



Agenda

Oxford City Council

Court House

TUESDAY, SEPTEMBER 21, 2010

EXECUTIVE SESSION

7:15 p.m.

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

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

REGULAR MEETING

7:30 P.M.

PLEDGE OF ALLEGIANCE

2. Approval of Agenda.

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

3. Public Participation.

A. Proclamation - 'Hispanic Heritage Month'



Proclamation

B. Presentation - Metro Parks of Butler County - Jonathan Granville.

C. Appointments to Boards and Commissions.

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 7, 2010 City Council Meeting. (Mary Ann Eaton, Clerk of Council)



Minutes

B. Report regarding the September 1, 2010 Environmental Commission Meeting. (Mike Dreisbach, Service Director)



Report

C. A Resolution accepting the bid submitted by Innovative Concrete and Utility Construction, LLC. and authorizing the City Manager to enter into a contract with Innovative Concrete and Utility Construction, LLC. for the construction of a new sidewalk on the north side of University Park Boulevard and for additional improvements to public sidewalk and handicap ramps set forth on Exhibit "A" for an amount not to exceed \$108,684.00 to fully utilize the budgeted Community Development Block Grant (CDBG) funds. (Mike Dreisbach, Service Director)



Staff Report/Resolution

D. A Resolution of Council authorizing the City Manager to expand the scope of services with Adleta, Inc. to include the repair of brick roadway on College Avenue at a cost not to exceed \$27,675.00. (Mike Dreisbach, Service Director)



Staff Report/Resolution

5. Resolutions.

A. A Resolution authorizing the City Manager to amend the License Agreement between the City of Oxford and the Oxford Community Foundation. (Doug Elliott, City Manager).



Staff Report/Resolution

6. Ordinances.

A. First Reading.

B. Second Reading.

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



Staff Report/Ordinance

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



Staff Report/Ordinance

3. An Ordinance Repealing Traffic Code Section 353.05 Of The Codified Ordinances Of The City Of Oxford, Ohio, Entitled "Payment; Amount And Time Limitations", And Adopting New Section 353.05, Entitled "Payment; Amount And Time Limitations". (Steve Schwein, Police Chief).



Staff Report/Ordinance

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



Staff Report/Ordinance

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

1. Remarks from City Council and City Staff.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

8. Adjourn.

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting of: September 21, 2010

Service Department
Originating Department

Account Code #: N/A

David Treleven
Prepared By

Budgeted Amount: N/A

September 2, 2010
Date Prepared

Agenda Title:	Environmental Commission Meeting of September 1, 2010
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Recommendation:	For Review and Consideration
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Discussion:

Environmental Commission members present at the Wednesday, September 1, 2010 meeting were: Chair, Mr. Charlie Ford; Vice-Chair, Mr. Wright Gwyn; Planning Commission Representative, Mr. Ted Wong, and Ms. Kelly Church. A quorum not was present. Mr. Kevin Armitage and Mr. Vincent Hand had previously informed the Commission that they would be unable to attend the September 2010 meeting. Graduate students from Miami University's Institute of Environmental Sciences (IES) Ms. Melissa Benoit, Mr. Austin Gerber, Ms. Sarah Endres, and Ms. Abby Hils were also in attendance.

The IES students proposed a public service project (PSP) to investigate stream channel erosion of private property within the community and would like the Environmental Commission to sponsor the PSP. As a quorum was not present, no formal action could be taken to sponsor the PSP. The Commissioners present expressed their support of and willingness to sponsor the PSP.

Commissioners reviewed the conservation development research process to identify what worked well and where improvements could be made for future investigations. In general, it was felt that the research effort was appropriate for the Commission to undertake, a good use of time and energy, and the information provided to the Planning Commission was perceived as a benefit to the community. However, the singularity of the Commission's focus on conservation development prevented activity on other topics of interest to Commissioners. The idea of sub-committees potentially working on multiple areas of interest simultaneously was discussed. Commissioners asked that the Community Development Department be invited to an upcoming meeting to explain the process of incorporating the Commission's conservation development research into future subdivision development code revisions.

Possible Commission area(s) of future activity from an earlier review of Oxford's 2008 Comprehensive Plan were discussed. The publication of environmentally-related news articles, facts, and an invitation for public input on areas of focus in local newspapers, the City of Oxford web site, and/or a creation of a Facebook page for the Commission was suggested.

The Commission adjourned at 8:40 p.m. The next regularly scheduled meeting of the Environmental Commission is on Wednesday, October 6, 2010 at 7:00 p.m. in the Municipal Building's Second Floor Conference Room.

Approved By:	Department Head:	Initial	Date
	City Manager:	<u>[Signature]</u>	<u>9/2/10</u>

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Manager

Originating Department

Council Meeting Of: September 21, 2010

Mary Ann Eaton

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

September 16, 2010

Date Prepared

Agenda Title: A Resolution authorizing the City Manager to amend the License Agreement between the City of Oxford and the Oxford Community Foundation.

Recommendation: Approve.

Discussion:

The Oxford Community Foundation requested that the City suspend the sale provisions of the license agreement so that the Foundation may consider opportunities to rent the property at 338 South Locust Street, if viable tenants presented themselves. Such tenants would be potential purchasers and single family occupants. The property would remain for sale, subject to reasonable rights of the tenants. The proposed Resolution would waive provision number three (3) of the License Agreement which requires the residence to be owner-occupied. The waiver would be in effect for a period of two (2) years.

Approved By:

Initial Date

Department Head:

City Attorney:

City Manager:

DOE 9/17/10

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO AMEND THE LICENSE AGREEMENT BETWEEN THE CITY OF OXFORD AND THE OXFORD COMMUNITY FOUNDATION.

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

SECTION 1: A Request was made by the Licensee, the Oxford Community Foundation to waive provision number three (3) of the License Agreement between the City of Oxford and the Oxford Community Foundation which requires the residence at 338 South Locust Street to be owner-occupied.

SECTION 2: Council hereby authorizes the City Manager to enter into an addendum agreement between the City of Oxford and the Oxford Community Foundation to waive provision number three (3) which requires the residence at 338 South Locust Street to be owner-occupied. The waiver shall be in effect for a period of two (2) years.

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

MAYOR

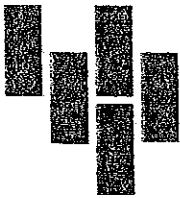
ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW(STAFF)



Oxford Community Foundation

*Giving grants to improve our community...
right here, right now*

52 Park Place East Suite 4
Oxford, Ohio 45056-1884

(513) 523-0623
www.oxfordfdn.org

RECEIVED

SEP 13 2010

City of Oxford

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Jeanne L. Murphy

Administrative

Assistant

Mary Jo Gehrum

September 9, 2010

Honorable Richard Keebler
Mayor, City of Oxford
Oxford Municipal Building
101 East High Street
Oxford, Ohio 45056

Re: Oxford Community Foundation, Mile Square Initiative

Dear Mayor Keebler:

The Oxford Community Foundation purchased the premises at 338 North Locust Street on April 10, 2009. Title to this property is held by Neighborhood Housing Services of Hamilton, Inc., as a service to the Foundation. Since the time the Foundation purchased this property, volunteers have contributed hundreds of hours to improve the residence on this property. The Foundation also made a substantial financial investment in the property.

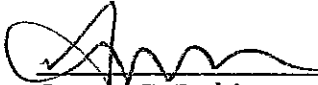
The City of Oxford granted the Foundation a license to pave the alley which abuts this property, for the use of this paved area by future occupants. The grant of this license was conditioned upon the sale of the property to an owner occupied single family. The Oxford Housing Advisory Commission granted the Foundation \$5,000.00 to use as a forgivable second mortgage on this property, as an inducement to a potential purchaser.

Despite our efforts to find a purchaser, the property remains for sale. The economic conditions in our community, we believe, adversely affect our ability to sell the property. The Foundation incurs monthly expenses for keeping the property, which are a drain on its resources. We do feel, however, that the goals of the Foundation to restore housing to single family owner occupiers in the Mile Square, remains an important one. We must, however, be cognizant of the financial resources available for the project.

Therefore, the Foundation respectfully requests that the city suspend the sale provisions of the license agreement so that the Foundation may consider opportunities to rent the property, if viable tenants present themselves. Such tenants would be potential purchasers and single family occupants. The property would remain for sale, subject to reasonable rights of the tenants.

We appreciate the cooperation the city has extended to us, to date. We remain enthusiastic about the potential sale of the property, and other such properties, in the future.

Sincerely,

A handwritten signature in black ink, appearing to read 'James G. Robinson', written over a horizontal line.

James G. Robinson, President Emeritus

JGR/lc

cc. Douglas B. Elliott, City Manager

Lori DiStaola, Executive Director, Neighborhood Housing Services of
Hamilton, Inc.

Daniel Haizman, Chair, Oxford Housing Advisory Commission

RESOLUTION NO. 4428

A RESOLUTION GRANTING THE OXFORD COMMUNITY FOUNDATION A LICENSE TO IMPROVE A PORTION OF A DEDICATED ALLEY IMMEDIATELY SOUTH OF 338 NORTH LOCUST STREET TO PROVIDE ACCESSIBLE OFF STREET PARKING.

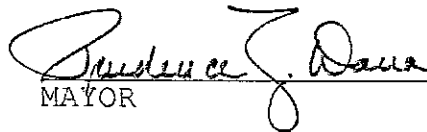
BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OXFORD, BUTLER COUNTY, STATE OF OHIO, THAT:

SECTION 1: Council supports the goals of a diverse and balanced residential Mile Square and supports returning a greater portion of the Mile Square to year round owner-occupied residential use.

SECTION 2: In support of this initiative, the Oxford Community Foundation shall be granted a License to improve a portion of the alley immediately South of 338 North Locust Street by paving or having paved the agreed portion of this alley for the purpose of allowing the owner of 338 North Locust Street to access off street parking at the rear yard.

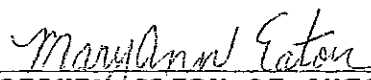
SECTION 3: Council hereby authorizes the granting of a License to the Oxford Community Foundation to improve a portion of the alley located immediately South of 338 North Locust Street to provide accessible off street parking.

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


MAYOR

ADOPTED: April 7, 2009

ATTEST:


DEPUTY CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW(STAFF)



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Kind: AGREEMENT

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File# 2009-00045858

BK 8153 PG 383

LICENSE AGREEMENT

THIS AGREEMENT, made and entered into this 19th day of August, 2009, by and between the City of Oxford, Ohio, an Ohio Municipal Corporation, hereinafter referred to as "LICENSOR" and the Oxford Community Foundation, a not for Profit Corporation, hereinafter referred to a "LICENSEE".

WITNESSETH:

For and in consideration of the mutual promises and agreements hereinafter set forth, the parties hereto agree as follows:

1. The Licensor hereby licenses and authorizes the Licensee to improve a portion of the alley located immediately South of 338 North Locust Street for the purpose of allowing the owner of 338 North Locust Street to provide off street parking. The license area is more particularly described on exhibit 'A' incorporated herein and attached hereto.
2. In consideration of the granting of the license herein, Licensee agrees to pave a portion of the alley located immediately South of 338 North Locust Street. If requested and by separate agreement the Licensor will pave the agreed portion of the alley provided Licensors costs are as previously estimated and as provided Licensee are paid by Licensee.
3. The Licensor and the Licensee also agree that the house located at 338 North Locust Street is to remain owner-occupied and shall not be used as a rental. The license will terminate automatically if the house ceases to be owner-occupied.
4. Licensee specifically agrees that it shall defend, indemnify and hold harmless the Licensor and its officials, officers and employees from any and all damages, injuries or losses suffered by any person coming upon said alley during the paving process.
5. Licensor further grants unto Licensee or its Assignee the right to repair and maintain said property at the sole cost of the Licensee. Licensor reserves the right to inspect the licensed area at any and all reasonable times.
6. This License Agreement shall be for an indefinite period of time commencing on the date of signing hereof.



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Kind: AGREEMENT

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File# 2009-00045858

BK **8153** PG **384**

7. Either party hereto shall have the right to revoke and terminate this Agreement and the license granted herein for any reason or no reason by giving thirty (30) days written notice to the other party of its intention to do so.
8. LICENSEE ACKNOWLEDGES THAT THE PROPERTY WHICH IS THE SUBJECT OF THE LICENSE GRANTED HEREIN IS HELD BY THE CITY AND IS THEREFORE CONSIDERED TO BE PUBLIC PROPERTY.
9. This License Agreement is a license in real estate and the rights created by it are personal to those named herein. Licensee may assign this license to other parties, including Neighborhood Housing Services and the purchaser of the house. The Licensee shall first request approval from Licensor before assigning the License. The assignment without the express written approval of Licensor is prohibited. Licensor agrees to evaluate any request for assignment and shall not unreasonably withhold approval of the requested assignment. Any party to whom Licensee assigns this license shall agree in writing and shall sign an assignment agreeing to be bound by the same terms as Licensee. Licensor may request the assignee to so acknowledge in writing. This License Agreement does not pass any interest in the property described above.
10. This License Agreement shall be interpreted in accordance with the laws of the State of Ohio

IN WITNESS WHEREOF, the parties hereunto set their hands on this day and year first above written.

Signed in the presence of:

MaryAnn Eaton

King C. Wharton

CITY OF OXFORD, OHIO

Douglas R. Elliott, Jr.
By: Douglas R. Elliott, Jr., City Manager



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Kind: AGREEMENT

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File# 2009-00045858

BK 8153 PG 385

Mary Ann Eaton

OXFORD COMMUNITY
FOUNDATION

Kj. C. Norton

By: J.K. Bhattacharjee
J.K. Bhattacharjee, President

STATE OF OHIO,
COUNTY OF BUTLER, SS:

Before me, a Notary Public in and for said County and State, did personally appeared the City of Oxford, Ohio by Douglas R. Elliott, Jr., City Manager, who acknowledged that he did sign the foregoing instrument and the same is the free act and deed of said City.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name affixed my notarial seal on the day and year first above written.

Mary Ann Eaton
Notary Public

My Commission Expires: 8/20/13

STATE OF OHIO,
COUNTY OF BUTLER, SS:

Mary Ann Eaton
Notary Public, State of Ohio
My Commission Expires Aug. 20, 2013

Before me, a Notary Public in and for said County and State, did personally appeared the Oxford Community Foundation by J.K. Bhattacharjee its duly authorized agent, who acknowledged that he did sign the foregoing instrument and the same is the free act and deed of said Foundation.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name affixed my notarial seal on the day and year first above written.

Mary Ann Eaton
Notary Public

My Commission Expires: 8/20/13

Mary Ann Eaton
Notary Public, State of Ohio
My Commission Expires Aug. 20, 2013



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BK 8153 PG 386

APPROVED AS TO FORM:

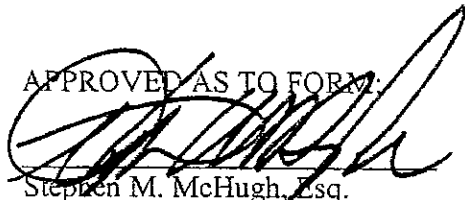

Stephen M. McHugh, Esq.
City Law Director



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BK 8153 PG 387



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Kind: AGREEMENT

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File# 2009-00045858

BK 8153 PG 388

Alley adjacent to lot 2796 City of Oxford

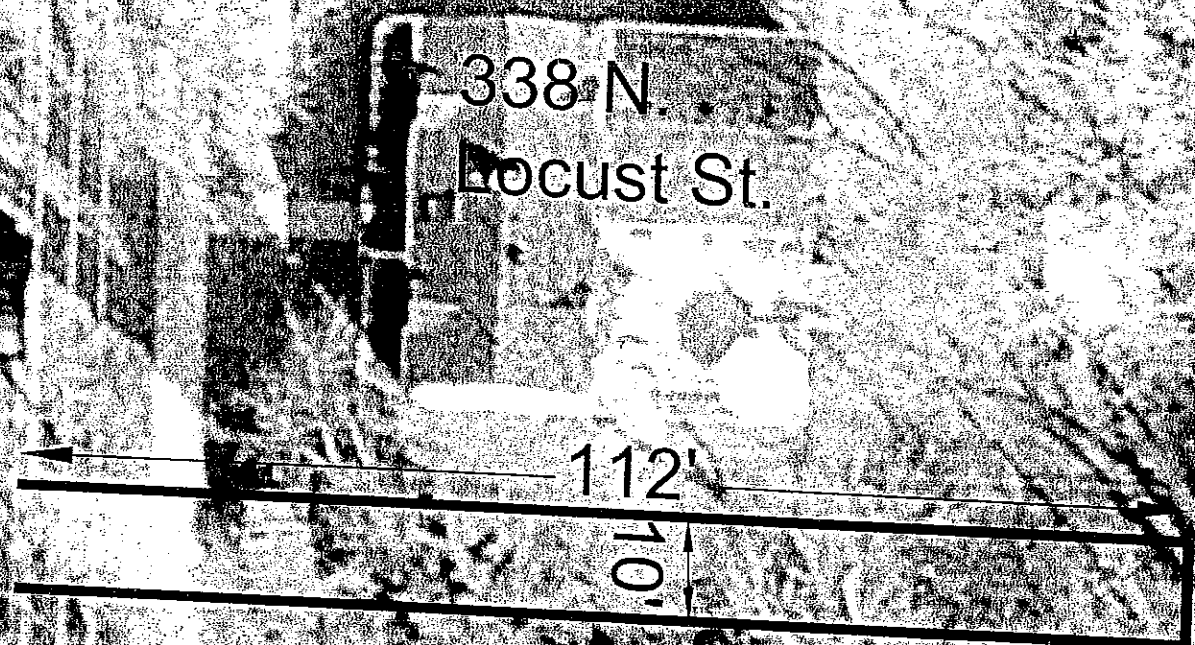


EXHIBIT "A"

Footage not to exceed
dimensions shown.

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Council Meeting of: September 21, 2010

Account Code #: 126.010.52401

Budgeted Amount: \$108,684.00

Service Department

Originating Department

Michael B. Dreisbach, Service Director

Prepared By

September 13, 2010

Date Prepared

Agenda Title: University Park Boulevard Sidewalk Construction and Handicap Ramp Improvements

Recommendation: Approve

Discussion: The City's 2010 Operating Budget includes a total of \$108,684 in the Community Development Block Grant (CDBG) fund for the construction of a new sidewalk on the north side of University Park Blvd. and for additional improvements to public sidewalk and handicap ramps in need of repair or replacement. Staff advertised using CDBG guidelines for the following tentative locations as indicated on the attached "Exhibit A".

New sidewalk construction on University Park Blvd. **1,200 linear feet**

Total estimated linear feet of curb / gutter replacements: **1,255 feet**

Total estimated square feet of sidewalk / ramp replacements: **4,621sq. ft.**

Total new handicap ramps with tactile detection mats: **41**

The City advertised for bids in the *Oxford Press* and *Hamilton Journal* on August 20 and August 27, 2010. Nine sealed bids were opened and publicly read on September 3, 2010 with the following results:

Innovative Concrete and Utility Construction, LLC.	\$ 96,413.00
Jackson Construction, Inc.	\$102,307.45
Adleta Construction, Inc.	\$108,304.00
Hendy Construction, Inc.	\$113,790.75
R.A. Miller Construction Co.	\$119,191.00
America's Decorative Concrete, LLC.	\$121,759.55
Wehner Construction, Inc.	\$132,609.26
Prus Construction Co.	\$133,681.65
Trend Construction Co.	\$138,144.00

The lowest and best bid was provided by Innovative Concrete and Utility Construction, LLC. in the amount of \$96,413.00. As the contractor has provided line item (unit cost) pricing for this bid, it is Staff's recommendation that Council authorize the City Manager to enter into an agreement with Innovative Concrete and Utility Construction, LLC. for an amount not to exceed the budget amount of **\$108,684.00**. Staff will add additional work to the scope of the agreement to fully utilize the budgeted CDBG funds.

Approved By:

Department Head:

City Manager:

Initial Date

MBD 9/14/10

[Signature] 9/13/10

RESOLUTION NO.

A RESOLUTION ACCEPTING THE BID SUBMITTED BY INNOVATIVE CONCRETE AND UTILITY CONSTRUCTION, LLC. AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH INNOVATIVE CONCRETE AND UTILITY CONSTRUCTION, LLC. FOR THE CONSTRUCTION OF A NEW SIDEWALK ON THE NORTH SIDE OF UNIVERSITY PARK BOULEVARD AND FOR ADDITIONAL IMPROVEMENTS TO PUBLIC SIDEWALK AND HANDICAP RAMPS SET FORTH ON EXHIBIT "A" FOR AN AMOUNT NOT TO EXCEED \$108,684.00 TO FULLY UTILIZE THE BUDGETED COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS.

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

SECTION 1: The City advertised for bids in the *Oxford Press* and *Hamilton Journal* on August 20, 2010 and August 27, 2010. Nine sealed bids were opened and publicly read on September 3, 2010. The lowest bid was provided by Innovative Concrete and Utility Construction, LLC. in the amount of \$96,413.00.

SECTION 2: The City Manager and Service Director recommend Council accept the bid of Innovative Concrete and Utility Construction, LLC. as the lowest and best bid for the construction of a new sidewalk on the north side of University Park Boulevard and for additional improvements to public sidewalk and handicap ramps set forth in Exhibit "A" for an amount not to exceed \$108,684.00 to fully utilize the budgeted CDGB funds.

SECTION 3: Council accepts the recommendation of the City Manager and Service Director and accepts the bid of Innovative Concrete and Utility Construction, LLC. for the construction of a new sidewalk on the north side of University Boulevard and for additional improvements to public sidewalk and handicap ramps set forth in Exhibit "A" for an amount not to exceed \$108,684.00 to fully utilize the budgeted CDBG funds.

SECTION 4: Council further authorizes the City Manager to enter into a contract with Innovative Concrete and Utility Construction, LLC. for the construction of a new sidewalk on the north side of University Park Boulevard and for additional improvements to public sidewalk and handicap ramps set forth in Exhibit "A" for an amount not to exceed \$108,684.00 to fully utilize the budgeted CDBG funds.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW(STAFF)

Location	Lin Ft.Curb Removal & Replacement	Sq ft Sidewalk Removal & Replacement	# of Detectable Warning Mats on each Sidewalk Ramp
French & Glos			
NW corner	25	153	1
Anderson & Tollgate			
NW corner	54	77	1
NE corner	32	63	1
Erickson & Tollgate			
NW corner	40	130	1
NE corner	40	70	2
SE corner	17	110	1
Bull Run & Tollgate			
SE corner	30	75	1
SW corner	44	75	1
Albert Circle & Tollgate			
NW corner	62	100	1
NE corner	24	100	1
Robin Ct & Tollgate			
SE corner	34	75	1
SW corner	20	75	1
Chestnut & Charleston			
SE corner	32	162	2
SW corner	17	96	1
Chestnut & Clover			
NW corner	43	203	2
NE corner	26	132	1
Locust & Pamela			
NW corner	35	150	1
SW corner	60	150	1
Marilyn & Pamela			
NE corner	20	100	1
SE corner	27	100	1
Marilyn & Chestnut			
SW corner	32	100	1
SE corner	23	100	1
McGuffey & Edgehill			
NE corner	31	150	1
SE corner	31	150	1
McGuffey & Brookview			
NW corner	30	150	1
NE corner	21	150	1
SW corner	25	150	1
SE corner	44	150	1
McGuffey & Brill			
NW corner	24	150	1
SW corner	12	150	1
Wells Mill & Ogden			
SW corner	46	200	1
SE corner	43	150	1

TOTAL

1044

3946

35

Alternates

Location	Lin Ft.Curb Removal & Replacement	Sq ft Sidewalk Removal & Replacement	# of Detectable Warning Mats on each Sidewalk Ramp
Tri @ Tollgate			
NE corner	35	100	1
NW corner	44	150	1
SE Corner	11	0	0
Erin @ Tollgate			
N Side	21	0	0
Brookville & White Oak			
NE corner	30	125	1
SE corner	30	100	1
Carrie Cir & White Oak			
E corner	20	100	1
S corner	20	100	1
TOTAL FOR ALTERNATES	211	675	6

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Council Meeting of: September 21, 2010

Account Code #: 141.720.50903

Budgeted Amount: \$510,443.95

Service Department
Originating Department

Michael B. Dreisbach
Prepared By

September 14, 2010
Date Prepared

Agenda Title: Adjustment of Project Scope for the Rehabilitation of High St. from Beech St. to College Ave.

Recommendation: Approval

Discussion:

The Oxford City Council awarded a contract to Adleta, Inc. (Resolution No. 4526) for the reconstruction of one block of High Street between Beech Street and College Ave for an amount not to exceed \$510,443.95. This work has been completed and approximately \$40,000 remains encumbered but unspent for this project.

The Oxford Community Arts Center (OCAC) has recently replaced approximately 300' of curb and gutter on the west side of College Avenue adjacent to the recently completed brick rehabilitation work on High Street. The City received payment from the OCAC in the amount of \$4,525 for the replacement of bricks excavated in the construction of their new curb and gutter. This repair is typically approximately 18" wide and requires a solid foundation for the brick to be reinstalled.

The City has an opportunity to repair several deficiencies in the brick on College Avenue in conjunction with the reinstallation of brick next to the western curb. Staff is proposing the repair of an area approximately five feet wide for the entire length of the OCAC project. The cost for this repair would not exceed \$27,675 of which the City's portion would not exceed \$23,150 (project cost less funds already received from OCAC).

It is Staff's recommendation that the City Council authorize the City Manager to expand the scope of services with Adleta, Inc. for the repair of brick roadway on College Avenue at a cost not to exceed \$27,675. If approved, this work would be authorized immediately and completed during the current construction season.

Approved By:

Department Head:

Initial MB Date 9/15/10

City Manager:

MB 9/17/10

RESOLUTION NO.

A RESOLUTION OF COUNCIL AUTHORIZING THE CITY MANAGER TO EXPAND THE SCOPE OF SERVICES WITH ADLETA, INC. TO INCLUDE THE REPAIR OF BRICK ROADWAY ON COLLEGE AVENUE AT A COST NOT TO EXCEED \$27,675.00.

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

SECTION 1: The City Manager and Service Director recommend Council authorize the City Manager to expand the scope of services with Adleta, Inc. to include the repair of brick roadway on College Avenue at a cost not to exceed \$27,675.00.

SECTION 2: Council having determined the repair of brick roadway on College Avenue to be beneficial to the community hereby accepts the recommendation of the City Manager and Service Director and authorizes the City Manager to expand the scope of services with Adleta, Inc. at a cost not to exceed \$27,675.00.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW(STAFF)

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

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

PLEDGE OF ALLEGIANCE

Mayor Keebler called for the Pledge of Allegiance.

APPROVAL OF AGENDA

Mr. Blackburn moved to approve the agenda. Ms. Currie seconded. The motion passed 6-0-0.

PROCLAMATION **'COMMUNITY ARTS CENTERS DAY'**

Mayor Keebler read the Proclamation and presented it to Ms. Caroline Croswell of the Oxford Community Arts Center.

Ms. Caroline Croswell, thanked Council for the Proclamation and for supporting the Community Arts Center. Ms. Croswell advised 24 area Community Arts Centers would hold a special event on Sunday, September 12, 2010 from 12:00 p.m. to 4:00 p.m. providing free arts experiences for the community. Ms. Croswell advised a concert would take place at the Community Arts Center this Friday featuring many local artists.

NOTICE TO LEGISLATIVE AUTHORITY

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

Chief Schwein advised the new owner of the establishment owned two other businesses in Oxford and he did not see any problems with the permit transfer.

Ms. Currie moved to accept receipt of the notice without comment. Mr. Blackburn seconded. The motion passed 6-0-0.

PUBLIC PARTICIPATION
PUBLIC COMMENTS

Ms. Joan Potter-Sommer, Director, Oxford Seniors, 922 Tollgate Dr., advised since the City was so generous to Oxford Seniors she felt it was important that Council knew what was going on at the center. Ms. Potter-Sommer advised the staff was particularly pleased with the new air-conditioning and heating system and noted the center was very comfortable this summer compared to past years. Ms. Potter-Sommer noted the center currently had 613 members and was open 5 days a week. Ms. Potter-Sommer advised Oxford Seniors provided senior transportation Sunday-Friday, Adult Day Care Monday-Friday, Information Outreach to older adults and their families Monday-Friday, congregate meals Monday-Thursday and home delivered meals up to 7 days a week. Ms. Potter-Sommer discussed items in the September newsletter noting the center was about to start the annual Master Games which was in its 22nd year. Ms. Potter Sommer noted the charts in the newsletter showed the number of rides and the number of meals provided noting both services were funded in part by donations from riders, Title 3 Federal dollars, United Way and the City of Oxford. Ms. Potter-Sommer invited Council and the public to attend the Butler County Elderly Services Program Levy Kick-Off at Oxford Seniors, 922 Tollgate Drive on Monday, September 27, 2010 from 5:30 p.m. to 6:30 p.m. Ms. Potter-Sommer noted the levy was a 1.3 mil renewal levy and the Kick-Off was a panel presentation to provide information about the services the levy supported. Ms. Potter-Sommer advised if Council wished to endorse the levy she would forward an endorsement letter from Council to the appropriate levy committee. Ms. Potter-Sommer thanked Council for their time and noted she planned to attend Council meetings at least quarterly with progress reports from Oxford Seniors.

Ms. Bobbe Burke, 722 David Drive, advised the Associated Student Government and the Office of Off Campus Affairs would hold a Housing Fair tomorrow in the Heritage Room at the Shriver Center at noon until 4:00 p.m. Ms. Burke noted 20 landlords and property managers would participate in the Housing Fair and noted her hope a good number of students would attend to do some comparative shopping. Ms. Burke advised 4 programs were being held on campus this evening which mostly targeted sophomores who were looking for housing for the 2011 and 2012 school year. Ms. Burke thanked the 142 volunteers who helped with the Walk-About project this year noting 99 volunteers were non students, 25 were students and approximately 18 children participated. Ms. Burke advised she appreciated the participation and the support Council lent to the project.

CONSENT AGENDA

Mr. Rutherford requested removal of item G. Report.

MINUTES

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

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

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

REPORTS

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

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

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

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

RESOLUTIONS

RESOLUTION **GRANT APPLICATION**

A Resolution No. 4557 of Council supporting the submission of a grant application for Ohio Public Works Commission Issue 1 funds in the amount of \$400,000 to be used for the rehabilitation of High Street between Main Street and Poplar Street. (Mike Dreisbach, Service Director)

RESOLUTION **TAX LEVIES**

A Resolution No. 4558 accepting the amounts and rates as determined by the Budget Commission of Butler County, Ohio and authorizing the necessary tax levies and certifying them to the County Auditor. (Joe Newlin, Finance Director)

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

REPORT

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

Mr. Rutherford noted his feeling the BZA Report should be discussed in light of a letter dated September 2, 2010 regarding a lot split at 5990 Contreras Road authored by Steve McHugh regarding issues that resulted in the BZA case being tabled until their next meeting due to concerns regarding the nature of the application. Mr. Rutherford noted the specific concern was whether or not the variance being requested was a use variance. Mr. Rutherford discussed his concerns regarding Mr. McHugh's letter and noted his feeling it was as though an outcome was determined and then an argument was created to support it rather than going through the issue objectively.

Mr. McHugh advised he took umbrage to the statement that his letter was not objective and noted there was no intent to define what the result was. Mr. McHugh advised the result was spelled out in the zoning code which was the law and his interpretation was very common. Mr. McHugh advised a garage was an accessory use and it had to be related to the principle use.

Mr. Rutherford further discussed his position and his interpretation of the zoning code and advised he felt the applicant's request was reasonable.

Mayor Keebler advised Mr. Rutherford to draft his argument in the same format as the City Attorney did and to address it to the City Attorney and once the response was received Council would discuss the matter in a Work Session or at a Council Meeting.

Mr. Rutherford advised he would prepare a letter. Mr. Rutherford noted he did not request the opinion letter from the City Attorney and that legal counsel advised they needed to do research and prepare an opinion regarding the legal difficulties the case presented.

Ms. Currie moved to accept the report regarding the August 18, 2010 Board of Zoning Appeals Meeting. Mr. McKeehan seconded. The motion passed 6-0-0.

RESOLUTIONS

RESOLUTION **GRANT APPLICATION**

A Resolution No. 4559 authorizing the City Manager to apply for a 'Staffing for Adequate Fire and Emergency Response' (SAFER) grant administered by the Department of Homeland Security Federal Emergency Management Agency. (John Detherage, Fire Chief)

Chief Detherage addressed his staff report as presented on page 36 of the agenda noting the grant would cover the cost of additional personnel for two years with the City covering the cost the third year.

Ms. Currie noted her recollection was the City Manager advised if the tax levy did not pass the City would not be able to accept the grant if awarded as funds would not be available to sustain additional personnel.

Mr. Elliott advised if Issue 15 did not pass it would not be financially prudent for the City to accept the grant. Mr. Elliott noted during Council Work Sessions it had been stated that 3 people on duty was not adequate and certainly not for a fire ground operation. Mr. Elliott advised funding for this federal initiative had been doubled and the opportunity to receive funding for two years did not happen very often. Mr. Elliott noted Ms. Currie was correct in her statement.

Mayor Keebler advised accepting a grant would be a decision of Council if and when it was approved. Mayor Keebler noted the grant process could take 6-9 months and Council would have time to weigh the decision. Mayor Keebler noted he felt it made sense to apply for the grant.

Mr. McKeehan applauded staff for seeking alternative funding sources.

Mr. Blackburn moved to adopt Resolution No. 4559. Ms. Currie seconded. The motion passed 6-0-0.

ORDINANCES
FIRST READING

ORDINANCE
CONDITIONAL USE

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

Mr. Blackburn recused himself from the discussion.

Mr. Chen addressed his staff report as presented on page 38 of the agenda noting the applicant was before Council in February requesting a Conditional Use Permit for a different location and the space became leased to a different entity. Mr. Chen noted the Planning Commission reviewed the decision standards for this location and recommended approval for the new location.

Mayor Keebler advised the new location was probably better as it provided Sunday morning parking on site.

Mr. Blackburn returned to the dais.

ORDINANCE
NEW SECTIONS
1143.13 & 1143.14

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

Mr. Chen addressed his staff report as presented on page 57 of the agenda noting the recommended change to existing regulations was to increase the lot coverage ratio from the current rate of 33% to 70% in the OI and LI zoning districts. Mr. Chen noted the current regulation was restrictive and this was an effort to encourage development in those districts. Mr. Chen advised the Planning Commission voted 6-1-0 to recommend approval of the proposed Zoning Code Text Amendment.

Mr. Rutherford advised the dissenting vote was due to concerns with storm water management and asked Mr. Chen to address the issue.

Mr. Chen advised lot coverage could be less than 70% depending on the project due to the onsite need for retention areas.

Mr. Rutherford advised he understood the post-development flow of water off-site should be equal to the pre-development flow and Mr. Elliott advised yes. Mr. Rutherford encouraged Council to become familiar with low impact design and development.

Mr. Harman noted he was glad staff brought the proposed Ordinance forward as the restrictive regulation made Oxford uncompetitive. Mr. Harman advised the City could have lost an existing facility due to the restriction and he felt this was a very positive step in the right direction.

ORDINANCE
NEW SECTION 353.05

An Ordinance Repealing Traffic Code Section 353.05 Of The Codified Ordinances Of The City Of Oxford, Ohio, Entitled "Payment; Amount And Time Limitations", And Adopting New Section 353.05, Entitled "Payment; Amount And Time Limitations". (Steve Schwein, Police Chief)

Lt. Holzworth advised the proposed Ordinance was first introduced to Council during a Work Session on August 3, 2010 where parking in the Uptown area was discussed at some length. Lt. Holzworth noted the proposed Ordinance was designed to re-define short term parking from 15 to 20 minutes and to increase the fee from .10 to .25 cents. Lt. Holzworth advised it also allowed the City Manager to define a high density parking zone and increase fees for parking at a meter in a high density parking zone from .25 to .50 cents. Lt. Holzworth noted if approved this would only be the 5th meter increase since 1948. Lt. Holzworth advised the Parking Board after studying the issue extensively recommended the change as one of many that would be coming forward.

Ms. Currie noted her feeling the proposed fees for parking would still be a great deal.

Mayor Keebler advised the Parking Board put a lot of thought into the proposal over a period of a couple of years and tried to find ways to make the high density parking spaces turnover more frequently and encourage people to park in the lower density areas. Mayor Keebler noted Cincinnati and Dayton charged \$1.00 to \$1.50 per hour at metered spaces and in Chicago it was \$2.50 per hour.

Mr. Rutherford advised he was a member of the Parking committee which was a very enthusiastic group of people working hard to solve parking issues. Mr. Rutherford noted he was excited about the prospect of installing some 'Smart Meters' and noted he felt raising the rate in high traffic areas of High Street was important. Mr. Rutherford advised he felt signage on meter poles would be critical.

Mr. Blackburn had questions regarding handicapped metered spots which Lt. Holzworth and Mr. Rutherford addressed.

ORDINANCE
SUPPLEMENTAL BUDGET

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

Mr. Newlin addressed his staff report as presented on page 79 of the agenda and answered a question raised by Mayor Keebler.

ANNOUNCEMENTS

Mr. Elliott provided Council with additional information regarding the SAFER grant.

Mr. Elliott thanked the Planning Commission for bringing forward the proposed text amendment to increase lot coverage in the OI and LI zoning districts noting it would be important for the local economy.

Mr. Elliott advised Issue 15 was the proposed earnings tax increase which would appear on the November ballot and reminded those who were not registered to vote to do so by October 2, 2010. Mr. Elliott noted a citizens committee was being formed to get the information out to the public and gain their support to continue to improve Oxford's Fire and EMS division and make the community a safer place.

Mayor Keebler asked for an update on the US-27 North improvement project. Mr. Dreisbach noted due to thunderstorm activity early on in the project a lot of time was lost doing the sub-grade work. Mr. Dreisbach advised now significant progress was being made.

Ms. Currie noted she was distressed to report that the Bicentennial Sculpture at the Community Park had been vandalized.

Ms. Currie advised Council received a memo from Mr. Chen regarding a recommendation from the Housing Advisory Commission that would require the use of a Waste Wheeler Tote for all residential customers in the mile square. Ms. Currie noted the HAC had been looking at ways to improve the mile square for those living there now and to encourage more year round residents to move into the mile square. Ms. Currie advised the HAC felt the use of waste wheelers would help with the litter and nuisance animal problems. Ms. Currie asked for Council's input on the recommendation.

Mayor Keebler noted the recommendation was to implement the waste wheeler program for the 2011-2012 school years and suggested planning Work Session after the first of the year to discuss the issue. Mayor Keebler suggested landlords could work with their tenants to encourage the use of waste wheelers.

Mr. Rutherford advised the Uptown District had a serious problem with trash overflow which was a public health, safety and welfare issue.

Mr. Rutherford noted the City's Animal Control Officer spoke to the Police Advisory Board about the raccoon and feral cat problem and the danger they posed to the community.

Mr. Harman noted Council received an economic impact report from the Visitors and Convention Bureau recently and inquired if Council would like to see that report on a monthly or quarterly basis and Council members advised a quarterly report by email would be sufficient.

Mr. Blackburn advised he provided waste wheelers at his rental properties at a cost of \$80.00 if picked up at Rumpke or \$100.00 if delivered or the waste wheelers could be rented for \$3.00 per month.

Mr. Blackburn noted the City was without cable television for 18 hours over the weekend and inquired if the provider would offer consumers a rebate. Mr. McKeehan advised a \$3.00 rebate was available by calling the provider.

Mr. Blackburn commented on the bed bug epidemic and suggested Council think about not picking up upholstered furniture and mattresses during Sharefest this spring. Mr. Blackburn noted Salvation Army and Goodwill were not accepting those items right now.

Mr. Rutherford encouraged everyone to attend the Farmers Market.

Mr. Rutherford welcomed Miami University students back to Oxford and advised he participated in the Walkabout program which was great.

Mr. Rutherford advised he was planning to do a 'Ride-Along' with the Police Department and encouraged Council members to do the same noting it was an eye opening experience.

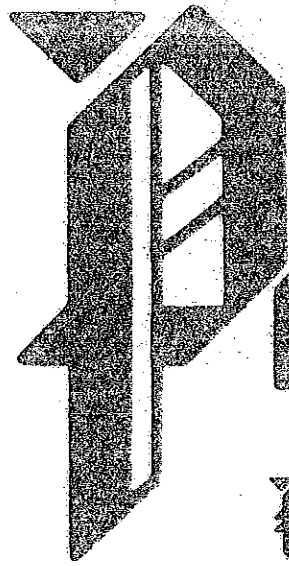
Mr. McKeehan advised he participated in the Walkabout program for the first time this year and applauded Bobbe Burke and the office of Off Campus Affairs for their efforts in organizing the program. Mr. McKeehan noted great materials were provided to distribute to the students and the program was well received.

Mr. McKeehan thanked the Police and Service Departments for their assistance during the student move-in process.

Mayor Keebler advised there had been a lot of arrests and citations issued recently with regard to underage drinking and noted his disappointment with this type of behavior. Mayor Keebler encouraged the Police Department to continue enforcing underage drinking laws and encouraged Miami University to work with their disciplinary board to make these offenses more serious.

ADJOURNMENT

Mr. Blackburn moved to adjourn at 8:45 p.m. Ms. Currie seconded. The motion passed 6-0-0.



Office of the Mayor

Proclamation

Whereas:

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

WHEREAS, as a result of their determination, intelligence, hard work and perseverance, Latinos/Hispanics 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 Hispanics/Latinos 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

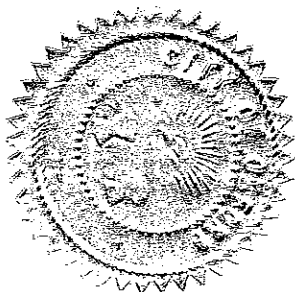
WHEREAS, the Latino/Hispanic-American community has a long and important history of commitment to our Nation's core values and the contributions of this community have helped make our country great. During National Hispanic Heritage Month we celebrate the many achievements of Latino/Hispanic Americans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

WHEREAS, the United States Congress issued Public Law 100-402 designating the month of September as National Hispanic Heritage Month;

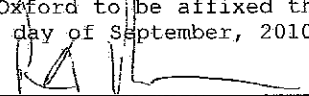
NOW, THEREFORE, I, Richard A. Keebler, Mayor of the City of Oxford, Ohio, do hereby proclaim September 24th thru October 24th, 2010 as:

'HISPANIC HERITAGE MONTH'

in the City of Oxford and urge all citizens to join me in celebrating the significant contributions of Latino/Hispanic 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 21st day of September, 2010.


RICHARD A. KEEBLER, MAYOR

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development Department
Originating Department

Council Meeting Of: September 7, 2010

Jung-Han Chen

Account Code No. #:

Prepared By:

Budgeted Amount:

August 17, 2010

Date Prepared:

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

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

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

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

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

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

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

ORDINANCE NO.

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

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

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

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

1143.13 OI OFFICE & LIGHT INDUSTRIAL DISTRICT.

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

(b) Uses.

(1) Permitted uses.

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

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

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

(c) Site Development Regulations.

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

(2) Yard requirements.

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

(3) Structural requirements.

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

(d) Supplementary Regulations.

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

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

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

1143.14 LI LIGHT INDUSTRIAL DISTRICT.

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

(b) Uses.

(1) Permitted uses.

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

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

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

(c) Site Development Regulations.

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

(2) Yard requirements.

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

(3) Structural requirements.

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

(d) Supplementary Regulations.

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

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

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

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

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

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

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

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

City of Oxford
Community Development Department
STAFF REPORT

Planning Commission

Case # PC-10-2010

Date – August 10, 2010

APPLICATION

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

DESCRIPTION

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

SITE HISTORY

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

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

ZONING CODE

Section 1143.13 OI OFFICE & LIGHT INDUSTRIAL DISTRICT

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

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

Section 1143.14 LIGHT INDUSTRIAL DISTRICT

(c) Site Development Regulations.

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

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

COMPREHENSIVE PLAN

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

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

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

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

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

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

COMMENT FORMS

No public comment forms have been received to date.

AGENCY REVIEWS

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

The following comments have been received:

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

DECISION CRITERIA

A copy of the Zoning Code Amendment is attached.

ANALYSIS

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

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

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

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

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

RECOMMENDATION

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

SUBMITTED

BY:


Jung-Han Chen, AICP

Community Development Director

DATE: July 20, 2010

ATTACHMENT:

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

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

Text Amendments

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

Map Amendments

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

1143.13 OI OFFICE & LIGHT INDUSTRIAL DISTRICT

(c) Site Development Regulations.

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

(2) Yard requirements.

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

(3) Structural requirements.

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

Section 1143.14 LIGHT INDUSTRIAL DISTRICT

(c) Site Development Regulations.

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

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- A. Minimum front yard depth 50 feet
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 - 2. Each side and rear yard shall be equal to the height of the principal building.
 - 3. Opaque fence may be substituted for plantings if approved by the Zoning Board of Appeals.

(3) Structural requirements.

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

Zoning Code Text Amendment Application
City of Oxford, Ohio

Aug mtg

REQUIRED INFORMATION

Name of Applicant:

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

Mailing Address:

101 E High St.

Telephone Number(s)

513/524-5204

Email Address

SUBMISSION REQUIREMENTS

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

All applications must include:

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

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

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

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

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

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

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

SIGNATURE OF APPLICANT:

[Signature]

Date: 6/24/10

PRINTED NAME:

Jung-Han Chen

FEE / RECEIPT

\$150 Fee Paid / Receipt Number: NA

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 7/26/2010

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-10-2010

Description:

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

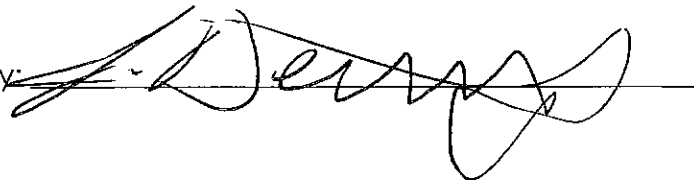
_____X_____ Review _____ Revisions _____ Other

Comments or status update requested by: Lynn Taylor

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

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

Drawings reviewed by:



City of Oxford
Inter-Office Review Transmittal Sheet

Date: 7/26/2010

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-10-2010

Description:

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

 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

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

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

Drawings reviewed by: VICTOR POPESCU 8-12-10

Drawings reviewed by: [Signature]

Marc Biales
6317 Buckley Rd.
Oxford, Ohio 45056

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

Dear Sirs:

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

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

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

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

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

Yours truly,



Marc Biales
President, Wild Berry Incense

[illegible]

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

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

Prepared on Tuesday, July 5, 2010

CITY OF OXFORD

STAFF SUMMARY REPORT

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

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

Recommendation: Approval

Discussion:

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

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

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

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

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

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

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

Recommendation:

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

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

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

Approved By:

Department Head:
City Attorney:
City Manager:

Initial Date

SDS 12/7/10

[Signature] 9/3/10

ORDINANCE NO.

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

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

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

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

353.05 PAYMENT; AMOUNTS AND TIME LIMITATIONS.

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

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

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

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

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

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

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

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to City Manager

Finance

Originating Department

Council Meeting Of : 9/7/2010

Account Code No. : see below

Joe Newlin

Prepared By

Budgeted Amount : _____

9/2/2010

Date Prepared

Agenda Title:	2010 Supplemental Budget #7
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Recommendation:	Approve
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Issue 1

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

Action Needed:

Revenue Side

General 110 798.56 Refund & Reimbursement

Expense Side

General 110 798.56 Payment of the final bill (estimate was lower than the actual repair).

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

Issue 2

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

Action Needed:

Revenue Side

General 110 731.00 Refund & Reimbursement

Expense Side

General 110 731.00 Payment to Oxford Community Foundation for sculpture.

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

Issue 3

Refunds for income taxes much higher than the historical 1% the City budgets each year.
Currently \$55,000 over budget, plus \$39,000 y-t-d average.

Action Needed:

Revenue Side

General 110	-	N/A
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Expense Side

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

Additional funds allotted to the City due to funding formula.

Action Needed:

Revenue Side

CDBG 126	11,114.00	Increase in
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Expense Side

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

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

Action Needed:

Revenue Side

CDBG 126	150,000.00	Permanent Transfer
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Expense Side

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

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

Action Needed:

Revenue Side

Refuse 341	2,500.00	Grant receipt
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Expense Side

Expense Side

Water Cap Benefit NE 381	4,990.00	Refund for reduced capacity needs
Sewer Cap Benefit NE 391	4,990.00	Refund for reduced capacity needs

Net Effect on Fund Balance/(s)	(9,980.00)
Increase/(Decrease)	
Total	

Issue 10

Increase in both revenue and expenditures for Alcohol Education Program.

Action Needed:**Revenue Side**

Enforcement & Education 412	45,500.00	Contribution Alcohol Education Program
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Expense Side

Enforcement & Education 412	13,000.00	Alcohol Education Program Fees
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Net Effect on Fund Balance/(s)	32,500.00
Increase/(Decrease)	
Total	

Net Effect on Fund Balance/(s)	(231,035.73)
Increase/(Decrease)	

Breakdown by Fund

General 110	(231,715.10)
Refuse 341	-
CDBG 126	150,000.00
FEMA 416	(1,840.63)
Capital Improvement 141	(170,000.00)
Water Cap Benefit NE 381	(4,990.00)
Sewer Cap Benefit NE 391	(4,990.00)
Enforcement & Education 412	32,500.00

Net Effect on Fund Balance/(s)	(231,035.73)
Increase/(Decrease)	

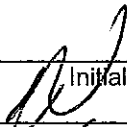
Approved By:

Department Head:

City Manager:

Initials

Date

	9/16/10
DRE	9/17/10

*Exhibit "A"***Joe Newlin**

From: Mike Dreisbach
Sent: Wednesday, September 15, 2010 1:46 PM
To: Joe Newlin
Subject: Refund from Water and Sanitary Sewer CBC Funds / 116 East High Street Redevelopment

A credit was issued to Park Place Real Estate due to the construction of a new structure at **116 East High St.** (aka Ozzie's or High Street Grill). The owner removed a 1 1/2" meter and a 5/8" x 3/4" meter at this site. This reduction in capacity demand led to a credit of \$8,090 and \$1,550 respectively for a total CBC credit of \$9,640. The new demand CBC charge for the new construction is only \$4,650. This led to a CBC credit of \$4,990. The same calculations apply to the Sanitary Sewer CBC charges as well.

There is a detailed Utility Connection Fee calculation sheet (dated August 5, 2010) showing the calculations of all Service Dept. fees for the project on file. Please let me know if you require additional information.

Thanks, Mike



Michael Dreisbach
Director of Service
101 E. High St.
Oxford, OH 45056

CONFIDENTIALITY NOTICE:

This information transmitted is intended only for the person or entity to which it is addressed and may contain personal information which is privileged and confidential. If you receive this material/information in error, please contact the sender and delete or destroy the material/information immediately.

9/15/2010

ORDINANCE NO.

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

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

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

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

GENERAL FUND 110	798.56
GENERAL FUND 110	731.00
CDBG FUND 126	11,114.00
REFUSE FUND 341	2,500.00
FEMA FUND 416	10,444.27
ENFORCEMENT & EDUCATION FUND 412	45,500.00

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

GENERAL FUND 110	798.56
GENERAL FUND 110	731.00
CDBG FUND 126	11,114.00
REFUSE FUND 341	2,500.00
GENERAL FUND 110	94,000.00
GENERAL FUND 110	150,000.00
FEMA FUND 416	12,284.90
IMPROVEMENT FUND 141	170,000.00
WATER CAPACITY BENEFIT FUND 381	4,990.00
SEWER CAPACITY BENEFIT FUND 391	4,990.00
ENFORCEMENT & EDUCATION FUND 412	13,000.00

SECTION 4: The following transfers be executed:

Transfer from:	
GENERAL FUND 110	150,000.00
FEMA FUND 416	12,284.90
Transfer to:	
CDBG FUND 126	150,000.00
GENERAL FUND 110	12,284.90

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

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

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

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

MAYOR

ADOPTED: _____

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development Department
Originating Department

Council Meeting Of: September 7, 2010

Jung-Han Chen

Account Code No. #:

Prepared By:

Budgeted Amount:

August 17, 2010

Date Prepared:

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

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

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

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

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

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

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

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

ORDINANCE NO.

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

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

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

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

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

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW(STAFF)

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

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

City of Oxford
Community Development Department
STAFF REPORT

Planning Commission

Case # PC-09-2010

Date – June 16, 2010

APPLICATION

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

DESCRIPTION

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

SITE HISTORY

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

ZONING CODE

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

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

Churches, Libraries, Community and Recreation Centers

A. Potential Concerns:

1. Adequate lot size to permit future expansion.
2. Location and screening of outdoor recreation areas
3. Bus or van storage
4. Lighting
5. Parking and traffic impact

B. Regulations

1. None

COMPREHENSIVE PLAN

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

COMMENT FORMS

No public comment forms have been received to date.

AGENCY REVIEWS

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

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

DECISION CRITERIA

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

ANALYSIS

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

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

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

RECOMMENDATION

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

SUBMITTED

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

ATTACHMENT

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

(1) Burden of proof.

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

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

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

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 6/3/2010

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

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

Description:

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

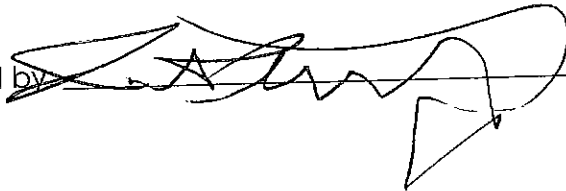
 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

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

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

Drawings reviewed by



Date: 6-5-10

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 6/3/2010

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

From: Community Development

Drawings are being submitted to you for the following:

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

Description:

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

☒ Review ☐ Revisions ☐ Other

Comments or status update requested by: Lynn Taylor

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

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

Drawings reviewed by: A. [Signature]

Date: 6-3-10

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 6/3/2010

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

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

Description:

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

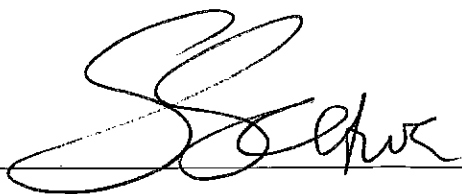
 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

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

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

Drawings reviewed by: _____



Date: _____

6/3/10

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 6/3/2010

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

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

Description:

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

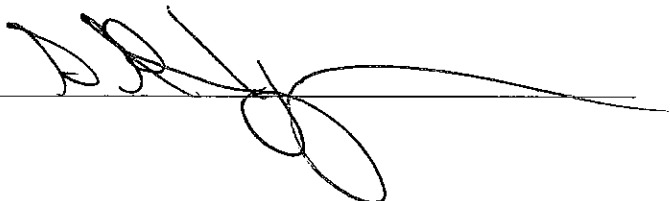
☒ Review ☐ Revisions ☐ Other

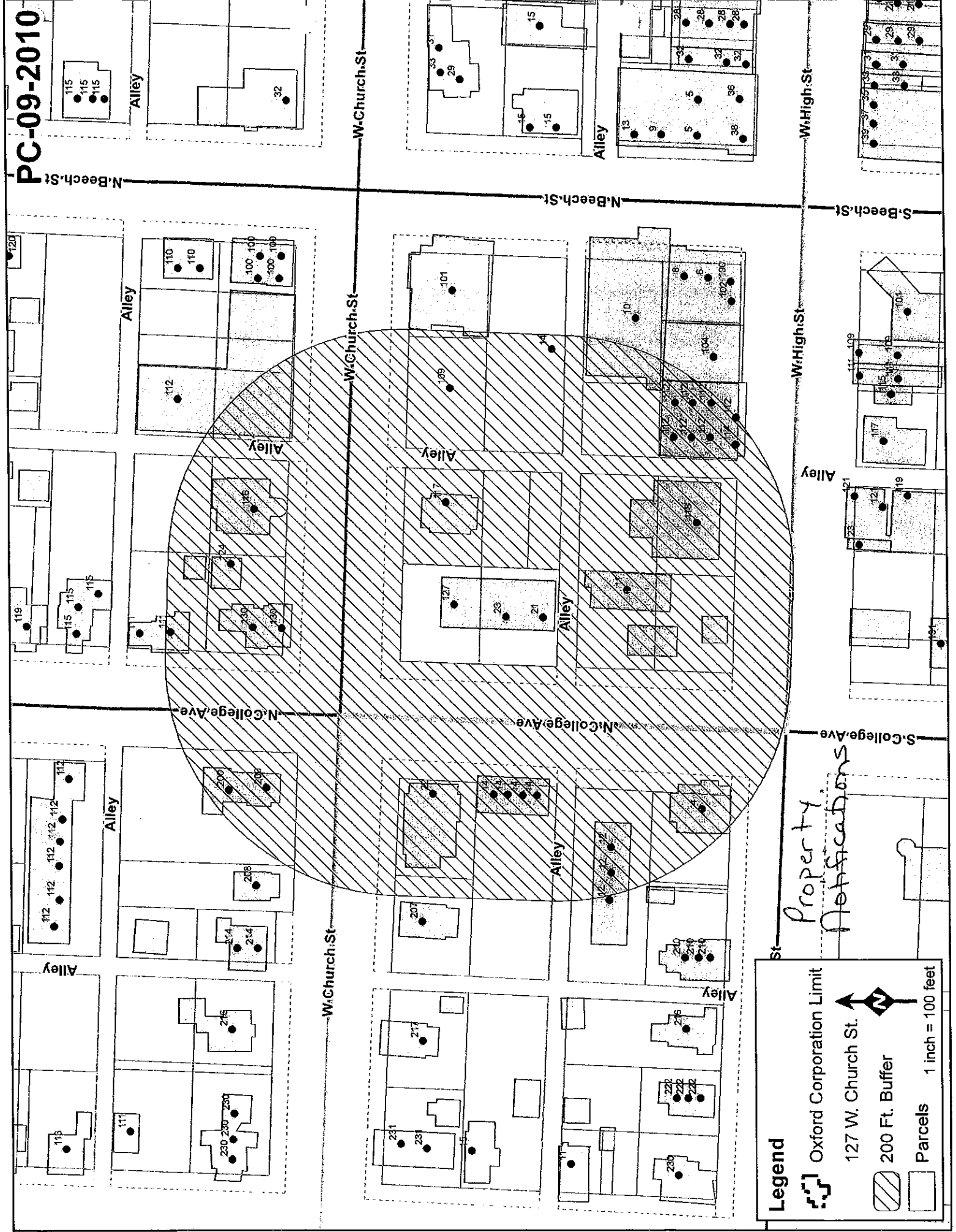
Comments or status update requested by: Lynn Taylor

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

Drawings are returned: w/comments without/comments

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

Drawings reviewed by:  Date: 7-5-10



Legend

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

Property Notifications

Letter of Agency

To Whom It May Concern:

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

Thank you,



Signed: Robert L. Blackburn
Blackburn Rentals

Date: 5 / 26 / 10

Conditional Use Permit Application
City of Oxford, Ohio

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

REQUIRED INFORMATION (print clearly)

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

SUBMISSION REQUIREMENTS

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

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

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

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

- A. The proposed use is in fact a Conditional Use in the zoning district in which it is proposed.
- B. The use and site will satisfy the general intent of this Zoning Code.
- C. The use and site will be compatible with the general intent of the Comprehensive Plan.
- D. The size and shape of the site are sufficient for the proposed use.
- E. The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district.

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

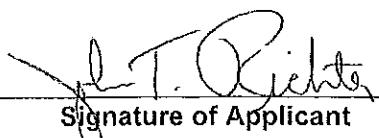
On a separate sheet of paper, provide the names and addresses of all adjoining property owners within 200 feet of the site, including those across streets, roads, alleys and highways. *Property Owner names will not be included in the agenda packet.

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

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

Incomplete applications will not be processed.

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

 Signature of Applicant	<u>JOHN T. RICHTER</u> Printed Name	Date: <u>5-17-2010</u>
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FEE / RECEIPT
\$400 Fee Paid / Receipt Number: 15649

Oxford Vineyard Narrative Summary of Conditional Use Permit Application

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

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

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

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

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

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

Objective 2 Enhance Neighborhoods within the Mile Square

Objective 3 Continue to enhance Uptown

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

Objective 8 Expand urban green space.

Objective 10 Be a leader in environmental stewardship

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The Oxford Vineyard will not require any additional infrastructure or services.

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

No material changes are proposed to the building.

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

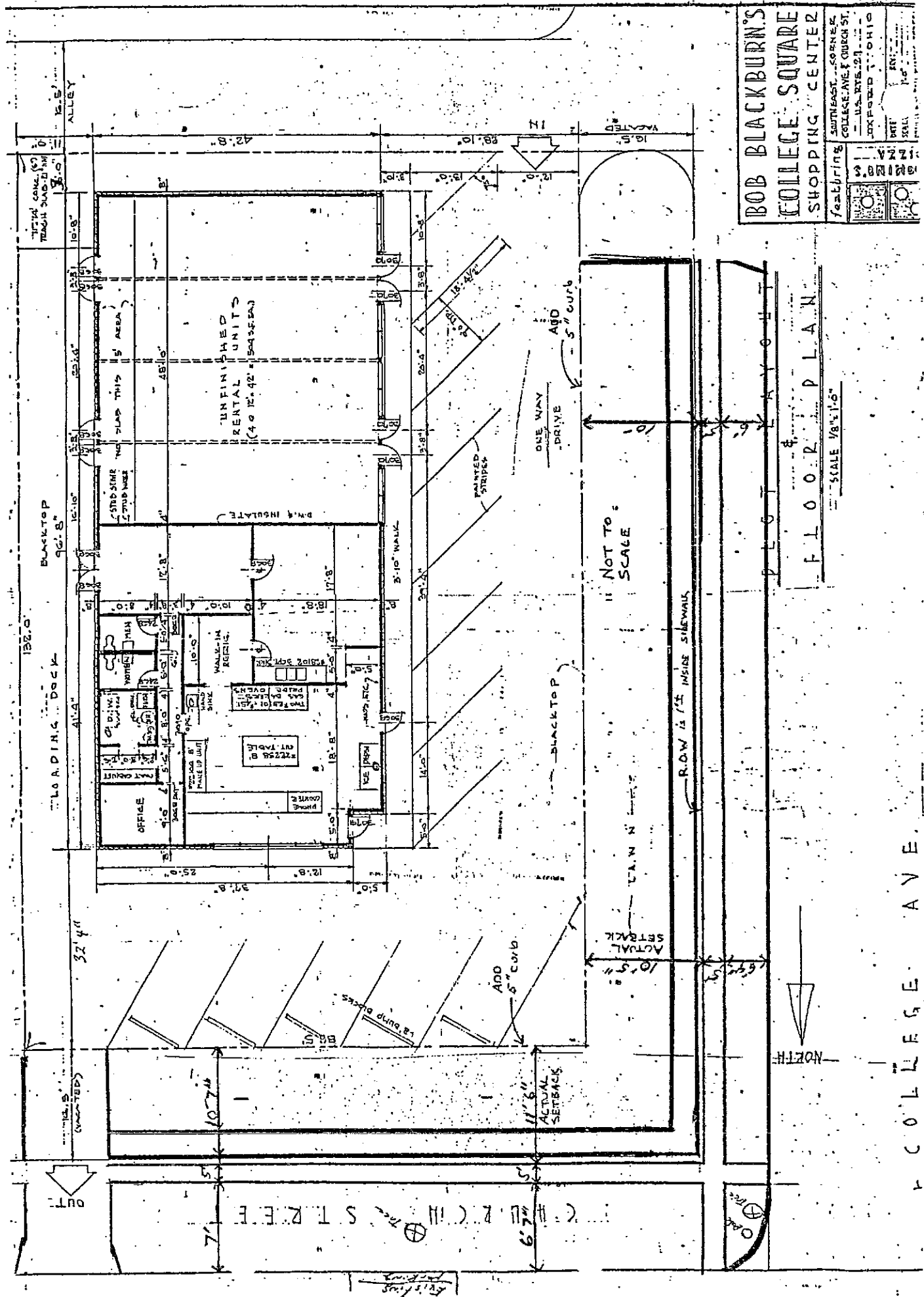
This place of worship is intended to service a significantly pedestrian population. 8 parking spaces are available on-site. Traffic flow through this area should not be effected.

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

No construction is being proposed. The site does not have natural, scenic, or historic features of major importance.

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

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





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