



Agenda

Oxford City Council

Court House

TUESDAY, SEPTEMBER 7, 2010

EXECUTIVE SESSION

None

1. Roll Call. Richard Keebler, Mayor; Ken Bogard, Vice-Mayor; John Harman; Bob Blackburn; Kevin McKeehan; Kate Currie; Greig Rutherford

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

REGULAR MEETING

7:30 P.M.

PLEDGE OF ALLEGIANCE

2. Approval of Agenda.

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

3. Public Participation.

- A. Proclamation - 'Community Arts Centers Day'.



Proclamation

- B. Notice to Legislative Authority - Transfer permit from M & R Wholesale Distribution Inc DBA The Den 117 E. High Street First Floor and Basement Oxford, Ohio 45056 to Oxford Den Inc. DBA The Den 117 E. High Street First Floor and Basement Oxford, Ohio 45056.



Notice of Transfer

- C. Public Comments.

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

4. Consent Agenda.

- A. Minutes of the August 3, 2010 City Council Work Session. (Mary Ann Eaton, Clerk of Council).



Minutes

- B. Minutes of the August 3, 2010 City Council Meeting. (Mary Ann Eaton, Clerk of Council)



Minutes

- C. Minutes of the August 17, 2010 City Council Work Session. (Mary Ann Eaton, Clerk of Council)



Minutes

- D. Report regarding the August 4, 2010 Environmental Commission Meeting. (Mike Dreisbach, Service Director)



Report

- E. Report regarding the August 4, 2010 Historic and Architectural Preservation Commission Meeting. (Jung-Han Chen, Community Development Director)



Report

- F. Report regarding the August 10, 2010 Planning Commission Meeting. (Jung-Han Chen, Community Development Director)



Report

- G. Report regarding the August 18, 2010 Board of Zoning Appeals Meeting. (Jung-Han Chen, community Development Director)



Report

- H. Report regarding the August 25, 2010 Civil Service Commission Meeting. (Donna Heck, Human Resources Director)



Report

- I. A Resolution of Council supporting the submission of a grant application for Ohio Public Works Commission Issue 1 funds in the amount of \$400,000 to be used for the rehabilitation of High Street between Main Street and Poplar Street. (Mike Dreisbach, Service Director)



Staff Report/Resolution

- J. A Resolution accepting the amounts and rates as determined by the Budget Commission of Butler County, Ohio and authorizing the necessary tax levies and certifying them to the County Auditor. (Joe Newlin, Finance Director)



Staff Report/Resolution

5. Resolutions.

- A. A Resolution authorizing the City Manager to apply for a 'Staffing for Adequate Fire and Emergency Response' (SAFER) grant administered by the Department of Homeland Security Federal Emergency Management Agency. (John Detherage, Fire Chief)



Staff Report/Resolution

6. Ordinances.

- A. First Reading.

1. An Ordinance Approving A Conditional Use Permit To Allow A Place Of Worship In The Uptown (UP) District At 127 W. Church Street, Oxford, Ohio. (Jung-Han Chen, Community Development Director)



Staff Report/Ordinance

2. An Ordinance Repealing Oxford Codified Ordinance Sections 1143.13 And 1143.14 And Adopting New Oxford Codified Ordinance Sections 1143.13 And 1143.14 Titled "Office & Light Industrial District" And "Light Industrial District". (Jung-Han Chen, Community Development Director)



Staff Report/Ordinance

3. An Ordinance Repealing Traffic Code Section 353.05 of The Codified Ordinances Of The City Of Oxford, Ohio, Entitled "Payment; Amount And Time Limitations", And

Adopting New Section 353.05, Entitled "Payment; Amount And Time Limitations".
(Steve Schwein, Police Chief)



Staff Report/Ordinance

4. An Ordinance Amending Ordinance No. 3089 Supplemental Budget Ordinance No. 7
To Make Supplemental Appropriations For Fiscal Year 2010. (Joe Newlin, Finance
Director)



Staff Report/Ordinance

B. Second Reading.

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

1. Remarks from City Council and City Staff.

B. Future Meetings.

(Note: Meetings will be held at the Court House unless otherwise indicated.)

THUR - Sept 09 Police Advisory Board Meeting 7:00 p.m. Senior Citizens Center

FRI - Sept 10 Student Community Relations Commission Meeting 3:30 p.m. LCNB

TUES - Sept 14 Planning Commission Meeting 7:30 p.m.

WED - Sept 15 Board of Zoning Appeals Meeting 7:30 p.m.

THUR - Sept 16 Recreation Board Meeting 12:00 p.m. Senior Citizens Center

FRI - Sept 17 Community Improvement Corporation Meeting 12:00 p.m. LCNB

TUES - Sept 21 City Council Work Session/Personnel Improvement Plan 6:30 p.m.

TUES - Sept 21 City Council Meeting 7:30 p.m.

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

FRI - Sept 24 Student Community Relations Commission Meeting 3:30 p.m. LCNB

TUES - Oct 5 City Council Meeting 7:30 p.m.

WED - Oct 6 Environmental Commission Meeting 7:00 p.m. Municipal Building

WED - Oct 6 Historic and Architectural Preservation Commission Meeting 7:30 p.m.

FRI - Oct 8 Student Community Relations Commission Meeting 3:30 p.m. LCNB

TUES - Oct 12 Planning Commission Meeting 7:30 p.m.

THUR - Oct 14 City Council Work Session/Budget 7:00 p.m.

THUR - Oct 14 Police Advisory Board 7:00 p.m. Senior Citizens Center

FRI - Oct 15 Community Improvement Corporation 12:00 p.m.

MON - Oct 18 Housing Advisory Commission Meeting 7:00 p.m. Municipal Building

TUES - Oct 19 City Council Meeting 7:30 p.m.

WED - Oct 20 Board of Zoning Appeals Meeting 7:30 p.m.

THUR - Oct 21 Recreation Board Meeting 12:00 p.m. Senior Citizens Center

FRI - Oct 22 Student Community Relations Commission Meeting 3:30 p.m.

TUES - Oct 26 City Council Work Session/Budget 7:00 p.m.

WED - Oct 27 Civil Service Commission Meeting 7:00 p.m.

8. Adjourn.

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager: Douglas Elliott, Jr.

Fire
Originating Department

Council Meeting Of: September 7, 2010

John Detherage
Prepared By

Account Code No. #: N/A

Budgeted Amount: N/A

September 1, 2010
Date Prepared

Agenda Title: A Resolution authorizing the Oxford Division of Fire to apply for the 2010 Staffing for Adequate Fire and Emergency Response (SAFER) grant.

Recommendation: Adopt the Resolution.

Discussion: The Fire Department requests permission to apply for Federal Grant funding to add the part-time equivalent of two full-time (24hr. 7 day per week) firefighter/EMS positions. These positions would take our daily staffing level from three to five on duty personnel. The grant would be for a three year period with the Federal funds covering the cost of the first two years and the City of Oxford covering the cost of the third year in the amount of \$350,000.00. This level of staffing will give us enough personnel to cover two EMS calls at the same time or a five person crew to begin initial fire ground operations.

Approved By:

Department Head:
City Attorney:
City Manager:

Initial Date

 9/9/10

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR A
'STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE' (SAFER) GRANT
ADMINISTERED BY THE DEPARTMENT OF HOMELAND SECURITY (DHS) FEDERAL
EMERGENCY MANAGEMENT AGENCY (FEMA).

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

SECTION 1: The City Manager recommends authorization to
apply for a SAFER grant to enhance the Fire Department's ability
to comply with staffing, response, and operational standards
established by the National Fire Protection Association (NFPA)
and the Occupational Safety & Health Administration (OSHA).

SECTION 2: Council, having determined the grant funds to
be beneficial to the community by enhancing the Fire Department,
hereby accepts the recommendation of the City Manager to apply
for a SAFER grant.

SECTION 3: The City Manager is hereby authorized to
apply for a SAFER grant from the Department of Homeland Security
(DHS) Federal Emergency Management Agency (FEMA).

SECTION 4: The City Manager is further authorized to
enter into any agreements as may be necessary and appropriate for
obtaining this financial assistance.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting of: September 7, 2010

Account Code #: N/A

Budgeted Amount: N/A

Service Department
Originating Department

Michael Dreisbach, Service Director
Prepared By

August 31, 2010
Date Prepared

Agenda Title: High Street Roadway Improvements (Main Street to Poplar Street) – Application for Ohio Public Works Commission Issue 1 Funds.

Recommendation: Approve

Discussion: The City has completed the rehabilitation of two blocks of High Street brick roadway between Main Street and College Avenue. The rehabilitation consisted of the removal of the existing roadway, correcting all subgrade deficiencies, installation of a new aggregate sub-base, 10" concrete base, 1" sand blanket, and relaying the original brick pavers.

Ohio Public Works Commission - Issue 1 funds, administered by the Butler County Engineer's Office, are available to local governments for projects that improve safety. The City of Oxford, through an application process, has the opportunity to receive Issue 1 funds to be used for the rehabilitation of another block of High Street, between Main Street and Poplar Street. The City may be eligible to receive approximately \$400,000 from the Commission. The City would be required to provide approximately \$170,000 as the local match to completely fund the project. The local funding would be required in FY 2012. Additionally, City staff would install new water main in the project area in advance of road construction (as we have done in the prior two projects). This new main will eventually connect to the recently constructed water main terminating at the corner of High Street and Campus Ave. (a joint project between the City and Miami University).

The City's application for funding, should Council approve the project, will include the following project schedule with **construction in 2012**:

Project Engineering:	Sept. 15, 2010 through December 2010
Bid Advertising and Award	December 2011 through March 2012
Construction	May 2012 through August 10, 2012

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 reconstruction of High Street from Main Street to Poplar Street.

Approved By:

Department Head:

City Manager:

Initial Date
MBD \ 8/31/10

[Signature] 9/3/10

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 \$400,000.00 TO BE USED FOR THE REHABILITATION OF HIGH STREET BETWEEN MAIN STREET AND POPLAR STREET.

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

SECTION 1: Council having determined the rehabilitation of High Street between Main Street and Poplar Street to be beneficial to the City; Council hereby supports the use of grant funds to assist with the cost of the rehabilitation of High Street between Main Street and Poplar Street.

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 rehabilitation of High Street between Main Street and Poplar Street.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW(STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Finance
Originating Department

Council Meeting Of: 9/07/10

Account Code No. _____

Heidi Hill
Prepared By

Budgeted Amount: _____

8/27/2010
Date Prepared

Agenda Title: **3.65 MILL PROPERTY TAX RATE RESOLUTION**

Recommendation: **Approve**

Discussion:

This resolution is the annual standard resolution sent to us from the Butler County Auditor.

The purpose is to legally adopt the Oxford property tax rate for next year as approved by the Auditor's office.

Approved By:

Department Head:
City Manager:

Initial Date

[Signature] 8/31
[Signature] 9/3/10

RESOLUTION NO.

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION OF BUTLER COUNTY, OHIO AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.

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

SECTION 1: Council in accordance with Ohio Revised Code, and having previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1, 2011.

SECTION 2: The Budget Commission of Butler County, Ohio has certified its action thereon to this Council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Council, and what part thereof is without, and what part within the ten mill tax limitation.

SECTION 3: The amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted.

SECTION: 4: There is hereby levied on the tax duplicate of said City the rate of each tax necessary to be levied within and without the ten mill limitation, as set forth on Schedule A attached hereto and incorporated herein by reference:

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE
BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES
AND CERTIFYING THEM TO THE COUNTY AUDITOR
(VILLAGE COUNCIL)

Rev. Code, Secs. 5705.34, 5705.35

The Council of the CITY of **OXFORD**, Butler County, Ohio, met in

_____ session on the _____ day of _____, 20____, at the
(regular or special)

office of _____ with the following members present:

_____ moved the adoption of the following Resolution:

WHEREAS, This Council in accordance with the provisions of law has previously adopted a Tax
Budget for the next succeeding fiscal year commencing **January 1, 2011**; and

WHEREAS, the Budget Commission of Butler County, Ohio has certified its action thereon to this
Council together with an estimate by the County Auditor of the rate of each tax necessary to be
levied by this Council, and what part thereof is without, and what part within the ten mill tax
limitation; therefore be it

RESOLVED, By the Council of the **CITY OF OXFORD** Butler County, Ohio, that the
amounts and rates, as determined by the Budget Commission in its certification, be and the same are
hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said Village the rate of
each tax necessary to be levied within and without the ten mill limitation as follows:

SCHEDULE A				
SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET COMMISSION, AND COUNTY AUDITOR'S ESTIMATED TAX RATES				
FUND	AMOUNT APPROVED BY BUDGET COMMISSION INSIDE 10 MILL LIMITATION	AMOUNT TO BE DERIVED FROM LEVIES OUTSIDE 10 MILL LIMITATION	COUNTY AUDITOR ESTIMATE OF TAX RATE TO BE LEVIED	
			INSIDE 10 MILL LIMIT	OUTSIDE 10 MILL LIMIT
GENERAL FUND	1,090,000.00		3.65	
GENERAL BOND RETIREMENT FUND				
PARK FUND				
RECREATION FUND				
FIRE LEVY				
POLICE LEVY				
TOTAL	1,090,000.00	0.00	3.65	0.00

SCHEDULE A				
SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET COMMISSION, AND COUNTY AUDITOR'S ESTIMATED TAX RATES				
FUND	AMOUNT APPROVED BY BUDGET COMMISSION INSIDE 10 MILL LIMITATION	AMOUNT TO BE DERIVED FROM LEVIES OUTSIDE 10 MILL LIMITATION	COUNTY AUDITOR ESTIMATE OF TAX RATE TO BE LEVIED	
			INSIDE 10 MILL LIMIT	OUTSIDE 10 MILL LIMIT
GENERAL FUND	1,090,000.00		3.65	
GENERAL BOND RETIREMENT FUND				
PARK FUND				
RECREATION FUND				
FIRE LEVY				
POLICE LEVY				
TOTAL	1,090,000.00	0.00	3.65	0.00

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SCHEDULE B

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LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES

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FUND	COUNTY AUDITOR'S ESTIMATE OF YIELD OF LEVY (Carry to Schedule A)	MAXIMUM RATE AUTHORIZED TO BE LEVIED
=====		
GENERAL FUND:		
Current expense levy authorized by voters on ,20 not to exceed years.		
Current expense levy authorized by voters on ,20 not to exceed years.		
Current expense levy authorized by voters on ,20 not to exceed years.		
Current expense levy authorized by voters on ,20 not to exceed years.		
TOTAL GENERAL FUND OUTSIDE 10 MILL LIMITATION	0.00	0.00
=====		
SPECIAL LEVY FUNDS:		
Levy authorized by voters on ,20 not to exceed years.		0.00
Levy authorized by voters on ,20 not to exceed years.		0.00
Levy authorized by voters on ,20 not to exceed years.		
Levy authorized by voters on ,20 not to exceed years.		
Levy authorized by voters on ,20 not to exceed years.		
Levy authorized by voters on ,20 not to exceed years.		
Levy authorized by voters on ,20 not to exceed years.		
Levy authorized by voters on ,20 not to exceed years.		
Levy authorized by voters on ,20 not to exceed years.		
Levy authorized by voters on ,20 not to exceed years.		
=====		

and be it further

RESOLVED, That the Clerk of this Council be, and he/she is hereby directed to certify a copy of this Resolution to the County Auditor of said County.

_____ seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

_____, _____
_____, _____
_____, _____
_____, _____
_____, _____
_____, _____
_____, _____

Adopted the _____ day of _____, 20_____.

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

=====

CERTIFICATE OF COPY

ORIGINAL ON FILE

The State of Ohio, Butler County, ss.

I, _____, Clerk of the Council of the Village of _____,
within and for said County, and in whose custody the Files and Records of said Council are required
by the Laws of the State of Ohio to be kept, do hereby certify that the foregoing is taken and
copied from the original _____

now on file, that the foregoing has been compared by me with said original document, and that the
the same is a true and correct copy thereof.

WITNESS my signature, this _____ day of _____, 20____

CLERK OF COUNCIL

NOTE: A copy of this Resolution must be certified to the County Auditor before the first day of
October in each year, or at such later date as may be approved by the Board of Tax appeals.

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RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION
AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.
(VILLAGE COUNCIL)

ADOPTED _____, 20____

FILED _____, 20____

CLERK OF COUNCIL

COUNTY AUDITOR

DEPUTY AUDITOR

=====

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Human Resources

Originating Department

Council Meeting Of: September 7, 2010

Mary Ann Eaton

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

August 31, 2010

Date Prepared

Agenda Title: Report regarding the August 25, 2010 Civil Service Commission Meeting.

Recommendation:

Discussion: The Civil Service Commission held a regular meeting on Wednesday, August 25 2010 at 7:00 p.m. Those members present were: Phil Russo, Chair; Susan Lipnickey; Karen Martino and Charles Crain.

Mike Dreisbach, Service Director; Steve Schwein, Police Chief; Bob Holzworth, Police Lieutenant; Tom Horvath, Police Lieutenant and Mary Ann Eaton, Recording Secretary were in attendance for the City.

Also present were Don Gabbard and Linda Wendt from the Talawanda School District.

The Commission approved a six month extension of a Temporary Appointment for a full-time Police Officer.

The Commission acknowledged receipt of a report regarding a proposed examination fee, a report regarding the reinstatement of an employee to a previous position and a report and PowerPoint presentation regarding a proposed provision to move part-time employees to full-time civil service employees.

The commission reviewed and approved 4 job descriptions for the Talawanda School District and an examination for the Talawanda School District.

The Commission approved a Promotional Recommendation for the Streets & Maintenance Division of the Service Department.

The next meeting is tentatively scheduled for September.

Approved By:

Initial Date

Department Head:

City Attorney:

City Manager:

 9/2/10

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting of: August 17, 2010

Service Department
Originating Department

Account Code #: N/A

David Treleaven
Prepared By

Budgeted Amount: N/A

August 5, 2010
Date Prepared

Agenda Title: Environmental Commission Meeting of August 4, 2010

Recommendation: For Review and Consideration

Discussion:

Environmental Commission members present at the Wednesday, August 4, 2010 meeting were: Vice-Chair, Mr. Wright Gwyn; City Council Representative, Mr. Greig Rutherford; Planning Commission Representative, Mr. Ted Wong; Ms. Kelly Church, and Mr. Vince Hand. A quorum was present. Mr. Kevin Armitage had previously informed the Commission that he would be unable to attend the August 4, 2010 meeting.

Commissioners reviewed revisions to a PowerPoint slide presentation regarding conservation development. The PowerPoint presentation had initially been prepared by Chair, Mr. Charlie Ford, based upon previous research and discussions by Commissioners. The presentation reviewed was prepared by Vice-Chair, Mr. Wright Gwyn and by Mr. Vincent Hand, incorporating comments made during the July 2010 Environmental Commission meeting. The presentation addressed five pertinent conservation development subjects that the Planning Commission had requested the Environmental Commission research. The subjects were: 1) locations where conservation development had worked; 2) what type of development incentives were utilized; 3) the open-space set-aside area requirements utilized; 4) codes and/or ordinances for these conservation developments; and 5) visual depictions of the conservation developments.

The Environmental Commission's conservation development PowerPoint presentation is to be made to the Planning Commission at their regularly scheduled August 2010 meeting. Vice-Chair Mr. Wright Gwyn is to make revisions utilizing suggested edits made during the review, and provide an electronic copy of the PowerPoint presentation to Staff on Thursday, August 5, 2010. Copies of the presentation will be provided to the Community Development Department for distribution to the Planning Commissioners prior to their August 10, 2010 meeting.

The Commission adjourned at 8:45 p.m. The Commissioners are to be at the Planning Commission meeting on Tuesday, August 10, 2010 to present the conservation development PowerPoint. The next regularly scheduled meeting of the Environmental Commission is tentatively on Wednesday, September 1, 2010 at 7:00 p.m. in the Municipal Building's Second Floor Conference Room.

Approved By:

Department Head:
City Manager:

Initial \ Date
MD \ 8/5/10
DW \ 9/3/10

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: August 17, 2010

Kathryn A. Dale

Account Code No. #:

Prepared By

Budgeted Amount:

August 6, 2010

Date Prepared

Agenda Title: HAPC Meeting Report – August 4, 2010
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DISCUSSION:

Requests for Review:

HAPC-16-2010 107 E. Church Street, Quarter, new signage, Janet Holmes, Applicant/Agent

The Applicant sought a COA for approximately an 18" x 11' wall sign. The concept of the sign is to look like typewriter keys. Each letter will be encased in an 18" circular silver metal frame with a black background and white letters. The Applicant is also proposing three external light fixtures which illuminate the sign and are similar in style as those at Walker Shoes & Chipotle. Overall, the proposed sign on the front façade meets the Design Guidelines and is very unique. The Applicant presented that the light fixtures would be white to blend in with the white background of the buildings sign band. Many of the comments from the Commission were in regards to the uniqueness of the sign.

The HAPC voted 7-0-0 to **APPROVE** the COA for the proposed sign as presented.

HAPC-15-2010 19 W. High Street, Arabian Nights Restaurant, current Fiesta Charra location, new signage, Farrah Akkoub, Applicant/Agent

The Applicants were not present. Ms. Dale asked that the Commission table the discussion or allow Mr. Smith to review administratively. Mr. Smith shared that he thought the camel clip art might look better in the center transom window. Ms. Peterka concurred. Mr. Lloyd, Mr. Daniels, Mr. Harman and Ms. Henderson all stated they thought the camel art looked fine where they were proposed because it balanced the center sign and if moved to the center window, some street trees would block the visibility.

The HAPC voted 7-0-0 to **APPROVE** the COA for the proposed sign as presented and to allow Mr. Smith to sign off on the application administratively.

Correspondence and Announcements:

Ms. Peterka shared that the Garden Club would be constructing a gazebo at Inloes Park near the railroad tracks. Ms. Peterka asked that if anyone has or knows of someone who has a weathervane or small cupola to place on top of the gazebo to please have them contact her or the Garden Club.

Old Business:

Pillar Restoration Guide: Mr. Smith is finishing up and hopes to provide the information to Ms. Dale soon to include in the HAPC reference library.

Historic Marker Concept: Ms. Dale indicated that the current Foundry the City works with for historic plaques had provided a very high quote for the proposed District Historic Marker signs. Ms. Dale has yet to receive quotes from a couple of other companies, and stated if she didn't receive anything from them soon she would be contacting other companies. Also, Ms. Dale shared that she had received quotes for the annual historic plaques and said she would be looking into some of those quotes for next year's awards.

HAPC-09-2010 118 E. High Street DuBois Book Store, demolition of an existing building and construction of a new 4-story mixed use building, Scott Webb, Applicant/Agent

Mr. Webb presented the stucco and granite colors and materials he discussed at the June 2 HAPC meeting for the 4th story of the new Dubois Building. Mr. Webb shared that the material would be scored to look like large tiles. The Commission approved the selections.

New Business:

Ms. Dale shared that Mac & Joe's was planning on painting the building and that she had been working with the Paint Sub-Committee to come up with some color selections. Two options have already been provided to the building manager as well as the business owner. However, the business and building owners preferred an option that the Committee could not come to agreement on, which was a red building. Ms. Dale asked the rest of the Commission to voice their opinions and serve sort of as the tie breakers. Ms. Henderson stated that she's on the Sub-Committee and wasn't really against the red, but just thought there was too much red Uptown.

Mr. Hollenbaugh, business owner, was present and shared that when he bought the business back in the late 60's early 70's that the building was red. Mr. Lloyd said he was hesitant too at first but he is really okay with the red as well. All were in favor of permitting Mac & Joe's to be repainted red.

Administrative Findings / Approvals:

Mr. Smith referred to his recent Administrative Approval of a navy blue awning at 28 W. High.

Ms. Dale shared that an Administrative Findings letter was sent to the owner of The Den for closing in a window area with glass block.

Other Business:

Ms. Peterka provided an update about the Nail Depot sign and indicated that the store owner is very upset over the denial of her sign. Mr. Harman concurred. It is believed that the store owner will not be installing any signage at this location.

The next regular HAPC meeting is scheduled for September 1, 2010.

Approved By:

Department Head:

City Attorney:

City Manager:

Initials	Date
<i>yhc</i>	<i>8/9/10</i>
<i>DRE</i>	<i>9/3/10</i>

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: August 17, 2010

Jung-Han Chen
Prepared By

Account Code No. #:

Budgeted Amount:

August 11, 2010
Date Prepared

Agenda Title:	Planning Commission Meeting Report – August 10, 2010
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Recommendation: N/A

Election of Officers

The election of officers took place. Ms. Susan Kay was elected to serve as Planning Commission Chair; Mr. David Prytherch was elected to serve as Vice-Chair. Mr. Marvin Hurston was re-elected to serve as Secretary to the Commission.

Mr. David Prytherch and Mr. Ted Wong will continue to serve on the CIC and Environmental Commission respectively. Mr. Richard Daniels was elected to serve on HAPC.

Reports from Commissions, Boards, Committees & Staff:

Mr. Prytherch announced that CIC, working with Miami Heritage Tech Park which is located at the corner of SR 73 and Oxford Milford Road, has secured a \$ 3.5 million grant from the State of Ohio Job Site Ready Grant. It was great news for the CIC to receive this grant and it is also important to begin thinking about long-term planning implications as this site gets developed.

DISCUSSION:

Public Hearing:

PC-09-2010 **Conditional Use, 127 W. Church Street, to allow for a place of Worship in the UP (Uptown) District, John Richter, Oxford Vineyard, Applicant**

Earlier this year, the Applicant received approval for a Conditional Use permit for a place of worship at 17 N. Poplar Street. Due to a leasing issue, the church has had to move to this new location in the Up (Uptown) District.

Based on casual observation when the congregation was located at 17 N. Poplar Street, they appeared to run a low-key operation. It would be our assumption that the congregation will continue to operate this way.

It is important that the Applicant makes sure the building meets the building code for congregation purposes. The Applicant was recommended to meet with the Building staff to go over building issues.

The Planning Commission voted 7-0-0 to recommend *APPROVAL* as presented, to City Council.

PC-10-2010 **ZONING TEXT AMENDMENT, 1143.139 (c) OI(Office and Light Industrial) Site Development Regulations, 1143.14 (c) LI (Light Industrial District) Site Development Regulations. City of Oxford, Applicant**

This application intends to address some of the site development regulations that are currently in two zoning districts (OI&LI). These regulations may be overly restricted in allowing any reasonable development to take place. Current site development regulations in both districts stipulate that the maximum impervious surface allowed for building and

associated vehicle management purposes is 33%.

Staff consulted with other municipalities to learn what their respective regulations were for industrial zoned properties. There was no consistent pattern between the local entities. Many localities only prescribed different yard setbacks; the lot coverage depended upon the lot width and depth and that ranged from 35% to 75%.

Another factor needing to be part of this discussion is the retention area for the site. The design and the sizing of retention areas depend on the post development impervious areas handling additional storm water runoffs.

As a side note, Staff did a quick calculation based on an aerial photo of the current Square D site, which is located in an LI District. The lot coverage was approximately 55%. Under the current regulations, Square D is a nonconforming structure and cannot expand without receiving variance approval from the BZA. Therefore, any changes to the site development regulations must take this site into consideration.

Several issues were raised during the Public Hearing concerning exploring techniques to encourage more environmental friendly practices to incentivize the development. It is something the Commission will explore in the future.

The Planning Commission voted 6-1-0 to recommend **APPROVAL** as presented, to City Council.

New Business:

The Planning Commission heard a presentation from the Environmental Commission regarding the proposed Open Space Cluster Development Regulations. This presentation was generated from a joint work session between the Planning Commission and the Environmental Commission. The Environmental Commission made recommendations to the Planning Commission on different aspects of the current regulations. The Planning Commission will consider the recommendations during future work sessions dealing with Subdivision Regulations.

Other Business:

Ms. Kay thanked the representatives from the Environmental Commission and outlined the work plan for the Commission for the remaining year. The first priority is to continue with discussions regarding Subdivision Regulations. It will be critical to continue fine tuning the details on various sections of the regulations. The entire Planning Commission felt this needed to be the top priority. Ms. Kay also indicated that City Council has asked the Planning Commission to review the Home Occupation Section of the Zoning Code. This will be reviewed after the Subdivision Regulations.

With regard to the General Business District Overlay regulations, Ms. Kay and Mayor Keebler met with staff and felt that it might be more appropriate to undertake this task in a more comprehensive planning process approach. Mr. Prytherch also concurred with Ms. Kay that a comprehensive planning approach would be more appropriate since there are other elements that would also needs reviewed and revised. Staff will work with the Planning Commission on these different topics.

The next regular meeting is scheduled for September 14, 2010.

Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

JHC / 8/13/10
DKE / 9/3/10

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: September 7, 2010

Kathryn A. Dale
Prepared By

Account Code No. #:

August 19, 2010
Date Prepared

Budgeted Amount:

Agenda Title:	Board of Zoning Appeals Meeting Report – August 18, 2010
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Recommendation:	N/A
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DISCUSSION:

Public Hearing:

BZA-09-2010 182 Ryan Drive, Variance to Sections 1141.01(a)(2)B, 1141.01(a)(3)A.1, 1141.03(e)3, to allow for the installation of an inground pool and fence in the side yard of a corner lot, Robert & Patricia Stephens, Owners/Applicants

The Appellant is proposing to construct a 16' x 38' inground pool with a supplemental walkway and patio around the pool. The property is a corner lot and according to the zoning code, pools must be located in the rear yard; however, corner lots do not have "rear" yards, but instead 2 front yards and 2 side yards. The Applicant is also required to provide a 6' obscuring fence or hedge since the pool is within 50' of the property line, however only 4' high fences are permitted in the front yard. The Appellants requested a variance for a privacy fence in the front yard as well.

Staff shared that the Appellants took careful consideration into the placement of the proposed pool so as to request the minimum variances necessary. The fence and pool area will be screened by an existing hedge line and the streetscape will remain unchanged. Most of the discussion by the Board was in regards to the exact distance of the fence and hedge from the street and sidewalk.

Regarding the requested variances, the BZA made the following Findings of Fact:

- 1.) The property in question will yield a reasonable return and can be used beneficially without the variance because the property can continue to be used as a single-family without the pool; however, any accessory enhancements to the property will require a variance.
- 2.) The request is not substantial as it relates to the other underlying zoning requirements and the Appellants' have ensured that the proposed pool does not encroach any closer to the street than the existing house.
- 3.) The essential character of the neighborhood would not be substantially altered by the variance and the adjoining properties would not suffer a substantial detriment as a result of the variance because the substantial, existing landscaping will screen the proposed fence and pool from the street and the streetscape will be unchanged.
- 4.) There were no comments received from the various City Departments indicating there would be a detrimental effect on government services.
- 5.) It is unknown if the property owner purchased the property with the knowledge of the zoning requirements.
- 6.) The property owner's predicament cannot feasibly be obviated other than a variance as there is no rear yard per the zoning code on corner lots and accessory uses, such as the proposed pool, are only permitted in the rear yard.
- 7.) The spirit and intent of the zoning requirement would be observed and substantial justice done by granting the variance.

After considering and weighing these facts and circumstances, the Board found that practical difficulty was shown sufficient to warrant granting the variance to Sections 1141.01(a)(2)B, 1141.01(a)(3)A.1, 1141.03(e)3, to allow for the installation of an inground pool and 6' fence as presented and voted 5-0-0 to **APPROVE** the application.

BZA-10-2010 5990 Contreras Road, Variance to Sections 1141.01(a)(1), 1149.04(a)(3), 1149.04(b)3, to allow for a lot split with an existing accessory structure/no principal structure; and allowing existing parking and driveway not meeting setback requirements, Peter & Connie McCarthy, Owners/Applicants

The application was tabled until September 15, 2010 for additional legal review of the application. No reports were provided and the hearing was not opened.

BZA-11-2010 6141 Vereker Drive, Variance to Section 1143.01(c)(2) A, to allow the installation of a porch encroaching into the front yard setback, Errol & Diane Huffman, Owners/Applicants

The Appellant is proposing to construct an 8' x 27' covered front porch with a 7' circular step projection that will encroach into the required 30' front yard setback. The edge of the circular steps will be approximately 20.3 feet from the front property line and the covered porch will be 27.5 feet. The purpose of the porch addition is to provide a handicap ramp.

The Applicant shared that the ramp was a medical necessity and that they had considered other locations for the ramp. Public comments from persons With Standing were received in favor of the request.

Regarding the requested variances, the BZA made the following Findings of Fact:

- 1.) The property in question will yield a reasonable return and can be used beneficially without the variance because the property can continue to be used as a single-family without the porch addition; however, according to the Appellants testimony it may not be of benefit to them due to recent medical procedures and the necessity for wheelchair use.
- 2.) The request is not substantial as it relates to the other underlying zoning requirements.
- 3.) According to testimony received from neighboring property owners of standing, the essential character of the neighborhood would not be substantially altered by the variance and the adjoining properties would not suffer a substantial detriment as a result of the variance
- 4.) There were no comments received from the various City Departments indicating there would be a detrimental effect on government services.
- 5.) The owner was not aware of the zoning restrictions because the driveway was existing.
- 6.) The property owner's predicament cannot feasibly be obviated through some method other than a variance due to the ADA compliance regulations.
- 7.) The spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance because it is the minimum variance necessary.

After considering and weighing these facts and circumstances, the Board found that practical difficulty was shown sufficient to warrant granting the variance to Section 1143.01(c)(2)A to allow the installation of a covered porch encroaching into the front yard setback and voted 5-0-0 to **APPROVE** the application.

New Business/Old Business:

Mr. Meyer voiced his concern to the Board regarding their considering other information that may not be in their purview of requested variances and hoped in the future the Board would remain vigilant to stay focused on the requests at hand.

The next regular meeting is scheduled for September 15, 2010.

Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

JHC 8/19/10

DHB 9/3/10

A work session of the Oxford City Council was called to order by Mayor Richard Keebler Tuesday, August 17, 2010, at 7:00 P.M. Those Council members present were Ken Bogard, Kate Currie, Greig Rutherford, Bob Blackburn, John Harman and Kevin McKeehan.

Staff members present: Doug Elliott, City Manager; Joe Newlin, Finance Director; Victor Popescu, Engineer; Steve Schwein, Police Chief; Gail Brahier, Parks and Recreation Director; Alan Kyger Economic Development Director; Heidi Hill, Assistant Finance Director and John Detherage, Fire Chief

**APPROVAL
OF AGENDA**

Mr. Blackburn moved to approve the Agenda. Mr. Bogard seconded. The motion carried 7-0-0.

CAPITAL IMPROVEMENT PROJECTS (CIP)

Mr. Elliott and Mr. Newlin presented the proposed five-year Capital Improvement Plan which included information on the following:

- Funding sources proposed for the 2011 CIP Expenditures
- Detailed list of proposed construction projects
- Detailed list of proposed equipment purchases

ADJOURNMENT

Ms. Currie moved to adjourn at 8:02 P.M. Mr. Bogard seconded. The motion carried 7-0-0.

A Regular meeting of the Oxford City Council was called to order by Mayor Richard Keebler on Tuesday, August 3, 2010 at 7:30 p.m. Those members present were Ken Bogard, Greig Rutherford, Bob Blackburn, John Harman and Kevin McKeenan. Kate Currie was excused.

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

PLEDGE OF ALLEGIANCE

Mayor Keebler called for the Pledge of Allegiance.

APPROVAL OF AGENDA

Mr. Bogard moved to approve the agenda. Mr. Harman seconded. The motion passed 6-0-0.

PUBLIC PARTICIPATION **PUBLIC COMMENTS**

Mr. Kris Courtney, addressed Council with regard to an event taking place at the Oxford Community Arts Center called "Play Me I'm Yours". Mr. Courtney noted this was a London based international art program where pianos were artistically decorated and placed into an urban environment. Mr. Courtney advised London was the first stop for this event followed by New York City and then Cincinnati and Oxford, Ohio. Mr. Courtney noted Luke Jerram a UK artist created the public art installation. Mr. Courtney advised he was the lead artist with Stephanie Zing and Chrissy Collopy for the Oxford event.

Ms. Caroline Croswell, Executive Director, Oxford Community Arts Center, advised the Oxford Community Arts Center was one of four Community Arts Centers in the greater Cincinnati area to receive a piano sponsored by the Cincinnati Fine Arts Fund and the three local artists decorated it. Ms. Croswell noted the piano was located on the portico at the Oxford Community Arts Center for anyone to play and several people had already done so. Ms. Croswell advised a series of scheduled performances would take place on Sundays at 3:00 p.m. until the end of September.

Mr. Courtney noted this was an important and universal event for the City of Oxford and encouraged Council to help them continue promoting the event.

CONSENT AGENDA

MINUTES

Minutes of the July 20, 2010 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

Minutes of the July 27, 2010 City Council Special Meeting. (Mary Ann Eaton, Clerk of Council)

REPORTS

Report regarding the July 14, 2010 Environmental Commission Meeting. (Mike Dreisbach, Service Director)

Report regarding the July 21, 2010 Board of Zoning Appeals Meeting. (Jung-Han Chen, Community Development Director)

RESOLUTION **C/G/S CONTRACT**

A Resolution No. 4553 accepting the bid and authorizing the City Manager to enter into a contract with Innovative Concrete and Utility Construction, Inc. for the improvement and replacement of defective curb, gutter and sidewalk at a cost of \$59,134.00 plus a 10% contingency for a total cost not to exceed \$65,047.00. (Mike Dreisbach, Service Director)

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

RESOLUTIONS

RESOLUTION **ASSESSMENTS**

A Resolution No. 4554 authorizing the assessment of delinquent charges for the cutting and removal of weeds, vegetation and/or grass to be placed on the Butler County, Ohio Property Tax Duplicate. (Jung-Han Chen, Community Development Director)

Mr. Chen advised certain properties in the City failed to abate tall grass violations causing the City to hire a private contractor to mow the properties with City funds. Mr. Chen noted the proposed legislation would allow the City to eventually be reimbursed for the cost of mowing.

Mayor Keebler noted the owners were given ample notice and time to correct the situation and chose not to.

Mr. Bogard moved to adopt Resolution No. 4554. Mr. McKeehan seconded. The motion passed 6-0-0.

RESOLUTION **SPEED LIMIT REDUCTION**

A Resolution No. 4555 requesting the Director of Transportation to review, determine and declare a reasonable and safe prima facie speed limit on U.S. 27 North during the construction of project BUT-27-18.55, commonly known as U.S. 27 North – Phase III. (Mike Dreisbach, Service Director)

Mr. Dreisbach addressed his staff report as presented on page 28 of the agenda.

Mr. Bogard advised he was in Michigan recently and posted penalties were \$5,000 and 15 years in prison for violations within a construction zone. Mr. Bogard inquired what the State of Ohio would post other than the 25 mph speed limit. Mr. Dreisbach advised the fines automatically doubled in construction zones and the severe sanctions were imposed for someone causing injury or the death of a worker.

Mr. Bogard moved to adopt Resolution No. 4555. Mr. Blackburn seconded. The motion passed 6-0-0.

RESOLUTION
GRANT APPLICATION

A Resolution No. 4556 of Council authorizing the City Manager to sign all necessary documents to apply for and administer a grant of up to one million dollars (\$1,000,000) from the Ohio Department of Development for the conversion of waste materials to energy and bio-products. (Mike Dreisbach, Service Director)

Mr. Dreisbach addressed his staff report as presented on page 32 of the agenda noting the grant awards ranged from \$500,000 to \$1,000,000 dollars and this project was currently in the five year Capital Improvement Plan.

Mr. Harman thanked Mr. Dreisbach and his staff for their efforts to obtain grants.

Mr. Blackburn moved to adopt Resolution No. 4556. Mr. McKeehan seconded. The motion passed 6-0-0.

ORDINANCES
SECOND READING

ORDINANCE
NEW SECTION 353.99

An Ordinance No. 3122 Repealing Traffic Code Section 353.99 Of The Codified Ordinances Of The City Of Oxford, Entitled "Penalty" And Adopting New Section 353.99, Entitled "Penalty". (Steve Schwein, Police Chief)

Mayor Keebler advised the proposed legislation would allow 7 days instead of 48 hours to pay a parking ticket.

Mr. Rutherford inquired if the 7 days was governed by the post mark and Lt. Holzworth advised yes.

Mr. Bogard moved to adopt Ordinance No. 3122. Mr. Rutherford seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Blackburn, Mr. Bogard, Mr. Harman, Mr. McKeehan, Mr. Rutherford,
Mr. Keebler (6)

NAY: None (0)

ABS: None (0)

ORDINANCE
SUPPLEMENTAL BUDGET

An Ordinance No. 3123 Amending Ordinance No. 3089 Supplemental Budget Ordinance Number 6 To Make Supplemental Appropriations For Fiscal Year 2010. (Joe Newlin, Finance Director)

Mr. Newlin addressed his staff report as presented on pages 38 and 39 of the agenda.

Mr. Blackburn moved to adopt Ordinance No. 3123. Mr. Harman seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Bogard, Mr. Harman, Mr. McKeehan, Mr. Rutherford, Mr. Blackburn,
Mr. Keebler (6)

NAY: None (0)

ABS: None (0)

ANNOUNCEMENTS

Mr. Elliott advised Council had a good Work Session this evening regarding parking and staff would bring forward legislation to increase meter rates on High Street at the August 17, 2010 meeting. Mr. Elliott noted staff would implement the policy of enforcing meter feeding after an educational notification period. Mr. Elliott advised staff would re-evaluate where handicapped spaces would be located Uptown and meters would be installed so there would be a charge for those spaces.

Mr. Elliott advised Council passed legislation for a .25% earnings tax increase and he, the Mayor and Fire Chief planned to address the Rotary, Lions and Kiwanis clubs regarding the issue during the next two months. Mr. Elliott noted Council needed to discuss forming a sub-committee to educate the public regarding the proposed tax increase. Mr. Elliott advised public funds could be used to educate the public regarding the proposed tax increase.

Mr. Elliott advised the budget process was underway and Council would receive the 5 year Capital Improvement Plan (CIP) on August 13th and a Work Session regarding the CIP would be scheduled for August 24, 2010.

Mr. Elliott advised Council received a letter requesting the fees for street closures be waived for the State to State Half Marathon & 5K Run and noted the request was made two years ago and Council denied the request. Mr. Elliott noted Council would need to determine how they wanted to address the request.

Chief Schwein advised the Porsches2Oxford event was great and there were no problems with the liquor permit.

Mayor Keebler thanked the Police Department for assisting during a motorcycle rally on July 25th to raise funds for a very ill young lady in the Trenton area.

Mr. Kyger advised the Oxford Community Improvement Corporation (CIC) was awarded a 3.5 million dollar grant to assist with the Miami Heritage Technology Park.

Mr. McKeehan commended the CIC and Todd Dockum for their efforts in obtaining the grant for the Miami Heritage Technology Park. Mr. McKeehan requested copies of Mr. Kyger's spread sheets from the parking Work Session.

Mr. Blackburn advised the U.S. Special Olympics took place in Lincoln Nebraska July 18-23 and Ohio sent a team of 67 Olympians who not only played sports but received free physicals, dental and vision checks and free glasses among other things. Mr. Blackburn noted his nephew John Blackburn was part of the Ohio team who won the gold in baseball. Mr. Blackburn advised the team was eligible to go to Greece and represent the U.S. in 2012. Mr. Blackburn thanked Lincoln, Nebraska for treating the Olympians with dignity and honor.

Mr. Harman thanked all of those who assisted with the Porsches2Oxford event noting it had a good economic impact on the community. Mr. Harman advised the economic value from all events in Oxford last year was \$24,000,000 and up to June of this year it was \$15,000,000.

Mr. Rutherford noted the Porsche event was marvelous and thanked Boy Scout Troop 930 for their assistance.

Mr. Rutherford encouraged everyone to visit the Farmers Market noting all of the produce was astounding as were the artisans.

Mr. Bogard referred to the meeting schedule on page 4 of the agenda and noted the Council meeting of September 21, 2010 was missing.

Mr. Bogard encouraged everyone to attend both Farmers Markets in town.

Mayor Keebler advised he was against waiving the street closure fees for the State to State event noting the group was asking to take tax payer money from the City of Oxford and give it to the charity of their choice which may not be a local organization. Mayor Keebler advised the event had a noble cause, the group did very good work and it was a great event. Mayor Keebler advised the City was only charging the group the City's cost to support their event.

Mr. Bogard inquired if street closure fees were waived for any other events.

Mr. Elliott advised the only event the fee was waived for was the Thursday night Music Festival which was a community-wide event.

Mr. McKeehan agreed with Mayor Keebler and the previous Council and noted his feeling the waiver should not be considered at this time.

Mr. Rutherford advised Council received a letter from James Martino, President of the Oxford Running Club which indicated many local entities had benefitted from the charitable donations from the race.

Mr. Bogard and Mr. Harman supported Mayor Keebler's position regarding the request.

ADJOURNMENT

Mr. Harman moved to adjourn at 8:20 p.m. Mr. McKeehan seconded. The motion passed 6-0-0.

The Work Session of the Oxford City Council was called to order by Mayor Richard Keebler on Tuesday, August 3, 2010 at 6:30 p.m. Those Council members present were: Ken Bogard, Greig Rutherford, Bob Blackburn, John Harman and Kevin McKeegan. Kate Currie was excused.

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

APPROVAL OF AGENDA

Mr. Blackburn moved to approve the Agenda. Mr. McKeegan seconded. The motion carried 6-0-0.

PURPOSE

The purpose of the Work Session was for Council to receive information regarding proposed changes to the parking regulations/ Payment; Amount and Time Limitations.

PRESENTATION

Mr. Elliott commended The Oxford Parking and Transportation Advisory Board for their efforts and dedication. Mr. Elliott introduced Bob Holzworth, Police Lieutenant and Alan Kyger, Economic Development Director and noted they would present the proposed changes to the parking regulations.

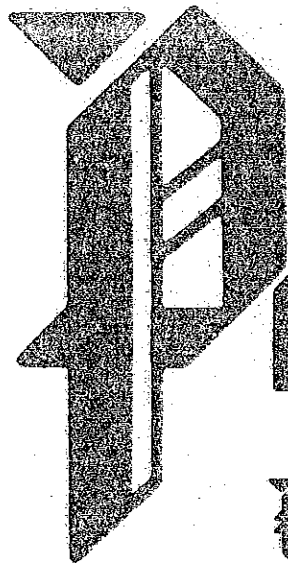
Lt. Holzworth provided a PowerPoint presentation giving Council information regarding the makeup of the Oxford Parking and Transportation Advisory Board (OPTAB) and its purpose, which was to develop policies and strategies for the operation of the Parking Fund subject to City Council approval. Lt. Holzworth discussed Oxford's Parking System which consisted of one parking garage, one surface parking lot, 15 short term parking meters, 398 2-hour parking meters and 361 10-hour parking meters. Lt. Holzworth noted the City managed 952 parking spots - 774 metered and 178 leased.

Lt. Holzworth discussed meter occupancy patterns, violation patterns and meter feeding. Lt. Holzworth discussed the factors which contributed to parking congestion in the Uptown District which included the sheer number of vehicles, limited number of parking spots, proliferation of mixed-use development, the concentration of businesses, habitual meter feeding and the cost (low) of parking. Lt. Holzworth advised the OPTAB recommended an increase from \$.25/hour to \$.50/hour at metered spots on the high-demand block faces, an increase in the number of short-term parking spots and the integration of 'Smart Meter' technology into the UP/RO metered areas. Lt. Holzworth advised the objective of the proposal was to increase the recurring availability of parking spots by promoting turnover, with the goal of having 1.5 spots out of every 10 available.

After discussion Council was in favor of considering legislation at the next meeting to address the changes recommended by the OPTAB.

ADJOURNMENT

Mr. Rutherford moved to adjourn at 7:27 p.m. Mr. McKeehan seconded. The motion carried 6-0-0.



Office of the Mayor

Proclamation

Whereas:

Community Arts Centers anchor and enliven neighborhoods throughout our region and are integral to the area's economic vitality and quality of life, making Oxford an outstanding place to live, work, play and visit; and

WHEREAS, Oxford is fortunate to have thriving Community Arts Centers in our own city and around the region; and

WHEREAS, these Community Arts Centers provide access to a wide range of art opportunities which bring people together to share experiences and ideas; inspire children, adults, and families; and help to create vibrant and connected communities; and

WHEREAS, the Oxford Community Arts Center and an additional 17 community arts centers throughout the Greater Cincinnati region will be open on September 12, 2010 from noon to 4 p.m. and providing fabulous, free arts experiences for the community.

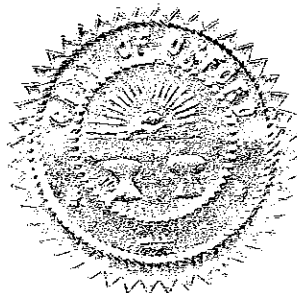
NOW, THEREFORE, I, Richard A. Keebler, Mayor of the City of Oxford do hereby proclaim September 12, 2010 as,

"Community Arts Centers Day"

in the City of Oxford and encourage all members of the community to participate in this special event.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Oxford to be affixed this 7th day of September 2010.

RICHARD A. KEEBLER, MAYOR



CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Clerk of Council
Originating Department

Council Meeting Of: September 7, 2010

Mary Ann Eaton

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

August 23, 2010

Date Prepared

Agenda Title: Legislative Authority Notice - Transfer permit from M&R Wholesale Distribution Inc DBA The Den, 117 E. High St. 1st FL & BSMT, Oxford, Ohio, 45056 to Oxford Den Inc DBA The Den, 117 E. High St. 1st FL & BSMT, Oxford, Ohio, 45056.

Recommendation:

Discussion: This is a request to transfer liquor permits for The Den. The request is for the following:

C1 - Beer only in original sealed containers for carry out only until one a.m.

C2 - Wine and certain prepackaged mixed drinks in sealed containers for carry out only until one a.m.

Application was made through normal processes with the Commission and all required inspections will be conducted by the Ohio Liquor Commission.

Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

 9/2/10

NOTICE TO LEGISLATIVE
AUTHORITY

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

TO

6615608		TRFO	OXFORD DEN INC DBA THE DEN 117 E HIGH ST 1ST FL & BSMT OXFORD OHIO 45056
PERMIT NUMBER		TYPE	
06	01	2010	
ISSUE DATE			
08	09	2010	
FILING DATE			
C1 C2			
PERMIT CLASSES			
09	088	A	F03543
TAX DISTRICT			RECEIPT NO.

FROM 08/11/2010

RECEIVED
AUG 13 2010
City of Oxford

5410211			M & R WHOLESALE DISTRIBUTION INC DBA THE DEN 117 E HIGH ST 1ST FL & BSMT OXFORD OHIO 45056
PERMIT NUMBER		TYPE	
06	01	2010	
ISSUE DATE			
08	09	2010	
FILING DATE			
C1 C2			
PERMIT CLASSES			
09	088		
TAX DISTRICT			RECEIPT NO.



MAILED 08/11/2010 RESPONSES MUST BE POSTMARKED NO LATER THAN. 09/13/2010

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES

A TRFO 6615608

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

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

WE DO NOT REQUEST A HEARING. ☐

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

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

(Signature)

(Title)- ☐ Clerk of County Commissioner

(Date)

☐ Clerk of City Council

☐ Township Fiscal Officer

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

FOR OFFICE USE ONLY
 NEW TRANSFER
 PERMIT # 66613608

OHIO DEPARTMENT OF COMMERCE
 DIVISION OF LIQUOR CONTROL
 6606 Tussing Road, P.O. Box 4005, Reynoldsburg, Ohio 43068-9005
 Telephone: (614) 644-2431 http://www.com.ohio.gov/liqr
OFFICER/ SHAREHOLDERS DISCLOSURE FORM

SECTION A. (This form must accompany all applications of a corporate business entity)

Name of Corporation Oxford Den, Inc.	DBA Name The Den	
Permit Premises Address 117 E. High Street	City, State Oxford, OH	Zip Code 45056
Township, if in Unincorporated Area	Tax Identification No. (TIN) 27-3079910	

SECTION B.

1. Is stock publicly traded? ☐ YES ☒ NO
 If "YES", indicate exchange _____ & Do NOT complete SECTION D.

2. Does any stockholder own 5% or more shares? If YES, complete SECTION D. ☒ YES ☐ NO

3. Total Number of shares issued 1000

Please be advised that any social security numbers provided to the Division of Liquor Control in this application may be released to the Ohio Department of Public Safety, the Ohio Department of Taxation, the Ohio Attorney General, or to any other state or local law enforcement agency if the agency requests the social security number to conduct an investigation, implement enforcement action, or collect taxes.

SECTION C. List the top five (5) officers of the captioned corporation. If an office is NOT held please indicate by writing NONE.

THE INDIVIDUALS LISTED BELOW MUST HAVE A BACKGROUND CHECK PERFORMED BY BCI&I AND SUBMIT A PERSONAL HISTORY BACKGROUND FORM. PLEASE READ "BACKGROUND CHECK INFORMATION" DLC4191

NAME OF OFFICER	SOCIAL SECURITY NUMBER	DATE OF BIRTH
1) CEO		
2) President Keshav Reddy		01/21/1970
3) Vice-President Saritha Kasarla		09/28/1975
4) Secretary		
5) Treasurer		

SECTION D. Stockholders holding 5% or more outstanding shares. Note: If you answered Question 1 YES, do not complete this section

THE INDIVIDUALS LISTED BELOW MUST HAVE A BACKGROUND CHECK PERFORMED BY BCI&I AND SUBMIT A PERSONAL HISTORY BACKGROUND FORM. PLEASE READ "BACKGROUND CHECK INFORMATION" DLC4191. If none, please indicate by writing "NONE".

1) Stockholder's Name Keshav Reddy	Social Security No	NUMBER OF SHARES HELD (NOT PERCENTAGE)
Residence Address 6522 Greenoak Drive	Tax Identification No. (if applicable)	
City and State Cincinnati, OH	Zip Code 45248	500
Telephone No. 513 237 7800	Date of Birth 01/21/1970	
2) Stockholder's Name Saritha Kasarla	Social Security No	NUMBER OF SHARES HELD (NOT PERCENTAGE)
Residence Address 140 Northridge Dr	Tax Identification No. (if applicable)	
City and State Oxford, OH	Zip Code 45056	500
Telephone No. 678 360 3448	Date of Birth 09/28/1975	

(PLEASE SEE REVERSE SIDE SHOULD YOU NEED ADDITIONAL SPACE TO LIST STOCKHOLDERS)

STATE OF OHIO,

COUNTYss

I, KESHAV REDDY being first duly sworn, according to law, deposes and says that he/she is (Title) President
 of the OXFORD DEN, INC., a corporation duly authorized by law to do business in the State of Ohio, and that the statements made in the foregoing affidavit are true.

(Signature) Keshav Reddy (Print Name and Corporate Title) KESHAV REDDY, PRESIDENT

Sworn to and subscribed in my presence this 30 day of July, 2010

Karen L. Engel 10-20-12
 (Notary Public) (Notary Expiration)

DLC4030

EOE/ADA SERVICE PROVIDER

FOR TTY USERS DIAL 1-800-750-0750

KAREN L. ENGEL, NOTARY PUBLIC
 IN AND FOR THE STATE OF OHIO
 MY COMMISSION EXPIRES OCT. 20, 2012

LICENSING SLAN RM.1-B

2010 AUG -6 PM 8:55

09 BUTLER	088 OXFORD			POPULATION	23,134
CLASS	RATIO	PERMIT QUOTA	PERMITS ISSUED	PERMITS AVAILABLE	APPLICATIONS ON FILE
C1	1,000	24	18	6	1
C2	1,000	24	19	5	1
D1	2,000	12	12	0	3
D2	2,000	12	12	0	4
D3	2,000	12	11	1	2
D3A	0	0	7	7	0
D4	2,000	12	1	11	0
D5	2,000	12	12	0	3

August 23, 2010

Ohio Department of Liquor Control

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager:	Douglas Elliott	Police Originating Department
Council Meeting Of:	July 20, 2010	R.B. Holzworth
Account Code No. #:	N/A	Prepared By
Budgeted Amount:	N/A	July 2, 2010 Date Prepared

Agenda Title: An Ordinance Repealing Parking Code Section 353.05 of the Codified Ordinances of the City of Oxford, entitled PAYMENT; AMOUNT AND TIME LIMITATIONS, and adopting New Section 353.05, entitled PAYMENT; AMOUNT AND TIME LIMITATIONS.

Recommendation: Approval

Discussion:

As detailed in a separate staff report, the Oxford Parking & Transportation Advisory Board (OPTAB) is methodically studying topics that impact parking/transportation. The outcome of the OPTAB study process will be a series of incremental changes, the first of which pertains to the pricing of metered parking in the UP (Uptown) District. There appears to be nearly universal agreement that parking in the UP can often be very problematic. Congestion and associated parking problems are created by the sheer number of vehicles, the limited number of parking spots, proliferation of mixed-use developments, habitual meter feeding and the cost of parking. The problem confounds Oxford residents and guests on a daily basis during the school year and has been validated by two occupancy studies (attached to the OPTAB's Parking and Transportation Planning document). The initial study was conducted by the Parking Unit in 2009, and the 2nd, more comprehensive study, was performed by a MU statistics class in the Spring 2010.

There is not a single solution to the problem, but the OPTAB has unanimously recommended that a logical first step is to increase the price of metered parking from \$.25/hour to \$.50/hour on the high-demand block faces (High Street from Campus to College, East Park Place, West Park Place and the south half of Lot 52), a total of one hundred forty-five (145) metered spots. **Secondly**, but no less important, is the recommendation to increase the number of short-term parking spots (defined as 20 minutes by the OPTAB) from five (5) to sixteen (16), positioning these spots on either side of each alley juncture with High Street or as close as possible to that location. Attachment No. 1 contains the following diagrams: 1) current locations of short-term metered spots in UP, and 2) proposed locations of short-term metered spots in UP. The suggested fee for a short-term meter is \$.25. **Thirdly**, the OPTAB recommends the integration of smart meter technology into the UP/RO metered areas, perhaps starting with the short-term meters; however, it is arguable that the entire district would benefit from this technology.

The objective of these changes is to increase the recurring availability of parking spots in these block faces by promoting turnover, with goal being to have ~1.5 spots out of every 10 available. By using these spots effectively (read as price them correctly), we can achieve 85% occupancy, the level at which the motoring public perceives the spots to be well used but still available. The fee increase will create new revenue for the city, but that is **not** the primary objective.

Subsequent occupancy studies may indicate that \$.50 is still not the "right" amount and the OPTAB may need to ask for another adjustment. The OPTAB is planning on conducting regular occupancy studies, hopefully with the assistance of the MU students, so that decisions and recommendations will be data-based whenever possible.

In order to put this recommendation in context, a short overview detailing the history of meter rates in Oxford might be useful. Meters were first installed on High Street in 1948 and the rate at that time was 5¢/hour. In 1983, the rate at a 2-hr meter was changed to 10¢/hour; and in 1991, the rate was increased to 20¢/hour. The last time the hourly rate was increased at 2-hr meters was in 1993, when it was increase to the current rate of 25¢/hour. Regardless of which inflationary calculation is utilized, metered parking in this high demand zone is underpriced.

While it would be disingenuous to suggest that the uptown merchants are fully supportive of this change, as that is simply not true, the OPTAB is well aware of the change cycle (Plan-Do-Study-Act) and each step will receive careful attention. In other words, there is no intention of setting the rate and waiting another seventeen years to request the next rate change. If the new rate isn't meeting the objective, as determined by occupancy studies, the board will suggest additional rate modifications. The parking dynamics are changing in Oxford and the OPTAB has every intention of being attentive and responsive.

The Parking Unit can be prepared to make the programming changes to the meter mechanisms very quickly. We will need a little lead time to order and apply new labeling. It would be optimal to have the new rate in place by early September and public service announcements will be timed to coincide with the return of the Miami University students: *A New Year - A New Rate.*

Recommendation:

Approve legislation amending OCC 353.05 [Payment; Amount of Time Limitations].

2010 Fee Ordinance If the legislation amending OCC 353.05 is approved, the parking rate fees contained in the FY2010 Fee Ordinance will need to be revised accordingly. According to subsection two of Ordinance 3090 [2010 Fee Ordinance], the city manager has been authorized by City Council to implement fee changes as deemed appropriate.

Note: Information about projected revenue, while available, has been intentionally omitted from this staff report as it is not the driving force behind this request. Some consideration could be given to applying a percentage of the new revenue to fund beautification projects in the UP District.

Approved By:

Department Head:
City Attorney:
City Manager:

Initial Date

SDS 12/7/10

DB 9/3/10

ORDINANCE NO.

ORDINANCE REPEALING TRAFFIC CODE SECTION 353.05 OF THE CODIFIED ORDINANCES OF THE CITY OF OXFORD, OHIO, ENTITLED "PAYMENT; AMOUNT AND TIME LIMITATIONS", AND ADOPTING NEW SECTION 353.05, ENTITLED "PAYMENT; AMOUNT AND TIME LIMITATIONS".

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

SECTION I: Council hereby finds that the Oxford Parking & Transportation Advisory Board, along with the Oxford Division of Police, recommend repealing Section 353.05 of the Codified Ordinances of the City of Oxford, Ohio, and adopting new Section 353.05 to adjust parking meter rates in high density parking areas within the City of Oxford.

SECTION II: Council hereby repeals Section 353.05 of the Oxford Code of Ordinances and adopts new Section 353.05 as follows (language to be repealed is ~~stricken through~~ and the language to be adopted is in **bold**):

353.05 PAYMENT; AMOUNTS AND TIME LIMITATIONS.

(a) The owner or operator of a vehicle, upon entering a single-space meter space during the hours of operation as provided in Section 353.03(a), shall immediately deposit a coin or combination of coins of the United States in the parking meter situated at the side or front of the parking space and operate said meter according to the instructions thereon. Failure to do so shall constitute a violation of this section. Upon deposit of the appropriate and required coin or coins and placing the meter in operation, the parking space may be lawfully occupied by such vehicle during the period of parking time prescribed for the particular amount deposited.

(b) If any vehicle is left parked in a single-space meter space for such length of time that the single-space meter indicates by a proper signal that the lawful parking period has expired, such vehicle shall be parked overtime in violation of this section and the parking of such vehicle overtime shall be unlawful. Parking a vehicle during any unexpired time remaining on a meter and left by a prior user of the meter shall not be considered a violation of this section or of subsection (a).

(c) The owner or operator of a vehicle shall, upon entering a multi-space meter space during the hours of operation as provide in Section 353.03(a), shall immediately deposit, or cause to be deposited in the appropriate multi-space meter, the required fee in coins or cash (where allowed) of the United States, or by token, credit card, parking card or by other methods as approved by the Chief of Police. Payment shall be made in the manner and amount as indicated on said multi-space meter, and, if so required, owner or operator must return to the vehicle and place purchased receipt, face-up and conspicuously upon the driver's side dashboard of the parked vehicle. Upon appropriate deposit, the parking space may be lawfully occupied by such vehicle during the period of parking time prescribed for the particular amount deposited.

(d) If a multi-space meter is out of order or unable to accept payment or issue a receipt, payment shall be made at the next available multi-space meter. In no case shall parking in a multi-space meter area be allowed without payment, except as otherwise described. If any vehicle is left parked in a multi-space meter space for such length of time in excess of the parking time prescribed for the particular amount deposited, such vehicle shall be parked overtime in violation of this section and the parking of such vehicle overtime shall be unlawful.

(e) Single-space and multi-space meters with a maximum parking time of ~~fifteen (15)~~ **twenty (20)** minutes shall be adjusted so as to provide ~~fifteen (15)~~ **twenty (20)** minutes of parking time upon the deposit of ~~ten cents~~ **(10¢) twenty-five (25¢) cents**.

(f) Single-space and multi-space meters with a maximum parking time of two hours shall be adjusted so as to provide one hour of parking time upon the deposit of twenty-five cents (25¢); **however, single-space and multi-space meters located in high-density parking areas (as defined by the City Manager on report and recommendation from the Chief of Police) with a maximum parking time of two hours shall be adjusted so as to provide one hour of parking time upon the deposit of fifty cents (50¢).**

(g) Single-space and multi-space meters with a maximum parking time of ten (10) hours shall be adjusted so as to provide ~~two one-hours~~ **hour** of parking time upon the deposit of twenty-five cents (25¢) **however, single-space and multi-space meters located in high-density parking areas (as defined by the City Manager on report and recommendation from the Chief of Police) with a maximum parking time of ten hours shall be adjusted so as to provide one hour of parking time upon the deposit of fifty cents (50¢).**

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to City Manager

Finance
Originating Department

Council Meeting Of : 9/7/2010

Joe Newlin

Account Code No. : see below

Prepared By

Budgeted Amount : _____

9/2/2010
Date Prepared

Agenda Title: 2010 Supplemental Budget #7

Recommendation:	Approve
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Issue 1

Repairs to on engine covered by insurance, received a check and need to make the final payment.

Action Needed:

Revenue Side

General 110	798.56	Refund & Reimbursement
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Expense Side

General 110	798.56	Payment of the final bill (estimate was lower than the actual repair).
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Net Effect on Fund Balance/(s) -
Increase/(Decrease)

Issue 2

Received a check from the Ohio Arts Council for bicentennial sculpture which needs to be sent to the Oxford Community Foundation who was in charge of bicentennial funds for the City.

Action Needed:

Revenue Side

General 110	731.00	Refund & Reimbursement
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Expense Side

General 110	731.00	Payment to Oxford Community Foundation for sculpture.
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Net Effect on Fund Balance/(s)	-
Increase/(Decrease)	

Issue 3

Refunds for income taxes much higher than the historical 1% the City budgets each year.

Currently \$55,000 over budget, plus \$39,000 y-t-d average.

Action Needed:

Revenue Side

General 110	-	N/A
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Expense Side

General 110	94,000.00	Refunds
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Net Effect on Fund Balance/(s) Increase/(Decrease)	(94,000.00)
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Issue 4

Additional funds allotted to the City due to funding formula.

Action Needed:

Revenue Side

CDBG 126	11,114.00	Increase in
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Expense Side

CDBG 126	11,114.00	Increase in scope of work
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Net Effect on Fund Balance/(s) Increase/(Decrease)	-
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Issue 5

Advance has been a yearly budgeted item going back to 2000, it is time to make this a permanent transfer. Funds can revert back to the general fund once this fund is no longer needed. Transfer will be initiated upon passing of this ordinance.

Action Needed:

Revenue Side

CDBG 126	150,000.00	Permanent Transfer
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Expense Side

General 110	150,000.00	Permanent Transfer
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Net Effect on Fund Balance/(s) Increase/(Decrease)	-
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Issue 6

Received recycling incentive grant from Butler County and will spend the funds on recycling containers and labeling for existing containers. City already spent our 25% match.

Action Needed:

Revenue Side

Refuse 341	2,500.00	Grant receipt
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Expense Side

Refuse 341	2,500.00	Purchase of containers and labels.
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Net Effect on Fund Balance/(s)	-
Increase/(Decrease)	

Issue 7

In 2009 the City transferred \$12,519.00 and advanced \$112,670 from the General Fund for a grant for the Fire Department from FEMA for equipment and training. The project is complete with the City meeting its obligation's regarding the grant. Transfer the remaining funds back to General Fund as the scope of the project diminished so we spent less than originally planned. Transfer to General Fund will be recorded upon passage.

Action Needed:

Revenue Side

General 110	12,284.90	Transfer from FEMA
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Expense Side

FEMA 416	12,284.90	Transfer to General
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Net Effect on Fund Balance/(s)	-
Increase/(Decrease)	
Total	

Net Effect on Fund Balance/(s)	(94,000.00)
Increase/(Decrease)	

Breakdown by Fund

General 110	(92,829.10)
Refuse 341	-
CDBG 126	11,114.00
FEMA 416	(12,284.90)

Net Effect on Fund Balance/(s)	(94,000.00)
Increase/(Decrease)	

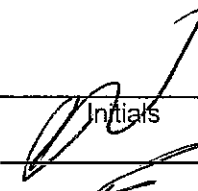
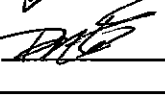
Approved By:

Department Head:

City Manager:

Initials

Date

	9/1/10
	9/3/10

ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO. 3089 SUPPLEMENTAL BUDGET ORDINANCE NUMBER 7 TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2010.

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

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

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

GENERAL FUND 110	798.56
GENERAL FUND 110	731.00
CDBG FUND 126	11,114.00
REFUSE FUND 341	2,500.00

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

GENERAL FUND 110	798.56
GENERAL FUND 110	731.00
CDBG FUND 126	11,114.00
REFUSE FUND 341	2,500.00
GENERAL FUND 110	94,000.00
GENERAL FUND 110	150,000.00
FEMA FUND 416	12,284.90

SECTION 4: The following transfers be executed:

Transfer from:	
GENERAL FUND 110	150,000.00
FEMA FUND 416	12,284.90

Transfer to:	
CDBG FUND 126	150,000.00
GENERAL FUND 110	12,284.90

SECTION 5: The following increase/(decrease)in revenues be made:

CDBG FUND 126	150,000.00
GENERAL FUND 110	12,284.90

SECTION 6: In all other respects, Ordinance No. 3089 shall remain in full force and effect.

SECTION 7: This ordinance shall take effect immediately upon its adoption.

MAYOR

ADOPTED: _____

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development Department
Originating Department

Council Meeting Of: September 7, 2010

Jung-Han Chen

Account Code No. #:

Prepared By:

Budgeted Amount:

August 17, 2010

Date Prepared:

Agenda Title:	PC-10-2010 ZONING CODE TEXT AMENDMENT 1143.13(c) OI (Office & Light Industrial District) Site Development Regulations, 1143.14(c) LI (Light Industrial District) Site Development Regulations, City of Oxford, Applicant
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Recommendation:	Approval
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Discussion:

One of the current regulations in the OI and LI zoning districts may be too restricted to allow for any reasonable development to take place. Specifically, the site development regulations stipulate that the maximum impervious surface allowed for building and associated vehicle management purposes is 33%.

Prior to contemplating any changes to the existing code, staff consulted with other municipalities to learn what their respective regulations were for industrial zoned properties. Results showed that there was no consistent pattern between the local entities. Many localities only prescribed different yard setbacks; lot coverage depended upon the lot width and depth and that ranged from 35% to 75%. This figure does not include any required landscaping within the parking/maneuvering areas. Therefore, the actual lot coverage may be less.

Another factor that needs to be part of this discussion is the retention area for the site. The design and sizing of retention areas depend on the post development impervious areas to handle additional storm water runoffs.

The recommended change to existing regulations is to increase the lot coverage ratio from the current rate of 33% to 70%.

The Planning Commission members reviewed the Decision Standards and voted 6-1-0 to recommend **APPROVAL** to City Council.

Approved By:	Department Head:	Initial	Date
	City Attorney:	<i>JHC</i>	8/18/10
	City Manager:	<i>DB</i>	9/7/10

ORDINANCE NO.

ORDINANCE REPEALING OXFORD CODIFIED ORDINANCE SECTIONS 1143.13 AND 1143.14 AND ADOPTING NEW OXFORD CODIFIED ORDINANCE SECTIONS 1143.13 AND 1143.14 TITLED "OFFICE & LIGHT INDUSTRIAL DISTRICT" AND "LIGHT INDUSTRIAL DISTRICT".

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

SECTION I: Council hereby finds that the City of Oxford Planning Commission held a public hearing on August 10, 2010 and that following the public hearing did deliberate and as a result of that deliberation, the Planning Commission recommended repealing Oxford Codified Ordinance Sections 1143.13 and 1143.14 titled "Office & Light Industrial District" and "Light Industrial District".

SECTION II: Council hereby repeals Sections 1143.13 and 1143.14 of the Oxford Code of Ordinances and adopts new Sections 1143.13 and 1143.14 as follows (language to be repealed is ~~stricken through~~ and the language to be adopted is in **bold**):

1143.13 OI OFFICE & LIGHT INDUSTRIAL DISTRICT.

(a) Purpose. This district is intended to provide for research and development and professional office facilities that have minimal impact upon the surrounding environment.

(b) Uses.

(1) Permitted uses.

- A. Professional, business, government, and medical offices with no retail sales to the general public, with no storage of goods for sale.
- B. Professional Offices relying on advanced scientific and engineering capabilities.
- C. Research, experimental, or testing laboratories conducted entirely within enclosed buildings.
- D. Electronic data processing.
- E. Public service facilities.

(2) Conditional uses. The following Conditional Uses are subject to review and regulation in accordance with Chapter 1147.

- A. Operations designed to attract little or no customer or client traffic other than employees.
- B. Semi-public uses.

(c) Site Development Regulations.

(1) Lot requirements. No minimum lot size or lot width is specified, however, lot size and width shall be adequate to provide for parking, access drive spacing, yard space and screening requirements.

(2) Yard requirements.

- A. Minimum front yard depth 50 feet
- B. Minimum rear yard depth and side yard width
 - 1. If side or rear yard abuts onto a Residential District, yard shall have a minimum 50 feet for Permitted Use and minimum 100 feet for Conditional Use, and landscaped screening provided.
 - 2. Each side and rear yard shall be equal to the height of the principal building.
 - 3. Opaque fence may be substituted for plantings if approved by the Board of Zoning Appeals.

(3) Structural requirements.

A. Maximum height	45 feet
B. Lot coverage	33 70 percent

(d) Supplementary Regulations.

(1) Site plan approval required. A site plan shall be submitted that shows graphically the location and dimensions of vehicular entrances, exits, internal circulation pattern, off-street parking and loading facilities, building location and dimensions, storage facilities, landscaping and screening facilities.

(2) Impact statement. Prior to being issued a zoning certificate in the Office/Industrial District, the applicant must obtain approval of a descriptive text indicating the nature of the proposed activity, expected levels of noise, odor, dust, smoke, light, glare and/or vibration from normal operations and a plan for addressing these impacts. The expected number of employees per shift, at the outset and at full expansion, shall be indicated. Other information, as required, shall be submitted either in text or plans.

(3) Storage of material. Storage of material and equipment shall be within an enclosed building, unless located behind the principal structure and visually screened from the street and adjacent properties by a landscaped screen, fence or wall. Such screening of open storage and trash containers must meet the requirements of Sections 1141.01(a)(3) and 1141.01(b)(1).

1143.14 LI LIGHT INDUSTRIAL DISTRICT.

(a) Purpose. This district is intended to provide for those analytical and associated fabrication activities associated with research and development, as well as for office and industrial uses having minimum impact upon the surrounding environment in areas that are suitable for industrial development by reason of location and the availability of adequate utility and transportation systems. Permitted uses are those that can be operated in a clean and quiet manner, subject only to those regulations and performance standards necessary to prohibit congestion and for the protection of adjacent residential and business activities.

(b) Uses.

(1) Permitted uses.

- A. Any use whose principal function is basic research, design and/or pilot or experimental product development or technical training.
- B. Office buildings of an executive or of an administrative nature or incidental to those uses previously listed.
- C. Sales offices related to the principal manufacturer on the same site provided that any retail trade with the general public shall be of a limited nature and that no stock of goods is maintained for sale to the general public.
- D. Sales offices related to the principal manufacturer on the same site provided that any retail trade with the general public shall be of a limited nature.
- E. Business and industrial service facilities.
- F. Laboratories including experimental, film, testing, research, or engineering.
- G. Printing, publishing, binding, and typesetting plants.
- H. The manufacture, compounding, processing, packaging, or treatment of such products as, but not limited to bakery goods, business machinery, candy, clocks and toys, cosmetics, electrical and electronics products, components and equipment, food products, hardware and cutlery, tools, and pharmaceuticals.
- I. The manufacture, compounding, assembling, or treatment of articles or merchandise from previously prepared materials such as, but not limited to, bone, canvas, cellophane, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, precious or semi-precious metals or stone, sheet metal (excluding large stampings, such as automobile fenders or bodies) shell, textiles, tobacco, wax, wire, wood, (excluding saw and planing mills), and yarns.
- J. Medical, dental, optical manufacturing.
- K. The manufacture of pottery and figurines or other similar ceramic products using only previously pulverized clay, and kilns fired only by electricity or gas.
- L. The manufacture and repair of electric and neon signs.
- M. Motion picture production.
- N. Adult Entertainment Facilities.
- O. Accessory buildings and uses incidental to the principal use.

(2) Conditional uses. The following Conditional Uses are subject to review and regulation in accordance with Chapter 1147.

- A. Any permitted use over 100,000 square feet of gross floor area
- B. Electroplating
- C. Graphic products manufacturer
- D. Light sheet metal products, including heating and ventilating equipment, cornices or eaves
- E. Cold storage plants
- F. Tool and die shops, wrought iron shops, machine shops, excluding drop hammers
- G. Banks, including drive-in facilities
- H. Restaurants, including fast food and drive-ins
- I. Taverns
- J. Wholesale facilities
- K. Other manufacturing, processing, or storage uses determined by the Planning Commission to be of the same general character as the permitted uses previously listed and found not to be a nuisance or offensive by reason the potential emission or transmission of noise, vibration, smoke, dust, glare, heat, water or air pollution. In this regard, the Planning Commission may seek expert advice on what conditions should be imposed on a particular operation to carry out the purposes of this zone: the cost of such expert assistance shall be borne by the applicant.

(c) Site Development Regulations.

(1) Lot requirements. No minimum lot size or lot width is specified, however, lot size and width shall be adequate to provide for parking, access drive spacing, yard space and screening requirements.

(2) Yard requirements.

- A. Minimum front yard depth 50 feet
- B. Minimum rear yard depth and side yard width
 - 1. If side or rear yard abuts onto a Residential District, yard shall have a minimum 50 feet for Permitted Use and minimum 100 feet for Conditional Use, and landscaped screening provided.
 - 2. Each side and rear yard shall be equal to the height of the principal building.
 - 3. Opaque fence may be substituted for plantings if approved by the Zoning Board of Appeals.

(3) Structural requirements.

A. Maximum height	45 feet
B. Maximum Lot coverage	33-70 percent

(d) Supplementary Regulations.

(1) Site plan approval required. A site plan shall be submitted that shows graphically the location and dimensions of vehicular entrances, exits, internal

circulation pattern, off-street parking and loading facilities, building location and dimensions, storage facilities, landscaping and screening facilities.

(2) Impact statement. Prior to being issued a zoning certificate in the Office/Industrial District, the applicant must obtain approval of a descriptive text indicating the nature of the proposed activity, expected levels of noise, odor, dust, smoke, light, water and air pollution, glare and/or vibration from normal operations and a plan for addressing these impacts. The expected number of employees per shift, at the outset and at full expansion, shall be indicated. Other information, as required, shall be submitted either in text or plans.

(3) Storage of material. Storage of material and equipment shall be within an enclosed building, unless located behind the principal structure and visually screened from the street and adjacent properties by a landscaped screen, fence or wall. Such screening of open storage and trash containers must meet the requirements of Sections 1141.01(a)(3) and 1141.01(b)(1).

SECTION III: It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including, but not limited to Section 121.22 of the Ohio Revised Code.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

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

<u>Report Date</u>	September 7, 2010
<u>Case Number</u>	PC-10-2010
<u>Applicant Information</u>	City of Oxford, Applicant
<u>Requested Action</u>	Zoning Code Text Amendment
<u>Summary of Request</u>	To address overly restricted site development regulations in the OI and LI Districts.
<u>Public Hearing Information</u>	On August 10, 2010 a Public Hearing took place at 118 W. High Street. A Public Hearing notice was published in the Oxford Press on July 9, 2010. Courtesy notices were mailed to adjacent property owners on July 10, 2010.
<u>Commission Action</u>	The Planning Commission voted 6-1-0 recommending approval of the Zoning Code Text Amendment at the August 10, 2010 meeting.
<u>Commission Findings and Conclusions</u>	At the August 10, 2010 Planning Commission meeting, the Commission after hearing staff findings, voted to approve the Text Amendment.
<u>Exhibits Submitted to the Commission</u>	1. Staff Report dated July 20, 2010 2. Interoffice Review Transmittal Sheets 3. Property Notifications Map 4. Letter of Agency 5. Property Owner Letter 6. Zoning Code Text Amendment Application Dated June 23, 2010

City of Oxford
Community Development Department
STAFF REPORT

Planning Commission

Case # PC-10-2010

Date – August 10, 2010

APPLICATION

Applicant: City of Oxford
Action Request: **Zoning Code Text Amendment** 1143.13(c) OI (Office& Light Industrial District) Site Development Regulations , 1143.14 (c) LI (Light Industrial District) Site Development Regulations

DESCRIPTION

This application intends to address some of the site development regulations that are currently in two zoning districts (OI&LI). These regulations may be overly restricted in allowing any reasonable development to take place. Site development regulations in both districts stipulate that the maximum impervious surface allowed for building and associated vehicle management purposes is at 33%. This issue was brought to staff attention when a local business planned to build additional square footage to expand its manufacturing operations. There are several large tracts of land that are zoned for OI and LI for future development. Restricting regulations can easily stymie any potential projects. It is also important to balance growth to regulations, so both can accomplish its respective outcomes.

SITE HISTORY

PC 06-96 Additional Use Permit- for a handicraft manufacturing and storage facility to be located on Lot 1950 on College Corner Pike. **Approved by Council, Ordinance #2465**

PC 07-2005 Zoning Map Amendment-Parcel H4100030000003 College Corner Pike, LI to GB, Approved by Council, **Ordinance #2848 with conditions.**

ZONING CODE

Section 1143.13 OI OFFICE & LIGHT INDUSTRIAL DISTRICT

- (c) Site Development Regulations.
 - (1) Lot requirements. No minimum lot size or lot width is specified, however, lot size and width shall be adequate to provide for parking, access drive spacing, yard space and screening requirements.
 - (2) Yard requirements.
 - A. Minimum front yard depth 50 feet
 - B. Minimum rear yard depth and side yard width
 - 1. If side or rear yard abuts onto a Residential District, yard shall have a minimum 50 feet for Permitted Use and minimum 100 feet for Conditional Use, and landscaped screening provided.
 - 2. Each side and rear yard shall be equal to the height of the principal building.
 - 3. Opaque fence may be substituted for plantings if approved by the Board of Zoning Appeals.
 - (3) Structural requirements.

- | | | |
|----|----------------|---------|
| A. | Maximum height | 45 feet |
| B. | Lot coverage | 33% |

Section 1143.14 LIGHT INDUSTRIAL DISTRICT

(c) Site Development Regulations.

- (1) Lot requirements. No minimum lot size or lot width is specified, however, lot size and width shall be adequate to provide for parking, access drive spacing, yard space and screening requirements.
- (2) Yard requirements.
 - A. Minimum front yard depth 50 feet
 - B. Minimum rear yard depth and side yard width
 1. If side or rear yard abuts onto a Residential District, yard shall have a minimum 50 feet for Permitted Use and minimum 100 feet for Conditional Use, and landscaped screening provided.
 2. Each side and rear yard shall be equal to the height of the principal building.
 3. Opaque fence may be substituted for plantings if approved by the Zoning Board of Appeals.
- (3) Structural requirements.

A.	Maximum height	45 feet
B.	Maximum Lot coverage	33%

COMPREHENSIVE PLAN

Several key directions of the Comprehensive Plan related to this particular matter are as follows:

- *Give priority to infill and redevelopment*
- *Create new jobs and services in the community*

Land Use: managed growth to ensure small town character, green areas and preserved farmland.

- Promote new areas for light industry and manufacturing, research and development and office spaces.
- Redevelop the 27 North corridor in a planned and coordinated manner.

Economic Development: diverse businesses, local services and employment opportunities.

- Retain and expand existing businesses
- Attract new businesses consistent with the skills of the local community, quality of life and indentified economic needs.
- Improve the resident work force through new employment services.
- Develop focused economic development and redevelopment incentive policies.

COMMENT FORMS

No public comment forms have been received to date.

AGENCY REVIEWS

Requests for review were made to the Police, Fire, Engineering & Economic Development Departments.

The following comments have been received:

- | | |
|--------------|---|
| Police: | Comments returned with no comments on this request. |
| Fire: | Comment returned with no comments on this request. |
| Engineering: | No comments received. |
| Econ. Dev. | No comments received. |

DECISION CRITERIA

A copy of the Zoning Code Amendment is attached.

ANALYSIS

This proposed amendment was brought to staff's attention during a recent building application review. A local business entity planned to construct a new addition to an existing manufacturing/storage building on College Corner Pike. It was fortunate that staff and the owners worked out a solution to allow the owners to move forward with this expansion project and satisfy the site development regulations. However, staff believes the site development regulations for the OI and LI are overly restricted and need modified.

Current city regulations delineate a maximum allowable impervious area for building and other accessory uses on the site. As outlined in the previous sections of this report, the lot coverage is limited to 33% for building and all other associated uses to the principal use. This allows only one-third of the site to be occupied by a man-made structure. Put this matter in perspective; the Oxford Zoning Code allows more than 35% of lot in residential districts to be covered with structure and there is no lot coverage requirement for commercial districts. It would seem quite stringent from a site development viewpoint to accommodate the generally higher percentage of land usage for manufacturing purposes.

Prior to contemplating any changes to the existing code, staff consulted with other municipalities to learn what their respective regulations were for industrial zoned properties. There is no consistent pattern between local entities. Many localities only prescribe different yard setbacks. The lot coverage depends on the lot width and depth and that can range from 35% to 75%. This figure does not include any required landscaping within the parking/maneuvering areas. Therefore, the actual lot coverage may be less.

Another factor needs to be part of this discussion is the retention area for the site. The design and the sizing of retention areas depend on the post development impervious areas to handle additional storm water runoffs.

On a related note, Square D is another manufacturing business in town. Staff did a quick calculation based on the aerial photo of the site. The lot coverage is approximately 55%. Under the current regulations, Square D is a nonconforming structure and cannot expand without receiving variance approval from the BZA. Therefore, any changes to the site development regulations must take this site into consideration.

RECOMMENDATION

In summary, the major change staff is recommending is to increase the lot coverage ratio from the current rate of 33% to 70%. No other changes are proposed at this point of time. The actual proposed language is attached for your consideration.

SUBMITTED

BY:


Jung-Han Chen, AICP

Community Development Director

DATE: July 20, 2010

ATTACHMENT:

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

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

Text Amendments

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

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 to 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

1143.13 OI OFFICE & LIGHT INDUSTRIAL DISTRICT

(c) Site Development Regulations.

(1) Lot requirements. No minimum lot size or lot width is specified, however, lot size and width shall be adequate to provide for parking, access drive spacing, yard space and screening requirements.

(2) Yard requirements.

- A. Minimum front yard depth 50 feet
- B. Minimum rear yard depth and side yard width
 - 1. If side or rear yard abuts onto a Residential District, yard shall have a minimum 50 feet for Permitted Use and minimum 100 feet for Conditional Use, and landscaped screening provided.
 - 2. Each side and rear yard shall be equal to the height of the principal building.
 - 3. Opaque fence may be substituted for plantings if approved by the Board of Zoning Appeals.

(3) Structural requirements.

- A. Maximum height 45 feet
- B. Lot coverage 70%

Section 1143.14 LIGHT INDUSTRIAL DISTRICT

(c) Site Development Regulations.

(1) Lot requirements. No minimum lot size or lot width is specified, however, lot size and width shall be adequate to provide for parking, access drive spacing, yard space and screening requirements.

(2) Yard requirements.

- A. Minimum front yard depth 50 feet
- B. Minimum rear yard depth and side yard width
 - 1. If side or rear yard abuts onto a Residential District, yard shall have a minimum 50 feet for Permitted Use and minimum 100 feet for Conditional Use, and landscaped screening provided.
 - 2. Each side and rear yard shall be equal to the height of the principal building.
 - 3. Opaque fence may be substituted for plantings if approved by the Zoning Board of Appeals.

(3) Structural requirements.

- A. Maximum height 45 feet
- B. Maximum Lot coverage 70%

Zoning Code Text Amendment Application
City of Oxford, Ohio

Aug mtg

REQUIRED INFORMATION

Name of Applicant:

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

Mailing Address:

101 E High St.

Telephone Number(s)

513/524-5204

Email Address

SUBMISSION REQUIREMENTS

A written, detailed description, where applicable, is required for each subsection.

All applications must include:

- A. A general description of the proposed amendment.
- B. A narrative statement that describes how the proposed amendment relates to the Comprehensive Plan.
- C. A statement that identifies potential negative consequences of the proposed amendment.
- D. Any existing section number and text that is proposed to be deleted or amended.
- E. Any new or amended text as it is proposed to be codified including its proposed location in the Code.
(section numbers)
- F. A narrative statement that describes the expected effects of the proposed text.
- G. A narrative statement that compares the expected effects of the proposed text with any existing text that it will replace, if applicable.

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

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. The proposed amendment will:

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

All materials and the application fee in the amount of \$150.00 payable to the City of Oxford must be delivered to the office of Community Development, 101 East High Street, Oxford, Ohio 45056 45 days prior to the proposed meeting date. Any questions should be directed to the Community Development Department at (513) 524-5204.

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

*1143.13(c)(3)B Site Development Regs
1143.14(c) Site Development Regulation*

SIGNATURE OF APPLICANT:

[Signature]

Date: 6/24/10

PRINTED NAME:

Jung-Han Chen

FEE / RECEIPT

\$150 Fee Paid / Receipt Number: NA

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 7/26/2010

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-10-2010

Description:

PC-10-2010 ZONING CODE TEXT AMENDMENT, 1143.13(c) Site Development Regulations, OI (Office & Light Industrial) District & 1143.14(c) Site Development Regulations, LI (Light Industrial) District, **City of Oxford, Applicant**

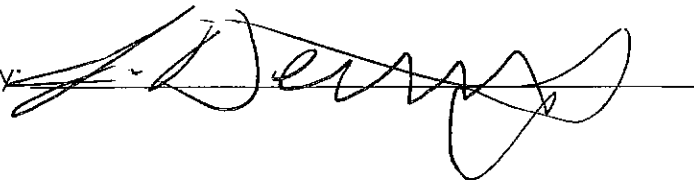
____X____ Review _____ Revisions _____ Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **8/5/2010** Note: If no comments are received, we will assume the project meets your department's standards.

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

Drawings reviewed by:

A handwritten signature in black ink, appearing to be "J. Perry", is written over a horizontal line.

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 7/26/2010

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-10-2010

Description:

PC-10-2010 ZONING CODE TEXT AMENDMENT, 1143.13(c) Site Development Regulations, OI (Office & Light Industrial) District & 1143.14(c) Site Development Regulations, LI (Light Industrial) District, **City of Oxford, Applicant**

 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **8/5/2010** Note: If no comments are received, we will assume the project meets your department's standards.

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

Drawings reviewed by: VICTOR POPESCU 8-12-10

Drawings reviewed by: [Signature]

Marc Biales
6317 Buckley Rd.
Oxford, Ohio 45056

Planning Commission
City of Oxford
101 East High St.
Oxford, Ohio 45056

Dear Sirs:

I am sorry that I will not be able to attend your meeting of August 10. We will be out of town at the biggest trade show of the year for our business;

Regarding the lot usage on the light industrial district, I am certain that the present wording of the lot coverage and structural coverage section needs to be revised to more correctly construe the intent of the code.

Lot coverage in the light industrial zoning areas should be much more than the present 33%. I am sure that there was not an intent to have 67% of the lot green space.

I think you will find that most municipalities expect coverage of 70% to 100% in the light industrial areas. It makes no sense to restrict usage on that type of land. The more of the property that can be used for productive activity the more jobs that can be created. More employees can be hired and given meaningful jobs and hence produce more tax income that can be paid to the city.

This area of the building code needs thoughtful interpretation. We had to compromise our recent expansion due to this lack of clarity.

Yours truly,



Marc Biales
President, Wild Berry Incense

City of Oxford Zoning Districts

Legend

-  Zoning Districts
-  LI, Light Industrial
-  OI, Office & Light Industrial
-  Corporation Limit
-  U.S. Highway
-  State Route
-  Public Street
-  Railroad

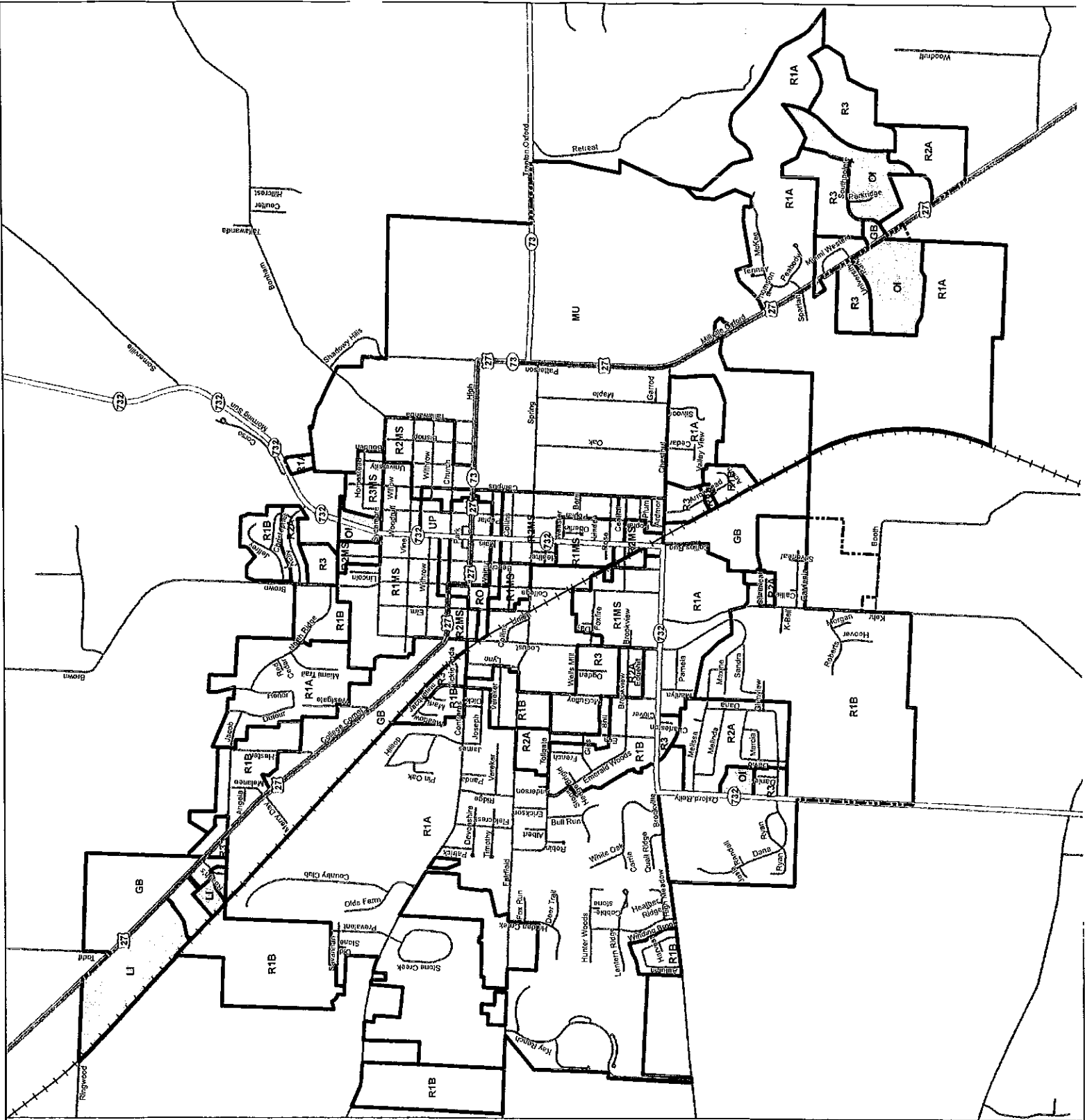


1 inch = 2,500 feet

Zoning Code Text
is available online at
www.cityofoxford.org

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.

Prepared on Tuesday, July 6, 2010



**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development Department
Originating Department

Council Meeting Of: September 7, 2010

Jung-Han Chen

Account Code No. #:

Prepared By:

Budgeted Amount:

August 17, 2010

Date Prepared:

Agenda Title:	PC-09-2010 CONDITIONAL USE – 127 W. Church Street, for a Place of Worship in the UP (Uptown) District, John Richter, The Oxford Vineyard, Applicant
----------------------	--

Recommendation:	Approval
------------------------	-----------------

Discussion:

The Planning Commission held a Public Hearing for this Conditional Use application to establish a Place of Worship in an existing retail building. The space contains approximately 3,680 sq. ft. and has sufficient on-site parking available. The current congregation is approximately 65 attendees, 30%-40% students, with services being conducted on Sunday's at 10:00 a.m. and 1:00 p.m. and the space may be utilized as needed during the week for various congregation events. At this time, no modifications to the exterior or layout of the parking have been planned.

During the Public Hearing, the Applicant addressed that there would be no impact or hardship made on surrounding properties or businesses.

Staff referred to the February 2010 City Council meeting where approval was made to this congregation at a different location Uptown (17 N. Poplar). Unfortunately, the space became leased to another entity, thus forcing them to look for a different site. Staff agreed based on casual observation that the congregation appeared to run a low-key operation. Staff assumes that they will continue to operate this way.

The Applicant was reminded to confirm with the building code that they are compliant and to meet with Staff should they have any questions.

The Applicant has already applied and been approved for signage contingent upon approval by City Council.

The Planning Commission members reviewed the Decision Standards and voted 7-0-0 to recommend **APPROVAL** to City Council.

Approved By:	Department Head:	Initial	Date
	City Attorney:	<i>JHC</i>	8/18/10
	City Manager:	<i>[Signature]</i>	9/3/10

ORDINANCE NO.

AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT TO ALLOW A PLACE OF WORSHIP IN THE UPTOWN (UP) DISTRICT AT 127 W. Church Street, OXFORD, OHIO.

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

SECTION 1: The Planning Commission met pursuant to Oxford Codified Ordinance Section 1147.02 on August 10, 2010 for the purpose of considering the request of The Oxford Vineyard, Applicant/Agent, John Richter, for a conditional use permit to allow a place of worship in the Uptown (UP) District at 127 W. Church Street Oxford, Ohio.

SECTION 2: The Planning Commission, after public hearing and discussion, voted to approve a motion recommending approval of the conditional use application to allow a place of worship in the Uptown (UP) District at 127 W. Church Street, Oxford, Ohio.

SECTION 3: Council hereby accepts the recommendation of the Planning Commission and accepts the recommendation report submitted by the Planning Commission and incorporates the same herein and further grants the conditional use permit application to allow a place of worship in the Uptown (UP) District at 127 W. Church Street, Oxford, Ohio.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW(STAFF)

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

<u>Report Date</u>	September 7, 2010
<u>Case Number</u>	PC-09-2010
<u>Applicant Information</u>	John Richter, Agent for The Oxford Vineyard, Applicant
<u>Requested Action</u>	Conditional Use Permit
<u>Summary of Request</u>	To Permit a Place of Worship in the Uptown District
<u>Public Hearing Information</u>	On August 10, 2010 a Public Hearing took place at 118 W. High Street. A Public Hearing notice was published in the Oxford Press on June 11, 2010. Courtesy notices were mailed to adjacent property owners on June 1, 2010.
<u>Commission Action</u>	The Planning Commission voted 7-0-0 recommending approval of the Conditional Use Permit at the August 10, 2010 meeting.
<u>Commission Findings and Conclusions</u>	At the August 10, 2010 Planning Commission meeting, the Commission, after hearing the Applicant and Staff findings, and reviewing the Decision Standards, voted to approve the Conditional Use. No conditions were found to be warranted.
<u>Exhibits Submitted to the Commission</u>	1. Staff Report dated June 16, 2010 2. Interoffice Review Transmittal Sheets 3. Property Notifications Map 4. Letter of Agency 5. Conditional Use Permit Application Dated May 17, 2010 6. Site Plan 7. Photographs

City of Oxford
Community Development Department
STAFF REPORT

Planning Commission

Case # PC-09-2010

Date – June 16, 2010

APPLICATION

Applicant:	Pastor John Richter, Oxford Vineyard Church
Location:	127 W. Church St.
Owner:	Robert Blackburn
Action Request:	CONDITIONAL USE , 127 W. Church St. for a Place of Worship in the UP (Uptown) District, The Oxford Vineyard, Applicant
Current Use:	Vacant Retail
Surrounding Existing Land Uses:	Business/Retail, Residential, Restaurants

DESCRIPTION

The Applicant seeks a Conditional Use permit to establish a Place of Worship in an existing retail building. The building is approximately 3,680 sq. ft. and the aerial photo shows that there are 15 marked on-site parking spaces available. According to the Applicant's descriptions, the congregation averages 65 attendees and 30-40% of those in attendance are students. Services are held on Sundays around 10 am and 1 pm. and the facility may be utilized for other congregation events during the week. A total of eight off-street parking spaces are proposed for the proposed use. At this time there are no modifications to the exterior of the building or layout of the parking. They have also requested signage in accordance with the sign regulations and have been reviewed and approved by the HAPC.

SITE HISTORY

BZA-05-1984 Setback variance for 127 W. Church St.
HAPC 07-2004 Church Street printing- signage- 21 N. College Ave
HAPC 08-2005 ADM- D.P. Dough sign replacement. 23 N. College Ave.

ZONING CODE

Section 1147.01 (c) Effect of Conditional Use Permit. A conditional use permit shall be valid only for the specific use and location approved.

Section 1143.10(b)(2)(B)(4) allows Places of Worship as a conditional use in the "UP" Uptown Zoning District. Section 1147.03(b)(15) regulates Use Specific Regulations & Potential Concerns for Churches.

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

COMPREHENSIVE PLAN

The Comprehensive Plan indicates this site is included in the "Core" of the City and part of the "Neighborhood Enhancement Area". The Core Zone contains well defined public realm due to the obvious and prominent location of civic spaces and uses in a central place. The development intent for this area includes a mix of uses including employment and commercial areas as well as the maintenance and improvement to public and private property that reflects the traditional commercial features that exist in the area.

COMMENT FORMS

No public comment forms have been received to date.

AGENCY REVIEWS

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

Police:	Comments returned with no comments on this request.
Fire:	Comment returned with no comments on this request.
Engineering:	Comments returned with no comments on this request.
Econ. Dev.	Comments returned.

DECISION CRITERIA

A copy of the Zoning Code Conditional Use Decision Standards is attached.

ANALYSIS

In February, 2010, City Council approved a conditional use for this congregation to locate at 17 N. Poplar St. The space was then leased to another entity; therefore forcing them to look for another site. The proposed use is in fact a conditional use in the UP District and appears to satisfy all of the Decision Standards. No specific strategies or objectives are directly accomplished; attributes of the Comprehensive Plan are achieved. There are no modifications to the existing structure and no use affiliated with the church will cause adverse effects or nuisances, nor there any more demand of governmental services. The building is more than sufficient to accommodate this use and there is ample parking on and off-site within a walkable vicinity of the building. There are seven places of worship between Walnut, Campus Church Streets and College Avenue, to add another similar use would not be disturbing to the existing neighboring uses.

Based on causal observation when the congregation was located at 17 N. Poplar St, the congregation appeared to run a low-key operation. It would be our assumption the congregation would continue to operate that way.

It is important that the Applicant make sure the building meets the building code for congregation purposes. The Applicant is recommended to meet with the Building staff to go over building issues at their request.

RECOMMENDATION

The application appears to meet all the Decision Standards of the Conditional Use and can be approved as presented.

SUBMITTED

BY: Jung-Han Chen
Jung-Han Chen, AICP
Community Development Director

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. The 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: 6/3/2010

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: **PC-09-2010**

Description:

PC-09-2010 **CONDITIONAL USE, 127 W Church Street**, to allow for a Place of Worship in the Uptown (UP) District, **John Richter, Oxford Vineyard, Applicant**

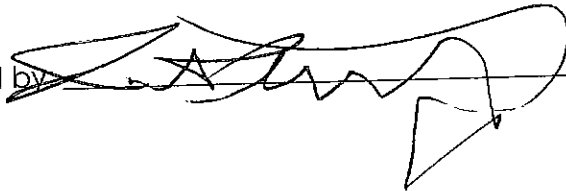
 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **7/1/2010** 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: 6-7-10

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 6/3/2010

To: Fire Department (Engineering Division) Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: **PC-09-2010**

Description:

PC-09-2010 **CONDITIONAL USE, 127 W Church Street**, to allow for a Place of Worship in the Uptown (UP) District, **John Richter, Oxford Vineyard, Applicant**

☒ Review ☐ Revisions ☐ Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **7/1/2010** Note: If no comments are received, we will assume the project meets your department's standards.

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

Drawings reviewed by: A. [Signature]

Date: 6-3-10

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 6/3/2010

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: **PC-09-2010**

Description:

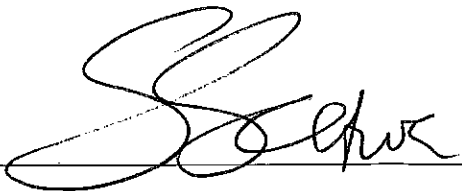
PC-09-2010 CONDITIONAL USE, 127 W Church Street, to allow for a Place of Worship in the Uptown (UP) District, **John Richter, Oxford Vineyard, Applicant**

 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **7/1/2010** 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: 6/3/10

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 6/3/2010

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: **PC-09-2010**

Description:

PC-09-2010 CONDITIONAL USE, 127 W Church Street, to allow for a Place of Worship in the Uptown (UP) District, John Richter, Oxford Vineyard, Applicant

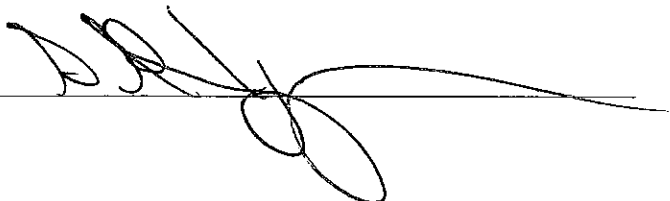
☒ Review ☐ Revisions ☐ Other

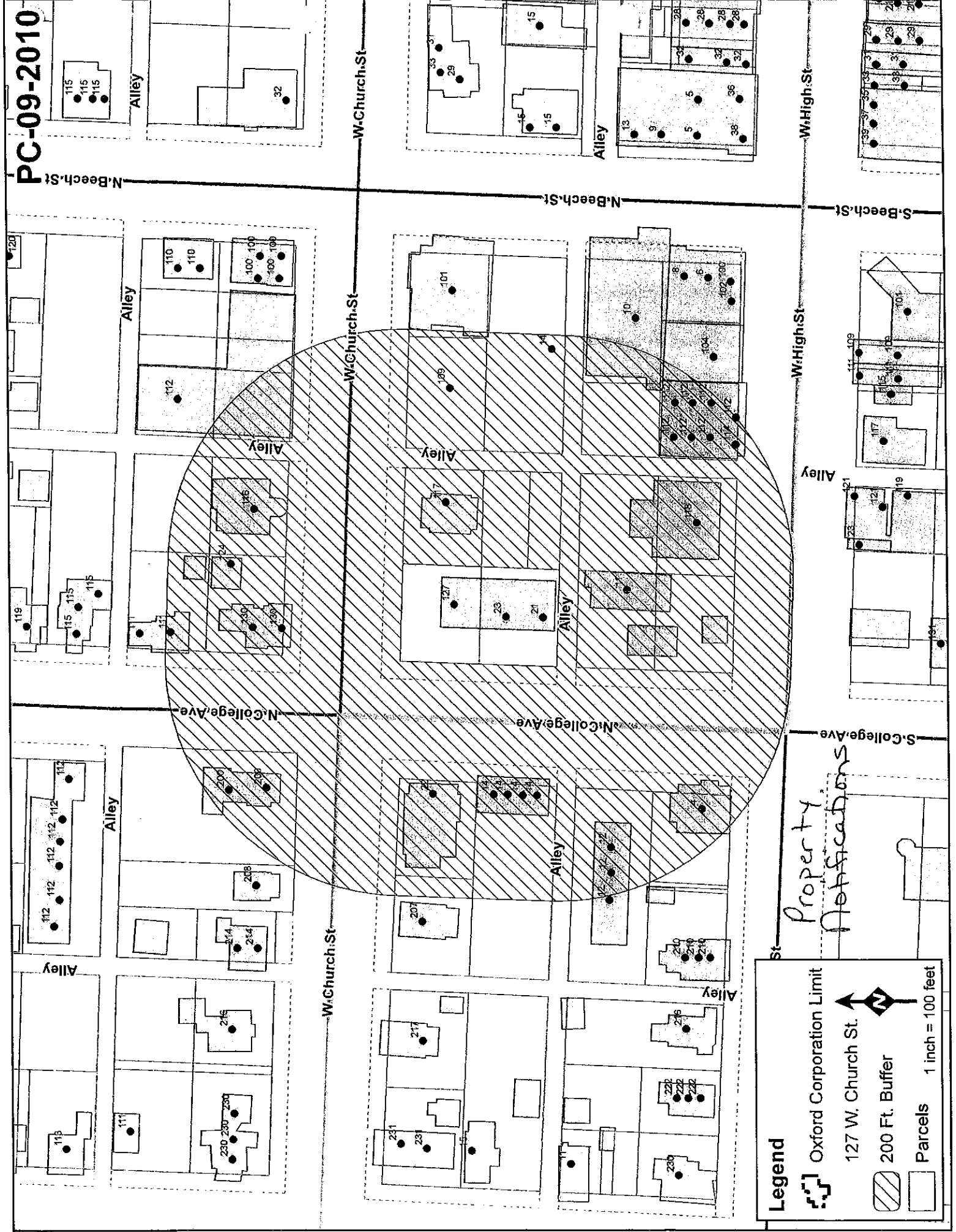
Comments or status update requested by: Lynn Taylor

Please return no later than: **7/1/2010** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments without/comments

THIS LOCATION SHOULD BE AN EVEN BETTER LOCATION (MORE PARKING)
THAN THE LOCATION ON N. POPLAR, WHICH WAS RECENTLY APPROVED.

Drawings reviewed by:  Date: 7-5-10



Legend

- Oxford Corporation Limit
- 127 W. Church St.
- 200 Ft. Buffer
- Parcels
- 1 inch = 100 feet

Property Notifications

Letter of Agency

To Whom It May Concern:

Please be advised that John Richter has permission to represent our interest with the City of Oxford and act on our behalf for the Planning Commission hearing July 13, 2010 regarding the Conditional Use – Place of Worship located at 127 W. Church St., Oxford, Ohio 45056.

Thank you,



Signed: Robert L. Blackburn
Blackburn Rentals

Date: 5 / 26 / 10

Conditional Use Permit Application
City of Oxford, Ohio

Case No.: PC-09-2010
Date Filed: 5/17/2010
July 13 mtg

REQUIRED INFORMATION (print clearly)

Name of Applicant: Oxford Vineyard (John Richter)
(Attach a letter of agency if the Applicant is not the property owner)
Mailing Address: 4102 Stillwell Rd
Hamilton, OH 45013 Email Address john.t.richter@gmail.com
Telephone Number(s): 513-300-5724
Name of Property Owner (if other than Applicant) Bob Blackburn
Location of Property: 127 W Church St.
Legal Description: 117 W 1/2 E W VAC STS
Zoning District: UPTOWN
Total Area: 2100 Acres (Square Feet) (circle one)
Existing Use Description: Used as a student ministry building for offices
and student events.
Proposed Use Description: Holding church services

SUBMISSION REQUIREMENTS

The required fee of **\$400.00**, made payable to the City of Oxford, must accompany the application. The entire submission must be prepared in accordance with Chapter 1147, Conditional Uses, of the Zoning Code of the City of Oxford.

Attach thirteen (13) copies of a site plan indicating the following:

1. North arrow
2. Scale
3. Vicinity Map
4. All existing and proposed lot lines within the site
5. Dimensions of all lots and of the entire site and any adjacent rights-of-way
6. Location, height, and use of all proposed and existing structures
7. Location and design of all proposed vehicle management areas
8. Location, size, and type of all proposed signs
9. Location, height, and type of all proposed screening and landscaping
10. Distances to residential zoning districts if within 1,000 feet
11. The use of land and location of structures on adjacent property and across adjacent rights-of-way
12. Elevations of proposed structure, or typical elevations if structures are not yet designed, shall be required by the Zoning Administrator if the proposed location, height, or bulk of the structure is such that it may negatively affect an adjacent use
13. Photographs of the existing use and its surroundings.
14. Other information as required by the Planning Commission

Attach a Narrative Statement describing how the proposed Conditional Use meets the following Decision Standards of the zoning district in which it is to be located:

- 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 Uses and its operation have been or can be obtained for the use at the proposed location.

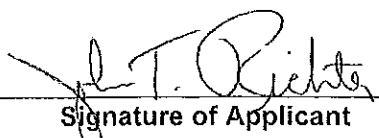
On a separate sheet of paper, provide the names and addresses of all adjoining property owners within 200 feet of the site, including those across streets, roads, alleys and highways. *Property Owner names will not be included in the agenda packet.

NOTE: The Butler County website (www.butlercountyohio.org/auditor) is very helpful when searching for the mailing address of adjoining property owners. Once the site is up, click on online searches, then click on real estate. It will allow you to search by owner, address or parcel number.

All materials must be delivered to the office of the Community Development Director, City of Oxford, 101 East High Street, Oxford, Ohio 45056. Any questions should be directed to the Community Development Department at (513) 524-5204. The issue will be placed on the next possible agenda.

Incomplete applications will not be processed.

NOTE: Notification and publication requirements must be adhered to. Submit materials 45 days prior to the proposed meeting date. City Staff will erect a public hearing sign on the subject property. It is the Applicant's responsibility to remove the signage once the hearing(s) are completed.

 _____ Signature of Applicant	<u>JOHN T. RICHTER</u> _____ Printed Name	Date: <u>5-17-2010</u>
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FEE / RECEIPT

\$400 Fee Paid / Receipt Number: 15649

Oxford Vineyard Narrative Summary of Conditional Use Permit Application

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

The Oxford Vineyard, a non-denominational Christian church, is requesting a permit to operate a place of worship at 127 W Church Street, Oxford, OH. This address is located in the UP (Uptown) zoning district. Per section 1147 of the Oxford Planning and Zoning Code dated Jun 2, 2009, a place of worship is a permissible conditional use in the Uptown zoning district.

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

The proposed use and site will satisfy the general intent of the Zoning Code in that a place of worship is a use consistent with the stated purpose of the Uptown District which is, "to preserve and encourage the continued vitality of the City's historic central business and civic activity area, as well as to achieve a mixture of appropriate uses in a functional, aesthetic and pedestrian compatible manner." Also, the proposed use is consistent with neighboring sites of worship. Additionally, the proposed use is a use that has considerable protection via the United States Bill of Rights.

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

The use and site are compatible with the general intent of the Comprehensive Plan via many of the objectives stated in Section 3.2 of the Plan:

Objective 2 Enhance Neighborhoods within the Mile Square

Objective 3 Continue to enhance Uptown

Objective 7 Preserve open space and farmland and expand existing open space

Objective 8 Expand urban green space.

Objective 10 Be a leader in environmental stewardship

In accordance with Objective 2, by providing a pedestrian friendly, alternative place of worship in the "Core", this use promotes the pedestrian orientation of the Mile Square. The Oxford Vineyard has met some of the neighboring churches in the Uptown area to promote unity and coordinate to work together on community service activities such as the "Walk for Hunger."

In accordance with Objective 3, the Oxford Vineyard will enhance Uptown by stimulating economic activity. We have consistently visited the Co-Op Bookstore for supplies as well as many of the Uptown restaurants. Finally, we would like to provide a safe and alternative haven for students to have "hang out" on the weekends.

Additionally, this use is environmentally friendly due to the pedestrian nature of the location, the decision to utilize an existing structure rather than utilize open spaces or farmland, and via the creation of a worship community that strongly encourages good stewardship of the earth.

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

The proposed location lends itself well to the proposed use. As a ~~former department store~~, the site offers a large 2100 square foot structure with an open floor plan, one restroom facilities, appropriate egress and a sprinkler system. This is ample space for worship services which have averaged 65 attendees and have been no more than 100 people (including children).

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

The use will be harmonious with, rather than hazardous or disturbing to, the existing or potential future neighboring uses. Our goal and purpose is to be a blessing; not a curse to the community. We have reached out to the local churches in the Uptown to help promote unity with the different congregations.

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.

30-40% of the congregation so far has been students who walk to services. This means that the other 40 or so people are families who would require parking. There are currently 8 spaces available onsite which means that for an average of 4 people per family, the Oxford Vineyard would require 2-7 parking spaces in the Uptown area between 10 am and 1 pm on Sundays. This should have little impact on parking and traffic in the Uptown area.

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.

The principal intended use of the site is worship, prayer, outreach and service to the community. Anticipated accessory uses may include: ancillary classrooms, recreation, counseling and gathering spaces with a value for creating a "third place" environment as a gift to the community.

"Third place" as defined in Wikipedia: Third places, then, are "anchors" of community life and facilitate and foster broader, more creative interaction. All societies already have informal meeting places; what is new in modern times is the intentionality of seeking them out as vital to current societal needs. Oldenburg suggests these hallmarks of a true "third place": free or inexpensive; food and drink, while not essential, are important; highly accessible; proximate for many (walking distance); involve regulars – those who habitually congregate there; welcoming and comfortable; both new friends and old should be found there.

- 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.

The existing public facilities and services are adequate for the proposed use and will not cause additional stress on those utilities.

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

The Oxford Vineyard will not require any 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.

No material changes are proposed to the building.

- 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.

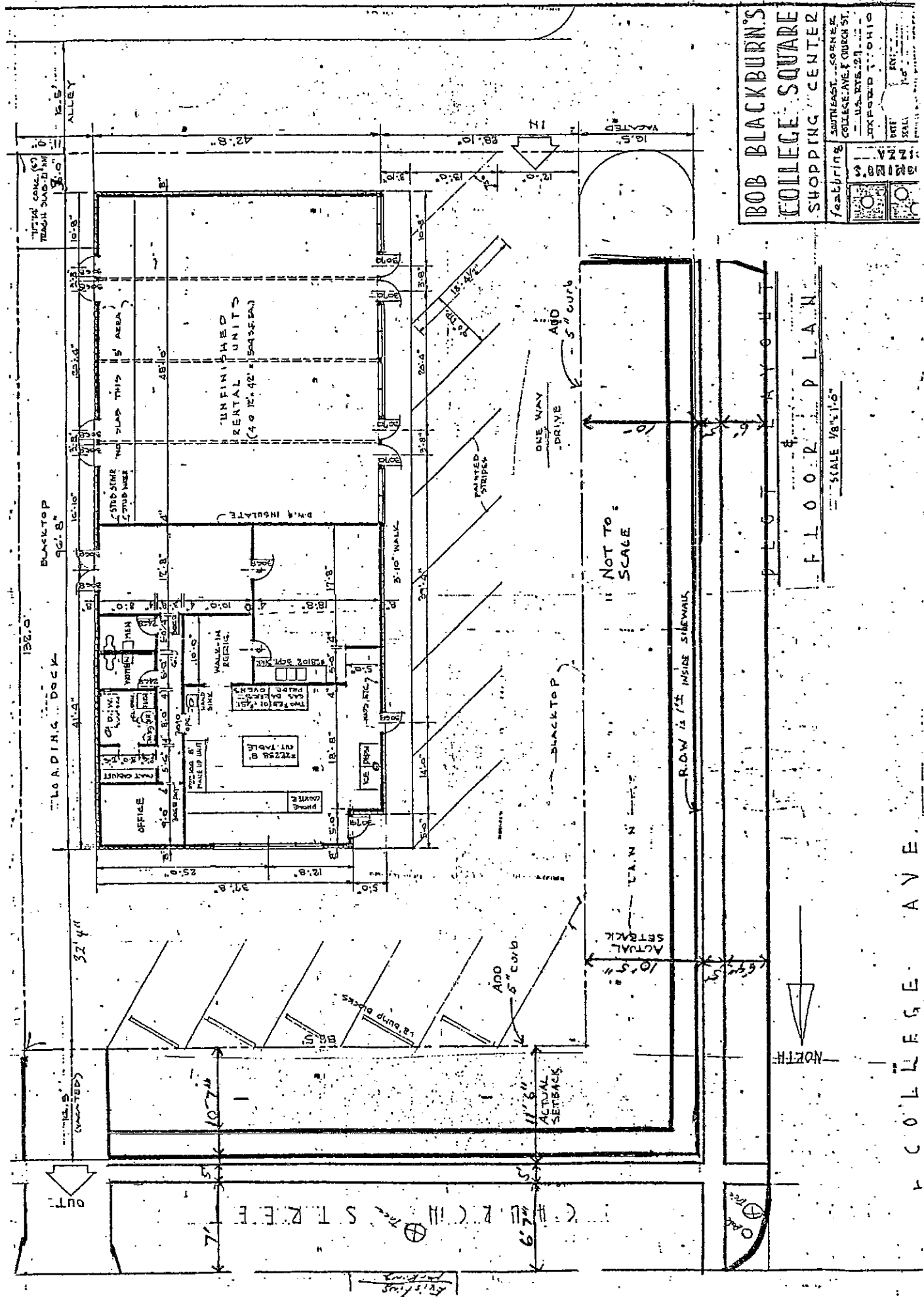
This place of worship is intended to service a significantly pedestrian population. 8 parking spaces are available on-site. Traffic flow through this area should not be effected.

- 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 being proposed. The site does not have natural, scenic, or historic features 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.

There should be no barriers to obtaining necessary permits per discussions with Bob Blackburn, building owner.





Location the church will be in.
located next to DP Dough
located next to Circle K gas station @ the corner of High St.
+ College Ave.
There are 2 entrances - 1 off College Ave + 1 off Church St.