



Agenda

Oxford City Council

Court House

TUESDAY, SEPTEMBER 18, 2018

EXECUTIVE SESSION

None.

1. Roll Call. Kate Rousmaniere, Mayor; Steve Dana, Vice-Mayor; Chantel Raghu; Glenn Ellerbe; Mike Smith; David Prytherch; Edna Southard

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

REGULAR MEETING

7:30 P.M.

PLEDGE OF ALLEGIANCE

2. Approval of Agenda.

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

3. Public Participation.

A. Proclamation 'National Hispanic Heritage Month'



Proclamation

B. Proclamation 'Caroline Scott Harrison Day'



Proclamation

C. Notice to Legislative Authority New permit for RF Pizza LLC DBA Rapid Fired Pizza 7 W. High Street Oxford, Ohio 45056. (Alan Kyger, Economic Development Director)



Staff Report/Notice

D. Public Comments.

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

4. Consent Agenda.

A. Minutes of the September 4, 2018 City Council Meeting. (Mary Ann Eaton, Clerk of Council)



Minutes

B. Report regarding the September 5, 2018 Environmental Commission Meeting. (Mike Dreisbach, Service Director)



Report

5. Resolutions.

1. A Resolution authorizing the City Manager to close a portion of Lot 52 each Tuesday from 2:30 p.m. until 8:00 p.m. to permit the operation of the Farmers Market within Lot 52 from September 25, 2018 through December 31, 2018. (Doug Elliott, City Manager)



Staff Report/Resolution

2. A Resolution authorizing the Mayor to execute an Economic Development (Trex) transfer form from the Division of Liquor Control for Fridge & Pantry Inc. (Alan Kyger, Economic Development Director)



Staff Report/Resolution

6. Ordinances.

A. First Reading.

1. An Ordinance Amending Ordinance No. 3449. Supplemental Budget Ordinance Number 5 To Make Supplemental Appropriations For Fiscal Year 2018. (Joe Newlin, Finance Director)



Staff Report/Ordinance

B. Second Reading.

1. An Ordinance Accepting The Recommendation Of The Planning Commission And Approving A Conditional Use Permit To Allow A Single Level Hotel Use Within A New Four Story Building In The UP (Uptown) District To Be Located At 22 S. Beech Street With One Condition. (Sam Perry, Community Development Director)



Staff Report/Ordinance

2. An Ordinance Accepting The Recommendation Of The Planning Commission And Approving The Final Planned Development Application For Phase I Of A Planned Development At 5728 College Corner Pike To Allow A Self Storage Facility With Conditions And Phase II Use To Be Determined. (Sam Perry, Community Development Director)



Staff Report/Ordinance

3. An Ordinance Granting A Zoning Map Amendment For Certain Properties In The City Of Oxfordâ€™s Mile Square A Map Of Which Is Attached Hereto As Exhibit â€œAâ€ And Incorporated herein, And Rezoning The Properties From GB (General Business) District To R-3MS (Single, Two And Three-Family Mile Square Residential) District. (Sam Perry, Community Development Director)



Staff Report/Ordinance

4. An Ordinance Granting A Zoning Map Amendment For Certain Properties In The City Of Oxfordâ€™s Mile Square A Map Of Which Is Attached Hereto As Exhibit â€œAâ€ And Incorporated herein, And Rezoning The Properties From RO (Residential Office) District To R-3MS (Single, Two And Three-Family Mile Square Residential) District. (Sam Perry, Community Development Director)



Staff Report/Ordinance

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.)

WED-Sept 19 Board of Zoning Appeals Meeting 6:30 p.m. Cancelled

FRI- Sept 21 Student Community Relations Commission Meeting 3:00 p.m. LCNB

TUES- Oct 2 City Council Meeting 7:30 p.m.

WED-Oct 3 Environmental Commission Meeting 7:00 p.m. Municipal Building

THUR- Oct 4 Public Arts Commission of Oxford Meeting 4:30 p.m. Municipal Building

TUES- Oct 9 Planning Commission Meeting 7:00 p.m.

WED-Oct 10 Historic and Architectural Preservation Commission Meeting 5:00 p.m.

WED-Oct 10 City Council Budget Work Session 6:30 p.m.

THUR- Oct 11 Civil Rights Commission Meeting 4:00 p.m. Municipal Building

FRI- Oct 12 Recreation Board Meeting 11:30 a.m. Municipal Building

MON-Oct 15 Housing Advisory Commission Meeting 7:00 p.m. Municipal Building

TUES- Oct 16 City Council Meeting 7:30 p.m.

WED-Oct 17 Board of Zoning Appeals Meeting 6:30 p.m.

FRI- Oct 26 Community Improvement Corporation 12:00 p.m. LCNB

8. Adjourn.

A regular meeting of the Oxford City Council was called to order by Mayor, Kate Rousmaniere on Tuesday, September 4, 2018 at 6:30 p.m. Those members present were Steve Dana, Glenn Ellerbe, David Prytherch, Chantel Raghu, Mike Smith and Edna Southard.

Staff members present: Mr. Doug Elliott, City Manager; Mr. Mike Dreisbach, Service Director; Mr. John Jones, Police Chief; Mr. Joe Newlin, Finance Director; Mr. Sam Perry, Interim Community Development Director; Mr. Casey Wooddell, Parks and Recreation Director; Mr. Alan Kyger, Economic Development Director; Mr. John Detherage, Fire Chief; Ms. Candi Fyffe, Human Resources Director; Mr. Steve McHugh, Law Director and Ms. Mary Ann Eaton, Clerk of Council.

ADJOURN TO EXECUTIVE SESSION

Mr. Dana moved to adjourn to Executive Session immediately in accordance with Ohio Revised Code Section 121.22(G)(1) (2) and (3) for the purpose of discussing the employment of a public employee, the purchase of property, and pending litigation. Ms. Raghu seconded. The motion passed by the following roll call:

AYE: Mr. Ellerbe, Mr. Prytherch, Ms. Raghu, Mr. Smith, Ms. Southard, Mr. Dana
Mayor Rousmaniere (7)

NAY: None (0)

ABS: None (0)

ADJOURN FROM EXECUTIVE SESSION

Ms. Southard moved to adjourn from Executive Session at 7:30 p.m. Mr. Smith seconded. The motion passed 7-0-0.

PLEDGE OF ALLEGIANCE

Mayor Rousmaniere requested the Pledge of Allegiance.

APPROVAL OF AGENDA

Ms. Dana moved to approve the agenda. Mr. Smith seconded. The motion passed 7-0-0.

PUBLIC PARTICIPATION

PRESENTATION

PCR&RC

ANNUAL REPORT

Ms. Amber Franklin, 1211 Dana Drive, advised she was a member of the Police Community Relations & Review Commission and on behalf of the commission's chair, Patrick Meade, and the other commission members, she was pleased to present this year's annual report.

Ms. Franklin noted the commission was established in 2015 and delivered the report. Ms. Franklin offered to answer any questions.

Council members having received the report in advance, thanked Ms. Franklin for addressing them and for addressing the public.

PRESENTATION
LIFE SAVING AWARD
LT. LARA FENING

Chief Jones thanked Council for the opportunity to recognize a member of OPD noting he finds his staff members are reluctant to accept the accolades for doing something they see as just part of their job. Chief Jones read and presented Lt. Lara Fening with the Oxford Police Division Meritorious Service Award as shown below.

Meritorious Service Award

On June 1, 2018, at approximately 1525 hours, it was pouring rain and a tractor trailer had pulled over to the side of the road underneath an overpass on I70. The Brookville Fire Department was dispatched to I70 for a motor vehicle collision and upon their arrival, they found that an SUV had rear-ended the tractor trailer, resulting in extreme damage to the SUV. The driver of the SUV was trapped in the vehicle with poor respiratory effort.

During the course of his work to care for and extricate the driver, the fire chief spoke briefly with a woman who was driving what was obviously an unmarked law enforcement vehicle. The woman reported pertinent initial information to responding personnel and the fire chief ascertained that the woman had stopped to render assistance, and in the process, extinguished a fire using the extinguisher from her unmarked vehicle. The fire chief later determined that it was Lt. Lara Fening who stopped to render aid.

Lt. Lara Fening was on her way home from out-of-town training and came upon the collision, which had obviously just occurred. She positioned her unmarked patrol vehicle in front of the tractor trailer, ran back towards the accident, confirmed the driver of the tractor trailer was okay, and then went to check on the driver of the SUV. She called 911 to report the accident, and as she was assessing the injured driver, noticed the SUV was smoking. Lt. Fening then ran back to her vehicle and retrieved the fire extinguisher from the trunk, ran back to the SUV, and extinguished the fire. She remained with the driver of the SUV until help arrived and then assisted fire department personnel until she was no longer needed.

The fire chief is confident that Lt. Fening's initial actions bought the victim time. Had the fire gone unchecked, the fire chief is confident they would have arrived to find a well-involved vehicle fire and fatality. The driver of the SUV sustained significant injuries, but is expected to survive. It is evident that the actions of Lt. Fening contributed to saving the life of the driver of the SUV.

For the Police role, it is fitting and deserving that Lt. Lara Fening be awarded the coveted OXFORD POLICE DIVISION MERITORIOUS SERVICE AWARD. This lifesaving award consists of a medallion for display and a service bar for daily uniform wear.

Presented by Safety Director Douglas R. Elliott, Jr. and Mayor Kate Rousmaniere this 4th day of September, 2018.

Mayor Kate Rousmaniere

Safety Director Douglas R. Elliott, Jr.

Mayor Rousmaniere thanked Lt. Fening for her service. Lt. Fening received an applause from Council and from those in the audience.

PROCLAMATION
'PROSTATE CANCER
AWARENESS MONTH'

Mayor Rousmaniere read the Proclamation and advised it would be forwarded to the requestor.

PUBLIC COMMENTS

Mr. Lee Fisher, 88 White Tail Run, noted in light of the water park development there was an extreme concern about increased traffic, especially at the intersection of Fairfield Road and the Community Park. Mr. Fisher advised he did a traffic study of his own last Thursday. Mr. Fisher shared the results of his study and noted due to the trees, vehicles coming out of the Knolls of Oxford were almost on the roadway before drivers can get a clear view to the west and advised due to the trees and a phone pole, the same was true coming out of the park. Mr. Fisher noted an average speed going into town was 61 mph. Mr. Fisher advised after checking with Mr. Perry he learned the last traffic study done in this area was in the early 2,000s. Mr. Fisher noted with the water park development he felt the numbers he provided in his report would explode. Mr. Fisher inquired what the process was for creating a 4 way stop there. Mayor Rousmaniere advised Council has discussed these issues and they were on Council's radar. Mr. Ellerbe inquired what Mr. Fisher's ideal scenario was for that intersection. Mr. Fisher advised 2 more stop signs and a flashing 'Be Prepared to Stop' sign.

Ms. Gretchen Jones, 112 Lantern Ridge, advised she would like Council to review the current policy for home based businesses and specifically for music teachers. Ms. Jones noted right now there was a limit of 10 clients per week which she felt was too restrictive.

Mayor Rousmaniere advised Council has been discussing this issue as well.

Mr. Mark Radlinsky, 6203 Hester Road, advised he would like to discuss cross walks on College Corner Pike noting there was a lot of traffic on College Corner Pike especially with the newly opened businesses. Mr. Radlinsky advised the 4 crosswalks were not very visible and he would like to see more visibility of the crosswalks noting he was a teacher at the McGuffey Montessori School. Mr. Radlinsky advised a flashing light like the one on Locust Street might be appropriate.

Ms. Ellie Radlinsky, 6203 Hester Road, advised she was a student at McGuffey Montessori and would also like to see more visibility of the crosswalks for the safety of students and other pedestrians.

Mayor Rousmaniere thanked everyone for their comments.

CONSENT AGENDA

MINUTES

Minutes of the August 21, 2018 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

REPORT

Report regarding the August 14, 2018 Planning Commission Meeting. (Sam Perry, Interim Community Development Director)

Mr. Dana moved to approve the Consent Agenda. Mr. Ellerbe seconded. The motion passed 7-0-0.

RESOLUTIONS

RESOLUTION **2019 TAX LEVIES**

A Resolution No. 7013 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 Butler County Auditor. (Joe Newlin, Finance Director)

Mr. Newlin advised each year the Butler County Auditor sends out the millage and the amount due from that millage and requests that Council approve those rates. Mr. Newlin noted 3.65 was the inside millage which has been on the books for a long time and the 3.25 mills is for the OATS Trail. Mr. Newlin advised once approved by Council it will be incorporated into the City's formal budget at years end.

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

Ms. Southard moved to adopt Resolution No. 7013. Mr. Dana seconded. The motion passed 7-0-0.

RESOLUTION
SETTLEMENT AGREEMENT

A Resolution No. 7014 authorizing the settlement of Butler County Common Pleas Case Number CV 2017 10 2234 with defendant Ella Mae Lawson, Trustee and Ella Mae Lawson individually and authorizing the City Manager to take all steps necessary to resolve this matter. (Doug Elliott, City Manager)

Mr. Elliott advised this case involves determining the fair market value for a parcel of land which was acquired by the City to resolve a private street issue. Mr. Elliott noted the City acquired the land on which the private street is located and advised the improved street was never deeded to the City when the plat was recorded in 1968. Mr. Elliott noted the City offered to buy the land and the owner declined the offer. Mr. Elliott advised on August 21, 2018 a settlement was reached between the City and the property owner contingent upon approval by City Council. Mr. Elliott noted the matter was discussed in Executive Session this evening and advised if Council concurs, he would ask that a motion be made to include the settlement amount in the agreement which will be attached to the Resolution.

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

Mr. McHugh advised the Assistant Law Director, Ms. Blankenship handled the mediation of this case with Mr. Elliott. Mr. McHugh explained the rationale for determining the settlement amount.

Mr. Smith moved to include the amount of \$20,850 as the settlement amount for the parcel. Mr. Ellerbe seconded. The motion passed 7-0-0.

Mr. Smith asked staff to inform the residents that the street was officially a City street.

Ms. Southard moved to adopt Resolution No. 7014. Mr. Dana seconded. The motion passed 7-0-0.

ORDINANCE
CONDITIONAL USE

An Ordinance Accepting The Recommendation Of The Planning Commission And Approving A Conditional Use Permit To Allow A Single Level Hotel Use Within A New Four Story Building In The UP (Uptown) District To Be Located At 22 S. Beech Street With One Condition. (Sam Perry, Interim Community Development Director)

Mr. Perry advised the Planning Commission recommended approval of a hotel on the ground floor of a new mixed use building. Mr. Perry noted there was not a requirement for a new mixed use building to come before Council although the hotel use of the building required going through the conditional use permit process. Mr. Perry advised the current business was a non-conforming use and noted the building was non-conforming. Mr. Perry advised for various reasons the Planning Commission found that trying to find a way to utilize this property would be a benefit to the district.

Mr. Perry noted the original proposal contained a parking plan which staff and the Planning Commission had major concerns with and advised the Architect, Scott Webb, revised the parking design to include underground parking to alleviate those concerns. Mr. Perry noted Mr. Webb requested an additional 1,250 square feet of floor area which the Planning Commission recommended as a waiver.

Mr. Prytherch noted this item was only before Council because of the conditional use for the hotel and inquired if the scope of Council's analysis should include things like the floor area ratio since it was not related to the conditional use. Mr. Perry noted it can be and advised the Planning Commission believed it was within the scope of the conditional use to review it as a waiver.

Mr. Dana referred to page 38 of Council's packet which referred to the Floor Area Ratio and a suggestion Ms. Blackmar made and advised he would withhold his comments for now but would like to come back to it.

Mr. Scott Webb, Architect, thanked Council for consideration of this proposal. Mr. Webb noted ground floor commercial use is required in the Uptown District at a minimum of 70% of the lot area. Mr. Webb noted this proposal would create a first floor hotel use as an annex to the Elms Hotel. Mr. Webb advised guests would pull into the drop off area in front of the Elms Hotel, check in there, pick up a key, park in their assigned space below the new building and go up into the hotel room. Mr. Webb noted the Uptown District provides a variety of uses that are encouraged by the Comprehensive Plan, mixed use buildings featuring restaurants, retail and residential units on the upper floors. Mr. Webb advised because there is a significant grade change on this property (4.5 to 5 feet) the building would face Beech Street. Mr. Webb noted to exceed the floor area ratio is also a conditional use as Council had the ability through the conditional use process to exceed the floor area ratio for commercial space. Mr. Webb advised every conditional use has concerns tied specifically to the use and in this case they are generally related to parking lots and proximity to residential uses which is not much of an issue in a mixed use building. Mr. Webb referred to the floor area ratio and noted he looked to meet or exceed the commercial ground floor commercial requirement with the hotel use and advised he and his client felt there might be an opportunity to incorporate a rooftop restaurant. Mr. Webb noted the underground parking was a very expensive venture and advised part of the reason they were asking for consideration of the increase of the commercial space is to make that space large enough to create another business in the community which results in a 5% increase of the total building but allows the opportunity to have an extra commercial space on the 4th floor. Mr. Webb advised the Planning Commission had questions about the hotel operations and noted laundry facilities would be located in the underground parking garage and no room service would be provided. Mr. Webb advised each hotel room was a suite with a small kitchenette. Mr. Webb displayed renderings of the proposed building and explained where the entrances, elevators, trash facilities, landscaping and courtyard would be located noting the courtyard would benefit the historical Church adjacent to the proposed building. Mr. Webb discussed the building height noting he felt any concerns from Council or the Historic and Architectural Preservation Commission would be satisfied. Mr. Webb addressed the decision standards for a conditional use permit explaining he felt all of the decision standards would be met. Mr. Webb discussed the goals of this proposal noting it encourages economic development in the Uptown District by bringing more visitors to the district who would support other businesses in the area.

Mr. Webb noted the bed tax would be a direct benefit to the City and to the Visitors Bureau and advised he felt it improves the neighborhood through infill development of an underused site. Mr. Webb noted he and his client felt the proposal provides a unique business opportunity for a rooftop restaurant.

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

Mr. Kyger noted there was a shortage of hotel rooms in Oxford and he felt this was a nice solution to a problem. Mr. Kyger advised he and Mr. Perry deal with hoteliers who come to town often with the desire to build a hotel and they find that financially it does not work, or less so than they would like. Mr. Kyger noted hotel rooms are full on Friday and Saturday nights and nearly empty the rest of the week. Mr. Kyger advised this proposal allows a mixture of residential and commercial uses on the top floors to help carry the debt service and still provide hotel rooms in the Uptown District.

Ms. Southard inquired if other people could utilize the underground parking and Mr. Webb advised there were 12 hotel rooms and 12 parking spaces. Ms. Southard inquired if there were any environmental issues due to the previous use of the site. Mr. Webb advised that was part of the due diligence of this process noting a Phase I Environmental has been completed and Phase II will be underway soon. Mr. Webb advised remediation will be part of the process for any permitting.

Mr. Prytherch advised he would like to hear from the Planning Commission representatives with regard to their review of this proposal. Mr. Prytherch asked Mr. Webb to address the justification for Council granting a waiver on the floor area ratio and inquired what it had to do with the hotel use on the first floor. Mr. Webb noted there were two separate conditional uses, extra commercial square footage in the UP District regardless of the hotel. Mr. Webb advised the restaurant will be used by anyone in the community and he and his client would like to create one more use on the 4th floor of the building for the benefit of the Uptown as another attraction and business opportunity. Mr. Prytherch asked Mr. Webb to address how the restaurant would operate in terms of elevators and access noting he seemed to see third stories of commercial buildings being used as party decks on Friday nights. Mr. Webb advised if the restaurant was intended for the residents it would count towards the residential square footage and it was not his or his clients' intention to give up any residential square footage for a party deck for the residents. Mr. Webb noted they did feel that a unique dining opportunity would benefit other people. Mr. Webb advised the elevators will be keyed so the general public will not have access to the residential floors and the general public will not have access to the hotel portion of the building. Mr. Prytherch noted because Mr. Webb was asking for an expansion on the commercial space he wanted to ensure it was functional commercial space. Mr. Webb advised he was meeting the ground floor commercial requirement with the hotel and he and his client would like the waiver to add the restaurant.

Mr. Dana referred to a memo on page 38 of Council's packet and read "Based on Ms. Blackmar's comments of a potential affordable housing unit in exchange for increased FAR, staff has had some internal discussions, but no recommendations at this time". Mr. Dana noted affordable housing was very much at the core of what many people in this community are interested in when they see a new project.

Mr. Dana advised he felt it was worth remembering that Ms. Blackmar suggested the application of an impact fee which would help provide funds for affordable housing in Oxford.

Mr. Ellerbe and Ms. Southard advised they were big fans of mixed use.

Mr. Smith advised when the Planning Commission first reviewed this project there was slanted parking on the street for the hotel which they did not like and the applicants revised the plan to include underground parking which was no small feat. Mr. Smith noted the Planning Commission was willing to accept more student housing in this district to potentially get what could be a real business draw noting he could not imagine a rooftop restaurant would not draw. Mr. Smith advised it could be the last opportunity to get something like that because it may be one of the last tall buildings in the Uptown District. Mr. Smith noted the Planning Commission felt it was worth giving the applicants a wavier with the floor space because if the 1,200 square feet was taken away it does not leave a lot of space to create a restaurant that will need some indoor table space in the winter time.

Mr. Dana noted representatives from the nearby Church were very positive about this development which he felt adds to the desirability of it.

Mr. Webb advised the restaurant would be about the size of Patterson's Restaurant.

Mr. Prytherch asked how the Planning Commission felt about the contrast in height with this project and the Bethel AME Church. Mr. Smith advised the Planning Commission was initially concerned about that and noted the proposed building would sit back more from the lot line than the current Mesler building does. Mr. Smith noted representatives from the church were excited that the developer would help landscape the parcel between the two buildings and they put in writing that they supported the project.

ORDINANCE

FINAL PLAN APPROVAL

An Ordinance Accepting The Recommendation Of The Planning Commission And Approving The Final Planned Development Application For Phase I Of A Planned Development At 5728 College Corner Pike To Allow A Self Storage Facility With Conditions And Phase II To Be Determined. (Sam Perry, Interim Community Development Director)

Mr. Perry advised a preliminary plan was approved for this project at the corner of College Corner Pike and Todd Road in 2016. Mr. Perry noted the final plan was submitted and reviewed by the Planning Commission. Mr. Perry advised the intent of a Planned Development was to allow something that would otherwise not be permitted by the underlying zoning district. Mr. Perry noted the applicant's idea was to build this as a spur for allowing the rest of the 14 acres to be developed. Mr. Perry advised the multi-use path on College Corner Pike would be expanded with this project. Mr. Perry briefly discussed the 11 conditions placed on the proposed development and advised all of the decision standards had been met.

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

Mr. Dana referred to condition 6 on page 73 of Council's packet which reads in part "Financial security shall be provided for the 10 foot multi-use path" and inquired how that was determined. Mr. Perry advised it was a standard process the City Engineer uses for determining and ensuring that improvements done are accounted for. Mr. Perry noted for roadways and sewers a professional estimate is provided by the developer and the City Engineer checks the estimate to verify its accuracy. Mr. Perry advised once approved, the City Engineer requires a cash bond, performance bond or letter of credit which is held until the infrastructure is completed.

Ms. Southard advised she felt this was a good use of the space and noted there was evidently a need for storage facilities in the community.

Mr. Prytherch advised when a project gets to this stage the decision standard is that it is in substantial conformance with the preliminary plan.

ORDINANCE **ZONING MAP AMENDMENT**

An Ordinance Granting A Zoning Map Amendment For Certain Properties In The City Of Oxford's Mile Square A Map Of Which Is Attached Hereto As Exhibit "A" And Incorporated Herein, And Rezoning The Properties From GB (General Business) District To R-3MS (Single, Two And Three-Family Mile Square Residential) District.

Mr. Perry provided a PowerPoint and advised the proposed zoning map amendment request was broken into two Ordinances since the request involved two different zoning districts. Mr. Perry noted the applicant was OPUS Development Company, LLC and Mr. Ben Angelo was in attendance for OPUS and Mr. John Myefski was in attendance for Myefski Architects. Mr. Perry displayed a slide and advised the southern portion of the property in question was along S. Elm Street and Walnut Street and was currently zoned GB. Mr. Perry noted the northern portion of the property in question was currently zoned RO. Mr. Perry advised there were some gaps in the map because some of the property was right-of-way. Mr. Perry noted a common question has been will the rights-of-way be rezoned as part of this request and advised if the project is approved the rights-of-way would be rezoned. Mr. Perry referred to the map on page 121 of Council's packet noting the request was to rezone the entire area as R3MS. Mr. Perry advised a large portion of the area was currently vacant and under-utilized and noted there were residential buildings along S. Elm Street one of which was not part of the rezoning request. Mr. Perry advised the decision standards were discussed at length during the Planning Commission review and advised Criteria B. The proposed amendment will make the map conform more closely with the Comprehensive Plan was discussed at length because a lot of chapters and maps in the Comprehensive Plan dealt with land use. Mr. Perry referred to Criteria C. There has been a substantial change in area conditions that necessitated the amendment and advised the Planning Commission discussed this at length and felt there had been substantial changes and noted they did not come to a consensus as to whether the changes necessitated the map amendment. Mr. Perry noted the Planning Commission voted 3-3 to recommend approval so the motion failed and the recommendation is to deny the rezoning request. Mr. Perry advised if City Council approved the rezoning request he would recommend it be approved with conditions, one being a multi-model traffic study being done, and one being to consolidate the lots.

Mr. Prytherch referred to the proposed Ordinance on page 129 of Council's packet "An Ordinance Granting A Zoning Map Amendment" and asked for clarification since the Planning Commission's recommendation was to deny the request. Mr. McHugh advised he requested the Ordinance be written in the affirmative so that a yes vote meant yes and a no vote meant no.

Mayor Rousmaniere reminded everyone the discussion this evening was about rezoning, not what might be developed on the property if it is rezoned.

Mr. Ben Angelo, OPUS Development Company, LLC, advised OPUS was new to the Oxford community and was founded in the early 1950s in Minneapolis, Minnesota where they were still headquartered. Mr. Angelo noted OPUS was located in 8 other cities across the country. Mr. Angelo advised OPUS had a lot of expertise in development and construction focusing on office, healthcare, industrial and residential projects, including their collegiate communities' product type. Mr. Angelo noted OPUS identifies the best communities across the country that they feel would support a successful development and ownership interest for OPUS and for the community. Mr. Angelo advised OPUS invested a lot of time and money in the communities they go into and they feel it is best that the community benefits as well as OPUS. Mr. Angelo noted they were before Council with a favorable staff report and a split decision from the Planning Commission on the zoning map amendment. Mr. Angelo advised OPUS first came to Oxford two years ago to start making plans for what they wanted to do. Mr. Angelo noted OPUS had gone through many iterations of what this site could become and ultimately determined R3MS would be the best use for the property in question. Mr. Angelo advised OPUS with the assistance of Myefski Architects like to engage in the community and ensure the projects they bring forward have buy-in from the community and fit within the context of the community.

Mr. John Myefski, Myefski Architects, noted he appreciate the opportunity to present this evening. Mr. Myefski provided a PowerPoint and noted the site in question included Elm Street which has been developed over the recent few years to have minimal development in some areas, some existing homes and Miami University's food service building which has fallen into disrepair. Mr. Myefski advised a portion of the area has the qualifications of being a Brownfield noting a Brownfield was hard to develop and the ultimate goal was to turn it into a Greenfield so it can be developed into something the community might like to see. Mr. Myefski noted the area in question was on the westerly edge of the Mile Square and advised the zoning itself was quite varied and not in a pattern that distinctively sets it to be one area or another area when you look at the map. Mr. Myefski noted he felt the zoning was well planned over time and it was obvious that change has occurred. Mr. Myefski advised the train tracks from a zoning perspective are always a strong indicator of change. Mr. Myefski noted he and OPUS were proposing to find a use that seems appropriate for the site and still fits well into the context of what is around it. Mr. Myefski advised a triangular site is not what architects necessarily look for but there were areas within the property in question that do work well and noted looking at the two zoning districts involved he could not tell historically how they occurred. Mr. Myefski advised he and OPUS would like to propose a reactivation of Walnut and Collins where one is a dead end and one is a gravel parking lot and turn the area into a way to transition through the site with circulation. Mr. Myefski noted it was important to think about the Comprehensive Plan and maintaining the neighborhood character. Mr. Myefski advised because this is eventually intended to be purpose-built student housing he felt it was important to understand what that means as well.

Mr. Myefski noted there is a large existing sewer that runs through the site that is a City utility and the developer has proposed to relocate it on Walnut or Collins and create an easement for it for the City. Mr. Myefski referred to Decision Criteria B. The proposed amendment will make the map conform more closely with the Comprehensive Plan, and advised he and OPUS felt the proposed development will revitalize and improve the underutilized land. Mr. Myefski noted revitalizing the Brownfield brings the opportunity to take what is a prime location and bring it back to life and back into things that will work better with the different needs of the community, the tax base for the community and expand circulation through the site. Mr. Myefski advised this area was identified to be a neighborhood enhanced area and to have multi-family developments that could be done through the Planned Development process. Mr. Myefski noted since the property in question was located on the east side of the train tracks he felt it typified the traditional urban development which includes multi-family and mixed use and he felt multi-family made the most sense as Elm Street was not a strong retail area. Mr. Myefski advised he felt this area could help serve to be a transition from different commercial uses to the west and slowly getting into R3MS, R2MS and R1MS Districts. Mr. Myefski referred to the Comprehensive Plan and noted one of the strategies was to continue to promote density of housing opportunities within the Mile Square and to beautify a major corridor and he felt they were doing that. Mr. Myefski referred to Decision Criteria C. There has been a substantial change in area conditions, and noted the Whistle Stop would no longer be functioning and there were abandoned areas on the back of the site. Mr. Myefski advised the university property was not going to be used for its current use which leaves a few residential properties on the site. Mr. Myefski noted he felt changing the site to single, two and three family within the Mile Square area would help achieve something on an under-utilized Brownfield site.

Mr. Bill Snavelly, Dana Drive, noted he was the Chair of the Planning Commission. Mr. Snavelly encouraged Council to support the Planning Commission's recommendation in this particular case. Mr. Snavelly referred to the 3-3 vote and noted he voted against the proposal. Mr. Snavelly advised he felt these were sincere developers from another area who have looked at the property in question and given Council an idea for a really nice development. Mr. Snavelly noted he felt the commission was impressed with the developer, thought they were fine individuals and had a lovely plan in many respects. Mr. Snavelly advised he felt the business owners at Whistle Stop were awesome people, he loved going there, he was sorry they want to leave and the proposal was great for them. Mr. Snavelly noted the other aspect in their favor was that it was a weak area. Mr. Snavelly advised because it is a weak area does not mean Council is obligated to engage in any kind of zoning that anyone wants. Mr. Snavelly encouraged Council to look at it as what is the plan for Oxford in the Uptown area. Mr. Snavelly noted the Planning Commission went to a lot of effort that Council supported to say that R3MS should be right next to the campus. Mr. Snavelly noted he felt the question was, is it appropriate to all of a sudden change the vision for the town. Mr. Snavelly advised he felt there had to be a careful plan as to where the highest density zoning is located and he felt it should not be located somewhere just because it was a weak area. Mr. Snavelly noted the Planning Commission viewed this proposal not as a decision on the value of the developers or their plan because once rezoned they could walk and anyone could do anything they wanted in that area. Mr. Snavelly advised the burden of proof is on the petitioner to show there is insufficient zoning in the community and space for student rental housing. Mr. Snavelly referred to two new student housing projects coming on line, one next to Stewart Square and one Uptown.

Mr. Snavely noted the idea that these developers are the only ones who could possibly come in with any kind of development here is fairly arrogant in his mind. Mr. Snavely encouraged Council to give it some time and noted since the City just went through a major rezoning and said R3MS should be tight to the university he did not think that should be flipped and put on the other end of the Mile Square.

Mr. Don Smith, College Corner Pike, advised he did not agree with Mr. Snavely and noted there were negatives to the process as it was not perfectly located according to the Comprehensive Plan. Mr. Smith advised right across the street was similar housing at Bishop Square and the Gaslight project was very similar as well. Mr. Smith noted the whole area in question was student housing according to a home owner who spoke at the Planning Commission meeting. Mr. Smith advised he did not see it as a big deal to put more student housing in the area in question. Mr. Smith noted every other area in town that he noticed was R3 had R1 right next to it. Mr. Smith advised many of the people who spoke at the Planning Commission meeting spoke of traffic problems, safety problems and parking problems and he felt the people living in the proposed area would mostly ride the bus or walk and leave their cars parked. Mr. Smith noted he felt traffic, safety and parking would be more of a problem with a commercial business being located in the area in question. Mr. Smith advised the Comprehensive Plan strongly prefers development of under-developed and un-used properties and noted he could not think of a more under-developed and un-used property. Mr. Smith advised having the developer relocate the sewer would save the City and the tax payers a ton of money. Mr. Smith noted he felt more houses would revert to owner occupied with this proposed and advised Oxford has long lamented the fact that owner occupied housing has been lost in the Mile Square. Mr. Smith advised he felt it would take a big developer to deal with the big challenges the area in question presents noting OPUS was willing to do that and there was no telling when another opportunity would come along if it ever does.

Ms. Kelly Hansel, advised she was speaking on behalf of herself, her family, and their business known as the Whistle Stop. Ms. Hansel noted they were in favor of the project for several reasons but most importantly because the business is no longer sustainable. Ms. Hansel noted the family did not want to close the business and advised the business was no longer being supported enough by the community. Ms. Hansel advised she felt on line shopping and big box stores were the reason for their business declining. Ms. Hansel noted the Whistle Stop and Oxford Farm Service have succeeded for over 50 years combined and advised they do hate to see it end but it was very clear that needed to be done. Ms. Hansel noted OPUS has offered to buy the property, clear it, clean it and make it a beautiful block and advised no one else has offered to do the job. Ms. Hansel noted this would be a massive project and advised the clean up itself was astronomical. Ms. Hansel advised OPUS has researched this proposal for over 2 years and they are confident they can do this for her family, for the City and for the university. Ms. Hansel noted the argument seemed to be the need for more student housing and is it appropriate to locate it in this location. Ms. Hansel advised student housing was the only way OPUS could re-coup their investment. Ms. Hansel noted the location was not well traveled and not ideal for retail. Ms. Hansel advised in her opinion housing was the best option noting the walkability and usage of bikes for students would be incredible in this location. Ms. Hansel advised it was a neutral location close to Uptown, campus and Kroger and noted OPUS would provide off-street parking which would clear Elm Street for potentially wider sidewalks, bike lanes and such. Ms. Hansel advised most students come from wealthy families who want their kids to have nice housing as the older houses tend to be a concern.

Ms. Hansel noted the older houses could potentially be turned into lower income or senior housing. Ms. Hansel advised she was informed that Miami planned to increase the student enrollment to 25,000 from the current 17,000 in the next 5 years and she felt if that was true the extra housing would be needed. Ms. Hansel noted whether OPUS succeeds with this project or not the Whistle Stop will probably not remain.

Mr. Ralph Schwegman, 814 McGuffey Avenue, advised he wished to address student housing and the lack of low income housing in Oxford. Mr. Schwegman noted he felt there was a surplus of student housing and advised he felt the competition in the long run creates lower income housing. Mr. Schwegman noted it took 50 years for family housing in Oxford to be depleted and advised when he was in grade school all of his classmates lived in Oxford and he felt the surplus of student housing and competition will create lower income housing and will be beneficial to the community. Mr. Schwegman addressed the issue of traffic and noted he did not feel traffic would be an issue with the proposed rezoning request. Mr. Schwegman reiterated that OPUS would relocate the failing sewer and noted his hope that would never become a problem for taxpayers in Oxford. Mr. Schwegman discussed Miami's former food service building and advised the property can not be redeveloped until the sewer line was addressed. Mr. Schwegman noted his father had a famous saying which was "A bird in the hand is worth two in the bush" and advised Council had a bird in the hand. Mr. Schwegman thanked Council for hearing him out, for their service to the community, and for their consideration of this matter.

Mr. Richard Campbell, 5312 Hillcrest Avenue, noted he was in attendance to support his friends at the Whistle Stop. Mr. Campbell advised he came to Oxford to run the Journalism program at Miami University 15 years ago. Mr. Campbell noted he has read stories over and over of nine students in an old house paying \$900 per month each which was much higher than his daughter paid at Tufts University in Boston. Mr. Campbell advised he supported anything that makes prices more competitive for the students and for other citizens who want to live here. Mr. Campbell noted when he moved to Oxford he wanted to live in the Mile Square but he could not afford to live in the Mile Square. Mr. Campbell advised a lot of Miami faculty were driven out of the Mile Square because of free enterprise and free markets and noted he felt bringing this development to Oxford would bring more competition which will drive costs down. Mr. Campbell advised he supported this proposal and had a difficult time as a citizen understanding why anyone on the Planning Commission would vote against it.

Mr. John Kennedy, 100 S. Elm Street, noted the property in question has been in his family for a long time and advised General Business was not a good fit for the property. Mr. Kennedy noted the family had never been approached by anyone who wanted to redevelop the property and if this proposal goes away it will probably never happen. Mr. Kennedy advised he felt this was a great opportunity.

Mr. Charles Kennick, 311 ½ W. Church Street, advised from a student perspective there have been a lot of studies done, and in Dr. Prytherch's class especially, showing there is already enough student housing. Mr. Kennick noted he felt increasing the amount of student housing which has been the process for a while will not drive lower prices. Mr. Kennick advised prices have continued to increase for the past two decades even with more supply being added. Mr. Kennick noted he did not see Miami adding more students without adding more academic space.

Mr. Kennick advised a lot of Miami students were from wealthier families and noted that did not mean they should be exploited for someone else's gain. Mr. Kennick noted his hope Council would consider the proposal.

Mayor Rousmaniere reminded everyone Council was considering a rezoning request, not what type of project might be developed.

Mr. Greg Edwards, advised he lived in West College Corner, worked for the Whistle Stop, and has worked in Oxford for 6 years. Mr. Edwards noted he has had an opportunity since the Planning Commission Meeting to watch the students and advised they do walk Uptown and they do ride their bikes. Mr. Edwards advised he felt zoning the area in question into a residential area would change 2 businesses that exist while creating a healthier residential area with the existing houses. Mr. Edwards noted he felt the rezoning was a great opportunity for this area.

Ms. Karen Baker, 4006 Kehr Road, advised she listened to all of the arguments back and forth and noted she could not find any negatives. Ms. Baker advised she looked forward to the aesthetics being improved along with the lighting and the walkability of the area in question. Ms. Baker noted she was in favor of the rezoning to allow for the different uses of that zone, not commercial and not business. Ms. Baker advised she supported the aesthetics, walkability, sewer line, parallel road to Locust to allow better traffic flow and she felt 3 story buildings at the end of town were more pleasing than in the middle of town.

Mr. Scott Webb, advised the condition that staff recommended of combining all of the lots would be a safeguard for the Planning Commission and for Council. Mr. Webb noted if it turned out to be 3 parcels it allows by right just one 3 family house on each of the 3 parcels and anything else would have to return to the Planning Commission to re-divide the property to allow a subdivision or a planned development which require Planning Commission and Council approval.

Mr. Dana pointed out that none of the houses in the area in question were protected by any local historic districts and the Comprehensive Plan indicates that historic buildings should be protected. Mr. Dana advised 4-5 historic houses were slated to go out of existence. Mr. Dana referred to comments made earlier and noted the idea that Council can predict the number of people who will leave their cars at home and ride the bus was problematic. Mr. Dana advised he was in favor of a traffic study being done early on.

Ms. Southard mentioned the Fire Station was in close proximity which she felt was a major consideration as Council considers the idea of rezoning.

Mr. Dana quoted the developer as saying "promote a diversity of housing opportunities" and noted he did not see how that would come about without considerable intention of establishing an ordinance which would mandate inclusionary zoning. Mr. Dana advised if that was not done and zoning is changed anything could be done with the property.

Mr. Prytherch advised to rezone a property based on the benefits to the owner should not be Council's guiding tool noting it should be guided by the general welfare.

Mr. Prytherch referred to Decision Criteria B. "The proposed amendment will make the map conform more closely with the Comprehensive Plan" and noted he felt the property was ripe for redevelopment. Mr. Prytherch advised the former Oxford Farm Service site no longer serves that purpose and will never serve that purpose. Mr. Prytherch referred to the Land Use Chapter of the Comprehensive Plan which focuses on development goals and objectives on vacant and underutilized land and noted the proposal fulfills that kind of purpose. Mr. Prytherch referred to the goals of preserving small town character and enhancing the Mile Square to preserve the traditional character of Oxford and noted that was where the historic preservation part comes in. Mr. Prytherch advised he felt the City had done a good job of redeveloping a little bit at a time while maintaining the character of Oxford and he does not want to see redevelopment get out of control and lose swaths of the texture of the Mile Square. Mr. Prytherch noted he felt there will be redevelopment in the area in question and advised he saw slated the demolition of an entire block of Elm Street which is a weak place. Mr. Prytherch noted looking at strong places the Oxford Community Arts Center is about the strongest place in Oxford. Mr. Prytherch advised he felt this redevelopment will have to be really good and sensitive to balance things and he felt someone will be able to do it. Mr. Prytherch noted rezoning without a real good plan in hand makes him very weary.

Mayor Rousmaniere advised a couple of years ago the Planning Commission held a number of public meetings and a consultant was hired to come in to assist with rezoning ideas. Mayor Rousmaniere noted the main theme ended up being to increase density near the university and open up the rest of the City for real single family housing. Mayor Rousmaniere advised a plan was laid out, a consultant was paid, maps were drawn, people stood around tables and a lot of participants were involved. Mayor Rousmaniere noted Council up-zoned approximately 4 acres of land near the university for high density housing. Mayor Rousmaniere advised this proposal would up-zone on the opposite side of town which conflicts with a well reasoned plan that the Planning Commission and Council worked on a couple of years ago. Mayor Rousmaniere noted concern with reacting to a good proposal and advised reacting to a good proposal was not a plan, it was just reacting.

Mr. Dana referred to Decision Criteria C. "There has been a substantial change in area conditions that necessitated the amendment" and noted there had been substantial change but he did not feel that change necessitates this response.

Mr. Ellerbe noted this looked like spot zoning to him noting there was no plan and no Planned Development and advised it looked to him like the developer was asking Council to take a section of the City and rezone it.

Ms. Raghu advised she was sympathetic to both sides noting the owners have not had many other proposals for the land. Ms. Raghu reiterated that the burden of proof is on the petitioner and advised she has yet to find any evidence that free market will generate affordable housing. Ms. Raghu noted she was curious to find out if the petitioner was willing to designate set asides for mixed income housing.

Mr. Dana advised to achieve inclusionary zoning an Ordinance would need to be adopted and noted it would be the guiding document. Mr. Dana advised he felt it did not need to take an absorbent amount of time to craft the legislation.

Mr. Smith advised the Planning Commission spent over a year with a consultant deciding where R3MS housing should be located and noted this area never entered the discussion as a place the Planning Commission felt R3 would be appropriate. Mr. Smith advised this was tough because there were some things about the proposal to like. Mr. Smith agreed with Mr. Ellerbe that it looks a lot like spot zoning when whole blocks at a time would be cleared out.

Ms. Southard advised the proposal was right behind the Community Arts Center which is valuable to the City and noted the arts area is worthy of being preserved. Ms. Southard advised part of Council's goals was to increase the visibility of the arts.

Mr. Ellerbe noted based on the presentation he saw he felt there was a way for the development to occur with the existing zoning and advised he felt spot zoning was not the answer. Mr. Ellerbe noted it was up to the petitioner to choose the path.

Mayor Rousmaniere asked Mr. Ellerbe to define spot zoning. Mr. Ellerbe advised spot zoning was taking a section of the zoning map that is of one particular style and assigning one section of that entire area completely different for the benefit of one particular initiative.

Mr. Prytherch noted when the public purpose is strong enough and Council has a consensus Council has rezoned single parcels or collections of parcels because the public welfare rationale was very strong. Mr. Prytherch advised he did not want to close the door on looking at the zoning here but he needed to know if it was right for Oxford.

Mr. Dana advised Mr. Keebler, former Mayor and member of the Planning Commission, stood before the Planning Commission last week and said he and the Lions Club point blank asked the President of Miami University if they were going to increase enrollment and his answer was no.

Mayor Rousmaniere advised Council would vote on this proposed Ordinance on September 18th.

ORDINANCE **ZONING MAP AMENDMENT**

An Ordinance Granting A Zoning Map Amendment For Certain Properties In The City Of Oxford's Mile Square A Map Of Which Is Attached Hereto As Exhibit "A" And Incorporated Herein, And Rezoning The Properties From RO (Residential Office) District To R-3MS (Single, Two And Three-Family Mile Square Residential) District.

Mayor Rousmaniere noted the proposed Ordinance involved the same project as the previous Ordinance.

Mr. Myefski advised working with staff it was determined that this proposal did not meet the merits of spot zoning. Mr. Myefski noted the main discussion he heard tonight was that the burden of proof is on the petitioner to demonstrate that there is a need for this zoning designation. Mr. Myefski advised there was a lot of discussion as to whether Miami was going to grow enrollment or not grow enrollment. Mr. Myefski noted based on their research and analysis the university has been steadily growing over the years at a rate of 2-4 percent. Mr. Myefski advised those numbers equal 300-700 new students per year coming to the university which creates a demand for more housing.

Mr. Myefski noted Miami University does not have the capacity to house all of their students on campus and advised they can house 40% of their total enrollment on campus. Mr. Myefski noted properties within a half mile of campus have an occupancy rate of 96 ½ percent based on their research which was not a lot of vacancy within a half mile of campus. Mr. Myefski advised some of the larger multi-family developments that were tracked are well over 90% occupied. Mr. Myefski noted as a developer he felt there was a demand for more housing in this market. Mr. Myefski advised the numbers show there is not too much housing.

Ms. Southard advised the Whistle Stop has been a wonderful part of the community and she was sorry it was closing. Ms. Southard noted that was not part of Council's decision standards and Council can not make a decision based on affection for a store or an organization. Ms. Southard advised a decision for or against a proposal was not about the people involved.

ORDINANCE
SECOND READING
GLENWOOD ENERGY CHARGES

An Ordinance No. 3483 To Regulate The Rates And Charges To Be Charged And Collected And The Services To Be Rendered By Glenwood Energy Of Oxford, Inc., Its Successors And Assigns, For Gas And Gas Service Furnished To All Of Its Customers Within The Corporate Limits Of The City Of Oxford During The Period Ending October 31, 2021, And Repealing And Superseding Ordinance Numbers 3298 And 3387, Which, Together, Previously Regulated Such Rates, Charges, And Services. (Mike Dreisbach, Service Director)

Mr. Dreisbach noted the Oxford City Council regulates the General Service Rate of Glenwood Energy and advised Glenwood Energy requested a rate increase of \$0.90 per thousand cubic feet. Mr. Dreisbach noted the City's the utility attorney Barth Royer and his consultant evaluated all of the data and recommended that a \$0.43 increase was warranted taking the rate from the current \$3.03 to the proposed \$3.46 rate that would be justified. Mr. Dreisbach advised the bottom line for an average home owner in town would be an increase of approximately \$2.58 per month. Mr. Dreisbach noted when a rider expires in April of 2019 the rate increase for an average home owner will be \$1.45 per month and advised staff believes this is a reasonable and fair increase for the rate payer and for the company and recommends approval of the Ordinance.

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

Mr. Dana noted he felt it was a reasonable rate.

Mr. Prytherch noted he felt it was worthwhile to have a strong consultant on staff who could analyze this proposal and obtain a good rate.

Mr. Dana moved to adopt Ordinance No. 3483. Ms. Southard seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Prytherch, Ms. Raghu, Mr. Smith, Ms. Southard, Mr. Dana, Mr. Ellerbe,
Mayor Rousmaniere (7)

NAY: None (0)

ABS: None (0)

ANNOUNCEMENTS

Mr. Elliott advised at the last meeting Council adopted a Resolution authorizing him to adopt regulations for a station-less bike and e-scooter share program. Mr. Elliott noted those regulations were now on the City's website. Mr. Elliott advised staff has had conversations with three companies and noted his hope at least one will move forward with a program in Oxford.

Mr. Elliott advised the Community Picnic last week was an awesome event, it was well attended and a lot of staff and others in this room tonight volunteered that evening. Mr. Elliott commended John Buchholz who coordinates this event for the City each year.

Mr. Wooddell advised the old pool is officially closed forever. Mr. Wooddell noted Dog Day was Saturday and the community was invited to let their dogs swim one last time. Mr. Wooddell advised ground was officially broken for the new aquatic center a couple of weeks ago. Mr. Wooddell noted the Parks and Recreation Department was hosting a Public Information Session about the new aquatic center on October 11th at the Community Arts Center at 6:30 p.m.

Mr. Kyger advised he tracked Miami's enrollment, on campus occupancy, Oxford's units and Oxford's occupancy and charts the data over the years. Mr. Kyger noted over the last 8 years Miami's enrollment has far exceeded any increase in off campus housing stock. Mr. Kyger offered to share his data with anyone interested. Mayor Rousmaniere noted she felt the data would be helpful.

Mayor Rousmaniere wished Mr. Ellerbe a happy birthday.

Ms. Raghu noted she recently learned since 2008 the City does not necessarily publish Ordinances on the City's website and inquired how frequently it is updated and how staff determines which ones get published so the public can view them.

Mr. Elliott advised twice a year the City's publishing company publishes the updates. Mr. Elliott noted not all of the Ordinances are codified and advised the budget, fee and supplemental budget ordinances are examples of legislation that is not codified. Mr. Elliott noted the Ordinances that result in new laws or regulations are codified.

Mr. Ellerbe encouraged members of the public to share their concerns with Council noting Council does consider them and Council does talk to staff about how to make improvements. Mr. Ellerbe referred to the citizen who asked Council to review the Home Occupation Ordinance and referred to the citizen who was concerned about traffic and safety with the impending increased traffic with the new aquatic center and advised Council has discussed those issues. Mr. Ellerbe encouraged citizens to come forward with their concerns and noted Council would discuss them and possibly formulate a plan to resolve the issues.

Mr. Dana advised he was gratified to know the Housing Advisory Commission is appointing a sub-committee to draft language on inclusionary zoning.

Ms. Southard asked for an update on the Oxford Community Choice Pantry project. Mr. Elliott advised in 2017 Council adopted a Resolution authorizing the City Manager to sign a lease agreement with the Community Choice Pantry noting that lease has not been signed. Mr. Elliott noted recently he received a letter from a local attorney representing the President of the Community Choice Pantry (Laura Osborne) stating they would like the City to consider a 15,000 square foot building verses the 3,500 square foot building. Mr. Elliott advised he and Mayor Rousmaniere met with Ms. Osborne last week to discuss the request. Mr. Elliott noted he was not sure if the City wanted to designate that much more of the park for this use. Mr. Elliott advised the proposed agreement was for 99 years and Council adopted a Resolution authorizing a 25 year renewable lease. Mr. Elliott noted his concern was that the City also wanted to maintain the property as a park. Mr. Elliott advised he asked Ms. Osborne to provide some letters of support from the other agencies since Ms. Osborne discussed promoting this project as a one-stop service. Mr. Elliott noted he wanted to ensure that the other agencies were interested in participating in a one-stop service. Mr. Elliott noted his hope to get back to Council soon with additional information. Ms. Southard advised she felt the City had been very generous and Council approved the idea of having the Oxford Community Choice Pantry at the location of the Merry Day Park.

Ms. Southard advised at the last meeting Council discussed the idea of starting Council meetings one half an hour earlier and she felt it would be beneficial to City staff and to Councilors. Ms. Southard asked for a motion that Council begin meetings one half of an hour earlier. Ms. Raghu noted she felt that would make the accessibility for people who work a little bit harder and noted some people do not work 9 to 5. Mayor Rousmaniere asked Councilors to contemplate the matter further and noted it could be discussed again another time. Ms. Raghu advised if Council meetings begin earlier, Work Sessions would also have to begin earlier. Ms. Raghu noted some Councilors in other cities do not get time off to attend meetings and have to take sick leave and she has been asked how it works in Oxford. Ms. Raghu advised she would be strongly opposed to changing the meeting time as it might restrict the accessibility of a City government elected official to be able to work and also serve their community. Ms. Southard noted she felt meetings going so late at night is also a hardship on many people. Ms. Raghu argued that 'back in the day' meetings went even longer.

Ms. Southard wished Jewish friends a sweet and Happy New Year noting it was about to begin. Ms. Southard advised the high holy days begin on September 10th and noted Jewish holidays begin the night before. Ms. Southard advised Yom Kippur begins September 18th and the actual day is from sunset to sunset on the 19th. Ms. Southard wished everyone Jewish or not a sweet and Happy New Year.

Mr. Prytherch advised there had been conversations on going with the business community about what role the City can play to ensure that there is diversity among all of the businesses to provide a year round business community that serves visitors. Mr. Prytherch noted the Chamber of Commerce and others want to ensure the business community can be as diverse as it can be and fulfill some of the goals of the Comprehensive Plan. Mr. Prytherch advised the Mayor and Mr. Kyger have been involved in these conversations.

Mr. Prytherch suggested a task force or a working group discuss what the goals are for the Uptown business community and what role Economic Development and the City can play in ensuring it is diverse and serves a broad range of people. Mr. Prytherch noted Council wanted businesses that are open to serve visitors in the summer and serve the entire community. Mr. Prytherch advised he felt a task force would be a collaborative effort with Enjoy Oxford, the Chamber and related organizations. Mayor Rousmaniere advised the Chamber had a working group working on these issues. Mr. Kyger suggested a couple of Council members sit on the committee with the Chamber.

ADJOURN

Mr. Dana moved to adjourn at 10:45 p.m. Mr. Smith seconded. The motion passed 7-0-0.

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting of: September 18, 2018

Service Department
Originating Department

Account Code #: N/A

David Treleven
Prepared By

Budgeted Amount: N/A

September 7, 2018
Date Prepared

Agenda Title:	Environmental Commission Meeting of September 5, 2018
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Recommendation:	For Review and Consideration
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Discussion:

Environmental Commission members present at the Wednesday, September 5, 2018 meeting were: Vice-Chair, Ms. Madeline Maurer; City Council Representative, Ms. Chantel Raghu; Planning Commission Representative, Ms. Shana Rosenberg; Mr. Vince Hand, Mr. Jon Ralinovsky, Mr. Andor Kiss, and Mr. Wright Gwyn. A quorum was present. Ms. Molly O'Donnell, a Miami University (MU) undergraduate student and the Secretary of Infrastructure and Sustainability for the MU's Association of Student Government was in attendance, as was Ms. Suzanne Zazycki, Associate Director at MU's Institute for the Environment and Sustainability (IES).

The minutes from the June 6, 2018 Environmental Commission meeting was approved as presented, with six Commissioners voting for approval and one abstention. The minutes from the August 1, 2018 Environmental Commission meeting was unanimously approved as presented.

With the re-appointment of Mr. Gwyn to the Commission, Officer Elections were held. Mr. Gwyn and Ms. Maurer were unanimously elected to Chair and Vice-Chair, respectively.

Ms. Zazycki coordinates and oversees the IES Graduate Students' Professional Service Projects (PSPs), an academic-year long series of courses intended to introduce the students' to a consultant-like work environment, with focus on problem solving, teamwork, and professional development. The Commissioners had previously identified three potential topics for a PSP that are of interest to the community and the Commissioners: 1) pollinator gardens; 2) establishing a community food scraps composting facility; and 3) a greenhouse gas (GHG) inventory and calculation of a carbon dioxide "footprint" for the community. During discussions, Ms. Zazycki indicated that this semester's IES 474 undergraduate course ("Sustainability in Practice") intends to be investigating pollinator garden issues for the Three Valley Conservation Trust. The "Sustainability in Practice" course is similar to the PSP team projects, but on a smaller scale. The Commissioners believed using the pollinator garden as a PSP topic would likely duplicate the IES 474 efforts. Councilor Raghu informed the Commission that in her recent discussions with the Ohio Environmental Protection Agency, she learned of a pending license for a food scraps composting facility in Hamilton County. Councilor Raghu spoke with the compost operator, who indicated they would be willing to provide curbside food scraps collections in Oxford for a fee to the users. The Commissioners believed a PSP investigating establishing a food scraps composting facility would not be necessary with the pending service that Councilor Raghu had located. Councilor Raghu suggested a related investigation into composting "bio-plastics". The Commissioners questioned the rel-

Approved By:	Department Head:	Initial	Date
	City Manager:	<u>DRE</u>	<u>9/14/18</u>

ative volume of bio-plastics being currently utilized in the community, and opted against bio-plastic composting as a PSP. The community GHG inventory and carbon footprint would be a continuation and the next step in last year's PSP investigating Oxford's potential participation with the Global Covenant of Mayors for Climate and Energy. Determining the GHG inventory/carbon footprint would establish a reference baseline for the community's carbon dioxide-equivalent emissions, and would be necessary for Oxford's participation with any of several sustainability programs identified during last year's PSP. The Commissioners unanimously voted for the GHG inventory/carbon footprint investigation as the PSP to be undertaken on behalf of the Environmental Commissioners.

Councilor Raghu updated the Commission on City Council activities. Solar Power and Light representatives made a presentation to Council detailing their services (financing, construction/installation management, and operation) regarding solar panels, particularly for school districts and other public entities. The representatives noted that the US Department of Agriculture has a grant for rural businesses, and believed the grant would be applicable for the City of Oxford. Councilor Raghu also advised the Commissioners that a citizen petition requesting the establishment of a municipal curbside composting program for food wastes, bio-plastics, and other non-recyclable, biodegradable materials was submitted to the City Council.

Mr. Kiss advised the Commission that Tesla's funding for providing and installation of electrical vehicle charging stations had been expended for the year. The current intention is to wait until January 2019 when Tesla is to replenish their funding, and initiate the inspection and installation process at that point.

Staff informed the Commission that the City Manager intends to have a City Council work session on September 18, 2018 to discuss the draft tree replacement and restoration ordinance. The City Manager indicated that he believes the draft ordinance would be best and easier to use if it was presented as a separate, stand-alone chapter rather than incorporated into the Planning and Zoning Code (Chapters 1101 and 1145). Mr. Hand and Chair Gwyn indicated that they would convert the existing draft ordinance text from Chapters 1101 and 1145 back to a stand-alone document (last updated in January 2018).

The city's current solid waste and recycling contract expires at the end of 2019. The Commissioners wish to incorporate tiered levels of residential trash service based upon volume into the 2020-2021 solid waste and recycling contract specifications. Staff was requested to have the pricing breakdown from the 2015-2016 contract's attempt to include tiered residential trash service available for the October 3, 2018 Environmental Commission meeting.

Staff informed the Commission that during the annual public tree maintenance and Ash tree removal projects this summer, a total of 40 dead or declining public trees were removed, with four trees having large, broken branches removed from their canopies, and four existing stumps in the tree lawn removed.

Commissioners concluded discussions at 8:35 p.m. The next Environmental Commission meeting is scheduled for 7:00 pm on Wednesday, October 3, 2018, in the Municipal Building's First Floor Conference Room.

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Clerk of Council

Originating Department

Council Meeting Of: September 18, 2018

Mary Ann Eaton

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

September 10, 2018

Date Prepared

Agenda Title: A Resolution authorizing the City Manager to close a portion of Lot 52 each Tuesday from 2:30 p.m. until 8:00 p.m. to permit the operation of the Farmers Market within Lot 52 from September 25, 2018 through December 31, 2018.

Recommendation: N/A

Discussion:

The attached request is for the use of Lot 52 for the operation of the Farmer's Market each Tuesday throughout the remainder of the year.

Approved By:

Initial Date

Department Head:

City Manager:

DRE \ 9/14/18

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO CLOSE A PORTION OF LOT 52 EACH TUESDAY FROM 2:30 P.M. UNTIL 8:00 P.M TO PERMIT THE OPERATION OF THE FARMERS MARKET WITHIN LOT 52 FROM SEPTEMBER 25, 2018 THROUGH DECEMBER 31, 2018.

WHEREAS, the Oxford Farmers Market has operated in Uptown Oxford since 2004; and

WHEREAS, Council has determined that it would be beneficial for the City to permit the Farmers Market to operate in Lot 52 on Tuesdays and that the partial closure of Lot 52 between the hours of 2:30 p.m. and 8:00 p.m. is required to permit this operation; and

WHEREAS, the City Manger recommends that Council authorize the City Manager to close a portion of Lot 52 on Tuesdays from 2:30 p.m. until 8:00 p.m. to permit the operation of the Farmers Market within Lot 52 from September 25, 2018 through December 31, 2018.

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

SECTION 1: Council accepts the recommendation of the City Manager and hereby authorizes the City Manager to close a portion of Lot 52 on Tuesdays from 2:30 p.m. until 8:00 p.m. to permit the operation of the Farmer's Market within Lot 52 from September 25, 2018 through December 31, 2018.

SECTION 2: In all other respects the City of Oxford traffic code shall remain in full force and effect.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

RECEIVED

9-10-18

Rev. 6/11



☐ REQUEST FOR PUBLIC PARK PERMIT

☒ REQUEST FOR PUBLIC RIGHT-OF-WAY PERMIT

Date(s) of Event: 09 / 25 / 18 through 12 / 31 / 18 From: 2:30 ~~am~~ p.m. To: 8:00 ~~am~~ p.m.

Today's Date: 09 / 10 / 18 ☐ Emergency Utility Repair (check box, if applicable)

--- Applicant shall allow a minimum of 3 business days for processing ---

Responsible Adult:
(18 years of age or older)*

Larry Slocum

Address:

803 Morman Road

Hamilton, OH 45013

Telephone:

Cellular:

513-505-5238

Fax:

Email:

info@oxfordfarmersmarket.com

Organization: Oxford Farmers Market Uptown, Assoc.

Advisor:

Address:

PO Box 691

Oxford, OH 45056

Telephone:

Cellular:

513-505-5238

Fax:

Email:

info@oxfordfarmersmarket.com

Non-Profit:

☒ Yes ☐ No

* Person in charge - Primary contact

PARK REQUESTED

- ☐ Merry Day Park (adjacent to the Miami Mobile Home Park, Reagh Way Drive)
- ☐ Leonard Howell Park (Bonham Road)
- ☐ Oxford Community Park (Fairfield Road) – Contact 523-6314 to confirm date(s)
- ☐ Memorial Park (E. Park Place & N. Main Street – has pavilion)
- ☐ Martin Luther King Jr. Park (W. Park Place & N. Main Street – animal sculptures & fountain)
- ☐ Other: Uptown Parking Lot #52

TITLE OF EVENT (be specific and include projected attendance)

Tuesday Evening Farmers Market

Projected Attendance: 100 Has this event been held previously? ☐ Yes ☒ No If "YES", when? _____

DESCRIPTION OF EVENT

Place a description of the event, along with additional requests, on the appropriate attachment. If request is only for use of a right-of-way, use the attachment labeled City of Oxford / Right-of-Way Request Details.

Applicant's Signature: _____

Larry J. Slocum

Date: 09 / 10 / 18

I have read and understand the rules, guidelines and conditions. Furthermore, I understand that acceptance of them is a condition of approval; and, if approval is granted, it is only for the event specified above. I also understand that the request will be reviewed by various City of Oxford officials and additional conditions may be required before final approval is granted. If additional conditions are required, I agree to meet with the appropriate officials and/or the Oxford Community Event Coordinating Committee.

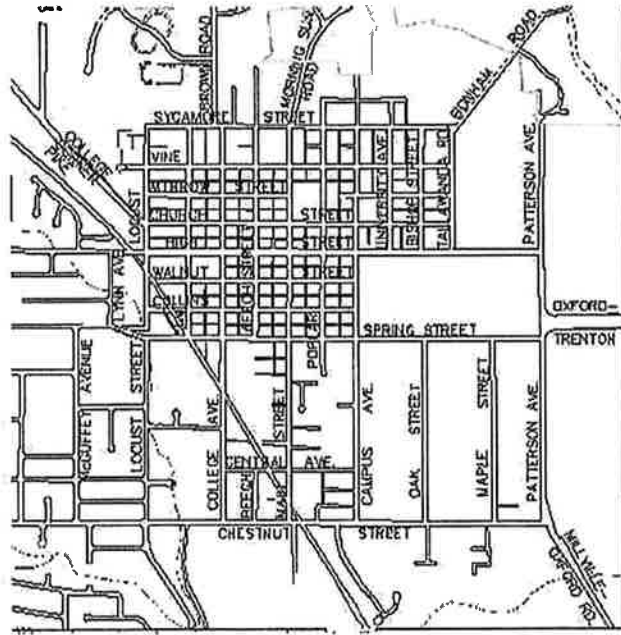
M.U. Use Only

The organization listed above is a registered student organization in good standing with Miami University.

Signature: _____

Date: _____ / _____ / _____

Note
If your event is outside the boundaries of this map, either attach a separate map or contact the City for assistance.



CITY OF OXFORD / RIGHT-OF-WAY REQUEST DETAILS

Instructions for Applicant: Please clearly denote the parade route, streets and/or sidewalk areas being requested. Place a concise narrative explanation on the following lines. Attach additional pages if necessary.

Lot 52

Additional Requests:
(Include details in narrative)

- ☐ No Parking Signs
- ☐ Detour(s)
- ☐ Police Assistance

Time Details

	Start	End
Setup		
Event		
Breakdown		



Stipulations and Fees

Note: FULL PAYMENT REQUIRED BEFORE THE EVENT

RIGHT-OF-WAY

Applicants should allow a minimum of **three (3) business days** for the request to be processed from the time it is submitted to city officials. *(Please provide the City with as much lead time as possible. Events requiring road closures and staffing will require additional processing time. Large event requests shall be submitted no less than fourteen (14) days in advance of the event.)*

1. Applicant shall manage all work zones in the Right-of-Way in compliance with the Ohio Manual of Uniform Traffic Control. *(Note: Applicant is responsible for damages in the right of way or adjacent property.)*
2. Large events (estimated at over 500 people, including all concerts and performances, will require a pre-meeting with the Police (524-5247) and Service Department (524-5206) prior to approval. *Note: Requests **WILL NOT** be approved prior to the pre-meeting.*
3. The period of use may not exceed two (2) days without City Council approval.
4. At least one legally responsible adult must sign the request.
5. The usage may not discriminate for or against a given class of people.
6. All ordinances that regulate noise shall be observed.
7. NO nails, spikes, tacks or adhesive material may be driven into or affixed to trees or into the ground within the public right-of-way.
8. The requestor is responsible for cleanup. Failure to cleanup may result in subsequent requests being denied or a deposit being required. In addition, a cleaning charge may be assessed.
9. Safety staffing levels will be determined by the Oxford Police Division and the requestor may be required to hire police officers.
10. All special conditions specified by department heads must be complied with. Fees may be assessed for special services – see below.
11. Miami University approval is required for student events.
12. NO markings may be made on streets or sidewalks within the public right-of-way.
13. Inflatable game requirements: 18 YOA professional operator and **copy of company's insurance policy**.
14. If food is to be distributed to the public, **written approval** from the BCHD is required.

USE OF PARKS (ALL THOSE ABOVE, PLUS)

1. No motor vehicles may be parked within the area of the park or on any sidewalk.
2. Banners are only permitted on the stage area during the function and must be removed immediately after the event. Tying is the only acceptable way of affixing a banner to the stage area.
3. No signs are permitted.
4. The requestor is responsible for damage to grass, shrubs or trees as a result of the event and agrees to compensate the City of Oxford the cost of repairs and/or replacement.
5. No structure shall be defaced and no structure shall be erected within four (4) feet of the base of a tree or shrub.
6. NO nails, spikes, tacks or adhesive material may be driven into or affixed to trees or into the ground within the public right-of-way.

FEE INFORMATION

No Parking Signs \$.35 ea
Metered Parking Spots \$10.00/ea
Trash Boxes \$ 5.00/ea

Personnel

Police Officer(s) Contact OPD
Sound System \$25.00
Street Dept. Personnel \$25.00/hr
Electrician \$100.00
Park & Rec Personnel Contact OPRD

Road Closures (fee includes labor)

Main Street \$135.00
US 27 Detour \$135.00

Sports Fields/Gazebo

Contact OPRD – 513-523-6314

APPLICANT'S ASSURANCE

I have reviewed the estimated cost for the event and agree to compensate the City for services rendered as part of this contract. If the event runs past the stated end time, I understand that additional charges will accrue and agree to compensate the City accordingly.

Lang J. Brown
Applicant's Signature

Date: 09/ 10/ 18

CITY USE ONLY

	Service	Hours	Rate	Estimate	Final
1			\$	\$	\$
2			\$	\$	\$
3			\$	\$	\$
4			\$	\$	\$
5			\$	\$	\$
	Total		\$	\$	\$

	Applicant's Initials	Review Date
Police Department		
1		
2		
3		
4		
Fire Department		
1		
2		
3		
4		
Service Department		
1		
2		
3		
4		
Recreation Department (if applicable)		
1		
2		
3		
4		
City Manager		
1		
2		
3		
4		

Pre-Meeting (if applicable): Reviewed with _____ on _____.

Reviewer(s): _____

APPROVAL SECTION (with conditions)

Police Chief:	☐ Approved	☐ Not Approved	____/____
Fire Chief:	☐ Approved	☐ Not Approved	____/____
Service Director:	☐ Approved	☐ Not Approved	____/____
Recreation Director:	☐ Approved	☐ Not Approved	____/____
City Manager:	☐ Approved	☐ Not Approved	

City Manager's Signature

Date: _____

Reason(s) event not approved:

--

Mary Ann Eaton

From: Douglas Elliott
Sent: Friday, September 07, 2018 3:16 PM
To: Mary Ann Eaton
Subject: FW: Tuesday Farmers Market
Attachments: No PARKING SIGN Tuesday 2018.docx

Douglas R. Elliott, Jr.
City Manager
City of Oxford
513-524-5201

www.cityofoxford.org

From: Larry Slocum [mailto:info@oxfordfarmersmarket.com]
Sent: Thursday, September 06, 2018 7:11 PM
To: Douglas Elliott
Subject: Tuesday Farmers Market

Dear Doug,

Thank you for taking the time to review our plans for a Tuesday market. Here is what I wanted to write about our discussion:

1. We will pay Oxford \$25 for the remainder of this year and \$50 for next year.
2. Our market hours will be 4-7pm. This means we will have to close the parking lot to parking at 2:30 pm till 8:00.
3. We will be located in the southern (upper) part of the parking lot. Unless we have more vendors than parking spots.
4. Attached is the sign we will post on the parking meters in the lot.
5. We will mark off the side of parking lot so no one drives into the market.
6. I will attend the September 18th Oxford Council meeting to answer any questions the council may have.

Cultivatingly Yours,

Larry Slocum,
Oxford Farmers Market Manager
513-505-5238



When we eat from where we live, we grow more in tune with the area. ~Jeff Poppen, Long Hungry Creek Farm, TN

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Economic Development Department

For the: September 18, 2018
City Council Meeting

Prepared by: G. Alan Kyger
Date Prepared: September 18, 2018

Agenda Title: Resolution authorizing the Mayor to sign a TREX liquor permit application for Fridge & Pantry Inc for the transfer of a D1 Beer and D2 Wine permits to 35 West Church Street.

Recommendation: Informational

The owners of Fridge & Pantry Inc, at 35 west Church Street, are requesting the City of Oxford approve a transfer of a D1 and D2 permits to this site. Fridge & Pantry is currently an Uptown grocery store with a deli. D1 and D2 permits will allow on-site consumption of beer and wine until 1:00am at this location.

Because D1 and D2 permits are regulated by the State of Ohio by a population quota, and the area within the City of Oxford has no more quota permits available, Fridge & Pantry is seeking to use the State's TREX, Economic Development Transfer process to obtain D1 & D2 permits.

A TREX liquor permit is exempt from the population quota. A TREX permit is transferred into one community from another community for a specific site. A TREX permit cannot be re-sold to another Oxford location.

In some communities, a 'Good Neighbor Agreement' accompanies TREX transfers. Good Neighbor Agreements are 'side agreements' which place stipulations on the transfer. Examples of items which can be covered in GNA are; hours of operation, noise, litter, as well as other potential concerns.

The applicant will be present to answer questions on how the addition of beer and wine on-site consumption will be utilized within the grocery and deli.

Reviewed By:

Department Head:

CK

Initial Date

9.14.18

City Attorney:

City Manager:

DRE

9/14/18

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN ECONOMIC DEVELOPMENT (TREX) TRANSFER FORM FROM THE DIVISION OF LIQUOR CONTROL FOR FRIDGE AND PANTRY INC.

WHEREAS, the Applicant Fridge & Pantry Inc. has requested that the City of Oxford accept the Transfer of a D1 and D2 liquor permit through the Division of Liquor Control Economic Development Program (TREX); and

WHEREAS, the Applicant filed an application certifying that the project will be an economic development project for the City of Oxford; and

WHEREAS, Council finds that based on a review and analysis by staff that the Applicant has plans for the project and that the costs of the investment, number of jobs created and projected tax revenues to the City are realistic and accurate estimates of the Applicant's plans for this economic development project.

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

SECTION 1: The Mayor is hereby authorized to execute an Economic Development (TREX) Transfer Form from the Ohio Department of Commerce- Division of Liquor Control for Fridge & Pantry, Inc.

SECTION 2: A copy of the Economic Development (TREX) Transfer Form is marked Exhibit A, and is attached hereto and incorporated herein.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)



Department Of Commerce

Division of Liquor Control

WHAT IS AN ECONOMIC DEVELOPMENT TRANSFER – (TRES)?

The Economic Development Transfer (“TRES”) was developed through Legislation to try to help those areas of the state that have an over-issuance of permits by TRES transferring them to another area of the state, meeting certain criteria. Therefore, if you are unable to obtain a New Liquor Permit through the Quota System as there are no permits available, or you are unable to do a regular transfer of ownership and location (not a TRES) of a class as there are no openings or the number of applicants on file exceed the openings available, you have the option of then trying to TRES transfer the ownership and location of someone else’s permit to you, as long as you meet the TRES requirements.

Before beginning the TRES process, please note the following:

- The acquisition of someone else’s liquor permit must be done pursuant to [Ohio Administrative Code 4301:1-1-14](#). This rule states in part that a transfer must be in conjunction with a bona fide sale of the business or assets of such permit holder. Therefore, you need to be able to pay a purchase price established by the seller.
- The only quota requirement that must be met in order to TRES Transfer permit classes, is the location where the permit is being transferred to, must NOT have any available permits, or a quota of permits available with applicants on the waiting list exceeding the number of openings.
- You must be able to obtain approval under Section B of the TRES Form, or attach a letter from the City, Village or Township signed by the Mayor, a City Council member or someone of authority in which you are transferring the permit to that states they acknowledge the transfer will be to an Economic Development Project. You may be required by the Division of Liquor Control, City, Village or Township to provide further documentation to prove this will be an economic development project.

If you are able to meet the requirements briefly outlined above, then you are ready to begin the process of trying to find a permit to TRES Transfer. We recommend that you consult private legal counsel before attempting to locate a permit to transfer.

The only list of possible permits for sale that the Division of Liquor Control has available is the Division’s [safekeeping list](#) that can be found on our website at www.com.ohio.gov/liqr.

Once you have found a permit, the applicant will complete Section A of DLC Form 4244 TRES Form (page 2 of this document), and request Section B be completed by the Local Legislative Authority indicating their approval to the Economic Development TRES Transfer. The completed TRES form should then be returned to the applicant as they MUST file the TRES form with the appropriate Transfer Application: [Transfer of Ownership and/or Location Application \(DLC4120\)](#),
[or Transfer of Location ONLY Application \(DLC4118\)](#)

If you have any questions regarding the TRES process, feel free to contact the Transfer Processing Section at 614-644-3156.

Revised 5/24/2016



FRIDGE & PANTRY

UPTOWN MARKET

8/2/16

Alan Kyger
City of Oxford
Economic Development

Dear Alan:

As you know Fridge and Pantry has worked hard to add real value to the uptown district. As with any startup, it has been a challenge. We invested close to \$500,000 and were saddled with \$50,000.00 in rent prior to opening. The team is extremely pleased with the finished product and we are optimistic that the business will be a success.

The core focus of our business is to create a unique general store experience for locals, students (and their parents) as well as school administrators, with a focus on the deli and grocery store. However, another key component that is critical to our long-term success is to establish an on premise experience for beer and wine sales. We envisioned utilizing the existing infrastructure for shoppers to enjoy a growler (craft beer) and have wine tastings.

The prior tenants (La Pinata) had a liquor license, but the owner failed to put in safekeeping. I have spent the last year trying to find an on-premise beer and wine license which allows sales until 1:00 am. With so much demand in the Oxford area, it has been difficult.

The only option that I have been presented with is a Trex transfer. This option needs to be approved by a city official, such as the legal director, before I can begin the application process. Given that the prior Mexican restaurant already had a full liquor license, I am asking for your support in gaining approval so that I can proceed.

As you know, it is extremely difficult to succeed in a business that is not late-night bar focused in Oxford. Our model has never been intended to be a late-night college bar, but the compliment of craft beers and wine tastings adds value to our model and gives us a better shot at being a long-term business partner in the community.

I am happy to meet and review further. To reiterate, we are only looking for a beer and wine on premise license which allows the sale of these products until 1:00 a.m.

Thanks for your support.

Best regards, Cody



Ohio Department of Commerce - Division of Liquor Control
6606 Tussing Road, P.O. Box 4005
Reynoldsburg, Ohio 43068-9005
<http://www.com.ohio.gov/liqr>

Office hours - 8:00am to 5:00pm
For Questions call (614) 644-3156

ECONOMIC DEVELOPMENT (TREX) TRANSFER FORM

Ohio Revised Code 4303.29 allows for the transfer of location or the transfer of ownership and location of a C-1, C-2, D-1, D-2, D-3, or D-5 permit from municipal corporation or the unincorporated area of a township to an economic development project located in another municipal corporation or the unincorporated area of another township in which no additional permits of that class may be issued to the applicant under the permit quota. However the transfer may occur only if the applicant notifies the municipal corporation or township to which the location of the permit will be transferred regarding the transfer and the municipal corporation or township acknowledges in Section B of this form OR in writing to the Division of Liquor Control, that the transfer will be to an economic development project. A permit may be transferred to a different owner at the same location, or to the same owner or a different owner at a different location in the same municipal corporation or in the unincorporated area of the same township. NOTE: The statute requires the applicant to provide the endorsement by the municipal corporation or township at the time the application for the transfer is filed with the division, therefore once Section B is completed return this form to the applicant so they may attach this information to their transfer application.

Seller(s) - Current Permit Holder - (Individual, Corp., LLC or Partnership)

Buyer(s) - Prospective Permit Holder - Name & address
Individual, Corporation, LLC or Partnership)

Permit Number:

Fridge & Pantry Inc.

35 E. Church St., Oxford, OH 45056

CHECK Class(es) of Permit(s) Being TREX Transferred:

☐ C-1 ☐ C-2 ☐ C-2X ☒ D-1 ☒ D-2 ☐ D-2X ☐ D-3 ☐ D-3A ☐ D-5 ☐ D-6

SECTION A: (To be completed by the Applicant)

NOTE: Section A is for you to provide information to the local legislative authority (City, Village or Township Office) in which this Economic Development Project (Trex) will be located. In addition to the below information, you may be required to provide a projected earnings statement (brand new business), or a profit and loss statement (existing business), and a copy of building plans/drawings outlining any construction plans. The Division will also use this information to determine if you qualify and meet the criteria outlined under Section 4303.29(B)(2)(b).

1. The total amount invested in this project is \$ 350,000

2. The total number of jobs that will be created by this economic development project is 15

3 Existing or Estimated Tax Revenue generated by this project is:
(Type or print on the lines provided the type of tax & amount, i.e.,
Sales Tax, Property Tax, Unemployment Tax, etc.)

Sales Tax \$ 18000.00

Ohio Unemployment Tax \$ 1500.00

State Withholding Tax \$ 7500.00

City Withholding Tax \$ 6000.00

On behalf of the applicant as indicated above I am signing below and certifying that all the information provided with this application is complete and accurate to the best of my knowledge.

Gody Costanzo
Print or Type Name

[Signature]
Signature

8/3/18
Date

419-309-4701
Phone Number

President
Title

SECTION B: (The applicant MUST have this Section completed by the City, Village or Township Office in which this Economic Development Project (Trex) will be located. This form MUST be returned to the applicant to accompany the transfer application).

Based upon the factors outlined above, the City/Village/Township of _____ hereby endorses
(City, Village or Township Name)

and acknowledges that this transfer will be to an economic development project.

Print or Type Name

Signature of Mayor, Legislative Office Holder or Law Director

Date

Phone Number

Title (e.g., Mayor, Clerk of City Council, Fiscal Officer or Law Director)

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to City Manager

Council Meeting Of :

Account Code No. :

Budgeted Amount :

9/18/2018

see below

Finance
Originating Department

Joe Newlin
Prepared By

9/7/2018
Date Prepared

Agenda Title: **2018 Supplemental Budget #5**

Recommendation: **Approve**

Issue 1

To make adjustment to amended budget for increase of revenue and appropriations in Board of Building Standards Fund due to greater than expected permits issued this year

Action Needed:

Revenue Side

Board of Building Standards (414) 2,250.00 Increase revenue OBBC fees

Expense Side

Board of Building Standards (414) 2,250.00 Increase of Appropriations for payment to State

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

-

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

-

Breakdown by Fund

Board of Building Standards (414)

-

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

-

Approved By:

Department Head:

City Manager:

Initials

Date

JW , 9/10/18
DRE , 9/14/18

ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO.3449. SUPPLEMENTAL BUDGET ORDINANCE NUMBER 5 TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2018.

WHEREAS, additional appropriations are needed for the current fiscal year and monies are available for appropriation in those funds, and changes to estimated revenues.

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

Board of Building Standards 414	2,250.00
---------------------------------	----------

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

Board of Building Standards 414	2,250.00
---------------------------------	----------

SECTION 4: In all other respects, Ordinance No. 3449 shall remain in full force and effect.

SECTION 5: This ordinance shall take effect immediately upon its adoption.

MAYOR

ADOPTED: _____

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: September 4, 2018

Sam Perry
Prepared By:

Account Code No. #:

Budgeted Amount:

August 29, 2018
Date Prepared:

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

Recommendation: Approval with floor area ratio waiver as requested

Discussion:

Architect Scott Webb requested a conditional use for a hotel on the ground floor of a new mixed-use building to be located at 22 South Beech Street (current Mesler Auto). The case was tabled in July by Planning due primarily to concerns about parking supply for the hotel. The site is the northwest corner of the intersection of South Beech Street and West Walnut Street. The site is approximately 1/8 of an Uptown city block at 1/4 acre or about 10,000 square feet. If a hotel was not proposed for the ground floor, a mixed-use building with vacant commercial space on the ground floor could be approved by staff. The hotel use requires the conditional use process. A majority of Planning Commission reviewed the general decision standards and found satisfactory compliance based on the information presented. The revised plan reviewed in August contained underground parking which addressed concerns of staff and a majority of the Commission. Additional concerns that were addressed related to the adjacent church. The recommendation for approval passed 5-2. Building height was discussed as a potential request for waiver but determined not necessary. The requested additional 1,250 square feet of floor area was recommended as a waiver to City Council. If approved, the applicant can submit detailed plans for building permit review by staff departments. The architectural details of the building would be reviewed by the HAPC and would not be part of Council action.

Approved By:

Department Head:
City Attorney:
City Manager:

Acting SP / 8-30-18
DRE / 8-31-18

ORDINANCE NO.

AN ORDINANCE ACCEPTING THE RECOMMENDATION OF THE PLANNING COMMISSION AND APPROVING A CONDITIONAL USE PERMIT TO ALLOW A SINGLE LEVEL HOTEL USE WITHIN A NEW FOUR STORY BUILDING IN THE UP (UPTOWN) DISTRICT TO BE LOCATED AT 22 SOUTH BEECH STREET WITH ONE CONDITION.

WHEREAS, the Planning Commission held a public hearing on July 10, 2018 and on August 14, 2018 in accordance with Section 1147.02 of the Codified Ordinances of the City of Oxford, on the application of Scott Webb, Applicant, Architect, for a conditional use permit to allow a single level hotel use within a new four story building in the UP (Uptown) District to be located at 22 South Beech Street; and

WHEREAS, the Planning Commission, after a public hearing and discussion, voted to approve a motion recommending approval of the conditional use permit application to allow a single level hotel use within a new four story building in the UP (Uptown) District to be located at 22 South Beech Street with one condition.

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

SECTION 1: Council hereby accepts the recommendation of the Planning Commission and accepts the recommendation report submitted by the Planning Commission and incorporates the same herein and further grants the conditional use permit application to allow a single level hotel use within a new four story building in the UP (Uptown) District to be located at 22 South Beech Street with the following condition:

1. The requested additional 1,250 square feet of floor area shall be permitted.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

Memo



To: Planning Commission
From: Sam Perry, Community Development 
Date: 8/10/2018
Re: PC-2018-14 – Conditional Use for Hotel in portion of new mixed-use building (Tabled 7/10/2018)

Architect Scott Webb submitted revised plans to the City on August 2, 2018. I met with Scott on August 6, 2018 to review and discuss the plans. A cover letter is attached. There is now underground parking shown which should allay concerns about the impact on the existing public sidewalk and public parking. Although, no comments from any other city departments have been received at this time. Additional information about the changes is detailed in Mr. Webb's letter.

This is an application for a hotel and mixed use building on a property that contains a non-conforming use and non-contributing building. After reviewing the minutes and staff report, the Commission can re-open discussions from the July meeting to parse through what topics remain. If the Commission believes that the decision criteria can be met sufficient for a recommendation of approval to City Council, it can attach reasonable conditions. Below are some pertinent topics:

- Height:
 - The 48 foot height limit shown could be reduced to at least comply with zoning code because of the sloped site. – Or a waiver granted?
 - Impact on the neighboring historic church?
- Additional floor area ratio / waiver?
 - Based upon Ms. Blackmar's comments of a potential affordable housing unit in exchange for increased FAR, staff has had some internal discussions, but no recommendations at this time.
- Historic District Certificate of Appropriateness – separate review process

*Please review the agenda packet from the July 10 meeting for complete background information on this case.

Sam Perry
Interim Community Development Director
City of Oxford
Municipal Building
15 S College Ave
Oxford, Ohio 45056



SCOTT
WEBB

ARCHITECT

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

www.scottwebbarchitect.com

Re: Revised Application for Conditional Use
Proposed Hotel Use & Alternate Parking arrangement
22 South Beech Street

August 2, 2018

Mr. Perry,

At our initial presentation to Planning Commission, a few issues arose regarding our Conditional Use Application for the Hotel and alternate Parking Arrangement. After conferring with my clients we have amended our plans to address the concerns expressed by Planning Commission as follows:

Alternate Parking Arrangement

The alternate parking arrangement presented was met with some skepticism regarding the location proposed in the public right-of-way. The notion of assigning paces to the hotel was also problematic, as Commission members suggested other business may ask for the same consideration. It was also pointed out that even if this parking arrangement were to be approved, it did not provide enough parking for (12) proposed suites.

Now that we have received a full survey, we decided to look at the possibility of providing parking under the building, taking advantage of the change in grade between the S Beech Street entrance at the northeast corner of the property and the southwest corner on Walnut Street. We were able to create a private parking area under the building as shown on the new Basement Level plan, providing parking for each hotel guest below the building.

The drawings have been modified as follows:

- A new ramp has been placed near the southwest corner of the building leading to private underground parking.
- (4) on-street parking spaces are now provided along West Walnut, increasing the existing parking in this area by (1) space.
- Typical sidewalks and tree lawns are provided consistent with the neighborhood

We believe this also addresses the concern raised by the former Mayor, regarding the number of spaces provided and the prohibition of overnight parking in the Up District.

Guest Experience Logistics and Service

Guests will now be able to check in at the Elms Hotel, drive to the underground parking, and take the elevator up to the main floor level. We feel this is an improvement to the guest experience, eliminating a concern expressed by a Commission member about guests having to drag suitcases from the parking garage or other remote parking to this hotel annex.

Guest service areas are shown in the remaining portion of the lower level, providing laundry & housekeeping support. While I presented this as our intention at the first meeting, Commission members can now be assured there is space available in the building, eliminating the notion of laundry being hauled from the Elms hotel to the Annex.

Trash & Deliveries

A trash area is now provided at the southwest corner of the building adjacent to the parking garage ramp.

To accommodate the trash area, a shared access easement will be provided with the adjoining property to share the exit path from the building to the west. A 5' walkway is currently provided from the second means of egress from 114 West Walnut. The intent is to share this passage through a shared access easement between the two properties.

Deliveries for the Roof-top restaurant will be scheduled in the early morning hours from a temporary loading space on Beech Street similar to those provided elsewhere in the Uptown District.

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

Respectfully,

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

Scott Webb, Architect

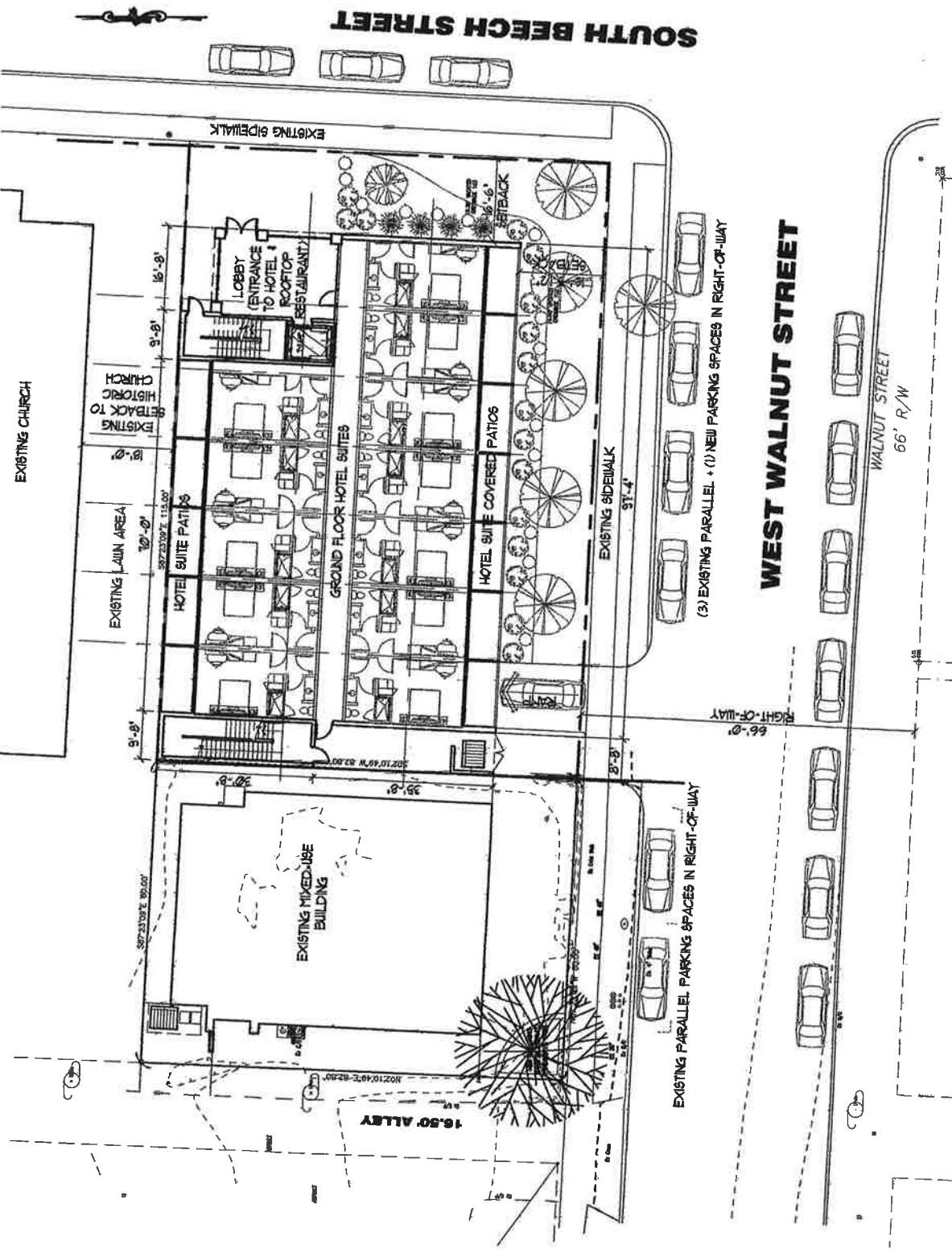


SCOTT WEBB ARCHITECT
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22 South Beech Street
PROPOSED NEW MIXED-USE BUILDING
OXFORD, OHIO 43026
FOR MR. MESLER AUTO BODY SITE

DATE	July 29, 2008
REVISIONS	August 1, 2008

A-1



PRELIMINARY SITE PLAN
1" = 20'-0"
GROUND FLOOR SHOWN

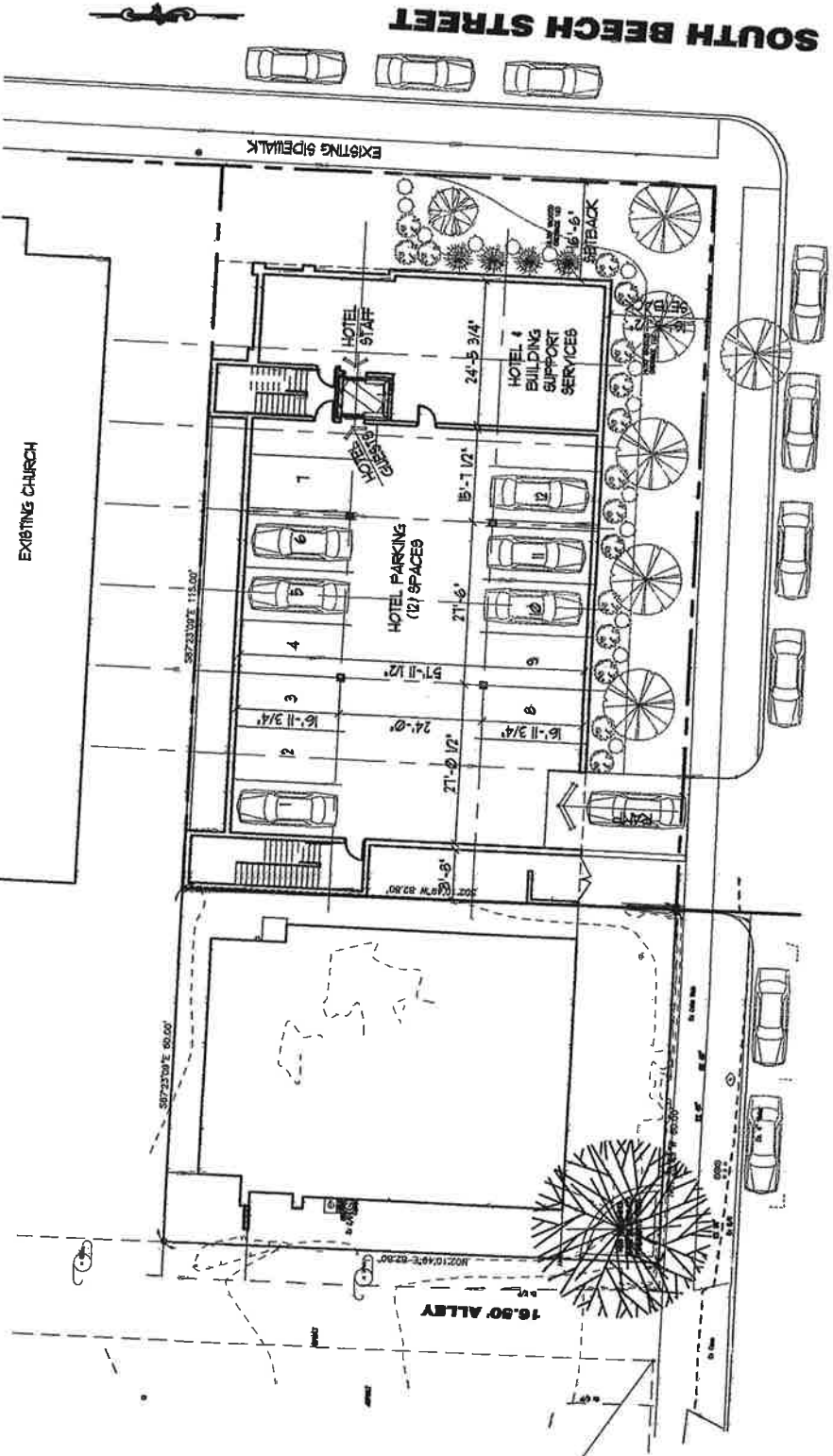


SCOTT WEBB
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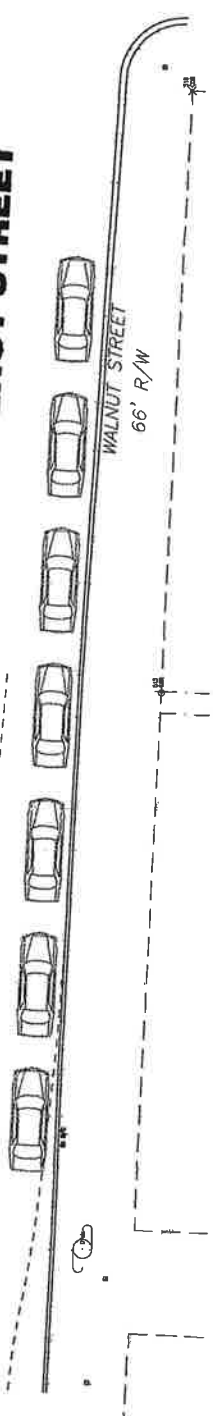
PROPOSED NEW MIXED-USE BUILDING
22 South Beech Street
OXFORD, OHIO 45056
FORMER MEELER AUTO BODY SITE

DATE	July 28, 2009
REVISIONS	August 1, 2010

A-2



WEST WALNUT STREET



PRELIMINARY BASEMENT PLAN
GARAGE LEVEL BELOW

1" = 20'-0"

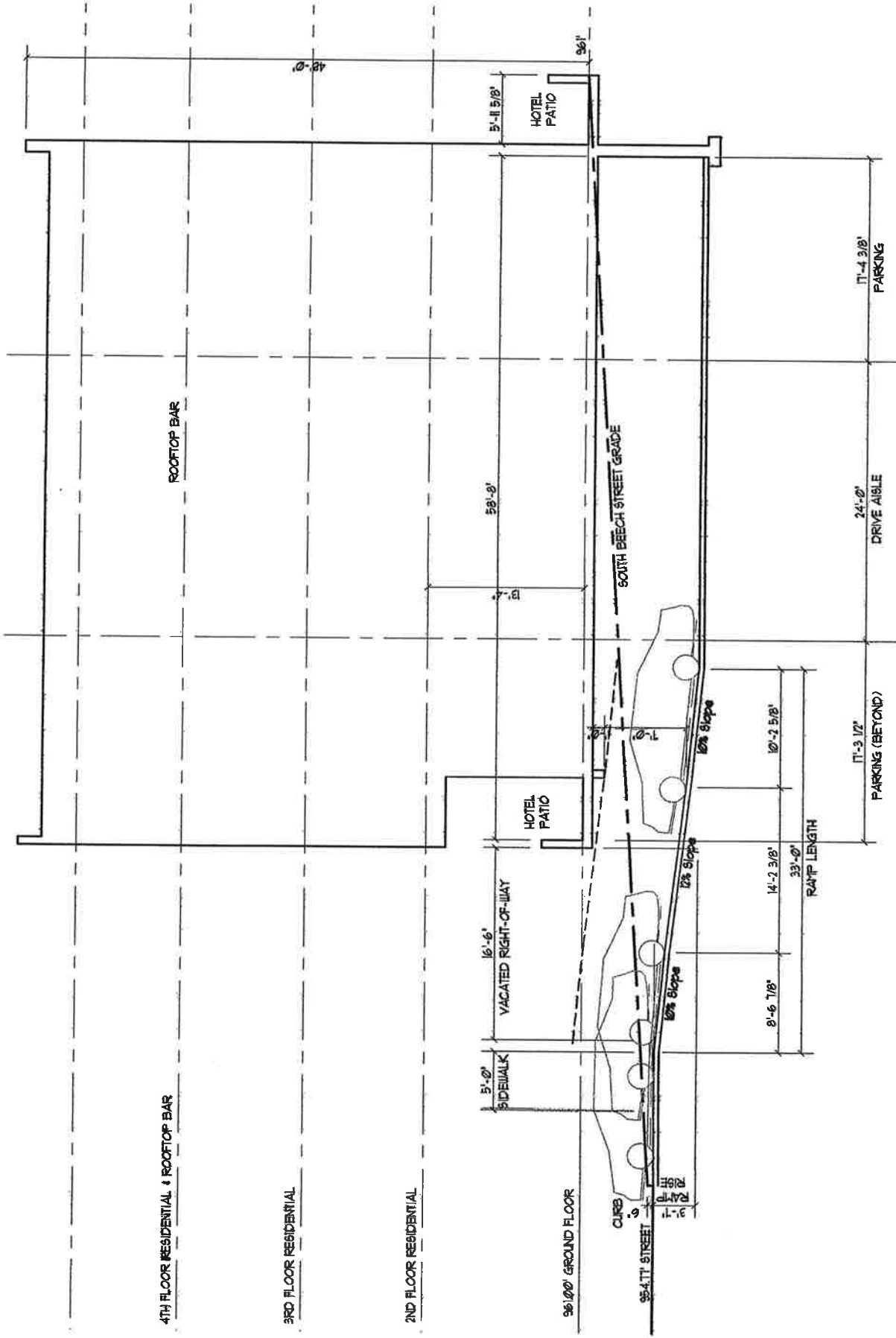


SCOTT WEBB
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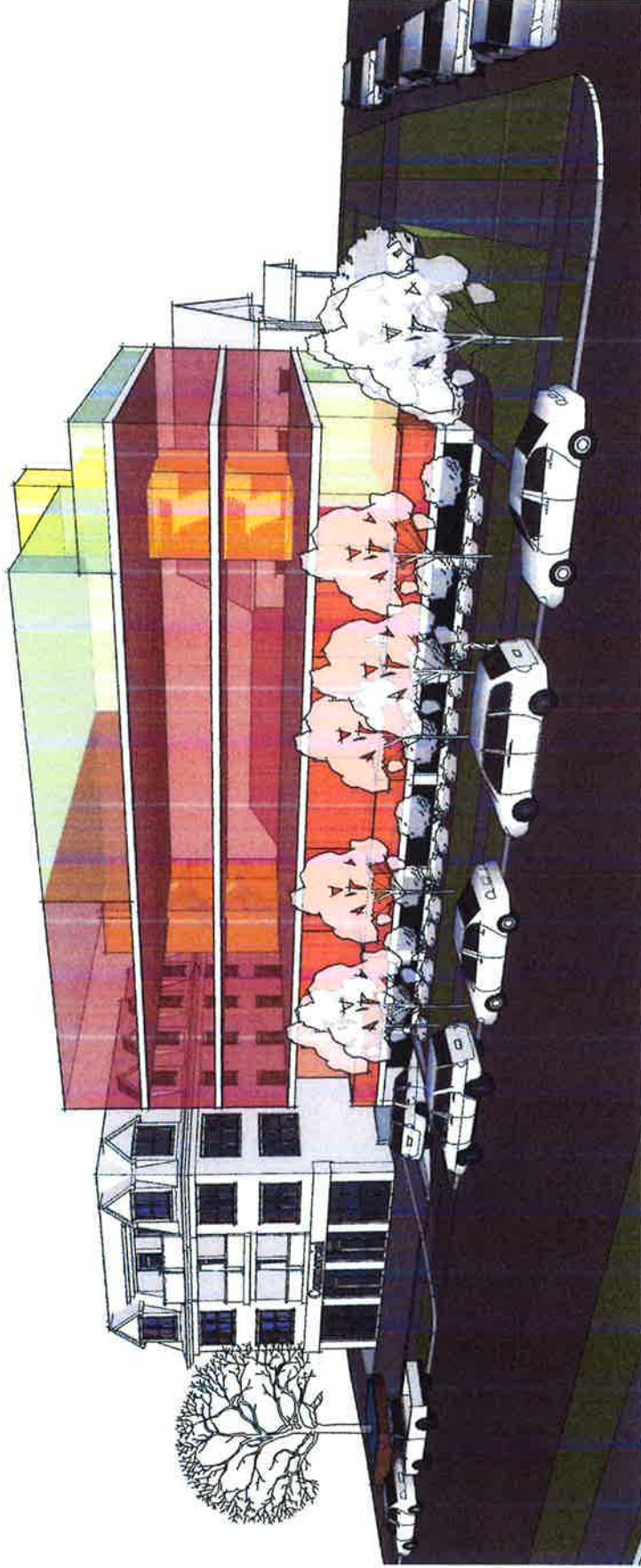
PROPOSED NEW MIXED-USE BUILDING
22 South Beech Street
OXFORD, OHIO 45056
FORMER MEELER AUTO BODY SITE

DATE	July 30, 2025
REVISIONS	
	August 1, 2025

A-3

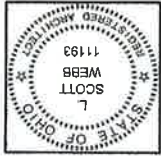


ILLUSTRATIVE SECTION 1/8" = 1'-0"

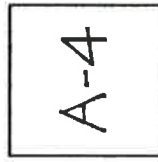


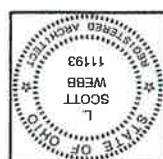
ILLUSTRATIVE CONCEPT MODEL

- GROUND FLOOR HOTEL AREA
- UPPER FLOOR DWELLING UNITS
- 4th FLOOR ROOFTOP RESTAURANT



DATE	May 25, 2009
REVISIONS	August '09



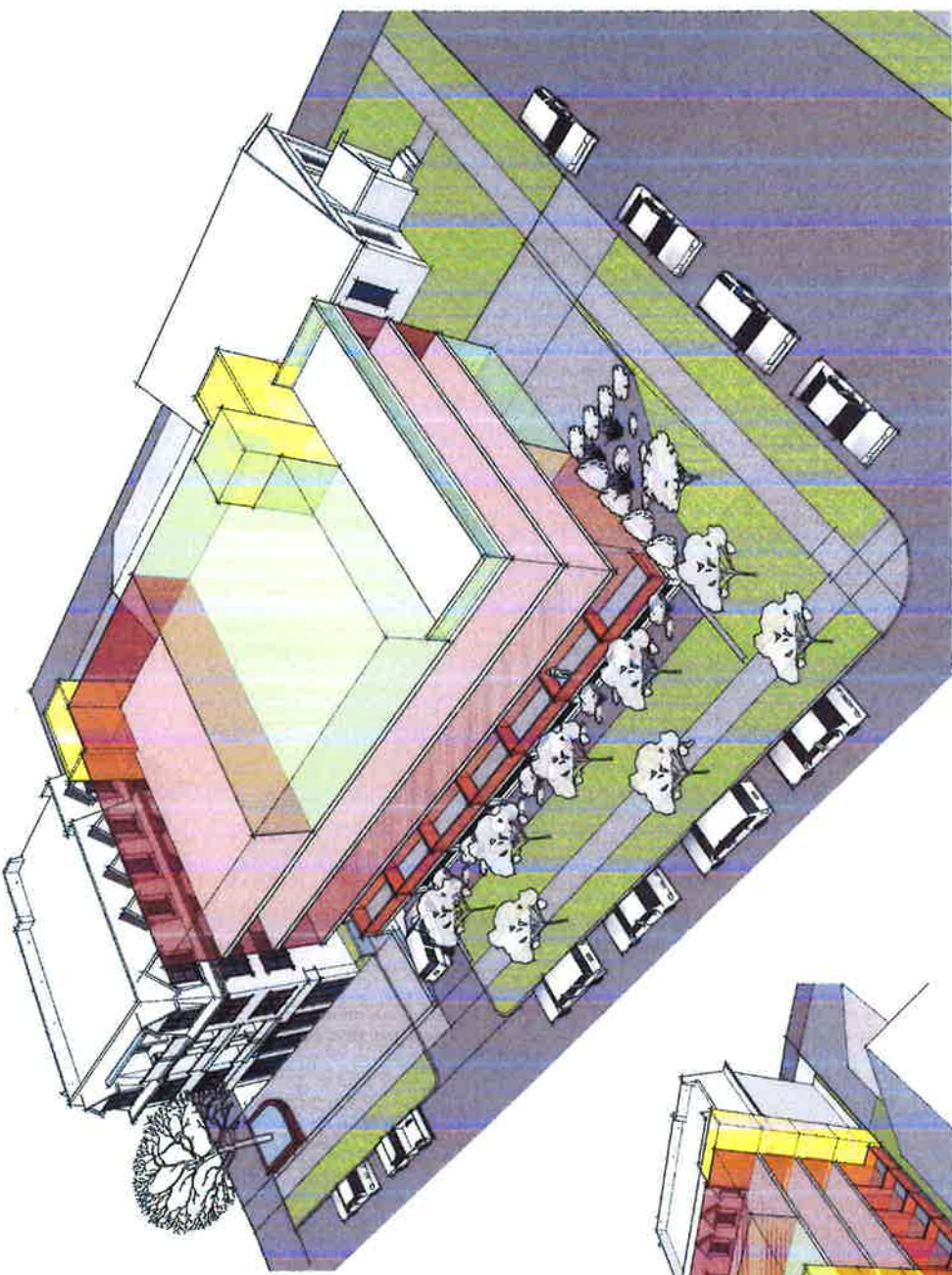


SCOTT WEBB ARCHITECT
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PROPOSED NEW MIXED-USE BUILDING
22 South Beech Street
OXFORD, OHIO 45056
FORMER MESLER AUTO BODY SITE

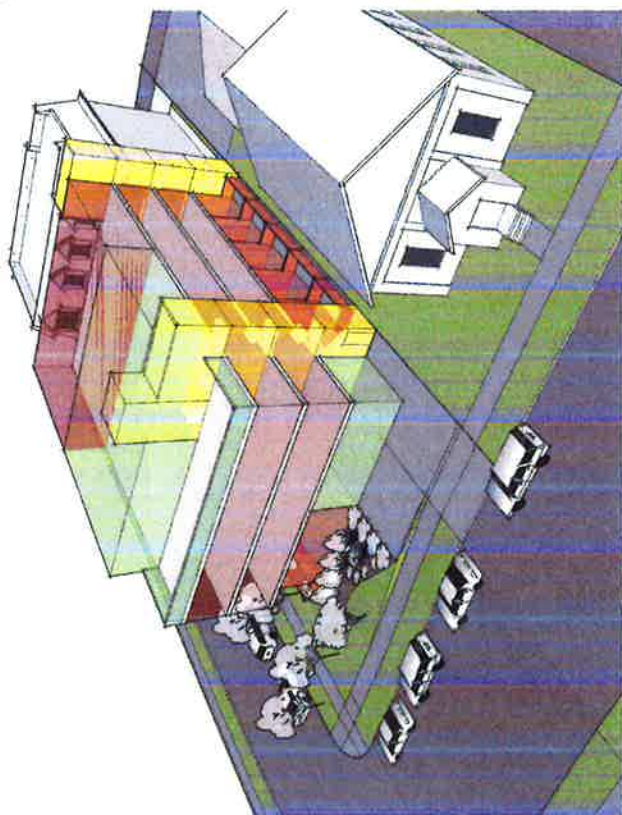
DATE	May 25, 2018
REVISIONS	August 1, 2018

A-5



ILLUSTRATIVE CONCEPT MODEL

- GROUND FLOOR HOTEL AREA
- UPPER FLOOR DWELLING UNITS
- 4th FLOOR ROOFTOP RESTAURANT



City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2018-14

Date –July 10, 2018

APPLICATION

Applicant:	Scott Webb
Location:	22 South Beech Street
Owner:	Michael and Mark Mesler
Action Request:	Conditional Use Permit Application for a single-level hotel use within a four story building in the Uptown District
Current Use:	Automotive Service
Zoning:	UP (Uptown)
Surrounding Existing Land Uses:	Mixed-Use Residential, Institutional, Professional Office

GENERAL DESCRIPTION

Architect Scott Webb is seeking a conditional use for a single-level hotel within a proposed new four story building at the corner of Walnut and Beech Streets. If the ground level space were intended for a retail tenant, the Planning Commission would not review this case. However, the conditional use process presents an opportunity for a more public process to influence the outcome. The discussion and decision should be related to the hotel aspect due to the fact that the project would not otherwise require a special approval.

The site is currently an automotive service (Mesler Auto) with an apartment above the commercial space. The proposal presented on behalf of Stewart Developers LLC is for a new four-story building to replace the current automotive service/parking lot. A 12-unit hotel would use the ground floor as an extension of The Elms Hotel, which is located one block to the east.

PUBLIC COMMENTS

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

AGENCY REVIEWS

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

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

ZONING CODE REVIEW

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

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

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

(1) **Burden of Proof.**

- A. Planning Commission has no obligation to recommend approval and City Council has no obligation to approve a Conditional Use. This Zoning Code assumes that the uses listed in this section are not appropriate unless an applicant proves that the use will not be detrimental to the public health, safety, or general welfare of the City or the neighborhood in which it is proposed.
 - B. Applicants shall prove that potential negative impacts of elements such as location, size and extent of facilities and operations, site design, traffic generation, site access, and potential impact upon public facilities will be adequately mitigated.
- (2) General Decision Standards. All Conditional Uses shall satisfy these General Decision Standards.
- A. The proposed use is in fact a Conditional Use appropriate for in the zoning district in which it is proposed.
 - B. The use and site will satisfy the general intent of this Zoning Code.
 - C. The use and site will be compatible with the general intent of the Comprehensive Plan.
 - D. The size and shape of the site are sufficient for the proposed use.
 - E. The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district.
 - F. The use will not involve activities, processes, materials, equipment, or conditions of operation that will be detrimental to any person, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare, odors, or other emissions.
 - G. The only accessory uses will be directly related to the operation of the principal use and will not be operated independent of the principal use.
 - H. The use and site will be adequately served by public facilities and services such as streets, water and sewer, drainage structures, police and fire protection, and refuse disposal, or adequate provisions will be made to provide the same services privately.
 - I. Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services.
 - J. The site will be designed, constructed, and maintained in a character harmonious in appearance and general character with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area. Structures to be constructed, reconstructed, or altered in a residential zoning district shall have the appearance of residential buildings permitted in the zoning district.
 - K. The site is designed so that on-site traffic and traffic accessing the site will not inappropriately impact the movement of traffic on adjacent public streets.
 - L. Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.
 - M. All necessary permits and licenses for the Conditional Use and its operation have been or can be obtained for the use at the proposed location.

(d) Action by Planning Commission.

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

1147.03(b)(4)

(27) Motels.

A. Potential Concerns.

- 1. Proximity to residential.

2. Screening from residential.
3. Appropriate street access.

ANALYSIS:

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

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

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

Yes, the use can be allowed as a conditional use. It is specifically listed in 1143.10(b)2.B.

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

Refer to Chapter 1123 for the general overall intent of the Zoning Code and 1143.10 for the intent of the Uptown district. Overall, the intent is for 'health, safety and welfare' of the residents of Oxford. Uptown, the intent is for a walkable mixed-use district.

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

Given that the 2008 Comp Plan does not specifically address this property for future land use changes, the objectives of the individual chapters of Land Use, Urban Design, Transportation, Economic Development and Housing, should be reviewed. Although the site is currently developed, it is underutilized and contains a nonconforming land use. Throughout the Comp Plan, infill development is preferred versus sprawl at the City's perimeter where resources would be further stretched from the core.

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

Mixed-use buildings in Oxford typically have dedicated areas for necessities such as utility connections and solid waste storage. None appear on the preliminary site plan. The addition of a hotel with restaurant to a mixed-use building could add additional demands such as food deliveries, guest drop-offs and pick-ups that may be forced to spill over onto public land such as streets or sidewalks. A more complete design and operational plan would be helpful for the city to have confidence in moving the project forward.

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

The hotel suites facing north would have patios facing the historic Bethel African Methodist Episcopal Church, potentially a noise concern. The proposed building would also be considerably taller than the church, blocking natural light into the sanctuary portion of the historic building. The church is believed to be the second continuously operating A.M.E. church in the state of Ohio. A historic plaque was granted by the city in 2014. Any negative impacts such as the construction, hotel guests or parking should be considered before moving the project forward. No comments have been received from the church at the time of this report.

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.

Potentially, see above. Although new four-story buildings are common in Uptown Oxford, adjacency to an operating church is a special condition that should be fully evaluated.

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.

An accessory use of an upper level restaurant is indicated in the application and drawings.

- H. The use and site will be adequately served by public facilities and services such as streets, water and sewer, drainage structures, police and fire protection, and refuse disposal, or adequate provisions will be made to provide the same services privately. Opportunity for comment was provided to Fire, Police and Service Departments. See comments/questions from Police.**
- I. Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services. Opportunity for comment was provided to Fire, Police and Service Departments. See comments/questions from Police.**
- 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.**
There is not sufficient detail for staff to make a determination. Once detailed construction drawings are completed staff can review the plans to determine compliance with all requirements of Police, Engineering, Zoning, Building and the HAPC. Some areas of concerns are:
- *Police comments regarding parking design, operation and public impact*
 - *Pedestrian safety with sidewalk re-alignment and crossing at an intersection without a north/south stop*
 - *Zoning questions such as height detail and floor area ratio detail*
 - *Design review of the Historic and Architectural Preservation Commission*
- 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 is partly not applicable because there is no direct access to this site for vehicles. There is no on or off-street parking requirement for this mixed-use building. However, the hotel use does present a unique opportunity for Uptown that staff does not believe is accounted for in the city's parking requirements. A hotel guest is likely arriving to Oxford by car, therefore additional parking demand will be created somewhere in Oxford. The applicant has addressed this issue by proposing a change to the on-street parking. Whether this is the appropriate solution is yet to be determined.
- L. Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.**
The existing automotive service building with apartment is considered 'non-contributing' in the 2018 Uptown Historic District Inventory. Therefore, its removal would not be considered a loss of a historic feature.
- 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 is no record of necessary permits having been obtained since the proposed construction has not begun. However, the proposal is from an experienced local architect and property developer.

1147.03(b)(27)

(27) Motels.

- A. Potential Concerns.**
1. Proximity to residential.

Residential use is planned for the upper levels of the subject building. Adjacent residential to the west is owned and managed by the same prospective owner.

2. Screening from residential.

There is no place for screening in the Uptown area intended for a mix of uses versus a suburban hotel setting with adjacent low density residential.

3. Appropriate street access.

There is no direct street access provided.

RECOMMENDATION:

An additional hotel option Uptown, simultaneously removing a nonconforming land use, presents a unique opportunity. Additional information presented through the hearing and deliberation process should assist the Commission in defining a recommendation to City Council. The Commission can:

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

At this time, staff does not have a recommendation but can provide one at the end of the hearing if requested.

SUBMITTED BY:



Sam Perry, AICP
Planner

DATE: July 3, 2018

ATTACHMENT

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

(1) Burden of proof.

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

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

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

City of Oxford
Inter-Office Review Transmittal Sheet

July 3, 2018

Date: ~~June 5~~, 2018

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

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

X Review Revisions Other

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

Drawings are returned: w/comments without/comments

SEE MEMO DATED 7-5-18

Drawings reviewed by:

Date: 7-5-18

VICTOR POPESCU
PRINTED NAME



Memo

Service Department
Engineering Division

513/524-5208 fax 513/524-5267

TO: Community Development Department

FROM: Victor Popescu, P.E.

RE: PC-2018-14
Conditional Use – Mesler Auto Body
22 S. Beech Street

DATE: July 5, 2018

The Engineering Division offers the following comments.

- Fire protection (i.e. fire hydrants, FDC) shall be determined by the Fire Chief.
- Due to the limited size of the facility, a traffic impact study would not be necessary.
- The submittal proposes to modify the existing parking on W. Walnut Street. Angle parking is proposed. To accommodate this proposal, vehicles parking spaces will be designed partially within the Right-of-Way, and partially within the vacated Right-of-Way, now private property. This design proposal will eliminate the tree lawn, and require that the sidewalk be constructed on private property.
- The existing public utilities (sanitary sewer, storm sewer, and water) are to be evaluated for their capability to adequately server the proposed development.

City of Oxford
Inter-Office Review Transmittal Sheet

Date: June 5, 2018

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

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

 X Review Revisions Other

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

Drawings are returned: w/comments without/comments

Drawings reviewed by


John Detherage
PRINTED NAME

Date:

6-28-18

City of Oxford
Inter-Office Review Transmittal Sheet

Date: June 5, 2018

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

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

X Review _____ Revisions _____ Other

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

Drawings are returned: w/comments without/comments

- ① Is the angled parking along Walnut Street to be controlled by private owner or public entity (the City)?
- ② Has the angled parking been designed by an engineer as I have concerns regarding the proximity to the intersection (Beech/Walnut) and backing crashes?
- ③ In the area of the angled parking are currently 3 metered parallel parking spaces that serve the public. What are the arrangements to compensate for the loss of those public resources?
- ④ Police Dept would not support rooftop access for the residents of the building outside the use of a restaurant. Restaurants only is okay.

Drawings reviewed by: [Signature] Date: 6-18-18

John A. Jones, Police Chief
PRINTED NAME



PC-2018-14

Surrounding Property Owners Notifications Map

Legend

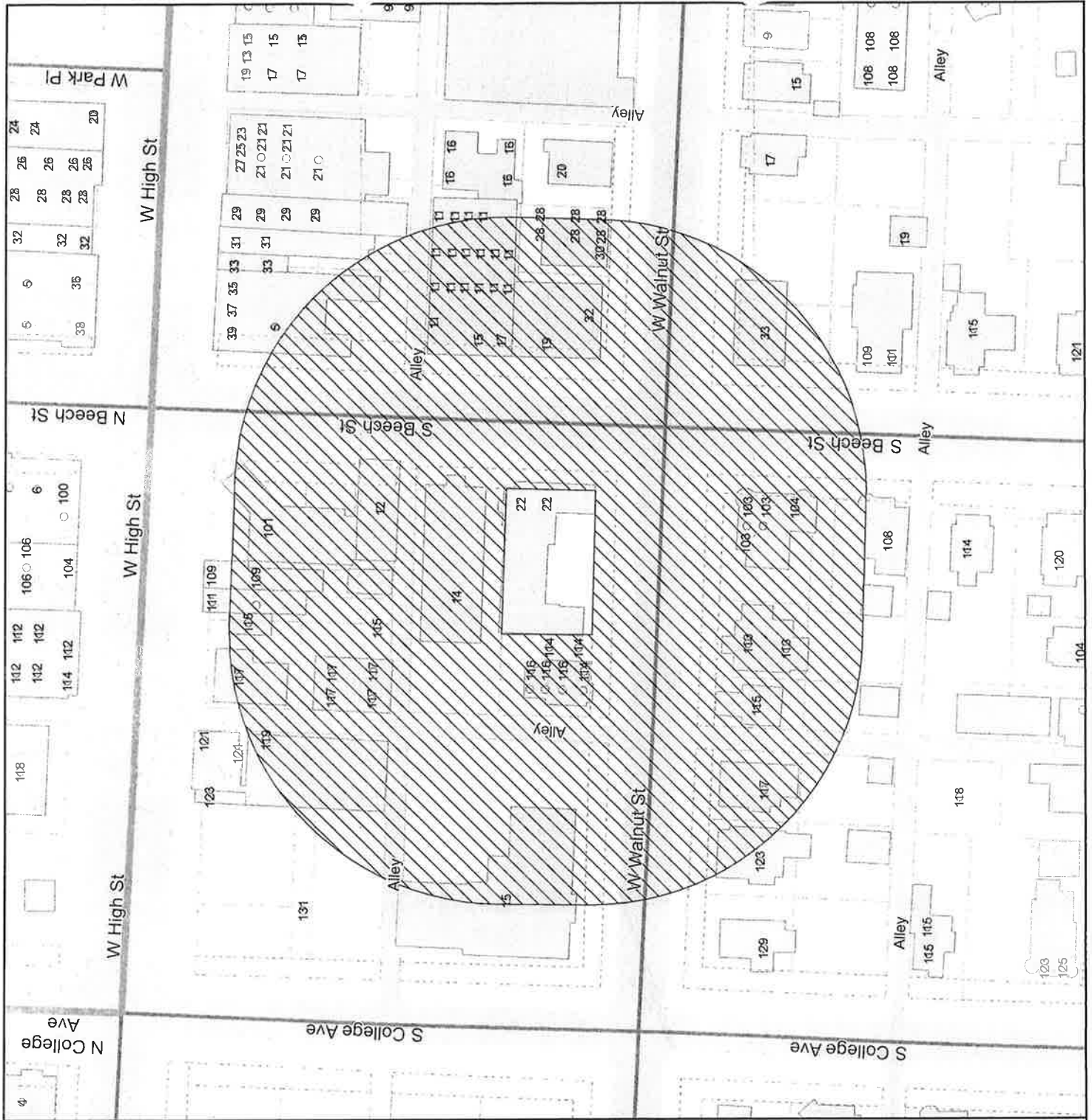
- Subject Parcel
- 200 Ft. Buffer
- Oxford Corp. Limit
- Address Point
- Parcel
- 16.5' Vacated ROW
- Building Footprint
- Paved Roadway



1 inch = 100 feet

Prepared on Monday, June 25, 2018

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



LETTER OF AGENCY

May 24, 2018

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

To Whom It May Concern:

Please be advised that Scott Webb, Architect, has permission to represent our interest with the City of Oxford, Planning Commission, Board of Zoning Appeals, Historic and Architectural Preservation Committee, and any all other legislative committee counsels, to act on our behalf as relates to the property we own at 22 South Beech Street, Oxford, Ohio.

Thank you,

Signed: 
Michael Mesler

5-24-18
Date:

Signed: 
Mark Mesler

5-24-18
Date:



Internal Use Only:

Case No.

PC-2018-14

Date Filed

5/25/18

Conditional Use Permit Application

Applicant Information

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

Name * Scott Webb, Architect

Mailing Address * 103 West Walnut Street

City, State & Zip Code * Oxford, Ohio 45056

Telephone Number(s) * 523-3838

Email Address scott@scottwebbarchitect.com

Owner Information

Name * Michael & Mark Mesler

Mailing Address * 22 South Beech Street

City, State & Zip Code * Oxford, Ohio 45056

Telephone Number(s) * 523-3735

Email Address _____

Location and Lot Information

Location of Property * 22 South Beech Street

Legal Description * Parcel H4100004000156

Zoning District * UP, Uptown

Total Area * 10,128 → Check One * Acres ☐ Square Feet ☒

Existing Use Description * Auto Body shop

Proposed Use Description * Mixed-Use Building with Hotel

Submission Requirements and Documentation

From Section 1147.02(a)¹.

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

A. Application Fee.

B. Description of Use and Site.

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

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

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

Fees & Receipt

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

Sign and Date

Applicant Signature *



Date *

5/25/2018

Submit Application, Submission Requirements and Documentation, and Fees

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

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

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

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

For Staff Use Only

Fee Paid Date *



Receipt Number *

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

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

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



SCOTT
WEBB

ARCHITECT

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

www.scottwebbarchitect.com

Re: Application for Conditional Use
Proposed Hotel Use & Alternate Parking Arrangement
22 South Beech Street
Parcel H4100004000156

May 25, 2018

Community Development Director,

Please accept this letter as a formal request for a review hearing by the City of Oxford Planning Commission and Oxford City Council for a Conditional Use for a Proposed Hotel Use in the Uptown (UP) District. Additionally, we would like consideration of a slight increase in commercial space causing the max. permitted gross floor area to exceed the 3:1 ratio and an alternate parking arrangement along West Walnut Street.

In accordance with the submission requirements and documentation required by the Conditional Use Application we offer the following:

- A. *The application fee has been submitted with this application*
- B. *Description of Use and Site.*
 - 1. *The name, address, and telephone number of the applicant and property owner.*

Property Owners:

Michael & Mark Mesler
22 South Beech Street
Oxford, Ohio 45056

Purchaser / Developer:

Stewart developers LLC
125 West Spring Street
Oxford, OH 45056

Architect:

Scott Webb, Architect
103 West Walnut Street
Oxford, Ohio 45056

Civil Engineer:

Bayer Becker, Engineers & Surveyors.
318 South College Avenue
Oxford, Ohio 45056

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

A Letter of Agency is included in this application

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

Information is included regarding the lots from the County Auditor and Engineer's GIS information. A survey will be provided to verify this information as the application progresses.

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

The site is currently occupied by Mesler Auto Body, a family run business that has occupied the site for decades.

5. *The Zoning District in which the site is located.*

The site is in the UP, Uptown Zoning District

6. *A description of the proposed use.*

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

The proposed Mixed-Use Building is designed in accordance with the development regulations of the UP Zoning District. The Floor Area Ratio (F.A.R.) provides for a min. commercial use and maximum residential use of each site based on the land area of the property.

The new Mixed-Use building is designed to provide a lobby for the Extended Stay Hotel Suites on the ground floor and elevator access to a 2,500 s.f. rooftop restaurant to meet the requirements of the commercial use. The 2nd, 3rd, and a portion of the 4th floor will provide a variety of dwelling units.

The ground floor will provide (12) individual extended stay hotel suites. These suites will be managed as an annex to the Elms Hotel a block from the site.

Based on the size of the lot and limitations/requirements of the F.A.R. , the building may contain as many as (34) residents in apartments.

- b. *Hours of operation*

The proposed hours of operation for the rooftop restaurant would be typical for businesses of this type, potentially offering breakfast, lunch, dinner, and nightlife. The hotel suites and apartments are typical for their use.

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

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

The Uptown Area provides a variety of uses as encouraged by the Comprehensive Plan with Mixed-Use buildings, featuring restaurants, retail and entertainment with residential units on the upper floors.

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

The property has been an auto body and repair shop for decades, and includes a paint booth, garage areas, and an apartment. The existing structures are not appropriate in their use, design or scale, and would be demolished to facilitate redevelopment of the site.

The proposed building will be designed in accordance with the F.A.R. of the Zoning District and the guidelines of the Historic District.

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

The proposed building is similar in uses to the uptown district and is not expected to produce nuisance odors, fumes, vibrations, or emissions.

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

The design of the building aligns with the goals of the uptown district, with no particular need for mitigation.

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

Extended Stay Hotel rooms are an underserved market in the City. Hotel development typically requires 75-80 suites on 10 acres of property, forcing them to the perimeter of the City and increasing traffic and parking problems into the Uptown entertainment area.

With the independent Elms Hotel in the Uptown District, a unique opportunity to expand the hotel use with additional suites as an annex to the primary hotel is presented here. Combining the reservations, service, laundry, etc. typically required for a stand-alone hotel into the existing one, requiring less property and duplication of services.

The slope of the site allows a unique opportunity to allow the ground floor hotel suites to be set above the street level to the south, above headlights and pedestrian traffic.

The proposed diagonal parking arrangement is appropriate in this location, providing (8) off-street spaces, tucked into the vacated right-of-way, and below the ground floor suites.

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

Extended Stay Hotel rooms are an underserved market in the City and in the Uptown area in particular as described above.

The Uptown area is becoming saturated with ground floor restaurants. A ground floor hotel use adds consumers and pedestrians to the uptown district. Providing a rooftop restaurant would be a unique and distinguishing, providing some variety in the uptown

Additional parking is always requested and desirable in this uptown district. Off the main through streets, Walnut street provides a unique opportunity to provide additional parking without dramatically changing the streetscape.

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

Based on the potential concerns of Motels itemized in 1147.03(b)(27) we offer the following;

A. Potential Concerns:

1. Proximity to Residential

The Uptown District is intended as a mix-use area with residential and a variety of commercial uses, generally in the same building.

2. Screening from Residential

Screening from residential is not required in this urban setting.

3. Appropriate Street Access

Street access is provided for pedestrians along South Beech Street.

An alternate parking concept is included in this application with direct, angled parking from the street.

11. A list of the names and mailing addresses of all landowners within 200 feet of the site.

Provided under a separate cover

12. Such other information regarding the proposed use, site, or surrounding area as may be pertinent to the application or required by Planning Commission

Based on the potential concerns of Motels itemized in 1147.03(b)(27) we offer the following;

C. Site Plan. A scaled site plan shall include the following information in detail. The required information may be submitted on multiple site plans if inclusion of all information on a single plan makes it illegible or difficult to understand

Site plans and 3D Concept illustrations are provided

Planning Commission Review

Decision Standards

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

A. The proposed use is in fact a Conditional Use in the Zoning District in which it is proposed;

Hotels & Motels are considered a Conditional Use in the UP Uptown Zoning District. In the proposed Mixed-Use Building, the Hotel use occupies the ground floor as the required commercial use.

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

The Zoning Code for the Uptown District encourages Mixed-Use Buildings through the Floor Area Ratio (F.A.R.). The building as proposed meets these guidelines.

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

The **Character Area Map** and **Character Area Matrix** refers to this area as the "Core", reflecting its place as the center of the Mile Square and primary business district emphasizing walkability and describing the area as a center for entertainment uses.

The **Conservation and Development Map** and the **Concept Area Matrix** refer to this area as a "Neighborhood Enhancement Area", recommending the stabilization of the Mile Square neighborhoods and commercial features to enhance the Uptown

Land Use Objective 3 proposes that we “Continue to Enhance Uptown”, encouraging higher density new construction where appropriate to provide new space for business. It further suggests that we support new Mixed-Use developments that combine ground floor retail with upper story office and housing.

The **Economic Development Section** directs us to retain and expand existing businesses. The proposed unique expansion of the Uptown’s only hotel is in line with this objective.

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

Building sizes and shapes are prescribed by the development standards of the Uptown District. The building as proposed meets these guidelines, respecting the goals for redevelopment of underused site in the district.

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

The proposed use will not be disturbing to neighbors, providing compatible transient and rental residences with a unique upper level restaurant.

- 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.*

The Hotel Use is compatible with other uses in the district.

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

No Accessory uses are proposed.

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

All utilities are available at the proposed location. No special provisions are required.

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

No public expense is anticipated by this project.

- 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*

In addition to the building envelope limitations provided by the Zoning Code, the building and site design in the uptown historic district is governed by the HAPC guidelines and review by the Historic and Architectural Preservation Commission. The review will insure that the design is appropriate and compatible and will not change the essential character of the neighborhood

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

Traffic will be eliminated from the site.

Per 1149.03(j)(1) & (2), all residential and non-residential uses in the UP district are exempt from parking requirements.

A proposed parking area, combining a portion of the vacated right-of-way with the space currently used for parallel parking will provide parking above what is currently available.

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

The proposal contained herein is designed to replace an auto body shop and not a natural, or historic feature of major importance.

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

A professional review of the building code has been performed, and all necessary permits and licenses can be obtained for this use in this location.

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

Respectfully,

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

Scott Webb, Architect

22 South Beech Street

Floor Area Ratio (F.A.R.) Analysis

Zoning District: UP Uptown District

Development Regulations

All Dimensional & Occupancy Regulations are based on the Lot Area as follows:

Total Lot Area	10,128 s.f.
Less Vacated Right-of-Way	3,112 s.f.
Calculable Area for F.A.R.	7,016 s.f.

Note: Lot areas County G.I.S. and adjacent surveys

Gross Floor Areas	Commercial	Residential
Ground Floor	5800 s.f.	
Second Floor		5800 s.f.
Third Floor		5800 s.f.
Fourth Floor	2500	2400 s.f.
TOTALS	8300 s.f.	14000 s.f.
Uncovered Outdoor Area	s.f.	
	8300 s.f.	14000 s.f.

Gross Floor Areas	Commercial	Residential
Regulation:	4,911 s.f. Min	14,032 s.f. Max.
(0.7 x Calculable Area)		

Total Building Envelope	22,300 s.f.
Regulation:	21,048 s.f. Max.
Max. Building Envelope per Floor Area Ratio (F.A.R.)	
(3 x Calculable Area)	

Occupancy	35.08 Residents
(1) Occupant per 200 s.f. calculable area	

**LARGER PRINTS ARE
AVAILABLE UPON REQUEST**

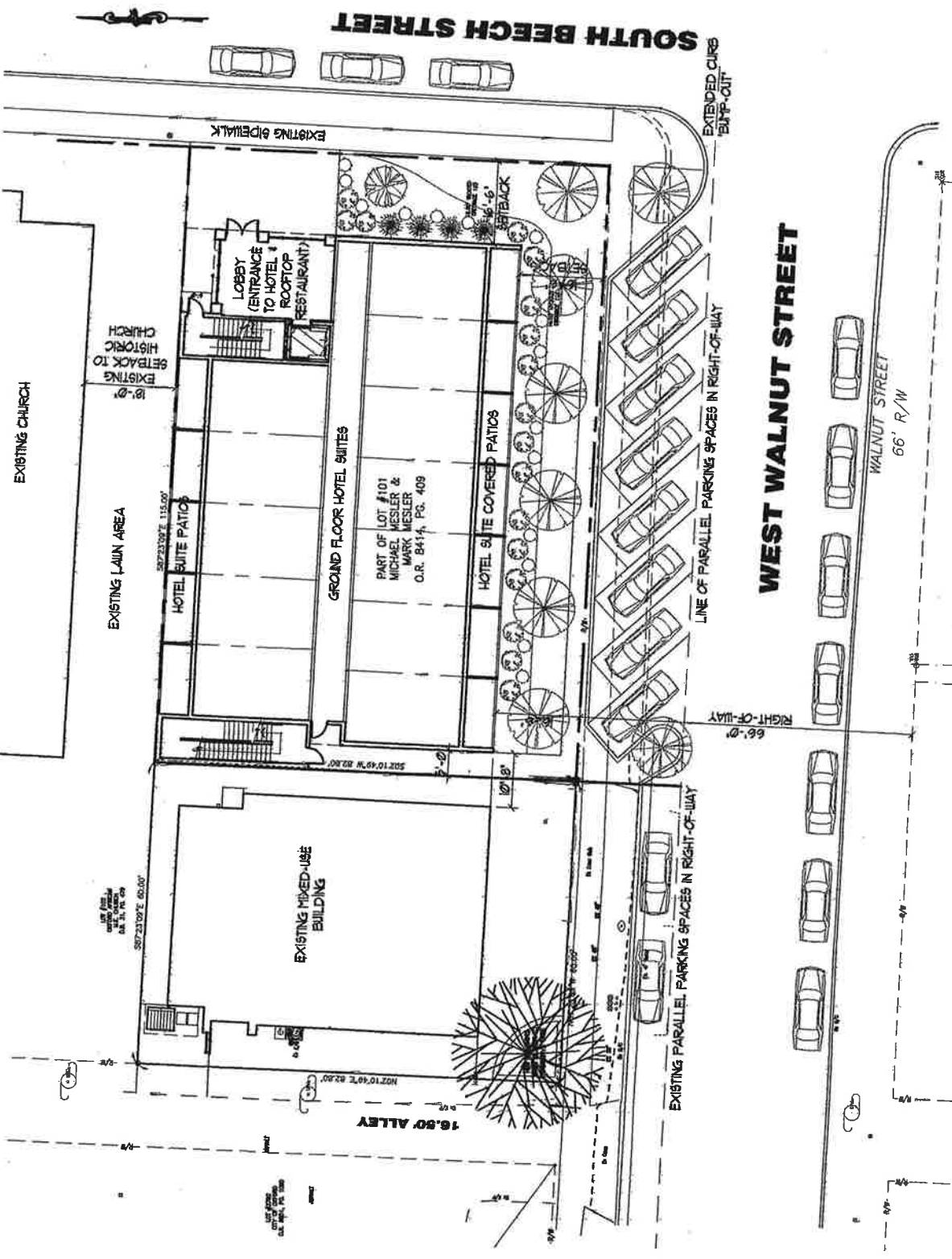


SCOTT WEBB ARCHITECT
100 West Walnut Street
Oxford, Ohio 45057
(513) 523-3389
www.scottwebbarchitect.com

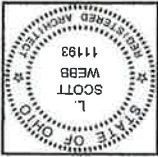
PROPOSED NEW MIXED-USE BUILDING
22 South Beech Street
OXFORD, OHIO 45057
FORTHERR MESLER AUTO BODY SITE

DATE	May 25, 2010
REVISIONS	

A-1



PRELIMINARY SITE PLAN 1" = 20'-0"
GROUND FLOOR SHOWN

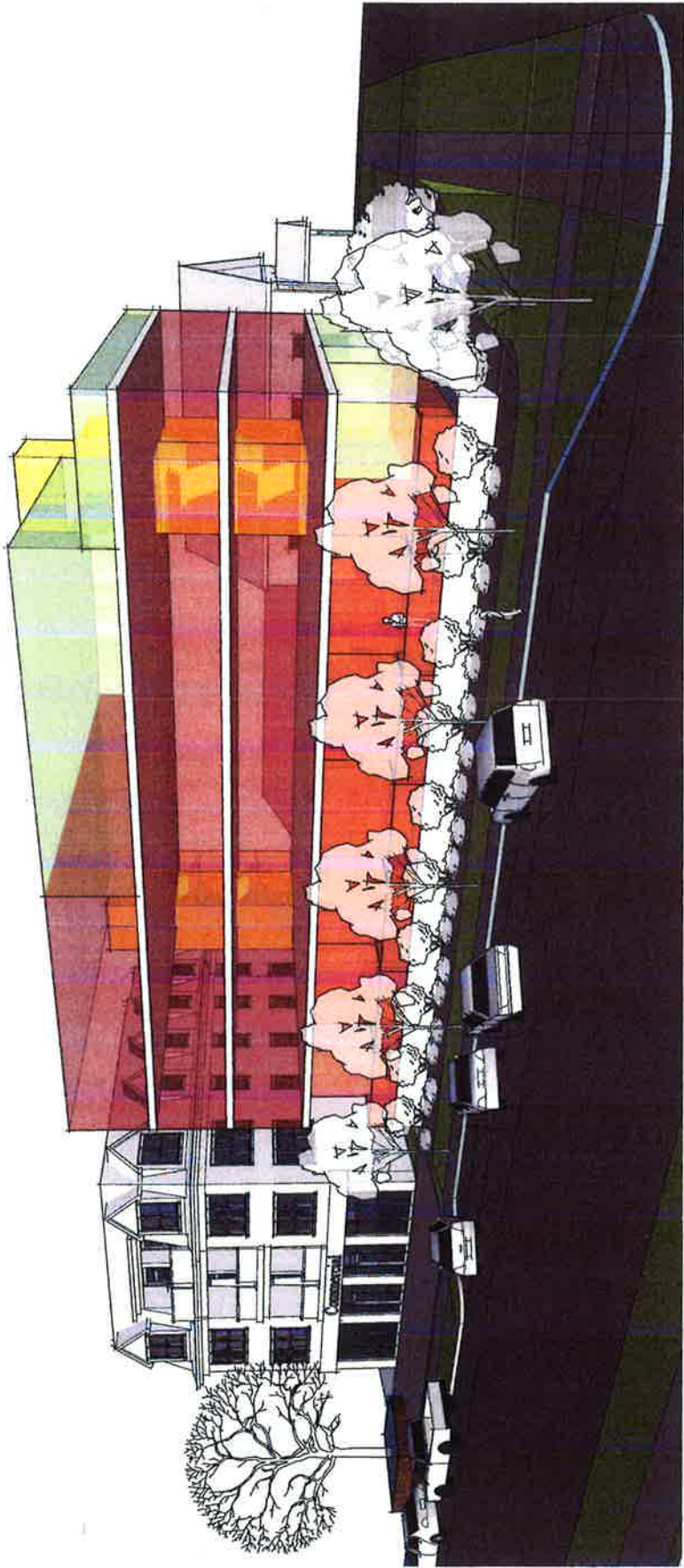


**SCOTT
WEBB**
ARCHITECT
123 West High Street
Oxford, Ohio 45056
(513) 523-3838
www.scottwebbarchitect.com

PROPOSED NEW MIXED-USE BUILDING
22 South Beech Street
OXFORD, OHIO 45056
FOSTER MESLER AUTO BODY, INC.

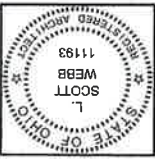
DATE	May 25, 2009
REVISIONS	

A-2



ILLUSTRATIVE CONCEPT MODEL

-  GROUND FLOOR HOTEL AREA
-  UPPER FLOOR DWELLING UNITS
-  4th FLOOR ROOFTOP RESTAURANT

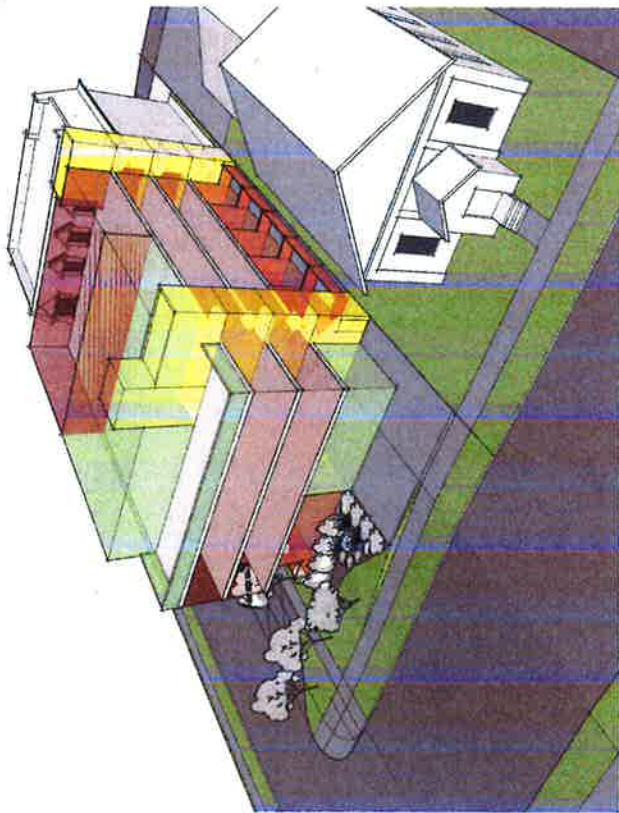
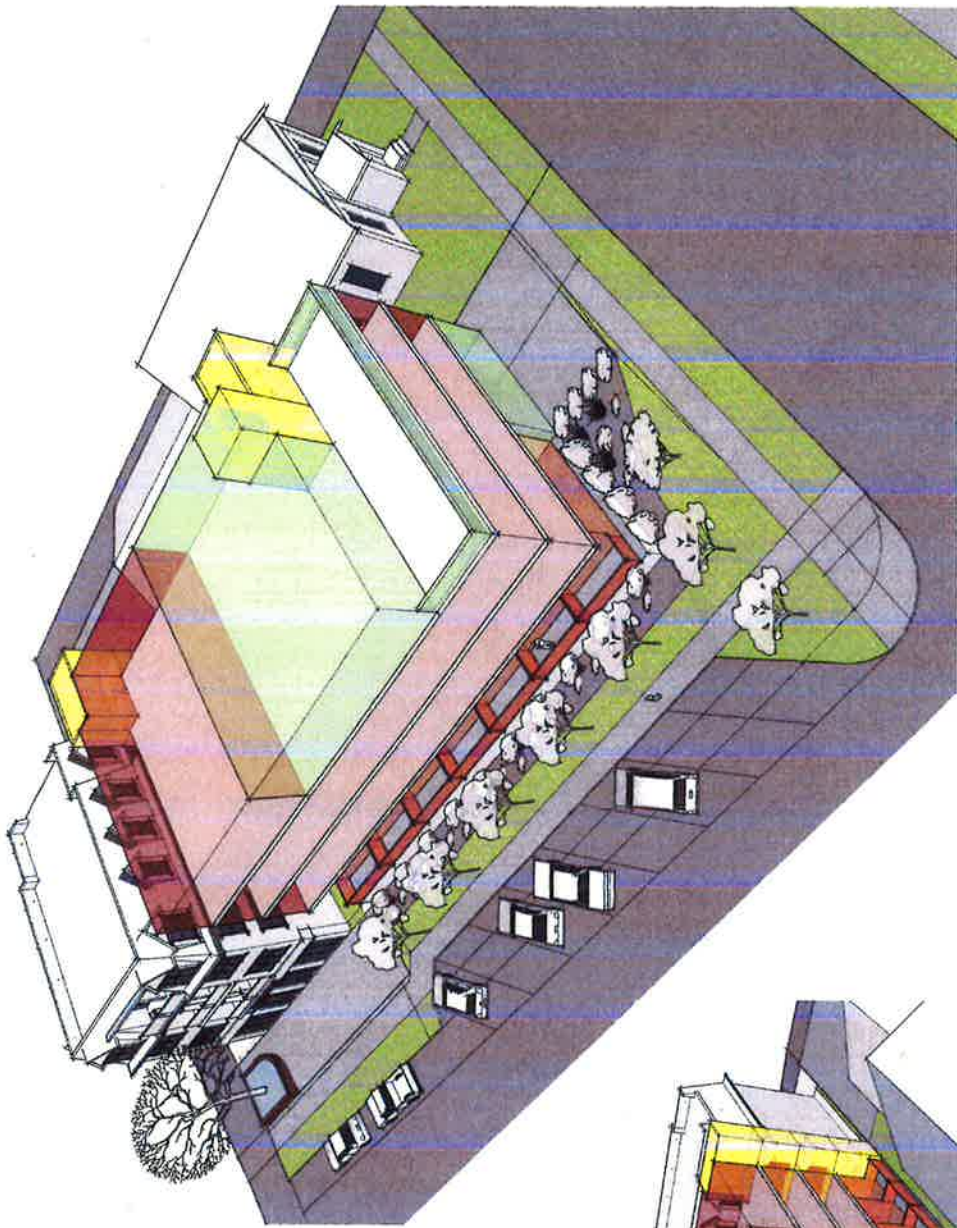


SCOTT WEBB
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100 West Walnut Street
Oxford, Ohio 45056
(513) 523-3835
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PROPOSED NEW MIXED-USE BUILDING
22 South Beech Street
OXFORD, OHIO 45056
FORMER TESLER AUTO BODY

DATE	May 25, 2015
REVISIONS	

A-3



ILLUSTRATIVE CONCEPT MODEL

- GROUND FLOOR HOTEL AREA
- UPPER FLOOR DWELLING UNITS
- 4th FLOOR ROOFTOP RESTAURANT



BETHEL AFRICAN METHODIST EPISCOPAL CHURCH

14 South Beech Street, P.O. Box 494, Oxford, OH 45056

Telephone: (513) 523-8560

E-mail: BethelAMEChurchOxford@gmail.com

Reverend Samuel Harris, Jr., Pastor

Tuesday, August 14, 2018

From: Rev. Samuel A. Harris, Jr.

Bethel African Methodist Episcopal Church

16 South Beech Street

Oxford, Ohio 45056

To: Oxford Planning Commission,

118 W High Street

Oxford, OH 45056

We the members of Bethel AME Church, at the 8th Church Conference of the year 2018, held on Sunday August the 5th at approximately 12:45 pm discussed the matter of the plans of the building to be constructed on the North West corner of Beech and Walnut. Two of Bethel's Trustees Bro. Eldred Brown and Bro. Bobby Johnson were sent and were in attendance at the last hearing. They reported to the conference some of the proceeding of the hearing including the objections. After hearing they're report, each of the 17 members, in attendance, had the opportunity to voice their opinion of the said proposed structure. Some of these issues of concern included natural light blockage, street parking, protecting our limited parking, increase traffic, trash management, hotel deliveries etc., but because of the overwhelming positive experience we have encountered through the recent completed construction just South of our parking lot these were considered minor.

At this time as Chairman of the Church Conference and said members have decided to support the building as long as it meets with Oxford's Planning Commission regulations.

Again, we cannot express how respectful the builders were of our space during times of services upon the 4 months construction.

Respectfully submitted by,

Rev. Samuel A. Harris Jr.

Rev. Samuel A. Harris, Jr.

Sr. Pastor of Bethel AME Church and Chairman of Church Conference

& the members of 8th Church Conference of the year 2018

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Clerk of Council

Originating Department

Council Meeting Of: September 18, 2018

Mary Ann Eaton

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

January 4, 2018

Date Prepared

Agenda Title: Legislative Authority Notice -New permit for RF
Pizza DBA Rapid Fired Pizza 7 W. High Street Oxford, Ohio 45045.

Recommendation: N/A

Discussion:

The permit is for:

D2 - Wine and mixed beverages for on premises consumption
or in sealed containers for carryout.

Approved By:

Initial Date

Department Head:

City Manager:

DRE

9/14/18

NOTICE TO LEGISLATIVE
AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2369 FAX (614)644-3166

TO

6616205		N		RF PIZZA LLC	
PERMIT NUMBER		TYPE		DBA RAPID FIRED PIZZA	
ISSUE DATE				7 W HIGH ST	
09 01 2016				OXFORD OH 45056	
FILING DATE					
D2					
PERMIT CLASSES					
09	088	A		B30458	
TAX DISTRICT				RECEIPT NO.	

RECEIVED

8/30/18

City of Oxford

FROM 08/28/2018

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



MAILED 08/28/2018

RESPONSES MUST BE POSTMARKED NO LATER THAN.

09/28/2018

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 N 6616205

(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

Commerce Division of Liquor Control : Web Database Search

OWNERSHIP DISCLOSURE INFORMATION

This online service will allow you to obtain ownership disclosure information for issued and pending retail liquor permit entities within the State of Ohio.

Searching Instructions

Enter the known information and click the "Search" button. For best results, search only ONE criteria at a time. If you try to put too much information and it does not match exactly, the search will return a message "No records to display".

The information is sorted based on the Permit Number in ascending order.

To do another search, click the "Reset" button.

SEARCH CRITERIA**Permit Number**

6616205

Permit Name / DBA**Member / Officer Name****Search****Reset****Main Menu**

Member/Officer Name	Shares/Interest	Office Held
Permit Number: 6616205; Name: RF PIZZA LLC; DBA: DBA RAPID FIRED PIZZA; Address: 7 W HIGH ST OXFORD 45056		
KELLY GRAY	5% VOTING	VICE PRES.
RAYMOND WILEY	MANAGE MEM	PRESIDENT

- [Ohio.Gov](#)
- [Ohio Department of Commerce](#)

[Commerce Home](#) | [Press Room](#) | [CPI Policy](#) | [Privacy Statement](#) | [Public Records Request Policy](#) | [Disclaimer](#) | [Employment](#) | [Contacts](#)

Office of the Mayor

Proclamation

Whereas:

Caroline Scott Harrison was born in Oxford, Ohio, at Two South Campus Avenue, on October 1, 1832; and

WHEREAS, her father, John Witherspoon Scott, was a professor at Miami University, and her mother was Mary Neal Scott; and

WHEREAS, Caroline met Benjamin Harrison in Cincinnati while her father taught at Farmer's College. In 1852, Benjamin graduated from Miami University, and Caroline graduated from the Oxford Female Institute. They married in Oxford on October 20, 1853, in her parents' home at 131 West High Street; and

WHEREAS, Benjamin won the U.S. presidential election in 1888, and Caroline and Benjamin left for Washington, D.C., in 1889. Benjamin Harrison became the 23rd President of the United States when he was inaugurated on March 4th of that year; and

WHEREAS, Caroline was the first in the White House to have a decorated Christmas tree, and she was also responsible for having electricity installed in the White House; and

WHEREAS, An advocate of education for women, Caroline agreed to raise funds for the Johns Hopkins Medical School in 1890 on the condition that women be admitted on the same basis as men; and

WHEREAS, Caroline became the first President General of the newly formed Daughters of the American Revolution (DAR) in 1890; and

WHEREAS, Caroline Harrison's contributions as First Lady unfortunately are often overlooked, but she did much to further equality for women, and her plan for White House renovation contributed greatly to its future evolution; and

WHEREAS, Caroline died in the White House on October 25, 1892, and she was mourned by the nation. Funerals were held both in Washington, D.C., and in Indianapolis, Indiana, where she is buried at Crown Hill Cemetery, beside her husband who died in 1901; and

WHEREAS, a sculpture of Caroline Scott Harrison now sits in the backyard garden of the Oxford Community Arts Center, illuminating her importance to our community.

NOW, THEREFORE, I, Kate Rousmaniere, Mayor of the City of Oxford, Ohio, do hereby proclaim October 14, 2018, as:

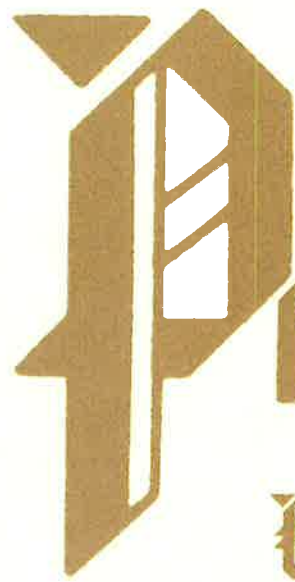
'Caroline Scott Harrison Day'

in the City of Oxford and urge all citizens to celebrate her importance here in Oxford and as First Lady.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Oxford to be affixed this 18th day of September, 2018.

KATE ROUSMANIERE, MAYOR





Office of the Mayor

Proclamation

Whereas:

Oxford has always embraced the many cultures and peoples that make our country so diverse and Hispanic/Latino Americans are one of the fastest growing groups in the country; and

WHEREAS, as a result of their determination, intelligence, hard work and perseverance, Hispanic/Latino Americans have contributed immensely to the growth of our country, helping to shape the character and future of this state; and

WHEREAS, the cultural, educational, and political influences of Hispanic/Latino Americans can be seen and appreciated in all aspects of our life, from farm-worker struggles for housing and equal wages, to incredible and gifted artists, vibrant businesses, music and community festivals; and

WHEREAS, the Hispanic/Latino American community has a long and important history of commitment to our Nation's core values and the contributions of this community have helped make our country great. During National Hispanic Heritage Month we celebrate the many achievements of Hispanic/Latino Americans and recognize their contributions to our country; and

WHEREAS, National Hispanic Heritage Month is an opportunity to celebrate the spirit and accomplishments of Hispanic/Latino Americans everywhere. To honor those achievements, the Congress, by Public Law 100-402, as amended, has authorized and requested the President to issue annually a proclamation designating September 15 through October 15 as 'National Hispanic Heritage Month'.

NOW, THEREFORE, I, Kate Rousmaniere, Mayor of the City of Oxford, Ohio, do hereby proclaim September 15th thru October 15th, 2018 as:

'NATIONAL HISPANIC HERITAGE MONTH'

in the City of Oxford and urge all citizens to join me in celebrating the significant contributions of Hispanic/Latino Americans in our country by participating in the activities and events planned for this important occasion.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Oxford to be affixed this 18th day of September, 2018.

Kate Rousmaniere, Mayor

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development

Council Meeting Of: September 4, 2018

Originating Department

Account Code No. #:

Sam Perry

Prepared By:

Budgeted Amount:

August 30, 2018

Date Prepared:

PC-2018-20, FINAL PLANNED DEVELOPMENT 5728 College Corner Pike, Teamwork Property Group, LLC, Tim Macy Applicant/Agent

Recommendation: Approval with conditions

Discussion:

On Behalf of Tim Macy from Teamwork Property Development, Jason Renneker of Focus Engineering has requested a Final Planned Development approval for a self-storage business. Typically, Planning and Council are reviewing residential Planned Developments. This is not a typical development in the GB district which is why it was handled through the Planned Development process. The proposed final plan is consistent with the preliminary plan. The subject property was recently annexed into the City in 2014 along with Koenig Equipment and Gillman's Home Center. The overall property is 14 acres. Phase 1 is self storage with storm water detention for the entire development. Phase 2 has not been determined but will return to Planning and Council before any development occurs. The applicant has agreed to several conditions recommended by staff and Planning in order to ensure that certain items are completed and that the impact to existing city operations is not negative. The hope of the developer is that Phase 1 will spur development for Phase 2. The Planned Development was recommended to City Council with conditions as listed by a vote of 7-0. This approval would allow the developer to file building permit applications for staff review.

Approved By:

Department Head:

City Attorney:

City Manager:

Achiz SP | 8-30-18

DRE | 8-31-18

ORDINANCE NO.

AN ORDINANCE ACCEPTING THE RECOMMENDATION OF THE PLANNING COMMISSION AND APPROVING THE FINAL PLANNED DEVELOPMENT APPLICATION FOR PHASE I OF A PLANNED DEVELOPMENT AT 5728 COLLEGE CORNER PIKE TO ALLOW A SELF STORAGE FACILITY WITH CONDITIONS AND PHASE II USE TO BE DETERMINED.

WHEREAS, Council hereby finds the Planning Commission held a public hearing on August 14, 2018 in accordance with Section 1145 of the Codified Ordinances of the City of Oxford, on the application of Tim Macy, Teamwork Property Group, LLC for a Final Planned Development Phase I at 5728 College Corner Pike to allow a self storage facility with conditions and Phase II use to be determined; and

WHEREAS, the Planning Commission, after due deliberation found the application satisfies the code requirements in Chapter 1145 of the Codified Ordinances of the City of Oxford, and recommended approval of the Final Planned Development application for Phase I of a Planned Development at 5728 College Corner Pike to allow a self storage facility with conditions and Phase II use to be determined.

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

SECTION 1: Council hereby accepts the recommendation of the Planning Commission and further approves the Final Planned Development application for Phase I of a Planned Development at 5728 College Corner Pike to allow a self storage facility with the following conditions and Phase II use to be determined:

01. Conditions 1, 2, 5, 6, 8, 9, 10 and 11 of the preliminary plan approval Ordinance No. 3391 shall be maintained.
02. The maintenance agreement for the storm water detention area shall be approved by the City Engineer and the Law Director prior to October 4, 2018.
03. Deciduous trees shall be planted approximately 50 feet on center along College Corner Pike in the public right of way as part of Phase I building occupancy or within 1 year of Final Plan approval, whichever comes first.
04. A 10 foot multi-use path shall be constructed along College Corner Pike as part of Phase I building occupancy or within 1 year of Final Plan approval, whichever comes first.
05. The Preliminary Plan for Phase II shall be valid for 5 years from Phase I Final Plan approval.
06. Financial security shall be provided for the 10 foot multi-use path along College Corner Pike and Todd Road prior to building permit submittal for Phase I.
07. If the multi-use path along College Corner Pike is not constructed with 1 year of Phase I Final Plan approval, security shall be used by the City to construct the multi-use path.
08. If the multi-use path along Todd Road is not constructed with 1 year of Phase I Final Plan approval, security shall be used by the City to construct the multi-use path.

09. The outdoor lighting shall comply with the Oxford Zoning Code and the Miami University standard of 4,000 degree Kelvin color temperature.
10. The crosswalk from the multi-use path to Building A shall be improved crossing the parking lot to comply with Oxford Codified Ordinance Section 1149.05(e)4R.
11. Outdoor lighting shall be shielded.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)



August 21, 2018

Teamwork Property Group, LLC
Mr. Tim Macy
3116 W. Montgomery Road, Suite C-287
Maineville, OH 45039

Dear Mr. Macy:

PC-2018-20, FINAL PLANNED DEVELOPMENT 5728 College Corner Pike, Teamwork Property Group, LLC, Tim Macy Applicant/Agent

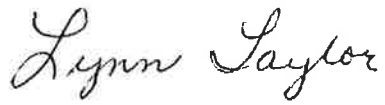
On August 14, 2018, the City of Oxford Planning Commission recommended 7-0-0 to approve your request for a Final Planned Development with the following conditions:

1. Maintain conditions 1,2,5,6,8,9,10 and 11 of the preliminary plan approval Ordinance 3391.
2. The maintenance agreement of the storm water detention area shall be approved by the City Engineer and Law Director prior to the Final Plan approval.
3. Deciduous trees to be planted approximately 50 feet on center along College Corner Pike in the public right of way as part of Phase 1 building occupancy or within 1 year of Final Plan approval, whichever comes first.
4. 10 foot multi-use path to be completed along College Corner Pike as part of Phase 1 building occupancy or within 1 year of Final Plan approval, whichever comes first.
5. Preliminary Plan for Phase 2 valid for 5 years from Phase 1 Final Plan approval.
6. Financial security to be provided for 10 foot multi-use path along College Corner Pike and Todd Road prior to building permit submittal for Phase 1.
7. If the path along College Corner Pike is not installed within one year of Phase 1 Final Plan approval, security will be used by the City to complete the path.
8. If the path along Todd Road is not installed within 5 years from Phase 1 final plan approval, security will be used by the City to complete the path.
9. Outdoor lighting shall comply with Oxford Zoning Code and the Miami University standard of 4,000 degree Kelvin color temperature.
10. The crosswalk from the path to Building A shall be improved crossing the parking lot comply with Oxford Code 1149.05(4)R.
11. That outdoor lighting will be shielded.

Oxford City Council will hold their First Reading on Tuesday, September 4, 2018 and their Second Reading on September 18, 2018 regarding this Final Planned Development. These meetings will take place at 7:30 p.m. at the Oxford Courthouse.

Should you have any questions related to this action, please contact me at 513/524-5204.

Sincerely,

A handwritten signature in cursive script that reads "Lynn Taylor". The signature is written in black ink and is positioned above the printed name and title.

Lynn Taylor
Administrative Assistant
Community Development Department

ORDINANCE NO. 3391

ORDINANCE APPROVING THE PLANNING COMMISSION'S RECOMMENDATION FOR PRELIMINARY PLAN APPROVAL FOR PHASE I OF A PLANNED DEVELOPMENT AT 5728 COLLEGE CORNER PIKE TO ALLOW A SELF STORAGE FACILITY WITH CONDITIONS AND PHASE II USE TO BE DETERMINED.

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

SECTION 1: Council hereby finds the Planning Commission held a public hearing on December 13, 2016, in accordance with Section 1145 of the Codified Ordinances of the City of Oxford, on the application of Tim Macy, Teamwork Property Group, LLC for a Preliminary Planned Development Phase I at 5728 College Corner Pike to allow a self storage facility with conditions and Phase II use to be determined.

SECTION 2: The Planning Commission, after due deliberation found the application satisfies the code requirements in Chapter 1145 of the Codified Ordinances of the City of Oxford, and recommended approval of the Preliminary Plan application for Phase I of a Planned Development at 5728 College Corner Pike to allow a self storage facility with conditions and Phase II use to be determined.

SECTION 3: Council hereby accepts the recommendation of the Planning Commission and further approves the Preliminary Plan application for Phase I of a Planned Development at 5728 College Corner Pike to allow a self storage facility with the following conditions and Phase II use to be determined:

- ✓ 01. The City shall waive the perimeter required setback from 25' to 8' for Phase I.
- ✓ 02. The City shall waive the bicycle rack requirements for the self storage facility, as stipulated in Oxford Codified Ordinance Section 1145.12(i).
03. Additional evergreen screening between Phase I and Phase II shall be provided as a visual barrier. Detailed information regarding the evergreens shall be provided during the Final Planned Development hearing.
04. The design capacity of the detention area for the entire 14 acre site shall be reviewed and approved by the City Engineer. The maintenance agreement for the detention area shall be reviewed by the City Law Director.
- ✓ 05. Landscaped screening shall be provided around the outdoor vehicle storage area.
- ✓ 06. The self storage buildings shall be designed and constructed as stipulated in Oxford Codified Ordinance Section 1147.03(32)B.7.
07. A 10' multi-use path shall be constructed along the complete footages of College Corner Pike and along Todd Road.

- ✓ 08. Pedestrian access to the proposed retail/business establishments from College Corner Pike and from Todd Road shall be designed with a pedestrian walkway connecting the multi-use path to the retail/business establishments.
- ✓ 09. Ingress and egress curb cuts from the site to College Corner Pike and to Todd Road shall be the same as shown on the drawings dated December 1, 2016.
- ✓ 10. The internal development of Phase II shall come back before the Planning Commission.
- ✓ 11. A traffic study shall be conducted prior to the second Phase of development.

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


MAYOR

ADOPTED: January 17, 2017

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW(STAFF)

City of Oxford
Community Development Department
STAFF REPORT

Planning Commission

Case # PC-2018-20

Date – August 14, 2018

APPLICATION

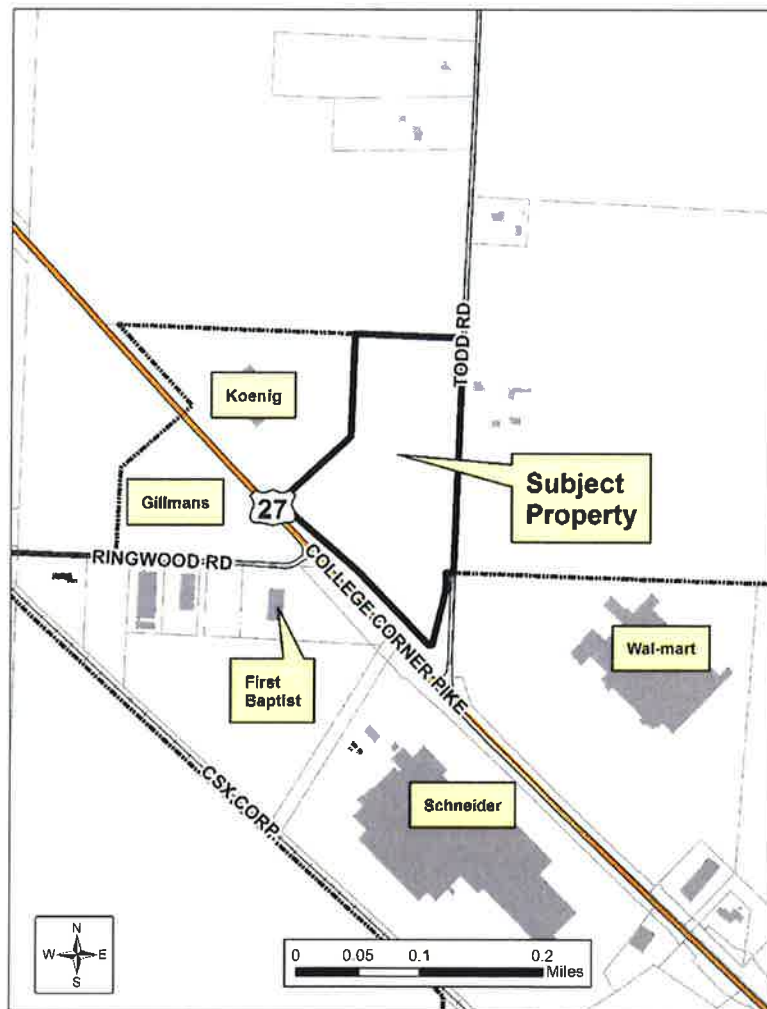
Applicant:	Teamwork Property Group, LLC
Location:	5728 College Corner Pike
Acreage:	14 vacant acres, US 27 North and Todd Road
Owner:	5728 College Corner Pike LLC

Action Request:	Recommendation for Final Planned Development – To forward a recommendation to City Council regarding Final Plan
Current Use:	Vacant
Surrounding Existing Land Uses:	Retail businesses on US 27 and agricultural uses along Todd Road

DESCRIPTION

On behalf of Teamwork Property Group, Professional Engineer Jason Renneker is requesting the Planning Commission to forward a recommendation of Final Planned Development approval to City Council. In January 2017, City Council approved the Preliminary Planned Development for 14 acres of land to be partially developed with a self-storage facility. Mr. Renneker has met several times with Planning and Engineering city staff to refine details of the plan. At the time of writing this report, the plans lack architectural elevation drawings for the storage buildings, which is a key part of the General Business zoning district and Conditional Use storage building requirements. If none are presented, staff recommends that the case be tabled without discussion.

There is not any substantially new or different information about the property or site design provided by the applicant. Therefore, the discussion and recommendation can be based primarily on the December



13, 2016 Planning Commission recommendation and resulting City Council Ordinance #3391 dated January 17, 2017. The applicant has addressed every condition of preliminary approval in some way. Attached is the 2016 staff report and 2017 approval ordinance for your convenience.

DECISION STANDARDS

The Planning Commission and City Council must review a request for a planned development approval based upon Section 1145.06 of Oxford Zoning Code. Because it is a subdivision by definition it must also follow the Subdivision Code Section 1101 with the exception of the dimensional regulations of the underlying zoning district.

1145.06 PLANNING COMMISSION AND COUNCIL REVIEW PURPOSE:

Planned Development Common Goals from Section 1145.01(a)

- (1) Planned developments share these common goals:
 - A. Protect the neighbors of a planned development and the City in general to at least the same degree normally inherent in the Zoning Code.
 - B. Produce a development equal to or better than that resulting from single-use or traditional subdivision
 - C. Have a site and situation that permits comprehensive planning both on the site and relative to its immediate surroundings
 - D. Result in a design in which the placement, height, and uses of buildings, vehicle management areas, and open spaces efficiently utilize potentials of the site
 - E. Include covenants, easements, and other private measures that will help ensure the long-term administrative viability of a development
 - F. Be functional within a time period that helps ensure a viable development
- (2) Infill (already within corporate limits) development also satisfies the following goals:
 - A. Fully utilize sites that could not be fully utilized because of their shape or because of their location relative to available public access.
 - B. Increase geographic efficiencies of existing utilities such as public streets, water, sewer, electric, telephone, and cable by using them where they are already available.
 - C. Help keep development from sprawling to and beyond the municipal boundaries of Oxford.

PROCESS:

1145.06 PLANNING COMMISSION AND COUNCIL REVIEW

A preliminary plan shall be approved prior to approval of a final plan, although the processes can be concurrent for small, single phase developments. Both preliminary and final plan approvals require a Planning Commission recommendation and Council approval.

The Planning Commission shall base its review of a proposed planned development 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.

The general decision standards for approval of a preliminary and final planned development are substantially similar. The final plan requires greater detail and is subject to additional decision standards.

If, at any time, 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.

- (a) Burden of Proof. Planning Commission has no obligation to recommend approval and City Council has no obligation to approve a planned development. This Zoning Code assumes that a planned development is appropriate only if an applicant proves that the proposed uses and design will not be detrimental to the public health, safety, or general welfare of the City or the neighborhood in which it is proposed.

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.

(b) General Decision Standards. (Staff comment in **bold**) All planned developments shall satisfy these general decision standards:

- (1) The proposed planned development is in fact permitted in the zoning districts in which it is proposed. **YES**
- (2) If the application is for the same site where a planned development application has been denied within one year, the plan is substantially different from the application so denied. **NO**
- (3) The uses and site plan will satisfy the general intent of this Zoning Code. **YES**
- (4) The uses and site plan will be compatible with the general intent of the Comprehensive Plan. **YES**
- (5) The size and shape of the site are sufficient for the proposed planned development. **YES**
- (6) The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district. **NO**
- (7) The use will not involve activities, processes, materials, equipment, or conditions of operation that will be detrimental to any person, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare, odors, or other emissions. **NO**
- (8) Accessory uses will be directly related to the operation of the principal uses and will not be operated independent of the principal uses. **NO**
- (9) 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. **See comments from City Engineer.**
- (10) Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services. **See comments from City Engineer (utilities and streets) and Planner (path)**
- (11) 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. **Not applicable**
- (12) The site is designed so that on-site traffic and traffic accessing the site will not adversely impact the movement or safety of all modes of traffic on adjacent public streets. **See comments from City Engineer**
- (13) Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance. **None that staff are aware of**

DESIGN REQUIREMENTS

Pertinent sections are bolded and staff comments are bold italics

Below are the design requirements for Planned Developments, pertaining to the proposed commercial Planned Development.

Section 1145.12

(a) Arrangement. The physical arrangement of a planned development is **not subject to the specific dimensional regulations that apply in the underlying zoning district**, except as specifically noted in this Chapter. Land uses may be distributed throughout the site and throughout individual buildings in whatever manner is best suited to a particular planned development. Structures, vehicle management areas, open spaces, landscaping, and other elements may be distributed throughout the site in whatever manner is best suited to a particular planned development and the surrounding area.

(b) Land Area. A planned development shall be a minimum of 1 (one) contiguous acre or more.

(c) Land Use.

(1) The following land uses are permitted in proportion to those portions of a planned development that overlay an existing residential zoning district:

(2) **The following land uses are permitted in proportion to those portions of a planned development that overlay an existing commercial zoning district:**

A. Any land use permitted in the underlying zoning district.

B. Any land use permitted in any residential zoning district in this Code, except Mobile Homes.

.....

(e) Dimensional Regulations.

(1) Building Heights shall be limited as in the underlying zoning district, regardless of land use.

(2) Front setbacks shall be limited as in the underlying zoning district.

(3) All buildings and vehicle management areas shall be setback from the perimeter of a planned development no less than:

B. Commercial zoning district – 25 feet.

(f) Open Space.

(1) No planned development shall have less than 20 percent open space, which includes any area not less than 50 by 50 feet, not including the required setbacks, and includes nothing other than natural area.

Staff calculation of the open space for the overall development is 19.2%, which is under the minimum requirement. This could be amended to meet the minimum of the city could require more. Current precedent is to permit storm water detention within open space areas.

(2) Lot coverage shall be regulated according to the underlying zoning district, except that lot coverage for the residential portion of any planned development shall not exceed 40 percent. *Not applicable.*

(g) Environmental. A 100 foot natural buffer shall be maintained adjacent to all permanent and natural surface waters, springs, and wetlands. Development of this area is regulated as follows:

(1) Natural vegetation shall be maintained.

(2) No structures shall be built or improvements made, except as follows:

A. Walking paths, bicycling paths, and the like, including infrastructure necessary to facilitate their development are permitted anywhere within the buffer.

B. Roads and associated infrastructure are permitted in the buffer to facilitate crossing such water elements.

C. Any improvements approved in a final plan.

D. Any public safety or public utility improvements not associated with the planned development, but deemed necessary by the Service Director or Chief of Police.

(h) Landscaping and Screening.

(1) A planned development shall satisfy all landscaping elements required by other sections of this Code.

(2) The required perimeter setback area shall be retained in natural woods or suitably landscaped with grass, ground cover, shrubs, trees, or earthen mound.

(3) A planned development that overlays a commercial or industrial zoning district that is adjacent to a residential zoning district shall be screened from the residential zoning district by a dense evergreen hedge a minimum of 8 feet tall and 10 feet wide at planting and that will maintain at least 90 percent opacity over time.

(i) Access and Mobility.

(1) At residential densities greater than would be permitted in the R-1A District, have direct and principal access from a collector or arterial road.

(2) Bicycle rack spaces shall be provided at all planned developments that overlay a commercial zoning district at a rate of 3 per acre.

(3) Adequate pedestrian connectivity shall be provided to and through a planned development.
A slight adjustment to the sidewalk connection is required to meet Oxford Zoning Code. There is no connection of the sidewalk material through the parking lot. Oxford Code does not permit striping of the crosswalk.
A 10 foot wide multi use path is required to continue the path along the Wal-Mart property and US 27 North.

- (j) Utilities and Infrastructure. Electric and telephone facilities, street light wiring, and other wiring conduits and similar facilities shall be located underground.
- (k) Plan-Specific. Any other design elements deemed necessary by Planning Commission and Council to ensure that a planned development satisfies the decision criteria of this Chapter.

Outdoor security lighting details have not been submitted for review at this time. Based upon recent concerns from residents about recent developments in Oxford, staff has researched outdoor lighting standards of Miami University to determine if code improvements are justified. Miami uses a 4,000 degree Kelvin lighting standard, which is a softer lighting than has been recently used for outdoor parking areas in recent Oxford developments. Because of the linear design of storage buildings, the lighting will have significant aesthetic impact on the US 27 corridor. Therefore, staff recommends adopting Miami's standard for color temperature.

COMMENT FORMS

All property owners within 200 feet have been notified by letter, a sign has been posted on the property and a notice has been placed in the newspaper.

AGENCY REVIEWS

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

Police:	Returned without comment
Fire:	Returned without comment
Service/Engineering:	Returned with comments
Econ. Dev.	Returned with comments

ANALYSIS

As noted in the 2016 report, the following waivers/modifications of the code were requested. There are no proposed changes to these previously waived requirements:

- Removal of the bicycle storage rack requirement
- Reduction of the perimeter setback requirement from 25 to 8 feet

Based upon the preliminary approval ordinance, and new information on the plans the following changes are proposed:

- Reduction of the evergreen screening condition due to grade changes that provide more screening
- Postponed installation of the 10' multi-use path along Todd Road
- Relocation of the on-site lot frontage deciduous tree requirement to the tree lawn right of way area because of grade changes

In order to maintain the integrity of the preliminary approval and secure the details of the final approval, staff recommends approval of the proposed final plan, as submitted with the following conditions:

1. Maintain conditions 1,2,5,6,8,9,10 and 11 of the preliminary plan approval Ordinance 3391.
2. The maintenance agreement of the storm water detention area shall be approved by the City Engineer and Law Director prior to the Final Plan approval.

3. Deciduous trees to be planted approximately 50 feet on center along College Corner Pike in the public right of way as part of Phase 1 building occupancy or within 1 year of Final Plan approval, whichever comes first.
4. 10 foot multi-use path to be completed along College Corner Pike as part of Phase 1 building occupancy or within 1 year of Final Plan approval, whichever comes first.
5. Preliminary Plan for Phase 2 valid for 5 years from Phase 1 Final Plan approval.
6. Financial security to be provided for 10 foot multi-use path along College Corner Pike and Todd Road prior to building permit submittal for Phase 1.
7. If the path along College Corner Pike is not installed within one year of Phase 1 Final Plan approval, security will be used by the City to complete the path.
8. If the path along Todd Road is not installed within 5 years from Phase 1 final plan approval, security will be used by the City to complete the path.
9. Outdoor lighting shall comply with Oxford Zoning Code and the Miami University standard of 4,000 degree Kelvin color temperature.
10. The crosswalk from the path to Building A shall be improved crossing the parking lot comply with Oxford Code 1149.05(4)R.

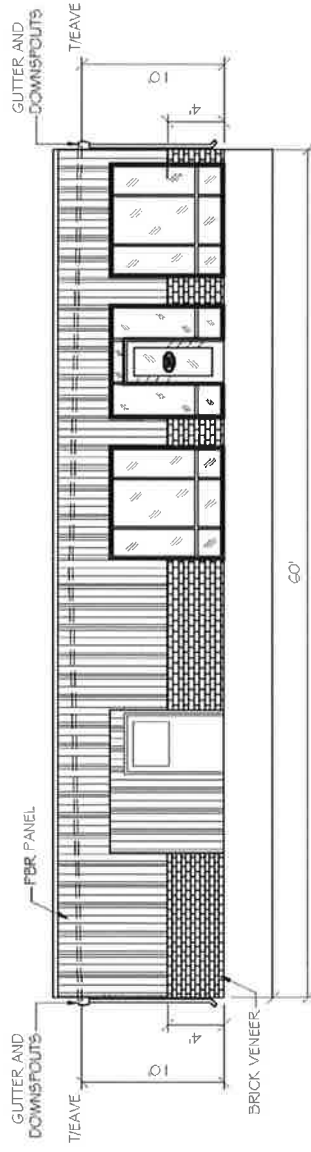
SUBMITTED

BY:

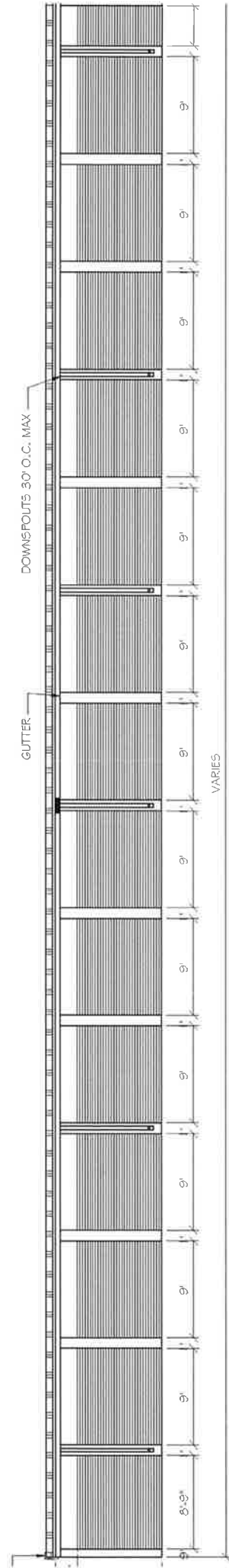
A handwritten signature in black ink, appearing to read "Sam Perry", with a long horizontal flourish extending to the right.

Sam Perry, AICP, Planner

DATE: August 9, 2018



BUILDING # A



TYPICAL SIDE ELEVATION

City of Oxford
Community Development Department
STAFF REPORT

Planning Commission

Case # PC-2016-21

Date – December 13, 2016

APPLICATION

Applicant:	Tim Macy/Teamwork Property Group, LLC
Location:	14 vacant acres, US 27 North and Todd Road
Proposed Owner:	Teamwork Property Group, LLC
Current Owner:	Marion Realty Inc.,
Action Request:	Recommendation for Preliminary Planned Development – To forward a recommendation to City Council regarding proposed plans
Current Use:	Vacant land
Surrounding Existing Land Uses:	Retail businesses on US 27 and agricultural uses along Todd Road

DESCRIPTION

The proposed development is seeking approval for a Preliminary Planned Development for a commercial development project on 14 acres of vacant land. The proposed uses include self-storage buildings on the north end of the site and commercial/retail/offices to the south end of the site, closer to the intersection of Todd and US 27. The zoning classification is GB (General Business) District.

This is the first Planned Development project exclusively for commercial uses that the City has received for decades. The closest PUD that comes in mind is Bishop Square, but it is a part of a larger mixed-use Planned Development.

SITE HISTORY

This area was part of a large annexation petition, along US 27 for a total of 33.5 acres of land, (including Koenig Farm Implant Equipment and Gillman Home Center) eventually annexed into the City in May, 2015. The City amended the zoning classification from township zoning to GB (General Business) District in August, 2015.

The site itself would seem to have been used for agricultural purposes for quite some time; however, the site has had no activity since around 2009 and remains vacant.

PLANNED DEVELOPMENT

PURPOSE:

Planned Development Common Goals from Section 1145.01(a)

- (1) Planned developments share these common goals:
 - A. Protect the neighbors of a planned development and the City in general to at least the same degree normally inherent in the Zoning Code.
 - B. Produce a development equal to or better than that resulting from single-use or traditional subdivision
 - C. Have a site and situation that permits comprehensive planning both on the site and relative to its immediate surroundings

- D. Result in a design in which the placement, height, and uses of buildings, vehicle management areas, and open spaces efficiently utilize potentials of the site
- E. Include covenants, easements, and other private measures that will help ensure the long-term administrative viability of a development
- F. Be functional within a time period that helps ensure a viable development

- (2) Infill (already within corporate limits) development also satisfies the following goals:
 - A. Fully utilize sites that could not be fully utilized because of their shape or because of their location relative to available public access.
 - B. Increase geographic efficiencies of existing utilities such as public streets, water, sewer, electric, telephone, and cable by using them where they are already available.
 - C. Help keep development from sprawling to and beyond the municipal boundaries of Oxford.

PROCESS:

1145.06 PLANNING COMMISSION AND COUNCIL REVIEW

A preliminary plan shall be approved prior to approval of a final plan, although the processes can be concurrent for small, single phase developments. Both preliminary and final plan approvals require a Planning Commission recommendation and Council approval.

The Planning Commission shall base its review of a proposed planned development 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.

The general decision standards for approval of a preliminary and final planned development are substantially similar. The final plan requires greater detail and is subject to additional decision standards.

If, at any time, 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.

- (a) Burden of Proof. Planning Commission has no obligation to recommend approval and City Council has no obligation to approve a planned development. This Zoning Code assumes that a planned development is appropriate only if an applicant proves that the proposed uses and design will not be detrimental to the public health, safety, or general welfare of the City or the neighborhood in which it is proposed.

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.

- (b) General Decision Standards. All planned developments shall satisfy these general decision standards:

- (1) The proposed planned development is in fact permitted in the zoning districts in which it is proposed.
- (2) If the application is for the same site where a planned development application has been denied within one year, the plan is substantially different from the application so denied.
- (3) The uses and site plan will satisfy the general intent of this Zoning Code.
- (4) The uses and site plan will be compatible with the general intent of the Comprehensive Plan.
- (5) The size and shape of the site are sufficient for the proposed planned development.
- (6) The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district.
- (7) 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.
- (8) Accessory uses will be directly related to the operation of the principal uses and will not be operated independent of the principal uses.
- (9) 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.

- (10) Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services.
- (11) 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.
- (12) The site is designed so that on-site traffic and traffic accessing the site will not adversely impact the movement or safety of all modes of traffic on adjacent public streets.
- (13) Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.

DESIGN REQUIREMENTS

Below are the design requirements for Planned Developments, pertaining to the proposed commercial Planned Development.

Section 1145.12

- (a) Arrangement. The physical arrangement of a planned development is **not subject to the specific dimensional regulations that apply in the underlying zoning district**, except as specifically noted in this Chapter. Land uses may be distributed throughout the site and throughout individual buildings in whatever manner is best suited to a particular planned development. Structures, vehicle management areas, open spaces, landscaping, and other elements may be distributed throughout the site in whatever manner is best suited to a particular planned development and the surrounding area.
- (b) Land Area. A planned development shall be a minimum of 1 (one) contiguous acre or more.
- (c) Land Use.
 - (1) The following land uses are permitted in proportion to those portions of a planned development that overlay an existing residential zoning district:
 - (2) **The following land uses are permitted in proportion to those portions of a planned development that overlay an existing commercial zoning district:**
 - A. Any land use permitted in the underlying zoning district.**
 - B. Any land use permitted in any residential zoning district in this Code, except Mobile Homes.**.....
- (e) Dimensional Regulations.
 - (1) Building Heights shall be limited as in the underlying zoning district, regardless of land use.
 - (2) Front setbacks shall be limited as in the underlying zoning district.
 - (3) All buildings and vehicle management areas shall be setback from the perimeter of a planned development no less than:
 - B. Commercial zoning district – 25 feet.**
- (f) Open Space.
 - (1) No planned development shall have less than 20 percent open space, which includes any area not less than 50 by 50 feet, not including the required setbacks, and includes nothing other than natural area.
 - (2) Lot coverage shall be regulated according to the underlying zoning district, except that lot coverage for the residential portion of any planned development shall not exceed 40 percent. **Not applicable.**
- (g) Environmental. A 100 foot natural buffer shall be maintained adjacent to all permanent and natural surface waters, springs, and wetlands. Development of this area is regulated as follows:
 - (1) Natural vegetation shall be maintained.
 - (2) No structures shall be built or improvements made, except as follows:

- A. Walking paths, bicycling paths, and the like, including infrastructure necessary to facilitate their development are permitted anywhere within the buffer.
 - B. Roads and associated infrastructure are permitted in the buffer to facilitate crossing such water elements.
 - C. Any improvements approved in a final plan.
 - D. Any public safety or public utility improvements not associated with the planned development, but deemed necessary by the Service Director or Chief of Police.
- (h) Landscaping and Screening.
- (1) A planned development shall satisfy all landscaping elements required by other sections of this Code.
 - (2) The required perimeter setback area shall be retained in natural woods or suitably landscaped with grass, ground cover, shrubs, trees, or earthen mound.
 - (3) A planned development that overlays a commercial or industrial zoning district that is adjacent to a residential zoning district shall be screened from the residential zoning district by a dense evergreen hedge a minimum of 8 feet tall and 10 feet wide at planting and that will maintain at least 90 percent opacity over time.
- (i) Access and Mobility.
- (1) At residential densities greater than would be permitted in the R-1A District, have direct and principal access from a collector or arterial road.
 - (2) Bicycle rack spaces shall be provided at all planned developments that overlay a commercial zoning district at a rate of 3 per acre.
 - (3) Adequate pedestrian connectivity shall be provided to and through a planned development.
- (j) Utilities and Infrastructure. Electric and telephone facilities, street light wiring, and other wiring conduits and similar facilities shall be located underground.
- (k) Plan-Specific. Any other design elements deemed necessary by Planning Commission and Council to ensure that a planned development satisfies the decision criteria of this Chapter.

COMMENT FORMS

All property owners within 200 feet have been notified by letter, and a sign has been posted on the property and a notice has been placed in the newspaper. Additionally, the developer conducted their own informational outreach.

AGENCY REVIEWS

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

Police:	Returned with comment
Fire:	Returned without comment
Service/Engineering:	Returned with comment
Econ. Dev.	Comment not returned

ANALYSIS

The Oxford Zoning Code stipulates decision stands for the Planning Commission to utilize shall follow

- (b) General Decision Standards. All planned developments shall satisfy these general decision standards:
- (1) The proposed planned development is in fact permitted in the zoning districts in which it is proposed. **Yes**
 - (2) If the application is for the same site where a planned development application has been denied within one year, the plan is substantially different from the application so denied. **No**
 - (3) The uses and site plan will satisfy the general intent of this Zoning Code. **Yes.**
 - (4) The uses and site plan will be compatible with the general intent of the Comprehensive Plan. **Yes**

- (5) The size and shape of the site are sufficient for the proposed planned development. **Yes**
- (6) The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district. **No**
- (7) The use will not involve activities, processes, materials, equipment, or conditions of operation that will be detrimental to any person, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare, odors, or other emissions. **No**
- (8) Accessory uses will be directly related to the operation of the principal uses and will not be operated independent of the principal uses. **N/A**
- (9) 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. **Yes**
- (10) Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services. **Yes**
- (11) 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. **See the analysis below.**
- (12) The site is designed so that on-site traffic and traffic accessing the site will not adversely impact the movement or safety of all modes of traffic on adjacent public streets. **See the analysis below.**
- (13) Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance. **No**

US 27 Corridor is one of the major roadways and is also one of the major business corridors of the City. The site and its surrounding businesses is the gateway to the City and should be carefully considered to ensure the development of this area to be attractive. Furthermore, the streetscape of US 27 will be modified due to this development which will also need addressed.

This Planned Development is a two-phased development. The first phase will be a self-storage unit facility and a truck rental facility on the northern portion of the site. Phase II would be commercial on the remaining portion of the site.

US 27 connect College Corner to Oxford and those transitions from agricultural land use to retail/light industrial uses. Commercial, including self-storage facilities, would seem to be consistent with the US 27 corridor as a major business corridor. US 27 is a major corridor and access management is critical to allow safe, yet functional access to all business entities along this roadway. The proposal shows one ingress/egress on US 27, shared by Phase 1 and Phase 2, and is aligned with Ringwood Road. This would be consistent with the traffic design principal. Future traffic would use this entrance to both portion of the development. Any traffic lane reconfiguration and/or traffic signal on US27 would not be implemented during this phase, as suggested by the developer and concurred by the City Engineer's Office, until the time when the users for phase II are identified. The construction of public sidewalks on US 27 will be concurrent with each phase for this Planned Development.

There are two future entrances on Todd Road, one would be aligned with the existing access to Walmart, and the 2nd one is further north on Todd Road. The City Engineer had indicated in his review that future development/roadway improvement/modifications to Todd Road and US 27 may be needed, as well as a traffic signal at the intersection of Ringwood Road/US27/NW entrance to the proposed development.

The issue is how the site will be viewed by traffic on US27, particularly for the Phase I development proposal. The conventional perception of any self-storage facility would be a single story building with access to each unit. It would be important to provide visual barriers to limit the plain view of the units from traffic. The applicant has proposed to install evergreen screening on the northwest property line to

shield the part of the facility from being seen on southbound US 27. In an effort to provide a visual buffer, the screening needs to maintain 90 percent obscurity.

The timing of Phase II would also impact the visibility of the self-storage on north bound US 27 traffic, since the end users have not been identified and the developer indicates that the construction of the self-storage facility has been tentatively scheduled for the spring 2017. It will be necessary to have evergreen screening between the self-storage and the future commercial. It will serve as a visual barrier prior to Phase II commenced on US 27, it also serves as a visual barrier between the Phase II and Phase I development.

Other Site Design Analysis:

The proposal is for a Preliminary approval of the development, hence not much detailed information has been provided, which will occur during the Final Phase. Based on preliminary information, here are some issues that would be needed for the development of the detailed plan:

1. The perimeter setback requirement for a Planned Development is 25 feet; the proposal only shows 8 feet on the h and northwest portions on the site plan. However, the underlying zoning (GB) does not have setback requirements unless the property abuts a residential district. It is assumed that the entire self-storage facility will be fenced for security, since the narrative of the application indicates that the access will be via an automated gate and user passcode. Please also note that the OPD has a concern about fence height.
2. The building material of the self-storage facility will be particularly visible from US 27.
3. The functionality of the proposed signage, as shown, in light of the landscaping requirements along US 27. It might achieve its intended purpose by relocating the sign in front of the trees to be planted along US 27.
4. The type of evergreen screening on the northwest property line.

This is a Preliminary Planned Development, the idea is to have some firm, but not detailed information, so the Planning Commission can have an understanding of the proposed project to deliberate and make recommendations to Council for consideration.

Other issues to concern are as follows: (1) the entrance to Phase I is too dark and some street lights should be considered for safety purposes. (2) the interior light arrangement of the site for security and customer purposes would need to be reviewed in more detail at the Final Development phase.

RECOMMENDATION

The proposed Preliminary Planned Development is a two phased development that may be approvable, subject to the following considerations:

1. Waiving the perimeter required setback from 25' to 8'.
2. Waiving the bicycle rack requirements for the self-storage facility, as stipulated in 1145.12(i).
3. Additional evergreen screening between Phase I and Phase II to provide a visual barrier. Detailed information on evergreen needs to be provided at the Final Planned Development.
4. The design capacity of the detention area for the entire 14 acre site needs to be reviewed and approved by the City Engineer. The maintenance agreement of the detention area shall also be reviewed by the City Law Director.
5. There needs to be landscaping screening provided around the outdoor vehicle storage area as well.

SUBMITTED

BY:

Jung-Han Chen,
Community Development Director

DATE: November 22, 2016

City of Oxford
Inter-Office Review Transmittal Sheet



Date: July 9, 2018

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

From: Community Development Department

PC-2018-20, FINAL PLANNED DEVELOPMENT 5728 College Corner Pike, **Teamwork Property Group, LLC, Tim Macy Applicant/Agent**

 X Review Revisions Other

Please return no later than: **August 6, 2018** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments

without/comments

Drawings reviewed by:

PRINTED NAME

Date:

8-7-18

City of Oxford
Inter-Office Review Transmittal Sheet

Date: July 9, 2018

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

From: Community Development Department

PC-2018-20, FINAL PLANNED DEVELOPMENT 5728 College Corner Pike, Teamwork Property Group, LLC, Tim Macy Applicant/Agent

 X Review Revisions Other

Please return no later than: **August 6, 2018** Note: If no comments are received, we will assume the project meets your department's standards.

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

SEE MEMO DATED 7-27-18, ATTACHED.

Drawings reviewed by: *H. Popescu* Date: 7-27-18

 VICTOR POPESCU
PRINTED NAME



Memo

Service Department
Engineering Division

513/524-5208 fax 513/524-5267

TO: Community Development Department

FROM: Victor Popescu, P.E.
City Engineer

RE: PC-2018-20
Final Planned Development
5728 College Corner Pike

DATE: July 27, 2018

The following are our comments.

- Is only Building A sprinkled for fire protection?
- Is one (1) fire hydrant sufficient for this entire phase?
- A 6" water main is standard for fire hydrants. In this case, Building A fire suppression is tapped from it. The water main should be upsized to 8", meeting City Specifications.
- The intent of this Planned Development is to postpone improvements to the USR 27 entrance, until it is known what the next phase will be comprised of. Note that if improvements are necessary, it may be to add a deceleration lane when heading north, a turning lane when heading south, re-alignment of the multi-use path, etc.

City of Oxford
Inter-Office Review Transmittal Sheet

Date: July 9, 2018

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2018-20, FINAL PLANNED DEVELOPMENT 5728 College Corner Pike, **Teamwork Property Group, LLC, Tim Macy Applicant/Agent**

 X Review Revisions Other

Please return no later than: **August 6, 2018** Note: If no comments are received, we will assume the project meets your department's standards.

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

Drawings reviewed by: 

Date: 7/16/18

John A. Jones
PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: July 9, 2018

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

From: Community Development Department

PC-2018-20, FINAL PLANNED DEVELOPMENT 5728 College Corner Pike, Teamwork Property Group, LLC, Tim Macy Applicant/Agent

 X Review Revisions Other

Please return no later than: **August 6, 2018** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments without/comments

As I have stated in other staff reports, the need for additional storage units for Oxford citizens still exists. Currently many Oxford citizens have to go out of town to find storage facilities.

This is an appropriate location for several reasons. One, storage unit facilities are 'destination location' facilities. Meaning customers seek these locations out for business verses a customer visiting the business on a whim because they were in the neighborhood. In addition, this location is on the outer fringe of the City, beyond Walmart and in-between a farm implement dealership and a Todd Road. It is not the most attractive location for a traditional retail business.

I like the 10' Multi-use path is being extended along CCP. I understand the elimination of the required bike rack at the main building. The office is not a typical retail business. You tend to visit the office once to set up your account. When I visit my storage unit by bike, I ride my bike to my unit. I do not leave my bike at the office.

The reduced set back requests seems appropriate given to the north is a farm implement storage facility and to the south is an undeveloped lot owned by the same entity. If this creates a hardship, it effects their own property.

Drawings reviewed by:


G. ALAN KYGER

PRINTED NAME

Date:

Aug 6-2018



PC-2018-20

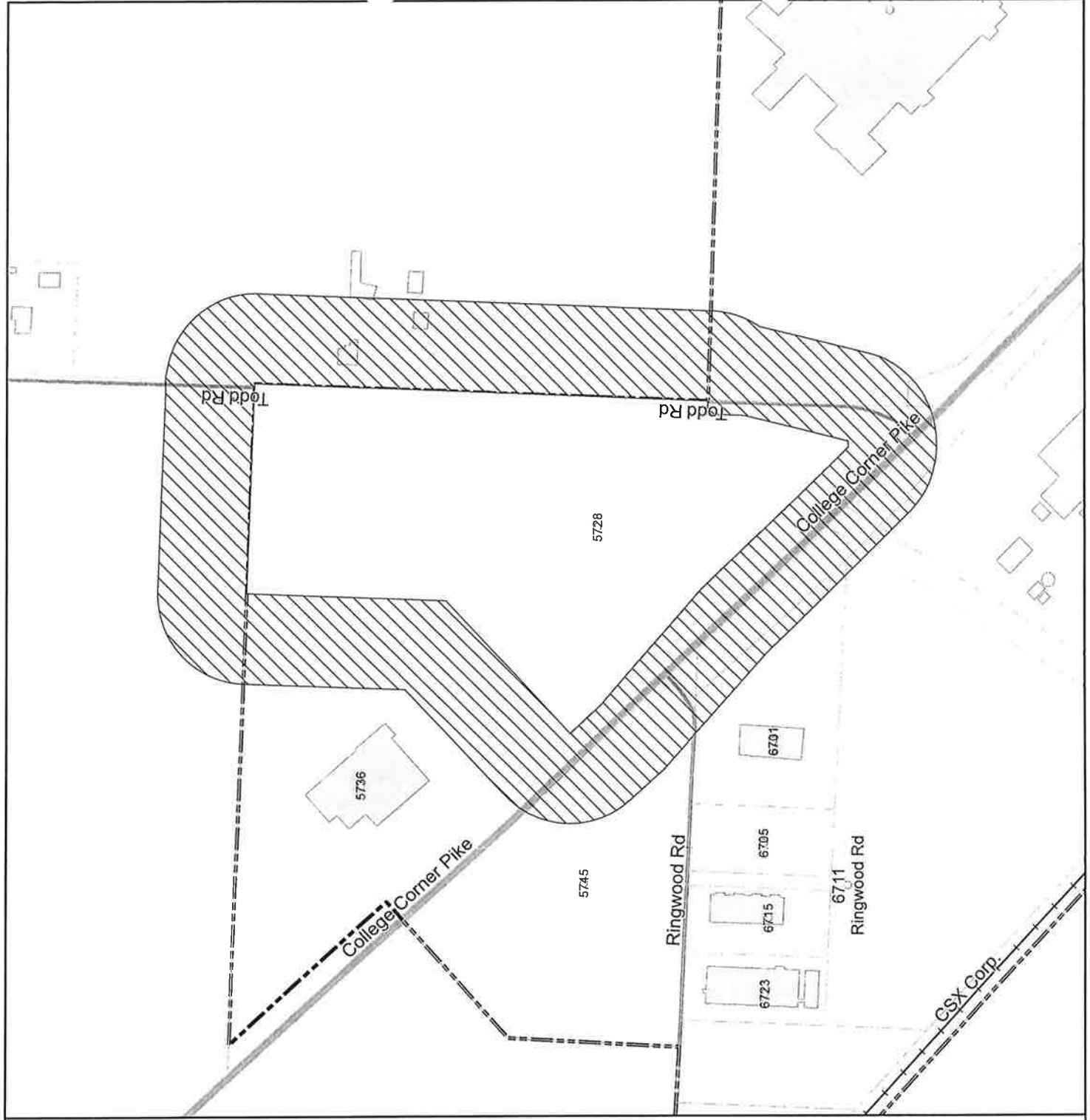
Surrounding Property Owners Notifications Map

Legend

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



1 inch = 300 feet



Prepared on Wednesday, August 01, 2018

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



Internal Use Only:

Case No.

PC-2018-20

Date Filed

6/29/18

Planned Development Application

Application Type

Choose One

☐

Preliminary (\$400)

☒

Final (\$400)

☐

Preliminary & Final (\$400)

Applicant Information

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

Name * Tim Macy / Teamwork Property Group, LLC

Mailing Address * 3116 W. Montgomery Road, Suite C-287

City, State & Zip Code * Maineville, OH 45039

Telephone Number * (513) 442-3743 Email Address tim@teamworkpg.com

Owner Information

Name * 5728 College Corner Pike LLC

Mailing Address * 3116 W. Montgomery Road, Suite C-287

City, State & Zip Code * Maineville, OH 45039

Telephone Number * (513) 442-3743 Email Address tim@teamworkpg.com

Engineer/Surveyor Information

Name * Jason Renneker, P.E. / Focus Engineering & Design, LLC

Mailing Address * 1391 Oakview Drive

City, State & Zip Code * Columbus, OH 43235

Telephone Number * (303) 229-1189 Email Address jasonrenneker@focusengineeringdesign.c

Location and Lot Information

Name of Subdivision * N/A

Location of Property * 5728 Old Oxford College Road (US 27)

Legal Description * 1 5 16 SE COR LOT 6 NE COR LOT 5 LESS RD R/W

Zoning District * GB, General Business Total Area * 14.4781 Acres

Submission Requirements and Documentation

The application requirements (Section 1145.05¹) for a preliminary and final planned development are different. The final planned development application requires a greater degree of accuracy and completeness than does the preliminary planned development application. This section describes the application content requirements for each step of the process.

Thirteen (13) complete sets of all information shall be submitted with each preliminary and final application. If any information is submitted in color or on non-standard paper, more copies may be required. The Zoning Administrator may modify this requirement based upon

- O. Other information as required by the Planning Commission or Council.
- (7) Elevations. Elevations of proposed structures or typical elevations if structures are not yet designed.
- (8) Other. Photographs of the existing site and its surroundings.
- (b) Final Plan.
- (1) The same items and information as required for the preliminary plan, except that the approximations shall be refined to specific locations, dimensions, and descriptions.
 - (2) A detailed traffic impact analysis, including all modes of transportation, prepared by a qualified professional engineer
 - (3) Any additional description or information requested by the Planning Commission or Council during the preliminary plan approval process.
 - (4) Detailed agreements, contracts, deed restrictions, and sureties that will be used to guarantee performance of the development during and after construction.

Surrounding Property Owners

On a separate sheet, provide the parcel numbers, names, and mailing addresses of all property owners within 200 feet of all boundaries of the property in question. The Butler County Auditor Real Estate Search² is helpful when searching for the mailing address of adjoining property owners. It allows you to search by owner, address, or parcel number.

Decision Process

A preliminary plan shall be approved prior to approval of a final plan, although the processes can be concurrent for small, single phase developments. Both preliminary and final plan approval require a Planning Commission recommendation and Council approval. The review is based on the General Decision Standards found in Section 1145.06¹.

Fees & Receipt

The required fee for preliminary and final is \$400.00 plus \$100 per acre, plus postage charge. To calculate the postage charge, multiply the number of adjoining properties by current postage rate³.

Sign and Date

Applicant Signature *

Date *

Terry C. My, MANAGING MEMBER
6/28/18

Submit Application, Submission Requirements and Documentation, and Fees

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

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

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

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

For Staff Use Only

Fee Paid Date *

6/29/18

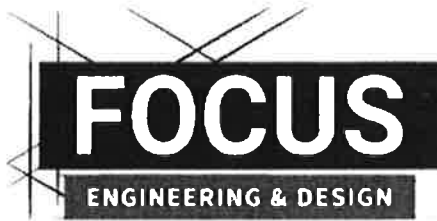
Receipt Number *

209067

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

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

³ The United States Postal Service: <http://www.usps.com/>



June 24, 2018

City of Oxford – Community Development

15 S. College Avenue
Oxford, OH 45056

ATTN: Sam Perry

RE: Zoning Review for 5728 College Corner Pike (Permit #17-170)

Dear Sam:

Below are the items referenced in Section 3 of Zoning Ordinance #3391 and our responses:

1. The City shall waive the perimeter required setback from 25' to 8' for Phase I.
 - The development has incorporated this minimum setback of 8'.
 2. The City shall waive the bicycle rack requirements for the self-storage facility, as stipulated in Oxford Codified Ordinance Section 1145.12 (i).
 - No bicycle racks are being proposed as part of the self-storage facility.
 3. Additional evergreen screening between Phase I and Phase II shall be provided as a visual barrier. Detailed information regarding the evergreens shall be provided during the Final Planned Development hearing.
 - Due to the fact that a layout and timetable for Phase II is unknown at this time, the owner has agreed to plant medium trees with 50' spacing per the City of Oxford Tree Management Plan, along the entire frontage of the property and College Corner Pike. These trees are to be placed within the 6' grass strip located between back of curb and the proposed 10' trail. These trees are shown on the site plan along with a planting detail.
 4. The design capacity of the detention area for the entire 14 acre site shall be reviewed and approved by the City Engineer. The maintenance agreement for the detention area shall be reviewed by the City Law Director.
 - The design capacity for the storm water detention pond is for the entire site (both Phase 1 and future Phase 2). The City Engineer has reviewed the drainage report and calculations and has approved the design. At this time, the developer/owner of the self-storage facility will be responsible for the maintenance of the detention facility. Once Phase 2 is constructed then a maintenance agreement will be put in place and submitted to The City of Oxford Law Director for review.
 5. Landscape Screening shall be provided around the outdoor vehicle storage area.
 - The outdoor storage facility is located in the rear of the property and sits much lower in elevation than the neighboring property to the north. Therefore, after meeting with Sam Perry, it was
-

determined that only 6 evergreens per side of parking area will be required (6 per side, 3 sides, for a total of 18 evergreens). These evergreens are shown on the site plan along with a planting detail.

6. The self-storage buildings shall be designed and constructed as stipulated in Oxford Codified Ordinance Section 1147.03 (32) B.7.
 - The buildings will be designed and constructed as stipulated per Oxford Code. The owner will submit storage building design details before the Planning Commission meeting.
7. A 10' multi-use path shall be constructed along the complete frontage of College Corner Pike and along Todd Road.
 - A 10' multi-use path will be constructed along the entire frontage of College Corner Pike as part of the self-storage construction. This path is shown on the site plans. The 10' multi-use path along Todd Road will be designed and constructed with future Phase 2 development.
8. Pedestrian access to the proposed retail/business establishments from College Corner Pike and from Todd Road shall be designed with a pedestrian walkway connecting the multi-use path to the retail/business establishments.
 - A 5' ADA compliant access off the 10' pathway along College Corner Pike has been designed for the self-storage facility and is shown on the site plan. Future Phase 2 will be required to have pedestrian access but location will be determined by future layout of Phase 2.
9. Ingress and egress curb cuts from the site to College Corner Pike and Todd Road shall be the same as shown on the drawings dated December 1, 2016.
 - Curb cut locations are the same as shown on the drawings dated December 1, 2016.
10. The internal development of Phase II shall come back before Planning Commission.
 - At the time a user/layout has been determined for Phase II a site plan will be submitted to Planning Commission.
11. A traffic study shall be conducted prior to the second Phase of development.
 - Once a user/layout is determined for Phase II a traffic study will be conducted for the entire development for both Todd Road and College Corner Pike.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jason Renneker', with a long horizontal line extending to the right.

Jason Renneker, PE

5728 COLLEGE CORNER PIKE

FINAL PUD NARRATIVE

- A. LEGAL DESCRIPTION: 1 5 16 SE COR LOT 6 NE COR LOT 5 LESS RD R/W
- B. THE EXISTING SITE IS CURRENTLY LEFT AS OPEN SPACE/VACANT LAND.
- C. THE SITE IS LOCATED WITHIN A GENERAL BUSINESS (GB) ZONING DISTRICT.
- D. DESCRIPTION OF PROPOSED PLANNED DEVELOPMENT:
 - 1. NO HOUSING UNITS ARE BEING PROPOSED AS PART OF THIS PROPOSED DEVELOPMENT.
 - 2. THE PROPOSED PLANNED DEVELOPMENT WILL BE BROKEN INTO TWO PHASES: PHASE 1 WILL CONSIST OF A SELF-STORAGE FACILITY AND PHASE 2 USE/USER(S) HAVE YET TO BE DETERMINED. PHASE 1: SELF-STORAGE FACILITY WILL BE A SELF-STORAGE FACILITY AND MOVING TRUCK RENTAL FACILITY. THE NUMBER OF CUSTOMERS WILL DEPEND ON THE NUMBER OF UNITS BEING RENTED.
PHASE 2 USE WILL FALL UNDER THE GENERAL BUSINESS (GB) ZONING USES, AND POTENTIAL USES INCLUDE OFFICE, HEALTHCARE FACILITY, AND COMMERCIAL BUSINESS, FOR EXAMPLE.
 - 3. PHASE 1: RENTAL OFFICE HOURS OF OPERATION WILL BE 9 AM – 6 PM, BUT ACCESS TO SELF-STORAGE FACILITY WILL BE AVAILABLE 24 HOURS A DAY TO RENTERS BY USE OF AN AUTOMATED GATE AND USER PASSCODE.
PHASE 2: HOURS OF OPERATION WILL BE DETERMINED BY FUTURE USER(S).
 - 4. PHASE 1 TO BE CONSTRUCTED LATE SPRING/EARLY SUMMER OF 2017.
PHASE 2 CONSTRUCTION TO BE DEPENDANT ON FUTURE USER(S) AND THEIR CONSTRUCTION TIMETABLE.
- E. COMPATIBILITY OF PROPOSED PLANNED DEVELOPMENT WITH THE GENERAL VICINITY AND ADJACENT PROPERTIES
 - 1. THE ADJACENT PROPERTIES INCLUDE AN EQUIPMENT RENTAL COMPANY (KOENIG EQUIPMENT) TO THE NORTHWEST, A HOME IMPROVEMENT STORE (GILLMAN HOME CENTER) TO THE WEST), A CHURCH (FIRST BAPTIST CHURCH OF OXFORD) TO THE WEST, AN ELECTRIC SUPPLY COMPANY (SCHNEIDER ELECTRIC) TO THE SOUTH, A RETAIL COMPANY (WAL-MART) TO THE SOUTHEAST, AND FARMS TO THE NORTH AND EAST. ALL THE SURROUNDING USES ARE GENERAL BUSINESS, EXCEPT THE TWO EXISTING FARMS, SO THE PROPOSED USES BEING GENERAL BUSINESS ARE SIMILAR TO THE SURROUNDING SITES. THERE WILL BE NO INTERACTION BETWEEN THE PROPOSED SITE AND ADJACENT SITES. NO CROSS CONNECTIONS BETWEEN ADJACENT PROPERTIES WILL BE CONSTRUCTED.
 - 2. PROPOSED STRUCTURES AND SITE DESIGN WILL BE SIMILAR TO ADJACENT STRUCTURES AND SITES, WITH SIMILAR BUILDING STYLES AND HEIGHT AND SIMILAR PARKING CONFIGURATIONS.
 - 3. NO PROPOSED USES WILL BE ALLOWED TO OPERATE IF THEY CAUSE NUISANCES SUCH AS EXCESSIVE NOISES, LIGHTING, ODOR, FUMES, VIBRATION, OR EMISSIONS.
 - 4. SCREENING (LANDSCAPE BUSHES/TREES) WILL BE INSTALLED ALONG THE NORTHWEST PROPERTY LINE TO MITIGATE THE VISUAL APPEARANCE OF THE SELF-STORAGE FACILITY FROM THE NORTHWEST PROPERTY OWNER AND US 27. EXISTING TREES AND VEGETATION ALONG THE NORTH PROPERTY LINE TO REMAIN UNDISTURBED TO MITIGATE THE VISUAL APPEARANCE OF THE DEVELOPMENT TO THE NORTH PROPERTY.

- F. THE LOCATION OF THE PROPOSED DEVELOPMENT IS APPROPRIATE FOR PLANNED DEVELOPMENT DUE TO THE SHARED ACCESS DRIVES AND STORMWATER DETENTION FACILITY. ALSO, THE FLEXIBILITY TO MOVE FORWARD WITH THE SELF-STORAGE FACILITY (PHASE 1) WITHOUT HAVING AN END USER(S) IN PLACE FOR PHASE 2.
- G. BASED ON A RECENT FEASIBILITY STUDY BY WERT-BERATER, INC., THE DEMAND FOR ADDITIONAL SELF STORAGE IN OXFORD WAS EVALUATED BY BOTH THE NUMBER OF SQUARE FEET PER CAPITA, AS WELL AS THE NUMBER OF UNITS PER CAPITA, AND BOTH MEASUREMENTS SHOW THAT THE CITY OF OXFORD IS UNDER-SUPPLIED. USING THE NATIONAL AVERAGE OF SEVEN (7) SQUARE FEET PER CAPITA, THE OXFORD MARKET IS UNDER SUPPLIED BY ABOUT 65,000 SF. SEE TABLE BELOW:

Self-Storage Demand Estimates Using Average Square Footage per Capita Factor

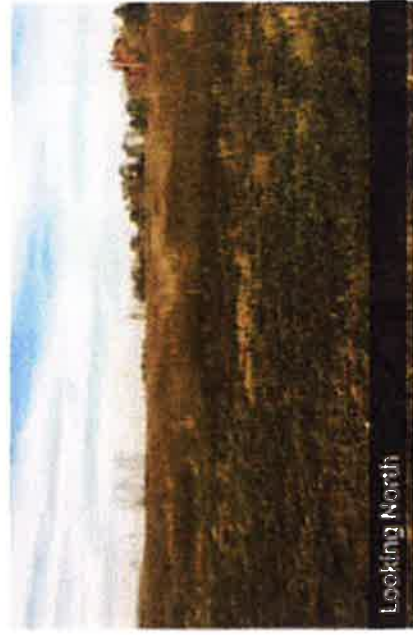
City of Oxford, Ohio

Year	Population	Expected Growth Rate of .57%	SF Demanded, using 7.0 SF natl. avg. per capita factor	Vacancy factor of 10%	Demand SF	Current Inventory SF	Deficit
2015	22,104		154,728				
2016		22,230	155,610	(15,473)	139,255	74,000	65,255
2017		22,357	156,497	(15,561)	140,049	74,000	66,049
2018		22,484	157,389	(15,650)	140,847	74,000	66,847
2019		22,612	158,286	(15,739)	141,650	74,000	67,650
2020		22,741	159,188	(15,829)	142,457	74,000	68,457
2021		22,871	160,096	(15,919)	143,269	74,000	69,269
2022		23,001	161,008	(16,010)	144,086	74,000	70,086
2023		23,132	161,926	(16,101)	144,907	74,000	70,907
2024		23,264	162,849	(16,193)	145,733	74,000	71,733
2025		23,397	163,777	(16,285)	146,564	74,000	72,564

THE CITY OF OXFORD INDICATES A FACTOR OR ABOUT 0.026 UNITS PER CAPITA, NOT INCLUDING THE 15,000*/- MIAMI UNIVERSITY STUDENTS, AND THUS THIS ANALYSIS IS BASED ONLY ON US CENSUS POPULATION ESTIMATES FOR PERMANENT POPULATION IN THE CITY. NATIONAL AVERAGES INDICATED THAT STUDENTS MAKE UP AS MUCH AS 6% OF OVERALL OCCUPANCY AT LOCAL SELF-STORAGE FACILITIES ACROSS THE UNITED STATES.

ADDING THE SUBJECT PROJECT TO THE CITY OF OXFORD AREA, OF ITS PLANNED 289 UNITS INDICATED A FACTOR OF ABOUT 0.034 UNITS PER CAPITA, INDICATING A DIFFERENCE OF ABOUT 0.012 UNITS PER CAPITA BASED ONLY ON OXFORD PERMANENT POPULATION ESTIMATES. THEREFORE, IN ADDITION TO THE SQUARE FEET PER CAPITA ANALYSIS, THIS ANALYSIS ALSO INDICATES AN UNDERSERVED AREA.

- H. PROPOSED WATER AND SANITARY UTILITIES ARE AVAILABLE ALONG US 27 AND ARE SIZED TO HANDLE THE FLOWS GENERATED BY THE PROPOSED PLANNED DEVELOPMENT.
- I. THE TRAFFIC GENERATED BY THE SELF-STORAGE FACILITY (PHASE 1) DOES NOT GENERATE ENOUGH TRAFFIC TO WARRANT ANY TRAFFIC IMPROVEMENTS, AND WITH THE USER(S) FOR PHASE 2 UNKNOWN AT THIS TIME, A TRAFFIC IMPACT STUDY IS NOT BEING PREPARED AS PART OF PHASE 1. HOWEVER, ONCE A USER(S) ARE COMMITTED FOR PHASE 2 A TRAFFIC IMPACT STUDY WILL BE PREPARED FOR US 27 AND TODD ROAD TO DETERMINE IF ANY TRAFFIC IMPROVEMENTS ARE NECESSARY. THE DEVELOPER IS AWARE THAT MODIFICATIONS TO THE CURB-CUT ALONG US 27 MAY BE NECESSARY AS PART OF PHASE 2.
- J. A COVENANT FOR THE ENTIRE PLANNED DEVELOPMENT WILL BE PUT IN PLACE FOR MAINTENANCE OF SHARED ACCESS ROADWAYS AND THE SHARED STORMWATER DETENTION FACILITY. WATER AND SANITARY SEWER EASEMENTS WILL PROVIDED TO THE CITY OF OXFORD, AS NECESSARY. NO OTHER RESTRICTIONS ARE ANTICIPATED ON THE LAND AND STRUCTURES.



Looking North



Looking Northwest



Looking West



Looking Southwest



Looking South



Looking East

5728 COLLEGE CORNER PIKE - PHASE 1
SELF-STORAGE FACILITY
IMPROVEMENT PLANS
SECTION 16, TOWNSHIP 5, RANGE 1 EAST
OXFORD TOWNSHIP
BUTLER COUNTY, OHIO
JUNE 2018

- ENGINEER**

FOCUS ENGINEERING & DESIGN, LLC
10000 W. 11TH AVE., SUITE C-287
DENVER, CO 80235
CONTACT: JASON REMMEKER, P.E.
EMAIL: JAS@FOCUSENGINEERING.COM

OWNER

5728 CALIDGE CORNER PINE, LLC
10000 W. 11TH AVE., SUITE C-287
DENVER, CO 80235
CONTACT: TIM MACY
EMAIL: TIM@TIMMACYORPC.COM

DEVELOPER

TEAMWORK PROPERTY GROUP, LLC
10000 W. 11TH AVE., SUITE C-287
DENVER, CO 80235
CONTACT: TIM MACY
EMAIL: TIM@TIMMACYORPC.COM



Even when delayed.
Call before you die.

[illegible]

*NOTE: OPEN SPACE FOR PUD-PHASE 2 TO BE DETERMINED AFTER USER AND LAYOUT ARE DETERMINED. MINIMUM OF 20% OPEN SPACE TO BE PROVIDED FOR OVERALL DEVELOPMENT.

1. PUD-PHASE 1 TO CONSIDER PROPOSED SELF-STORAGE FACILITY, PUD-PHASE 2 USER AND LAND YET TO BE DETERMINED. SHALL GO TO THE BOARD OF SUPERVISORS FOR REVIEW AND APPROVAL. SHALL GO TO THE BOARD OF SUPERVISORS FOR REVIEW AND APPROVAL. SHALL GO TO THE BOARD OF SUPERVISORS FOR REVIEW AND APPROVAL.
2. BACK TO THE BOARD OF SUPERVISORS FOR REVIEW AND APPROVAL. SHALL GO TO THE BOARD OF SUPERVISORS FOR REVIEW AND APPROVAL. SHALL GO TO THE BOARD OF SUPERVISORS FOR REVIEW AND APPROVAL.
3. BACK TO THE BOARD OF SUPERVISORS FOR REVIEW AND APPROVAL. SHALL GO TO THE BOARD OF SUPERVISORS FOR REVIEW AND APPROVAL. SHALL GO TO THE BOARD OF SUPERVISORS FOR REVIEW AND APPROVAL.
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9. BACK TO THE BOARD OF SUPERVISORS FOR REVIEW AND APPROVAL. SHALL GO TO THE BOARD OF SUPERVISORS FOR REVIEW AND APPROVAL. SHALL GO TO THE BOARD OF SUPERVISORS FOR REVIEW AND APPROVAL.
10. BACK TO THE BOARD OF SUPERVISORS FOR REVIEW AND APPROVAL. SHALL GO TO THE BOARD OF SUPERVISORS FOR REVIEW AND APPROVAL. SHALL GO TO THE BOARD OF SUPERVISORS FOR REVIEW AND APPROVAL.



INDEX OF SHEETS	
1	COVER SHEET
2	OVERALL PLAN
3	SITE & UTILITY PLAN
4	SITE & UTILITY PLAN
5	SITE & UTILITY PLAN
6	SITE & UTILITY PLAN
7	SITE DETAILS
8	GRADING PLAN
9	GRADING PLAN
10	GRADING PLAN
11	GRADING PLAN
12	DETENTION POND PLAN DETAILS/CROSS SECTION
13	STORM SEWER PROFILE
14	EROSION CONTROL PLAN
15	EROSION CONTROL PLAN
16	EROSION CONTROL PLAN
17	EROSION CONTROL PLAN
18	SITE UTILITY DETAILS

I HEREBY AFFIRM THAT THESE FINAL CONSTRUCTION PLANS WERE PREPARED UNDER MY DIRECT SUPERVISION IN ACCORDANCE WITH ALL APPLICABLE TOWN OF CASTLE ROCK AND STATE OF COLORADO STANDARDS AND STATUTES, RESPECTIVELY, AND THAT I AM FULLY RESPONSIBLE FOR ALL DESIGN AND REVISIONS RELATIVE TO SAID PLANS.

JASON WALTER RENNICKER, P.E.
STATE OF OHIO PE NO. 80505



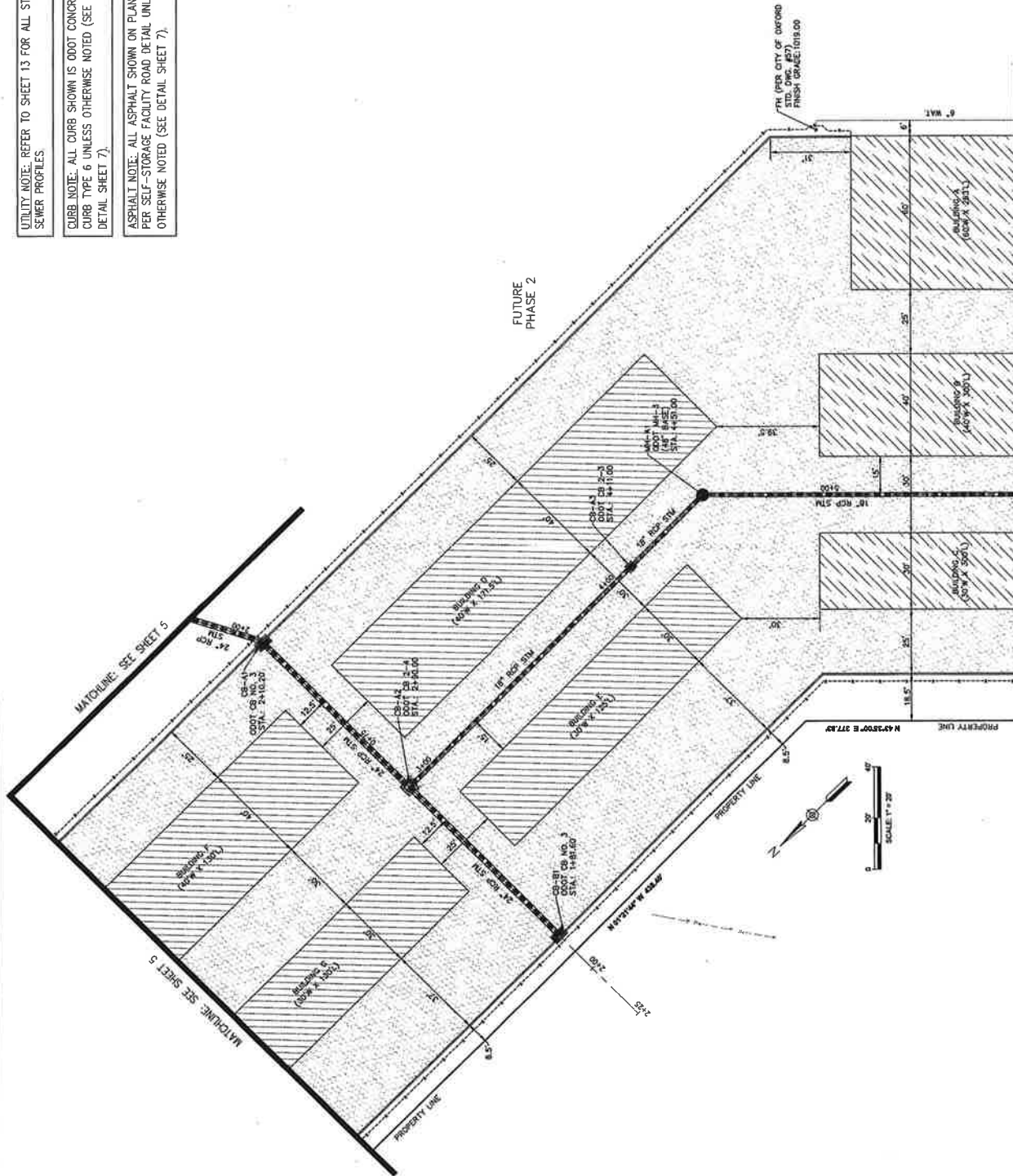
LEGEND

- | | |
|--|--|
| | EXISTING WATER LINE |
| | EXISTING SANITARY LINE |
| | EXISTING OVERHEAD ELECTRIC |
| | EXISTING STORM LINE |
| | EXISTING FIRE HYDRANT |
| | EXISTING WATER VALVE |
| | EXISTING SANITARY MANHOLE |
| | EXISTING POWER POLE |
| | PROPOSED WATER SERVICE |
| | PROPOSED FIRE HYDRANT |
| | PROPOSED WATER VALVE |
| | PROPOSED SANITARY SERVICE |
| | PROPOSED STORM LINE |
| | PROPOSED STORM MANHOLE |
| | PROPOSED STORM CATCH BASIN |
| | PROPOSED SEWER |
| | PROPOSED ASPHALT (PER SELF-INSPECTION) |
| | PROPOSED UTILITY ROAD DETAIL (SEE SHEET 7) |
| | BUILDING PAD (SEE DETAIL SHEET 6) |

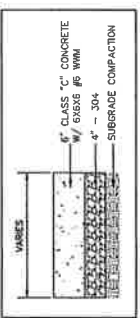
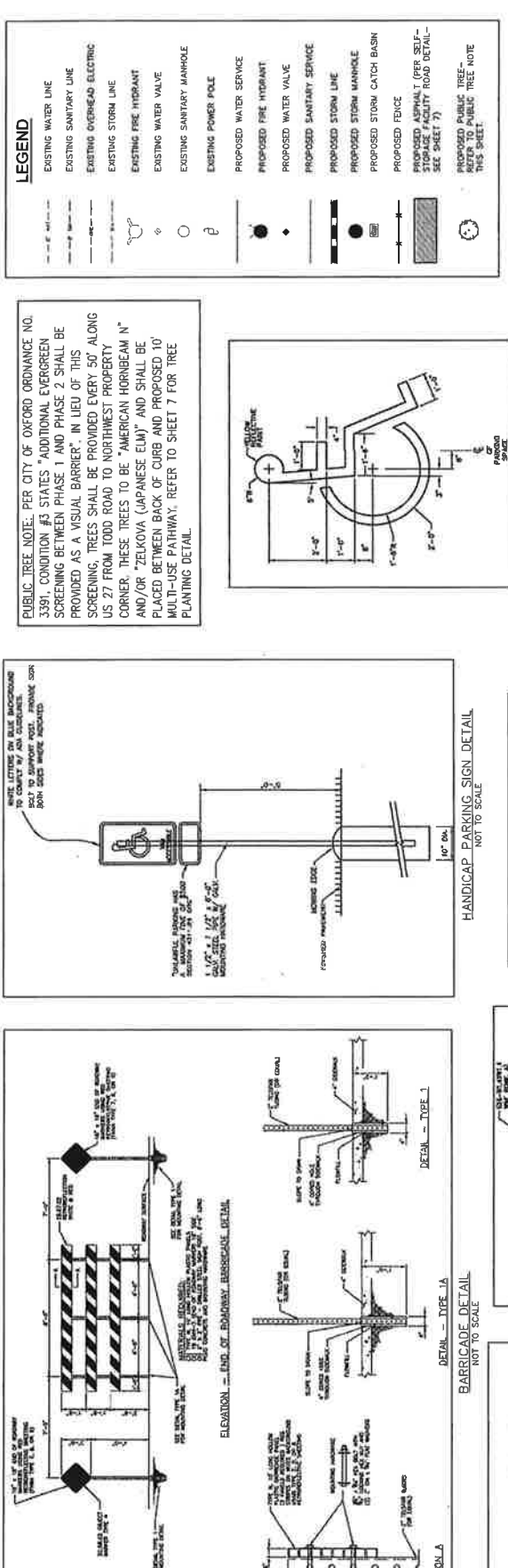
UTILITY NOTE: REFER TO SHEET 13 FOR ALL STORM
SEWER PROFILES

CURB NOTE: ALL CURB SHOWN IS ODOT CONCRETE
CURB TYPE 6 UNLESS OTHERWISE NOTED (SEE
DETAIL SHEET 7).

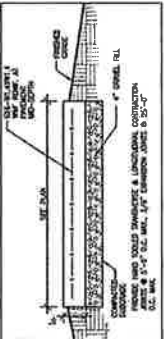
ASPHALT NOTE: ALL ASPHALT SHOWN ON PLAN IS PER SELF-STORAGE FACILITY ROAD DETAIL UNLESS OTHERWISE NOTED (SEE DETAIL SHEET 7).



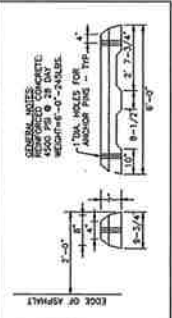
MATCHLINE: SEE SHEET 3



BUILDING PAD
NOT TO SCALE



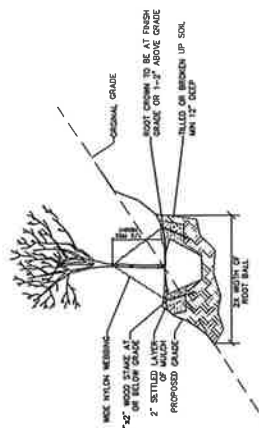
5' CONCRETE WALK DETAIL



BUMPER BLOCK DETAIL
NOT TO SCALE

NOTES: TYPICAL TREE PLANTING ON SLOPE

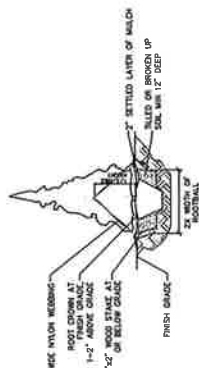
- [illegible]



TYP. TREE PLANTING ON SLOPE

of the Organization for Economic

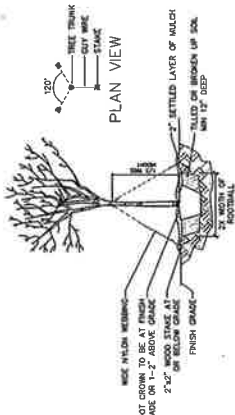
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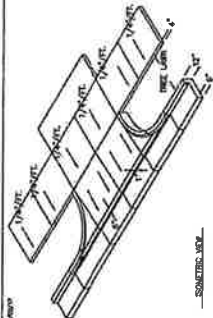
EVERGREEN TREE PLANTING

STATISTICS: THE PLAYING DOG

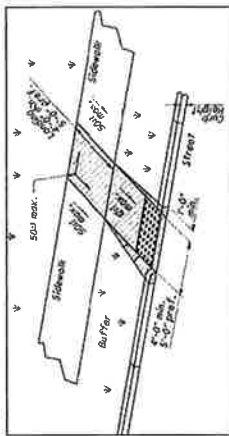
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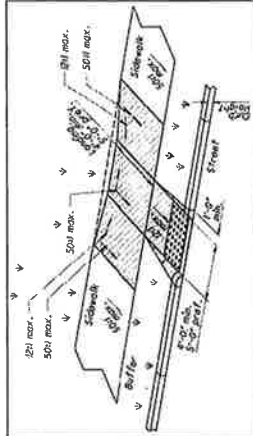
TYP. TREE PLANTING



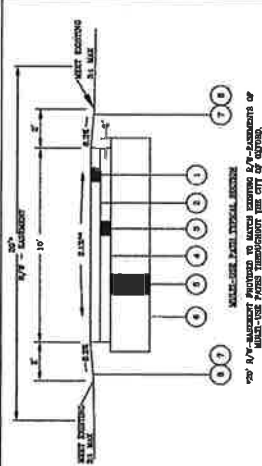
CAMPING NOT TO SCALE	
CITY OF OXFORD ENGINEERING DIVISION	
STANDARD DRIVEWAY CUT	
STANDARD CHAIRING PEG	



DOT CURB RAMP TYPE A2
NOT TO SCALE



WOOD CURB RAMP TYPE C1
NOT TO SCALE



- ITEM LISTING**
- | | |
|---|--|
| 1 | ITEM 448 1.5" ASPHALT CONCRETE SURFACE COURSE. TYPE 1, PG 54-22 |
| 2 | ITEM 497 BASE COURSE FOR INTERMEDIATE COURSE |
| 3 | ITEM 448 1.5" ASPHALT CONCRETE INTERMEDIATE COURSE. TYPE 1, PG 64-22 |
| 4 | ITEM 408 FURROW CLOUT |
| 5 | ITEM 504 6" AGGREGATE BASE |
| 6 | ITEM 304 INTERCOURSE CONSOLIDATION |
| 7 | ITEM 404 SPREADING AND WELDING |
| 8 | ITEM 603 30" ROLL FINISHERS AND PLACERS |

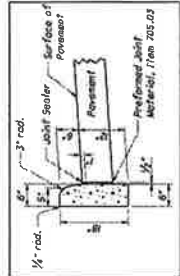
10' MULTIPLE-USE PATHWAY DETAIL



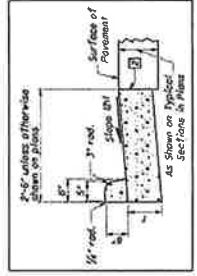
- ① ITEM 448 - 1.5" ASPHALT CONCRETE, SURFACE COURSE, TYPE 1
- ② ITEM 448 - 2" ASPHALT CONCRETE, INTERMEDIATE COURSE, TYPE 1
- ③ ITEM 407 - TACK COAT
- ④ ITEM 301 - 5" BITUMINOUS AGGREGATE BASE
- ⑤ ITEM 204 - COMPACTED SUBGRADE

NOTE: ALL LETTER-NUMBER DESIGNATIONS REFER TO THE CURRENT EDITION OF THE OHIO DEPARTMENT OF TRANSPORTATION CONSTRUCTION AND MATERIAL SPECIFICATION.

STORAGE FACILITY SURFACE PAVEMENT SECTION



ODOT CONCRETE CURB TYPE 6
NOT TO SCALE



WOODOT COMBINED CURB & GUTTER TYPE 2
NOT TO SCALE

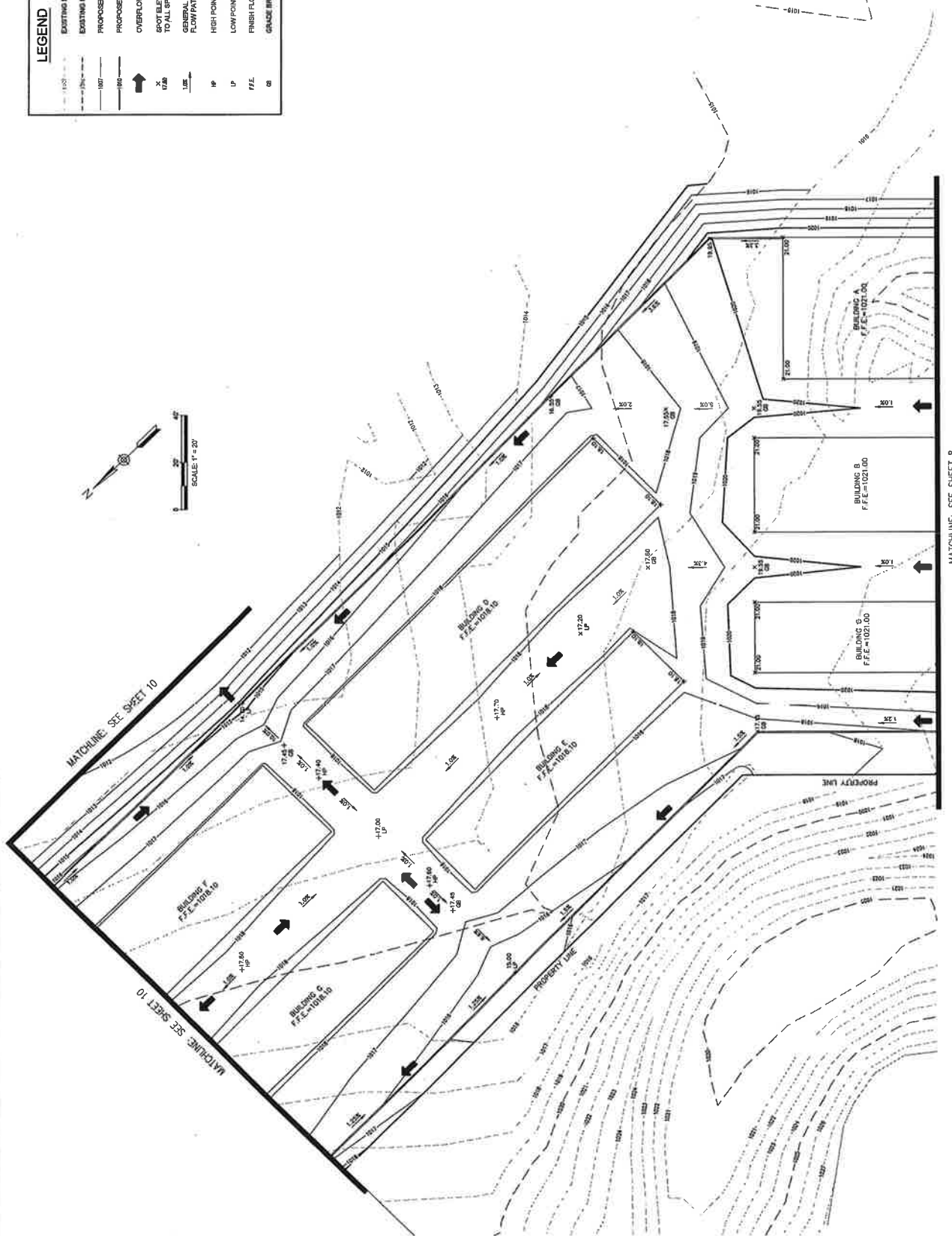
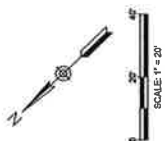
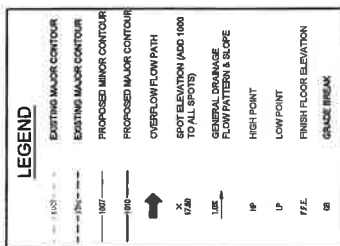
5728 COLLEGE CORNER PIKE - PHASE I
SELF STORAGE FACILITY

GRADING PLAN

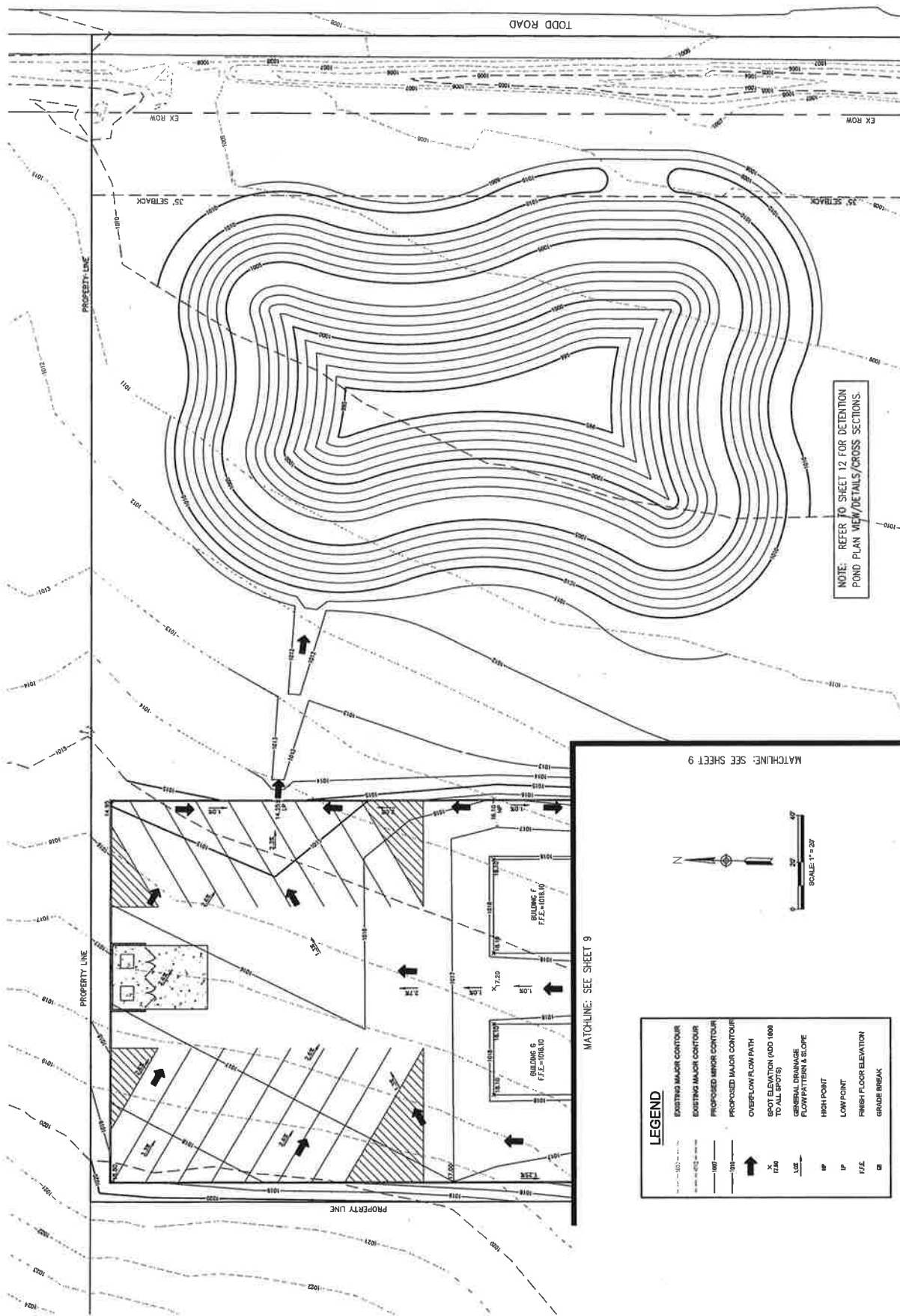
DESIGNED BY:	JR
APPROVED BY:	JR
DATE:	6/1/2018
SHEET NO.:	

18 OF 8



[illegible]

MATCHLINE: SEE SHEET 8



MATCHLINE: SEE SHEET 9

MATCHLINE: SEE SHEET 9

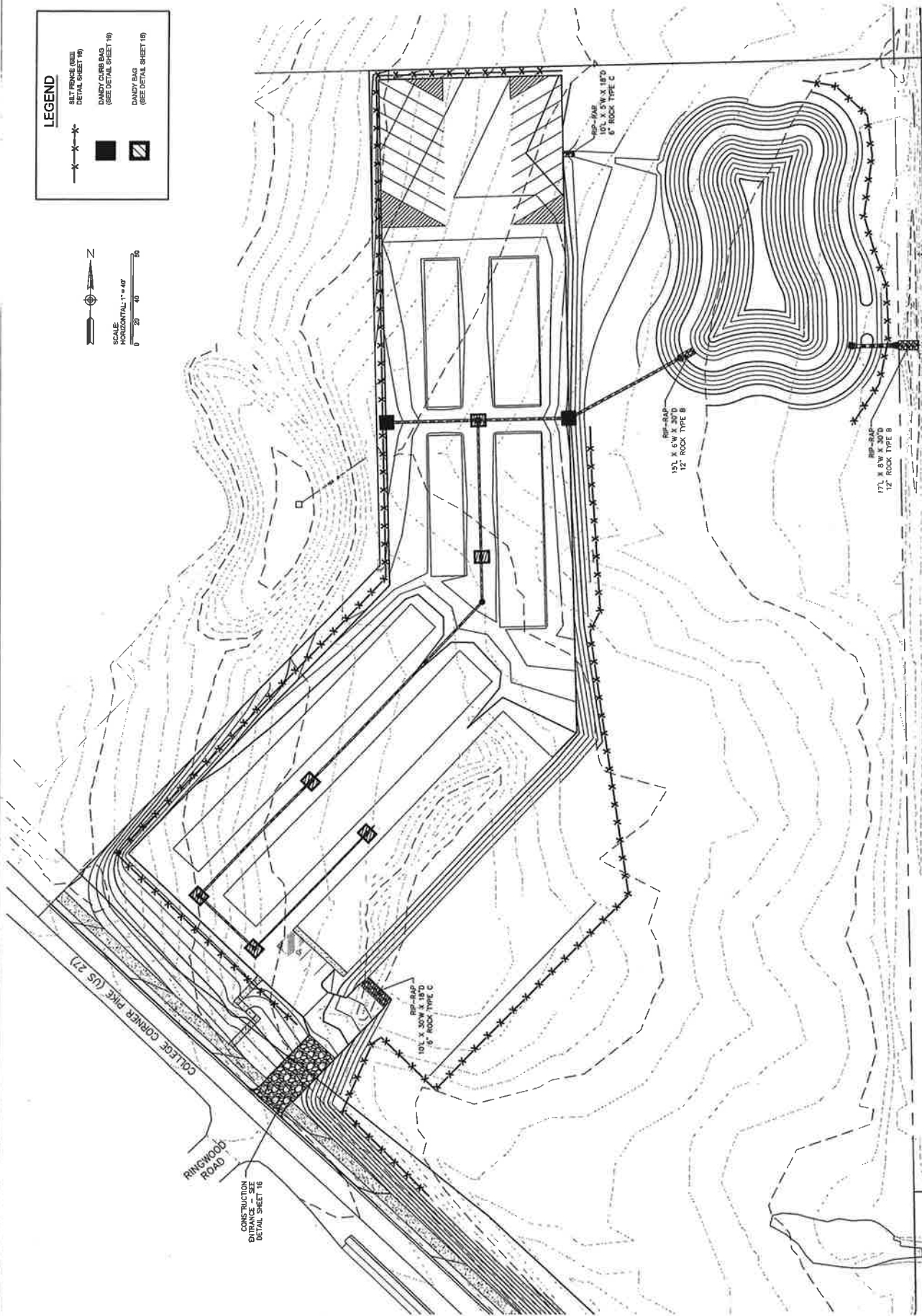
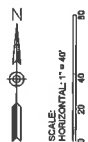
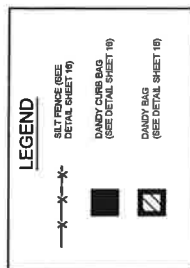
LEGEND

EXISTING MAJOR CONTOUR	OVER/LOW FLOW PATH	HIGH POINT
EXISTING MAJOR CONTOUR	SPOT ELEVATION (ADD 1000 TO ALL SPOTS)	LOW POINT
PROPOSED MAJOR CONTOUR	GENERAL DRAINAGE FLOW PATTERN & SLOPE	FINISH FLOOR ELEVATION
PROPOSED MAJOR CONTOUR		POSSIBLE BREAK

SCALE: 1" = 20'

SCALE: 1" = 20'





**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: September 4, 2018

Sam Perry
Prepared By:

Account Code No. #:

Budgeted Amount:

August 29, 2018
Date Prepared:

PC-2018-21, ZONING MAP AMENDMENT, Whistle Stop Property, extending north from W. Spring Street to W. Walnut Street, from General Business (GB) and Office/Residential (RO) Districts, to Single, Two, and Three-Family Mile-Square Residential District (R3-MS) District, **Opus Development Company, LLC, Applicant, Agent**

Recommendation: Denial based on 3-3 tie vote

Discussion:

Ben Angelo, representative of OPUS Development Group has requested a zoning map amendment for approximately 1.5 Acres of Residential Office District and 2 Acres of General Business District to Single, Two and Three Family Mile Square Residential (R3MS). The land is located along South Elm Street, West Collins and West Walnut. The 1.27 Acres of right of way is not part of the request, but by default would be re-zoned because it is adjacent. If this amendment is approved, OPUS would pursue a right of way acquisition from the City of Oxford. The Commission discussed the case at length and heard testimony from staff, applicant, property owners and citizens. The Commission wrestled with the goals of the 2008 Comprehensive plan and the fact that there is underutilized land on the property. The Commission also wrestled with the lack of data to justify the need for additional residentially zoned land. Staff recommended two conditions of approval if the Commission did find support for the re-zoning. Those conditions may be useful for Council if it determines that at least one decision standard has been met. A recommendation to approve the re-zoning failed by a vote of 3-3. One member was recused.

Staff did find one error in the boundary of the subject area which has been corrected by the applicant for this first reading. 106 South Elm Street is not part of the re-zoning request.

Approved By:

Department Head:
City Attorney:
City Manager:

Hebing SP / 8-30-18
/ 8-31-18
DRE

ORDINANCE NO.

AN ORDINANCE GRANTING A ZONING MAP AMENDMENT FOR CERTAIN PROPERTIES IN THE CITY OF OXFORD'S MILE SQUARE A MAP OF WHICH IS ATTACHED HERETO AS EXHIBIT "A" AND INCORPORATED HEREIN, AND REZONING THE PROPERTIES FROM GB (GENERAL BUSINESS) DISTRICT TO R-3MS (SINGLE, TWO AND THREE-FAMILY MILE SQUARE RESIDENTIAL) DISTRICT.

WHEREAS, Council finds in accordance with Section 1135.02 of the Codified Ordinances of the City of Oxford, the Oxford Planning Commission held a public hearing on August 14, 2018, on Opus Development Company, LLC's application for a Zoning Map Amendment for certain properties in the City of Oxford's Mile Square a map of which is attached hereto as Exhibit "A" and incorporated herein and rezoning the properties from GB (General Business) District to R-3MS (Single, Two and Three Family Mile Square Residential) District; and

WHEREAS, the Oxford Planning Commission, after the public hearing and deliberation, recommended that City Council deny the Zoning Map Amendment, and found that the proposed rezoning request was not in keeping with the characteristics of the general vicinity of the properties and was not the most appropriate zoning classification for the properties in question.

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

SECTION 1: Council hereby acknowledges the recommendation of the Oxford Planning Commission, and after deliberation, finds for the granting of the Zoning Map Amendment for certain properties in the City of Oxford's Mile Square a map of which is attached hereto as Exhibit "A" and rezoning the properties from GB (General Business) District to R-3MS (Single, Two and Three Family Mile Square Residential) District.

SECTION 2: Council hereby grants the rezoning of the properties as requested by the applicant, incorporating the application and documents submitted by the applicant as a term and condition of the granting of this rezoning request and orders that the official zoning map be amended.

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

MAYOR

ADOPTED:

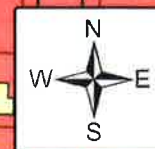
ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

Existing Zoning



City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2018-21

Date – August 14, 2018

APPLICATION

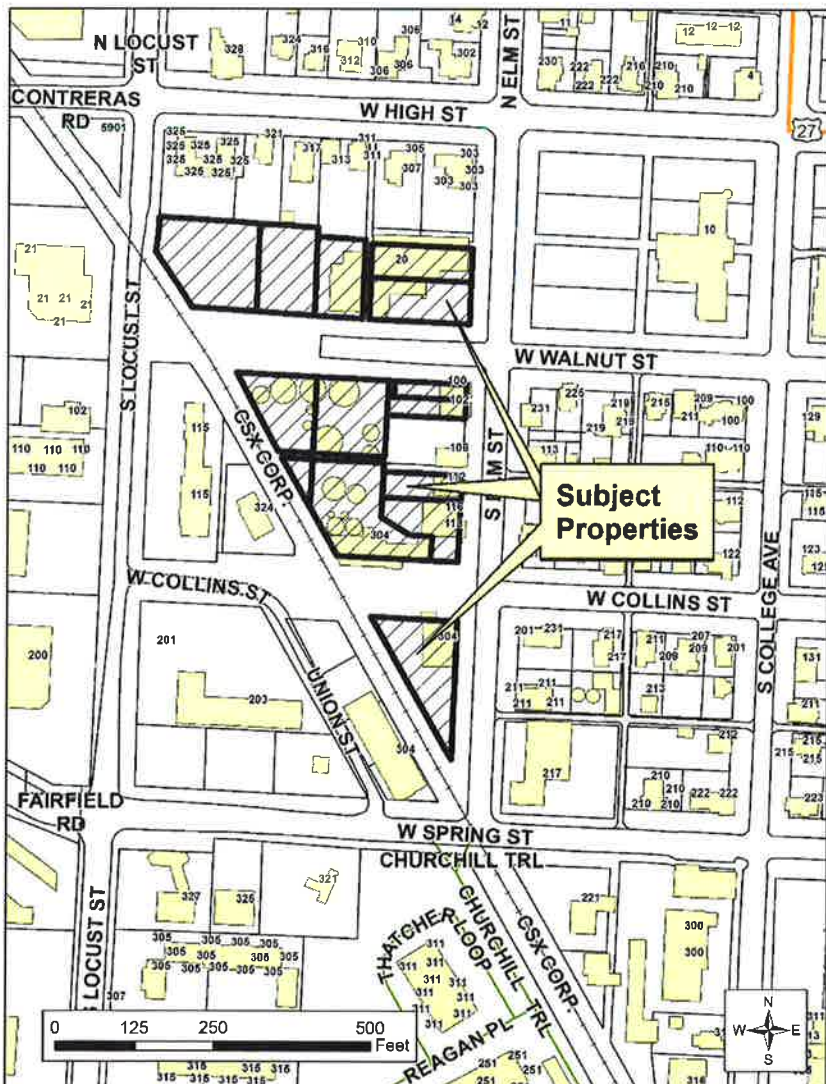
Applicant:	Opus Development Company, LLC (Ben Angelo)
Action Request:	Zoning Map Amendment from GB (General Business) & RO (Residential Office) Districts to R3-MS (Single, Two and Three-Family Mile Square Residential) District
Location:	Extending north from W. Spring Street to W. Walnut Street
Acreage:	4.77 Acres
Owners:	Oxford Farm Service & Whistle Stop, LLC; Kennedy Oxford, LLC
Current Use:	Retail sales, Residential, Vacant land, Vacant buildings
Surrounding Land Uses:	Fire Station, Railroad, Residential, Community Arts Center
Comp Plan Designation:	Developed; Neighborhood General 1

DESCRIPTION

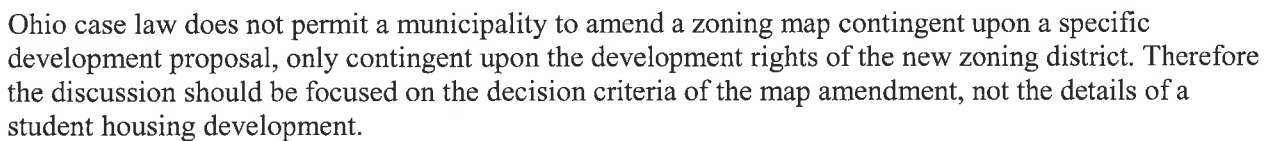
This is a zoning map amendment request from OPUS Development Company (Ben Angelo) and Myefski Architects (Heather Hammerle) to Rezone 1.5 Acres of Residential Office to R3MS, 2 Acres of GB to R3MS and 1.27 of public street right of way to R3MS for a total potential new R3MS district of approximately 4.77 Acres between South Elm Street, the railroad tracks and West Spring Street. There is not any R3MS zoned land adjacent to the subject property, but that does not prevent such an amendment from being passed.

SITE BACKGROUND

OPUS Development has approached both the City and the University about purchasing land to consolidate for a student housing development. The developers are interested in what is phrased as 'purpose-built' residential housing rather than mixed-use. Therefore, their request is to remove the commercial and mixed-use designations from the zoning



Oxford Farm Service ceased operations within recent years; and the elevated grain bins were removed, leaving only the foundations. Miami's 1930s era Elm Street building was also recently vacated, with the rear half never having been developed. This equates to approximately **half of the private land vacant**. The Whistle Stop Farm and Pet Food supply store remains, as well as five historic homes, one of which is not part of the subject property. None of the homes are protected by any local historic districts, although they have been surveyed and recorded in the Ohio Historic Preservation Office through a local grant in 1999. If the zoning map amendment is successful, OPUS will pursue a right of way purchase of the Walnut and Collins Street rights of way to combine both public and private land into one Planned Development for review as a totally separate process. Right of way adjacent to private land is automatically zoned consistent with the private land, or sp



Police:	Returned with no comment
Engineering:	Returned with comments
Econ. Dev.	Returned with comments
Fire:	Returned with no comment

PC-2018-21

Comparison Matrix

	3 Fam Bldgs.	2 Fam Bldgs.	1 Fam Bldgs.	Apts.	Unrelated Beds	Businesses	Acreage
Current RO		13 OR	13		52-104	13 (w/1F)	1.5
Current GB		0	0	0	0	30?	2
Right of Way		?	?	?	?	?	1.27
Proposed R3MS	26 OR	35 OR	52	78	208-312	0	4.77

Below are the purpose statement excerpts from the three zoning districts being discussed:

1143.07 R3MS SINGLE, TWO AND THREE-FAMILY MILE-SQUARE RESIDENTIAL DISTRICT.

(a) Purpose. The purpose of this district is to preserve and encourage a mix of single-family, two-family, and three-family dwellings in an urban environment while maintaining the urban form of development within the Mile-Square District. Furthermore, it is the intent of this district to be located in areas that are in close proximity to commercial services, public institutions, and adequate infrastructure to serve the residents within this district.

1143.09 RO OFFICE RESIDENTIAL DISTRICT.

(a) Purpose. This district is designed to encourage a residential environment in established areas of historically significant character. Offices and service facilities are permitted to support community needs in suitable locations that do not produce incompatible effects on adjacent residential neighborhoods. A mix of uses within one structure is encouraged. This district is appropriate adjacent to higher volume thoroughfares, as well as between commercial areas and residential neighborhoods. This district shall be considered a residential district.

1143.12 GB GENERAL BUSINESS DISTRICT.

(a) Purpose. This district is intended to provide for a variety of retail, service and administrative establishments required to satisfy the needs of the overall community. This district is also intended to accommodate retail trade establishments in the community that cannot be practically provided for in a neighborhood commercial district development. This district is only appropriate within areas that are presently served, or will be served upon development, with both central water and sewer.

DECISION CRITERIA

A copy of the Zoning Text Amendment Decision Criteria is attached. ***Compliance with at least one of the criteria is required, supported by Findings of Fact by the Commission.***

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

- A. There is an error on the Official Zoning Map or in the delineation between the districts.
 - *The zoning districts were formally established by Oxford City Council in 2003. The commercial portion actually pre-dated the 2003 zoning map. This was not an error. An error would be something that was made due to a technical problem in the recording of the line on the map. This same boundary line would have been clearly known and advertised the same before the hearing as it was after the publication.*
- B. The proposed amendment will make the map conform more closely with the Comprehensive Plan.

- *The Land Use chapter of the 2008 Comprehensive Plan does focus development goals and objectives on vacant and underutilized land rather than new land. The subject property is 50% or more vacant and 75% or more underutilized.*
 - *The Urban Design chapter states that historic buildings in the Mile Square should be preserved. The proposed map amendment would likely mean that the existing historic buildings would be lost.*
 - *The Urban Design chapter speaks to the Locust Street, US27 and Uptown commercial areas but does not address this underdeveloped commercially zoned area specifically. The question then, is why? Was this area not targeted for development by the plan or overlooked because it was light industrial and residential had not yet become commercial. This could hold true for many of the commercially zoned areas along the railroad tracks in Oxford (see Mr. Kyger's comments).*
 - *Traditionally, non-residential land is preserved in areas near major corridors, such as arterial or collector streets. Spring Street and High Street would be the nearest to the subject property. If any of the subject land was to be preserved as non-residential land, it should be the southernmost portion that is most visible from Spring Street. This could present a commercial presence in the future. Land for non-residential development is not in high demand in Oxford.*
 - *The Transportation chapter of the Comp Plan recognizes the challenges of transporting people to and from destinations in a small town, by discouraging vehicular usage for short trips. These ideas have been implemented by adopting newer multi-modal policies and regulations. The Comp Plan also recognizes the close proximity of the University to the rest of Oxford, which is what led the Commission and Council to upzone nearly 100 Acres of residential land that was closest to Miami. Converting 5 more acres that is farther away from the University would likely lead to a need for bolstering of transportation policy and infrastructure to support the impact.*
- C. There has been a substantial change in area conditions that necessitated the amendment.
- *Oxford Farm Service and the Miami Food Service building have both ceased operation since the time of the Comprehensive Plan*
- D. There is a legitimate need for additional land area in the zoning district that will be expanded.
- *There is little to no data to support any quantifiable estimate of legitimate need for replacing commercial and mixed use land with a straight residential zoning district. No studies have been done city wide on this issue and the Comp Plan analysis is now over 10 years old.*
 - *Vacant R3MS land is likely non-existent in Oxford, however, categorically speaking more land has been rezoned from non-residential to residential since the time of the 2008 Comp Plan. This includes the 37 acres for The Annex student housing project on Southpointe Parkway, near US 27 South. Additionally approximately 100 acres of land was upzoned from R1MS to R2MS and from R2MS to R3MS in 2017.*

RECOMMENDATION

Based upon staff findings at the time of this report, the request could be supported by criteria C and possibly B. If the Commission and Council do agree with the findings, conditions that help to ensure a cohesive single development that considers the potential for traffic impact for multiple modes of travel.

1. That the lots be consolidated, including the right of ways of Walnut Street and Collins Street. If the lots are not consolidated, the amendment is void and reverts to the previous zoning districts.

2. Prior to adoption, a multi-modal traffic impact analysis be completed by a consultant jointly selected by the University, City and Developer.

SUBMITTED BY:

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

Sam Perry, AICP, Planner
August 9, 2018

ATTACHMENT

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

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

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

Map Amendments

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

City of Oxford
Inter-Office Review Transmittal Sheet

Date: July 9, 2018

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2018-21, ZONING MAP AMENDMENT, Whistle Stop Property, extending north from W. Spring Street to W. Walnut Street, from General Business (GB) and Office/Residential (RO) Districts, to Single, Two, and Three-Family Mile-Square Residential District (R3-MS) District, Opus Development Company, LLC, Applicant, Agent

 X Review Revisions Other

Please return no later than: **August 6, 2018** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments

without/comments

Drawings reviewed by


John Detherage
PRINTED NAME

Date:

7-17-18

City of Oxford
Inter-Office Review Transmittal Sheet

Date: July 9, 2018

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2018-21, ZONING MAP AMENDMENT, Whistle Stop Property, extending north from W. Spring Street to W. Walnut Street, from General Business (GB) and Office/Residential (RO) Districts, to Single, Two, and Three-Family Mile-Square Residential District (R3-MS) District, Opus Development Company, LLC, Applicant, Agent

 X Review Revisions Other

Please return no later than: **August 6, 2018** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments without/comments

SEE CORRESPONDANCES DATED 2-22-2018 & 2-23-2018, ATTACHED.

Drawings reviewed by:



Date: 7-25-2018

VICTOR POPESCU

PRINTED NAME



Engineering Division

Phone (513) 524-5208

Fax (513) 524-5267

February 22, 2018

Mr. Anthony Davidson
Director, Real Estate Development
The OPUS Group
9700 Higgins Road, Suite 900
Rosemont, IL 60018

RE: 304 W. Collins Avenue
Water Supply

Dear Mr. Davidson:

This correspondence is in response to your e-mail dated February 21, 2018.

A 16" water main, located on Elm Street, services the area of the proposed development. The 16" water main is capable of supplying the necessary water volume needed for the proposed development.

If there are questions, please contact the Engineering Division.

Respectfully,



Victor Popescu, P.E.
City Engineer



Engineering Division

Phone (513) 524-5208

Fax (513) 524-5267

February 23, 2018

Mr. Anthony Davidson
Director, Real Estate Development
The OPUS Group
9700 Higgins Road, Suite 900
Rosemont, IL 60018

RE: 304 W. Collins Avenue
Sanitary Sewer

Dear Mr. Davidson:

This correspondence is in response to your email dated February 21, 2018.

There is presently a 10" sanitary sewer main running across the proposed development site. Sections of the sanitary sewer will need to be improved, as a grain elevator rested on top of it for decades. The subject sanitary sewer discharges into a 10" sanitary sewer running south on Elm Street. The proposed development may pose offsite issues with the existing sanitary sewer runs. Offsite issues may need to be addressed.

If there are questions, please contact the Engineering Division.

Respectfully,


Victor Popescu, P.E.
City Engineer

City of Oxford
Inter-Office Review Transmittal Sheet

Date: July 9, 2018

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2018-21, ZONING MAP AMENDMENT, Whistle Stop Property, extending north from W. Spring Street to W. Walnut Street, from General Business (GB) and Office/Residential (RO) Districts, to Single, Two, and Three-Family Mile-Square Residential District (R3-MS) District, **Opus Development Company, LLC, Applicant, Agent**

 X Review Revisions Other

Please return no later than: **August 6, 2018** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by: _____



Date: _____

7/10/18

John D. Jones

PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: July 9, 2018

To: Fire Department Engineering Division Police Department

Econ Dev Department

From: Community Development Department

PC-2018-21, ZONING MAP AMENDMENT, Whistle Stop Property, extending north from W. Spring Street to W. Walnut Street, from General Business (GB) and Office/Residential (RO) Districts, to Single, Two, and Three-Family Mile-Square Residential District (R3-MS) District, **Opus Development Company, LLC, Applicant, Agent**

 X Review

 Revisions

 Other

Please return no later than: **August 6, 2018** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments without/comments

Currently this site is wacky miss-match of zoning and uses. These parcels are all zoned 'GB' General Business or 'RO' Residential Office, with two Street ROWs dividing it into three sections. Several of the GB parcels are residential in use. The RO parcel was last used as a food commissary for Miami University, which was more GB in use than RO.

The one existing business on this site is on a parcel that would be very difficult to redevelop. This is due to the existing Collins Street ROW and its triangle shape. The old Oxford Farm Service site is currently hidden from view and located on an un-improved City street; this makes it unattractive as a commercial site.

In my opinion, the best use for this site is to do what the applicant has done, consolidate the parcels and ROWs into one redevelopment project. With one exception, I prefer a Commercial/Residential Mixed Use development.

Here is my rational. The available land in Oxford for GB use is dwindling, this site is near the Uptown, Stewart Square, Locust Street business districts and this site, when consolidated, will have Elm Street frontage. (Unlike the recently rezoned Gas Light Avenue, site which could not gain street frontage.)

Drawings reviewed by:



Date:

Aug-6-2018

G. ALAN RUGER

PRINTED NAME



PC-2018-21

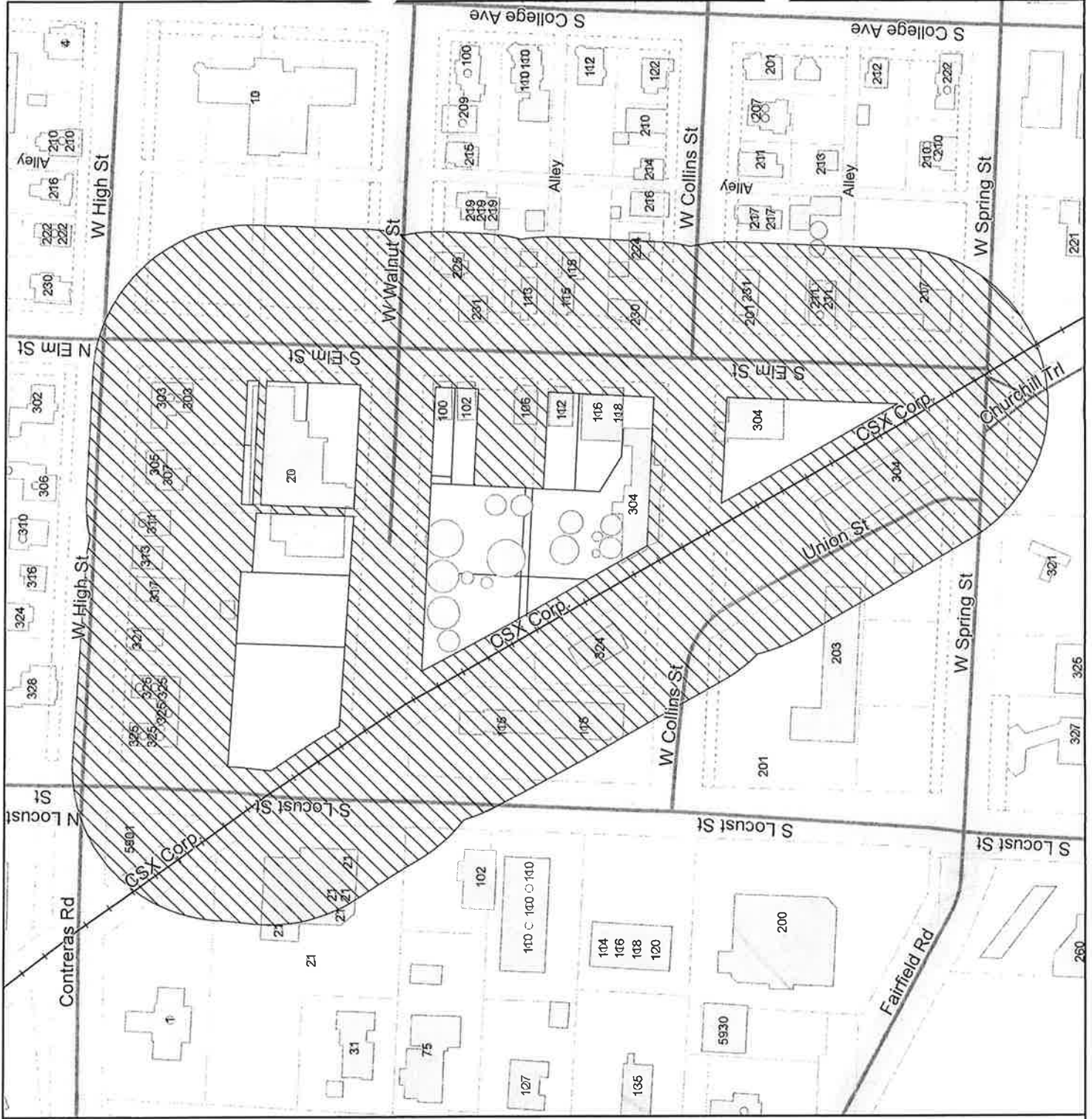
Surrounding Property Owners Notifications Map

Legend

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



1 inch = 175 feet



Prepared on Wednesday, August 01, 2018

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

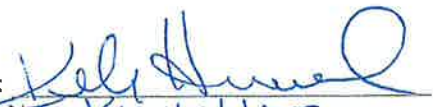
LETTER OF AGENCY

To Whom It May Concern:

Please be advised that OPUS DEVELOPMENT COMPANY, L.L.C., a Delaware limited liability company has permission to represent our interest with the City of Oxford and act on our behalf for the Commission hearing(s) from August to September 2018 regarding the student housing development at our property located at 304 West Collins Street, Oxford, Ohio 45056

Thank-you,

Signed:


Printed Name: KELLY HANSE

Oxford Farm Service and Whistle Stop, LLC,
an Ohio limited liability company

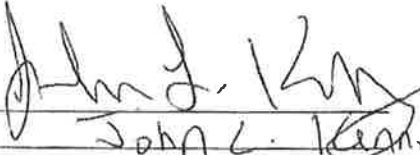
6-26-18
Date:

LETTER OF AGENCY

To Whom It May Concern:

Please be advised that OPUS DEVELOPMENT COMPANY, L.L.C., a Delaware limited liability company has permission to represent our interest with the City of Oxford and act on our behalf for the Commission hearing(s) from August to September 2018 regarding the student housing development at our property located at 100-102 S. Elm Street, Oxford, Ohio 45056

Thank-you,

Signed: 

Printed Name: John C. Kennedy

Kennedy Oxford, LLC,
an Ohio limited liability company

Date: 6/26/18



Internal Use Only:

Case No.

Date Filed

PC-2018-21
6/28/18

Zoning Map Amendment Application

Applicant Information

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

Name *	Opus Development Company, LLC
Mailing Address *	9700 Higgins Road, Suite 900
City, State & Zip Code *	Rosemont, Illinois 60018
Telephone Number(s) *	847.318.1655
Email Address	Ben.Angelo@opus-group.com

Location and Lot Information

Location *	Whistle Stop Property extending north from W. Spring St. to W. Walnut St. (see diagrams)
General Description of Proposed Amendment *	Request for a change in Zoning Designation for a series of parcels (see diagrams)
Current Zoning *	General Business (GB) and Office/Residential (RO)
Proposed Zone(s) *	Single, Two, and Three-Family Mile-Square Residential District (R3-MS)

Submission Requirements and Documentation

From Section 1135.02 Procedure¹.

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

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

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

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

Surrounding Property Owners

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

Decision Process

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

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

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

Fees & Receipt

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

Sign and Date

Applicant Signature *

Date *

6/28/2018

Submit Application, Submission Requirements and Documentation, and Fees

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

Send or drop off this application with required documentation as attachments and a check for fee and postage charge made payable to **City of Oxford**, to Community Development Director, 15 South College Avenue, Oxford, OH 45056.

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

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

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

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

June 27, 2018

Sam Perry
Planner/Interim Community Development Director
City of Oxford
15 South College Avenue
Oxford, OH 45056

RE: APPLICATION FOR ZONING MAP AMENDMENT
WHISTLE STOP PROPERTY
OXFORD, OHIO

Dear Mr. Perry,

On behalf of Opus Development Company, please accept this letter as a formal request for a review hearing by the City of Oxford Planning Commission and Oxford City Council for a Zoning Map Amendment for the Whistle Stop property located between South Elm Street and the railroad, extending north from West Spring Street up to north of West Walnut Street. The proposed Zoning Map Amendment will change the affected property from General Business (GB) and Office/Residential (RO) to Single, Two, and Three-Family Mile-Square Residential District (R3-MS).

In response to the Decision Standards outlined in the Application, we offer the following:

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

Response #1

As noted on the Weak Places Map 3.5 within the Land Use Direction chapter of the Comprehensive Plan, residents have identified the subject property as a "Weak Place", presumably due to the lack of interest in developing the location over the years. A "Weak Place" is described as an area that needs improvement, or an area where infill and redevelopment would be appropriate. **Accordingly, the proposed development would revitalize and improve the underutilized land.**

Response #2

The Comprehensive Plan's Conservation and Development Map 3.6 within the Land Use Direction chapter identifies the subject property as a "Developed Area", however much of the property is an abandoned brownfield site. A brownfield is characterized as a former industrial or commercial site where future use is affected by real or perceived environmental contamination. **Revitalization of unproductive brownfields is important because brownfields are often in prime locations which are close to transportation and their redevelopment expands the tax base.**

Response #3

The subject property is depicted within the Land Use Direction chapter on the Conservation and Development Map 3.6 as adjacent to a "Neighborhood Enhancement Area." The Comprehensive Plan seeks to stabilize and enhance existing neighborhoods within the Mile Square. These goals include maintenance and improvements to public and private property that reflects the traditional neighborhood characteristics and commercial features that exist in the area. **The proposed development supports these goals by providing a multi-family development which achieves one of the Comprehensive Plan's preferred uses.**

(Continued on next page)



APPLICATION FOR ZONING MAP AMENDMENT
WHISTLE STOP PROPERTY
OXFORD, OHIO

(Continued from previous page)

Response #4

The Character Area Map 3.7 in the Comprehensive Plan's Land Use Direction chapter locates the subject property within the "Neighborhood General 1" zone which is the same "character" as the adjacent enhancement area. ***The zone is typified by traditional urban development which may include multi-family and mixed-use type developments that feature a block pattern and alley use—all which are elements reflected in the planning and design approach for the proposed development.***

Response #5

The Character Area Map 3.7 in the Comprehensive Plan's Land Use Direction chapter positions the subject property adjacent to the "Corridor" area which is non-residential and of a larger scale. ***We believe the subject property could serve as an ideal transition between smaller-scale residential and larger-scale commercial areas.***

Response #6

LU 2.1 in the Land Use Objectives and Strategies chapter of the Comprehensive Plan seeks myriad housing options within the Mile Square. ***As a multi-family development located in a Mile Square neighborhood, this project supports the goal to promote a diversity of housing opportunities in the desired district.***

Response #7

LU 8.3 in the Land Use Objectives and Strategies chapter of the Comprehensive Plan seeks to beautify major corridors. ***The proposed development would clean-up and beautify the abandoned industrial land along the highly visible railroad corridor.***

Response #8

LU 9.3 in the Land Use Objectives and Strategies chapter of the Comprehensive Plan seeks to create standards that require high-quality pedestrian streets with sidewalks, street trees, adequate lighting, and tree lawns in newly developed residential areas. ***The proposed development continues the street and sidewalk grid along the highly visible railroad corridor.***

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

Response #1

The current zoning, General Business (GB) and Office/Residential (RO), conflicts with the context of the surrounding neighborhood. The Whistle Stop is no longer a functioning grain and feed operation and the likelihood of any other general business operations at a site with old grain silos doesn't exist. Further, the University has ceased operations of the food service building. ***The area conditions and potential use of the subject property have evolved to a higher and better use which is more appropriately aligned with the context of the surrounding neighborhood.***

(Continued on next page)



APPLICATION FOR ZONING MAP AMENDMENT
WHISTLE STOP PROPERTY
OXFORD, OHIO

(Continued from previous page)

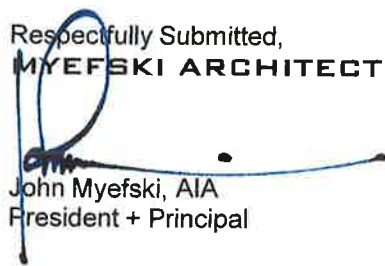
(D) There is a legitimate need for additional land area in the zoning district that will be expanded.

Response #1

In accordance with the Planning Commission's goals for the Mile Square district, the proposed development addresses the legitimate needs for a diversity of housing options and additional density. ***The change to Single, Two, and Three-Family Mile-Square Residential District (R3-MS) would allow an underutilized brownfield site the ability to be redeveloped to achieve these goals while taking pressure off other neighborhoods in the City.***

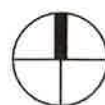
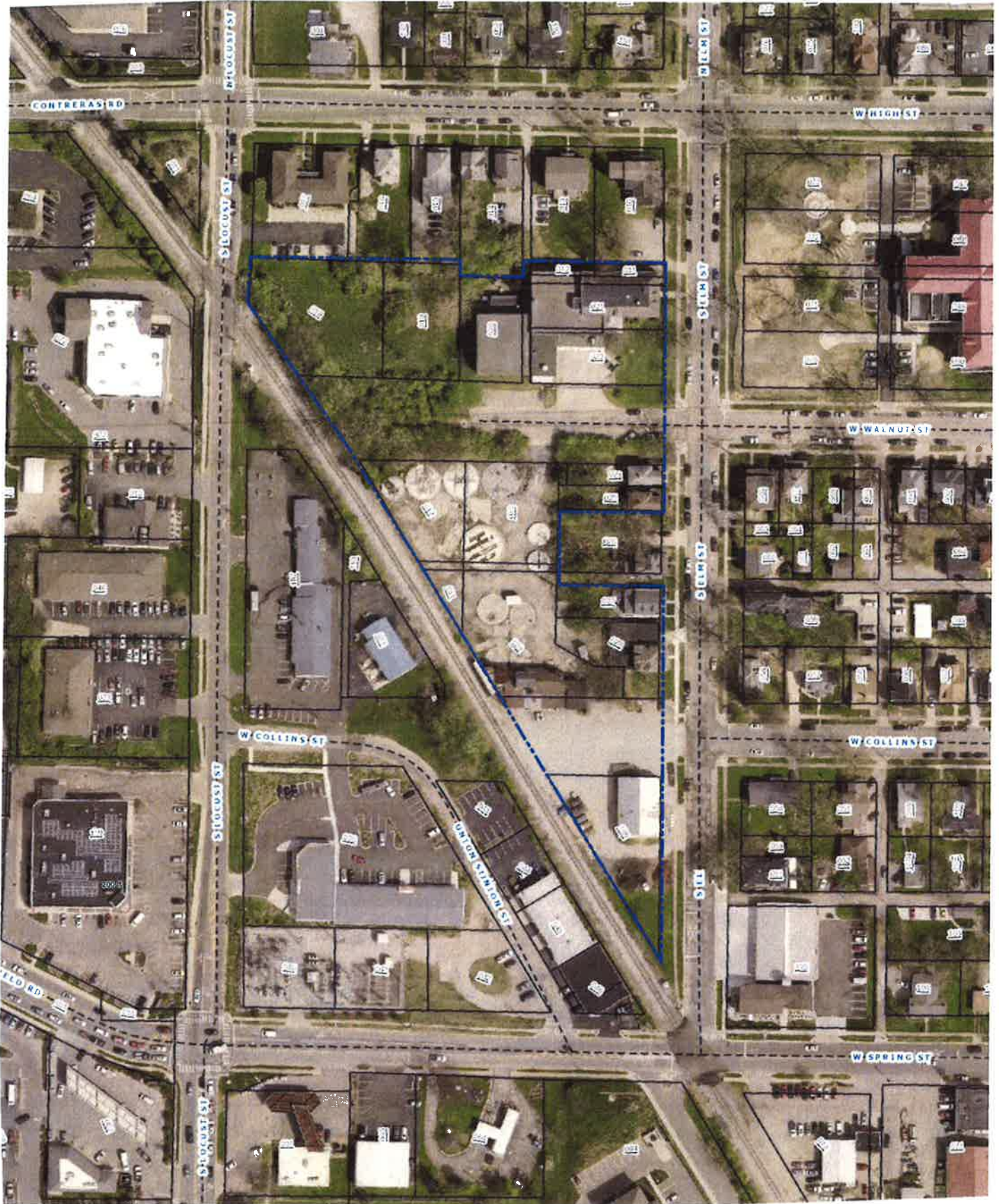
Thank you for your consideration of this application. If you have any questions or need any additional information, please don't hesitate to reach out.

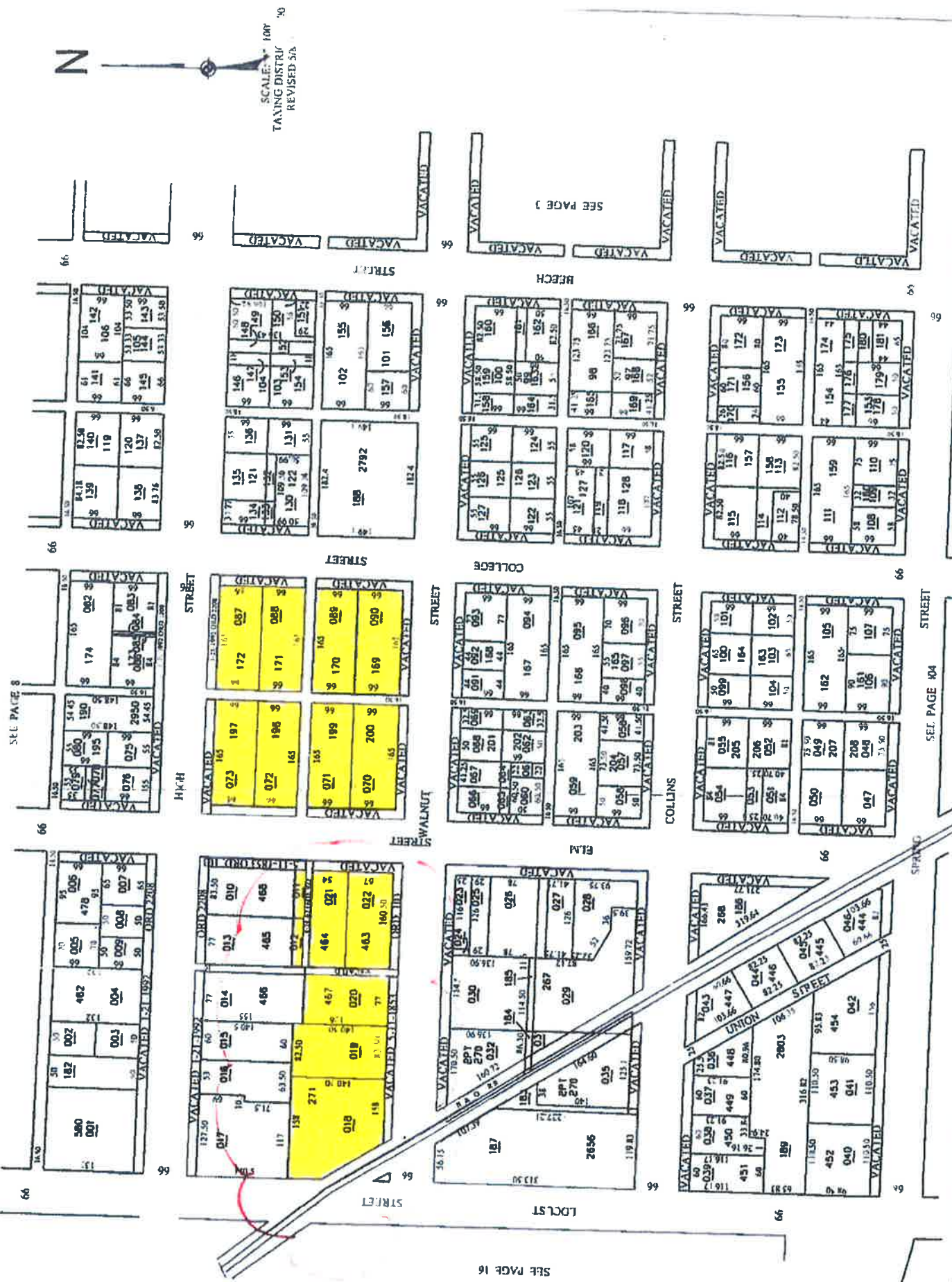
Respectfully Submitted,
MYEFSKI ARCHITECTS, INC.



John Myefski, AIA
President + Principal







20 S. ELM.

SEE PAGE 16

SEE PAGE 104

STATE OF OHIO MONTGOMERY COUNTY SS:

Be it remembered, that on the 7th day of December in the year of our Lord, one thousand nine hundred and twenty-eight before me, the subscriber, a Notary Public in and for said county, personally came George W. Wack and Maggie Wack, his wife, grantors in the foregoing deed, and acknowledged the signing thereof to be their voluntary act and deed, for the uses and purposes therein mentioned.

In Testimony Whereof, I have hereunto subscribed my name and affixed my notarial seal, on the day and year aforesaid.

(SEAL)

George L. Byers
Notary Public, Montgomery County, Ohio

STATE OF OHIO HAMILTON COUNTY SS:

Be it remembered, that on the 6th day of December in the year of our Lord, one thousand nine hundred and twenty-eight before me, the subscriber, a Notary Public in and for said county, personally came John Wack (a widower) one of the grantors in the foregoing deed, and acknowledged the signing thereof to be his voluntary act and deed, for the uses and purposes therein mentioned.

In Testimony Whereof, I have hereunto subscribed my name and affixed my notarial seal, on the day and year aforesaid.

(SEAL)

Wm. H. Mortashed
Notary Public, Hamilton County, Ohio

Filed Dec. 11th, 1928 at 10:30 A.M.

Recorded Dec. 12th, 1928

Fee \$1.50

K. W. Eberling, Recorder
Per Bernice Cochran, Deputy

#5708

Oxford College for Women : WHEREAS, The Oxford College for Women and Miami University
To : are corporations under the laws of Ohio for educational
: purposes, and

President & Trustees : WHEREAS, The Oxford College for Women for want of sufficient
Miami University : endowment or other sources of revenue is unable to maintain
: its separate existence and to further carry out and accomplish
: unaided the purposes of its incorporation, and

WHEREAS, it is deemed expedient by the Board of Trustees of said institution in furtherance of the purposes of their incorporation, and in furtherance of the higher education of women, and for the better accomplishment of that purpose, that this conveyance of the properties of The Oxford College for Women to the Miami University be made,

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS

That The Oxford College for Women, a corporation not for profit under the laws of Ohio, in consideration of the assumption by the President and Trustees of The Miami University of the liabilities of the said The Oxford College for Women of not over \$65,000, which liabilities are to be and hereby are by it assumed as an obligation payable from the properties and the net revenues from the properties hereby conveyed, and in further consideration of the agreement of the said the Miami University to continue the name of The Oxford College for Women in connection with the use of the main property and to give recognition to the graduates of The Oxford College for Women as graduates of a merged institution in the catalogue of graduates of the Miami University, said assumption of liabilities and agreements now undertaken by the grantee by acceptance hereof being the consideration to the grantor paid by the President and Trustees of The Miami University, a corporation under the laws of Ohio, the receipt whereof is hereby acknowledged does hereby grant, bargain, sell and convey unto the said the President and Trustees of The Miami University, its and their successors and assigns forever, all of the following described real estate in the village of Oxford, Butler County, Ohio:

FIRST TRACT. Lots numbered one hundred sixty nine, one hundred seventy, one hundred seventy one, one hundred seventy two, one hundred ninety seven, one hundred ninety eight, one hundred ninety nine and two hundred, (169, 170, 171, 172, 197, 198, 199 and 200), as the same are known and designated upon the revised list of lots in the village of Oxford, Butler County, Ohio, subject to University ground rents, and including the alleys, or parts thereof adjacent to said lots, heretofore vacated.

SECOND TRACT. Lot number four hundred sixty four (464) as the same is known and designated upon the revised list of lots in the village of Oxford, Butler County, Ohio, and being the same real estate as that conveyed by Jacob E. Sloneker to The Oxford College for Women by deed dated February 26th, 1925, and recorded in Deed Record 264, page 362 of the Records of Butler County, Ohio.

THIRD TRACT Being a part of lot numbered two hundred seventy one (271) as the same is known and designated upon the revised list of lots in the village of Oxford, Butler County, Ohio, and described as follows: Commencing at the southeast corner of said lot, thence west with the south line of said lot five (5) rods, thence north parallel with the east line of said lot to a point equally distant from the north and south line of said lot, thence east five (5) rods to the east line of said lot, and thence south to the place of beginning, subject to the payment of an annual ground rent to the Treasurer of Miami University, being the same premises conveyed by John W. Fenton to L.F. Walker by deed dated October 27th, 1885, and recorded in Deed Record 87, page 437 of the Records of Butler County, Ohio

FOURTH TRACT Lots numbered four hundred sixty three and four hundred sixty seven (463 and 467) as the same are known and designated upon the revised list of lots in the village of Oxford, Butler County, Ohio, subject to the payment of an annual ground rent to the Treasurer of Miami University.

FIFTH TRACT The west one hundred and seven (107) feet of lot numbered one hundred twenty eight (128) and the west one hundred and seven (107) feet of the south twenty one (21) feet of lot numbered one hundred twenty seven (127) as the same are known and designated upon the revised list of lots in the village of Oxford, Butler County, Ohio, and more particularly described as follows: Commencing at the northeast corner of the intersection of Collins Street and College Avenue in said Village, said point being the southwest corner of said lot number one hundred twenty eight (128) thence east along the south line of said lot number one hundred twenty eight (128) one hundred and seven (107) feet, thence north eighty seven (87) feet to a stone, thence west one hundred and seven (107) feet to the west line of said lot number one hundred twenty seven (127) and thence south with said west line eighty seven (87) feet to the place of beginning, subject to the payment of an annual ground rent to Miami University.

SIXTH TRACT Inlot numbered one hundred twenty four (124) as the same is known and designated upon the revised list of lots in the village of Oxford, Butler County, Ohio, subject to annual ground rent payable to the Treasurer of Miami University and being the same premises conveyed by George C. Welliver to The Oxford College for Women by deed dated August 30th, 1913, and recorded in Deed Record 191, page 144 of the Records of said County.

SEVENTH TRACT Inlot numbered one hundred twenty three (123) as the same is known and designated upon the revised list of lots in the village of Oxford, Butler County, Ohio, and being subject to an annual ground rent payable to the Treasurer of Miami University.

EIGHTH TRACT The west two-thirds ($\frac{2}{3}$) of inlots numbered one hundred twenty one and one hundred twenty two (121 and 122) as the same are known and designated on the revised list of lots in the Village of Oxford, Butler County, Ohio, saving and excepting therefrom that part thereof conveyed by James Hutchinson to Thomas W. Coulter by deed dated April 26th, 1921, and recorded in Deed Book ²³⁴ 243, page 354 of the Records of Butler County, Ohio, said excepted premises being described as follows: Beginning at the northwest corner of said inlot number one hundred twenty one (121) thence east with the north line of said inlot one hundred twenty one (121) thirty seven feet nine and one quarter inches (37 ft. 9 $\frac{1}{4}$ in.) thence

South parallel with the west line of said inlot eighty one feet four inches (81 ft. 4 in.) to a point in said inlot number one hundred twenty two (122) thence west parallel with the north line of said inlots thirty seven feet ten inches (37 ft. 10 in.) to the west line of inlot number one hundred twenty two (122) and thence north with the west lines of said inlots eighty one feet four inches (81 ft. 4 in.) to the place of beginning, subject to the payment of an annual ground rent to the Treasurer of Miami University.

Together with all furniture, furnishings, equipment and other chattel property contained in or about the said premises belonging to the grantor;

And all the estate, title and interest of the said The Oxford College for Women, either in law or in equity, of, in and to the said premises, together with all the privileges and appurtenances to the same belonging, and all rents, profits and issues thereof.

TO HAVE AND TO HOLD the same to the only proper use of the said the President and Trustees of The Miami University, their successors and assigns forever, and the said The Oxford College for Women for itself and its successors, do hereby covenant with said the President and Trustees of The Miami University, their successors and assigns, that it is the true and lawful owner of said premises and has full power to convey the same, and that the title so conveyed is free, clear and unencumbered, and further that it does warrant and defend the same against all claim or claims of all persons whomsoever, saving and excepting any and all taxes, rates, charges, assessments and ground rents due or to become due against said premises, or any of them, and also saving and excepting mortgages in favor of The Dollar Building and Loan Association for \$50,000 on Tract No. 1 above set forth, and two mortgages in favor of The Farmers State Bank for \$5,000 each upon tracts No. 5 and 6 above set forth respectively.

IN WITNESS WHEREOF the said The Oxford College for Women by Gilbert V. Chapin, its president and E. B. Ferguson its secretary, pursuant to authorization of its members by resolution duly passed by more than three fourths of all members thereof at a meeting duly held and called on the 7th day of December 1928, and pursuant to Resolution of the Board of Trustees duly passed at a meeting duly held upon the 7th day of December 1928 has hereunto set its hand and caused its corporate seal to be hereto affixed this 8th day of December in the year of our Lord one thousand nine hundred and twenty eight.

ATTEST:

Signed and acknowledged in the presence of

Charles A. Williams
Ralph E. Pumphrey

THE OXFORD COLLEGE FOR WOMEN

By Gilbert V. Chapin, President
E. B. Ferguson, Secretary
(SEAL)

STATE OF OHIO COUNTY OF BUTLER SS:

Be it known that there personally appeared before me a notary public in and for said county The Oxford College for Women a corporation under the laws of Ohio by Gilbert V. Chapin its President and E.B. Ferguson, its secretary, and acknowledged the signing and sealing of the foregoing deed to be its and their voluntary act and deed.

(SEAL)

Charles A. Williams
Notary Public in and for Butler County, Ohio
My commission expires August 8th, 1930

Filed Dec. 11th, 1928 at 11 A.M.
Recorded Dec. 12th, 1928
Fee \$3.00

K. W. Eberling, Recorder
Per Bernice Cochran, Deputy

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: September 4, 2018

Sam Perry
Prepared By:

Account Code No. #:

Budgeted Amount:

August 29, 2018
Date Prepared:

PC-2018-21, ZONING MAP AMENDMENT, Whistle Stop Property, extending north from W. Spring Street to W. Walnut Street, from General Business (GB) and Office/Residential (RO) Districts, to Single, Two, and Three-Family Mile-Square Residential District (R3-MS) District, **Opus Development Company, LLC, Applicant, Agent**

Recommendation: Denial based on 3-3 tie vote

Discussion:

Ben Angelo, representative of OPUS Development Group has requested a zoning map amendment for approximately 1.5 Acres of Residential Office District and 2 Acres of General Business District to Single, Two and Three Family Mile Square Residential (R3MS). The land is located along South Elm Street, West Collins and West Walnut. The 1.27 Acres of right of way is not part of the request, but by default would be re-zoned because it is adjacent. If this amendment is approved, OPUS would pursue a right of way acquisition from the City of Oxford. The Commission discussed the case at length and heard testimony from staff, applicant, property owners and citizens. The Commission wrestled with the goals of the 2008 Comprehensive plan and the fact that there is underutilized land on the property. The Commission also wrestled with the lack of data to justify the need for additional residentially zoned land. Staff recommended two conditions of approval if the Commission did find support for the re-zoning. Those conditions may be useful for Council if it determines that at least one decision standard has been met. A recommendation to approve the re-zoning failed by a vote of 3-3. One member was recused.

Staff did find one error in the boundary of the subject area which has been corrected by the applicant for this first reading. 106 South Elm Street is not part of the re-zoning request.

Approved By:

Department Head:
City Attorney:
City Manager:

Acting SP 18-3078
DRE 18-31-18

ORDINANCE NO.

AN ORDINANCE GRANTING A ZONING MAP AMENDMENT FOR CERTAIN PROPERTIES IN THE CITY OF OXFORD'S MILE SQUARE A MAP OF WHICH IS ATTACHED HERETO AS EXHIBIT "A" AND INCORPORATED HEREIN, AND REZONING THE PROPERTIES FROM RO (RESIDENTIAL OFFICE) DISTRICT TO R-3MS (SINGLE, TWO AND THREE-FAMILY MILE SQUARE RESIDENTIAL) DISTRICT.

WHEREAS, Council finds in accordance with Section 1135.02 of the Codified Ordinances of the City of Oxford, the Oxford Planning Commission held a public hearing on August 14, 2018, on Opus Development Company, LLC's application for a Zoning Map Amendment for certain properties in the City of Oxford's Mile Square a map of which is attached hereto as Exhibit "A" and incorporated herein and rezoning the properties from RO (Residential Office) District to R-3MS (Single, Two and Three Family Mile Square Residential) District; and

WHEREAS, the Oxford Planning Commission, after the public hearing and deliberation, recommended that City Council deny the Zoning Map Amendment, and found that the proposed rezoning request was not in keeping with the characteristics of the general vicinity of the properties and was not the most appropriate zoning classification for the properties in question.

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

SECTION 1: Council hereby acknowledges the recommendation of the Oxford Planning Commission, and after deliberation, finds for the granting of the Zoning Map Amendment for certain properties in the City of Oxford's Mile Square a map of which is attached hereto as Exhibit "A" and rezoning the properties from RO (Residential Office) District to R-3MS (Single, Two and Three Family Mile Square Residential) District.

SECTION 2: Council hereby grants the rezoning of the properties as requested by the applicant, incorporating the application and documents submitted by the applicant as a term and condition of the granting of this rezoning request and orders that the official zoning map be amended.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

