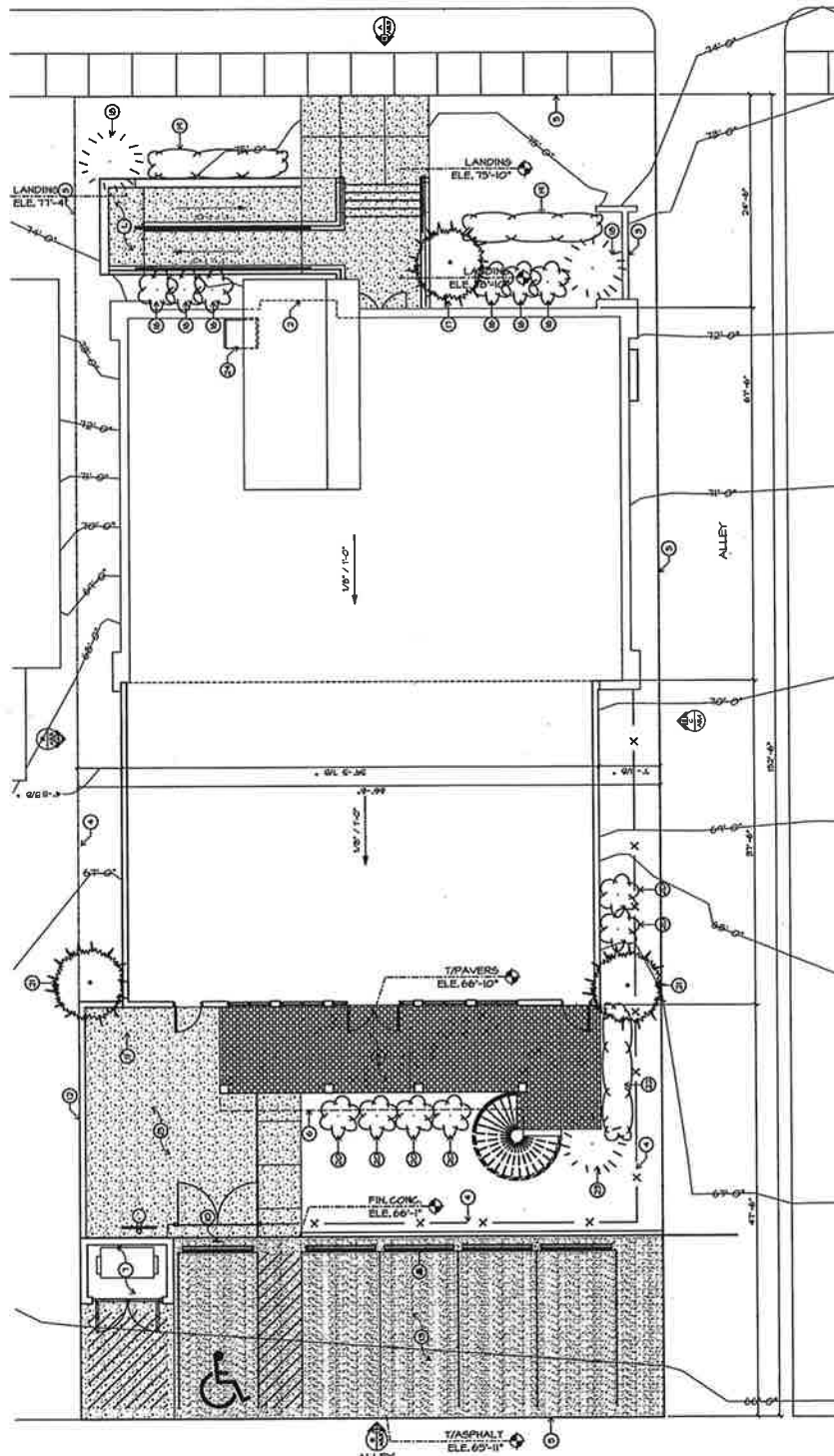
ZONING INFORMATION TABLE

	EXISTING	PROPOSED	% CHANGE FROM EXISTING
FRONT YARD DEPTH	24'-6"	24'-6"	0%
REAR YARD DEPTH	65'-0"	65'-0"	0%
SIDE YARD DEPTH	11'-0"	11'-0"	0%
FRONT YARD SETBACK	23'-0"	23'-0"	0%
REAR YARD SETBACK	23'-0"	23'-0"	0%
PARKING COVERAGE	1,300 SF	1,300 SF	0%
HARDSCAPE COVERAGE (TOTL)	1,207 SF	1,207 SF	0%
ADA RAMP COVERAGE	NA	450 SF	NA
WALK COVERAGE	447 SF	224 SF	-49%
COURT COVERAGE	506 SF	474 SF	-6%
PATIO COVERAGE	248 SF	411 SF	65%
ROOF COVERAGE	5,000 SF	4,111 SF	-18%
LANDSCAPE COVERAGE	5,000 SF	2,481 SF	-50%
BUILDING LOT COVERAGE	2,008 SF	458 SF	-77%
TOTAL LOT AREA	10,141 SF	10,141 SF	0%
680,255 SQUARE FOOTAGE	5,006 SF	4,112 SF	-18%

O NEW WORK NOTES:

- NEW ADA ACCESSIBLE RAMP
- USE OF CONCRETE BELOW ROOF
- EXISTING BRICK RETAINING WALL TO REMAIN
- NEW FENCING
- PROPERTY LINE
- POUCH OVERHEAD
- NEW GARAGE ENCLOSURE
- NEW PRECAST CONCRETE PHEIL STOPS
- NEW ACCESSIBLE PARKING SPACE WITH ASILE
- ADA SANGAGE
- NEW POLE MOUNTED BASKETBALL HOOP
- LOH RETAINING WALL
- NEW ASPHALT
- NEW BRICK PAVERS
- NEW CONCRETE

- PLANE CANALS, SERIES 810-07 MATURE HEIGHT
- BIRCH, BUSH, SERIES 810-07 MATURE HEIGHT
- HITCH HAZEL, SERIES 810-07 MATURE HEIGHT
- HARDENED, RASPBERRY, SERIES 810-07 MATURE HEIGHT
- INTERESTING, SERIES 810-07 MATURE HEIGHT
- CANADA, FIELD RITE, SERIES 810-07 MATURE HEIGHT
- SHOEBERT, SERIES 810-07 MATURE HEIGHT
- ROOF ACCESS MATCH



NEW WORK SITE PLAN

A

$\frac{1}{2} \times 10^{-3}$

